



Our ref: DOC20/326054

Jasmine Tranquille
Planning Officer
Department of Planning, Industry and Environment

By email: Jasmine.Tranquille@planning.nsw.gov.au

Dear Ms Tranquille

Request for additional information comments for Young High School and Joint-use Community Facility (SSD 9671)

Thank you for your referral dated 28 April 2020 inviting comments from the Heritage Council of NSW on the above State Significant Development (SSD) Request for Additional Information.

This proposed SSD is within the curtilage of an active State Heritage Register (SHR) nomination, the *Lambing Flat Anti-Chinese Riot Site and Associated Banner*. The Heritage Council of NSW resolved, at its meeting of 3 March 2020, to give notice of its intention to consider listing this site on the SHR in acknowledgement of its heritage significance to the people of NSW. As part of the statutory listing process an exhibition period was held between 11 March and 8 April 2020. The submissions received during this exhibition period will be presented to the Heritage Council at their 2 June 2020 meeting when they will consider whether or not to recommend to the Minister that this item be listed on the SHR.

The proposed curtilage and listing can be viewed at:

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5066415>

On 3 April 2020, representatives of Heritage NSW met with the Proponent to discuss the previous Response to Submissions letter and recommended draft conditions referred to the Department on 18 March 2020. Following this meeting the Proponent provided a further Request for Additional Information (RFI) prepared by Ethos Urban Pty Ltd, dated 23 April 2020. This document has been reviewed. The Heritage Council of NSW notes the applicant's agreement to the following draft recommended conditions of consent advised to the Department in March 2020:

- 1. Heritage Management;
- 2. Historical Archaeology; and
- 5. Suspected Prisoner Transfer Tunnels.

The following comments are provided to address the applicant's proposed amendments to the draft conditions of consent 3, 4, and 6.

3. New Block NN Design

The Applicant has explained that the design of the New Block NN including setback and form are unable to be changed in the current application without a complete redesign of the project including functions and capacity within the buildings. The Applicant advised they may be able to lessen visual impacts through material and colour selection. The condition has been amended as follows to reflect this change. Heritage NSW clarifications to the Proponent's changes are set out in bold below:

The design of the New Block NN is to be refined to reduce the visual impact of the proposed building on the setting of the historic Courthouse. **Where amendment to the setback and form of the New Block NN is not possible**, this may be achieved through review of material **and colour selection**. The final design drawings are to be provided to the Heritage Council of NSW or its delegate for review, and comments incorporated, prior to **the commencement of construction**.

4. Courthouse Forecourt Landscape Design

The original purpose of this condition was to ensure that the Courthouse forecourt landscape design was refined to be in accordance with the assessed heritage significance of this area and the Courthouse. Our primary concern was the relationship between the Courthouse and the proposed Courthouse forecourt landscape design and this condition needs to reflect this. Heritage NSW did note the need for a transition from the new to the current landscapes during the 3 April meeting. However, this is only a potential solution to the larger issue.

Heritage NSW agrees with some of the changes suggested by the Proponent and further suggests that the condition be modified as follows:

The landscape design of the Courthouse forecourt is to be refined to ensure that it is consistent with the assessed heritage significance of the Courthouse and this part of the site. The significance of the Courthouse includes formalised landscaping elements, which are not well reflected in the current landscaping plan. The New Block NN Landscaping should better relate the values of the Courthouse including its setting. It should also appropriately consider the moderate to high archaeological potential of the area to the north and east of the Courthouse. The final design drawings are to be provided to the Heritage Council of NSW or its delegate for review, and comments incorporated, prior to commencement of construction.

This amendment is also to ensure that this condition is simple for compliance authorities to assess and administer.

The Heritage Council of NSW is generally supportive of the idea of incorporating Aboriginal cultural heritage values in the New Block NN landscape design. However, the landscaping should ensure that the values of the Courthouse are appropriately addressed in addition to other heritage values within the site. The Aboriginal cultural heritage values of the place are not currently under consideration at a State level in the SHR nomination. While they are an important site element, this aspect should not dominate the landscape design but work in tandem with other values. It is suggested that the landscaping and heritage interpretation strategy should speak to one another so that the landscaping incorporates interpretation in a meaningful way.

6. Interpretation and Public Outcomes

The Applicant has requested that the Interpretation condition is separated and Heritage NSW supports this approach with links to different stages of the project as follows.

6. Heritage Interpretation Strategy

*A **Heritage** Interpretation Strategy shall be prepared for the site and provided to the Heritage Council of NSW or its delegate for review, and comments incorporated, **prior to commencement of construction**. The **Heritage** Interpretation Strategy must incorporate relevant history and significance of the site including the Lambing Flat Anti-Chinese Riots, recognition of key buildings (e.g. Gold Commissioners' Camp) and landscape features. It must establish the key elements relevant to guiding the detailed Heritage Interpretation Plan for the site and address consistency with the NSW history syllabus.*

*Reason: This Lambing Flat Anti-Chinese Riot site has been identified by the Heritage Council of NSW to be of potential State heritage significance. The intangible heritage values of the riot site require interpretation to communicate its significance and importance to the public of NSW. The difficult history of the riot site, and the Lambing Flat Anti-Chinese Riots as a whole, needs to be confronted and engaged on site in a meaningful and sensitive manner. The early development of a **Heritage** Interpretation Strategy will allow critical input from the Heritage Council of NSW **and ensure that interpretation needs are considered throughout the final design stages of the project.***

7. Heritage Interpretation Plan

*A Heritage Interpretation Plan shall be prepared and provided to the Heritage Council of NSW or its delegate for review, and comments incorporated within 6 months of the completion of the historical archaeological excavation report. The Heritage Interpretation Plan shall outline key results from the historical and Aboriginal archaeological investigations. The Plan will finalise types, materials, locations and variety of interpretive media to be installed and be incorporated into **the final** design. The Plan shall be consistent with the Heritage Council of NSW Guidelines and be implemented **prior to the commencement of operation**.*

Reason: This Lambing Flat Anti-Chinese Riot site has been identified by the Heritage Council of NSW to be of potential State heritage significance. The intangible heritage values of the riot site require interpretation to communicate its significance and importance to the public of NSW. The difficult history of the riot site, and the Lambing Flat Anti-Chinese Riots as a whole, needs to be confronted and engaged on site in a meaningful and sensitive manner. The development of a Heritage Interpretation Plan in the later stages of the project will allow the incorporation of information gained from the archaeological salvage excavations.

If you have any questions regarding the above advice, please contact Dr Damian Tybussek, Senior Heritage Operations Officer at Heritage NSW, on 0488 188 527 or Damian.Tybussek@environment.nsw.gov.au.

Yours sincerely



Mr. Steven Meredith
Regional Manager, South
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW
5 May 2020