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Mr Peter McManus  
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Department of Planning & Environment  
Level 22, 320 Pitt Street  
SYDNEY NSW 2000

By email to: [Peter.McManus@planning.nsw.gov.au](mailto:Peter.McManus@planning.nsw.gov.au)

Dear Mr McManus

**Comment and recommended conditions of consent for New Inner Sydney High School,  
242A and 244 Cleveland Street, Surry Hills, Sydney City LGA (SSD 16 - 7610)**

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I refer to your email of 20 June 2017 requesting comment and advice on recommended conditions of consent by the Heritage Council of NSW (Heritage Council) for the above proposal. The following application documents have been reviewed and considered in providing these comments:

- Environmental Impact Statement, prepared by Urbis.
- 2016 Concept Report, prepared by Perumal Pedavoli Architects.
- 2016 Conservation Management Plan (CMP), prepared by OCP Architects.
- 2017 Heritage Impact Statement (HIS), prepared by Weir Phillips Heritage.
- Architectural Design Statement, prepared by FJMT Architects.
- Landscape Design Statement, prepared by FJMT Architects.

I note from the HIS that the works proposed in this application includes:

- New landscaping and site works.
- Alterations to Buildings 1, 2 and 3, being internal reconfiguration and refurbishment.
- Construction of a new 11-storey building in the approximate location of
- Building 4\*, including outdoor learning and recreational areas.
- Construction of walkways between Buildings 1, 2 and 3 and proposed new building.
- Associated site landscaping and public domain improvements.
- Augmentation and construction of ancillary infrastructure.

\* the demolition of (the 1969) Building 4, the covered walkways between this building and Buildings 1, 2 and 3 and the removal of existing landscape elements and selected trees are works outside of the scope of the HIS, being subject to other approvals.

### Historic Heritage

The CMP rankings of levels of heritage significance note that the site is state-significant for criteria: a (historic); b (associative); and g (representative) values and suggest that it may be state-significant for criterion e (research / technical values) for high Aboriginal archaeological

potential. The CMP also ranks criterion f (rarity) as being of local significance. Further comparative analysis would be required to support this ranking.

Items need only meet two of seven heritage criteria to be considered for State Heritage Register listing. The three to five 'state' rankings for this site suggest it should be nominated for State Heritage Register listing.

The CMP summary statement of significance (section 7.2, page 124) needs to clearly make the distinction between the 'local' and 'potential state' heritage values of significance within the site. This revision is required because the statement of significance is key to guiding the heritage management for the proposed state-significant development, particularly in the context of conservation policy 1 – *Retention of Significance*. This policy states that the statement of significance should be adopted as the basis for the site's heritage management (page 142).

The proposal appears inconsistent with CMP rankings of significant elements that should be retained. Some proposed works are inconsistent with significance rankings in the CMP and either require revision or better justification.

An example is the proposed removal of trees in the main courtyard appears inconsistent with conservation policy 25 – *Existing Mature Trees*. Another is the proposed raised new north-east courtyard at street level above the north-east courtyard, 're-interpreting' this at street level- and constructing several small rooms below appears inconsistent with conservation policy 21 – *Courtyard Setting to Existing Buildings* which states 'no new development' in this courtyard.

Generally, works proposed internally appear appropriate and to have some positive impacts in removing intrusive alterations or fabric. No specific approval conditions are recommended concerning interior fabric of the school buildings.

The proposed development cannot be supported in its current form. In particular, the proposed tower's height and design are considered to be over-dominant, i.e. intrusive on the school site's scale and setting and also on the adjacent Prince Alfred Park. The tower as proposed will have major adverse visual impact on both, as seen primarily from Chalmers Street and from the Park to the west and north-west. Photomontages provided are helpful but limited, and do not present the full visual impacts this will have. Design options to reduce both the height and bulk of the tower do not appear to have been comprehensively explored.

It is requested that the applicant consult with the Heritage Council of NSW and amend the proposal in line with any comments it should have, prior to any further approval.

Consent conditions relating to aspects of the proposed development other than the height and design of the tower are provided in the following sections.

### **Recommended Historic Heritage Conditions of Approval**

- **A heritage consultant must be involved in detailed design and construction phases, consistent with conservation policies 11 and 12 of the 2016 Conservation Management Plan. The 2016 Conservation Management Plan should continue to guide the detailed design phase.**
- **An archival recording of the site, with particular focus on areas of proposed works, must be undertaken prior to commencement of works. This recording is to be carried out in**

accordance with current, published NSW Heritage Division guidelines and Policy 9 of the 2016 Conservation Management Plan. Copies of the recording shall be provided to the Heritage Council of NSW and to the Council of the City of Sydney.

- A record of proposed works should be maintained consistent with conservation policy 8 of the 2016 Conservation Management Plan.
- All significant or original fabric identified by the 2016 Conservation Management Plan to be removed during proposed works (most notably doors and windows) should be stored on site for possible reinstatement at a future date or used in repairs where appropriate.
- Where storage or future reinstatement is not possible, they should be offered to a reputable storage yard.
- A Schedule of Conservation Works should be prepared and its recommendations implemented.
- An Interpretation Strategy should be prepared and its recommendations implemented. This plan should include opportunities to reinstate, use and display moveable heritage items and should enable public access to interpretive elements on the site when opportunity arises, for example on heritage open days.
- Noting that the HIS's scope omits demolition of Building 4, the covered walkways between this building and Buildings 1, 2 and 3 and the removal of existing landscape elements and selected trees, the Heritage Council of NSW would welcome the opportunity to comment on an HIS covering these works, given these are parts of the same heritage item, although subject to separate approvals.
- The recommendations made by the Arborist regarding tree no's 1, 17-25 should be included as conditions of consent to ensure adequate protection of significant trees prior to, during and after completion of works.
- The area of proposed paving over the root zones of both tree 1, Moreton Bay fig (*Ficus macrophylla*) in the site's south-west and the area of proposed 'suspended slab' paving around tree 17, Queensland kauri tree (*Agathis robusta*) near Building 3 should be reduced to ensure the non-compaction of the root zones of these significant trees, to the satisfaction of a qualified and experienced arborist.
- The 2016 Conservation Management Plan summary statement of significance should be revised to include the reference to 'local' and 'potential state' heritage values of significance within the site, to guide the appropriate management of the site's identified heritage values.
- A State Heritage Register nomination to the Heritage Council of NSW should be prepared and submitted for the site, given that the 2016 Conservation Management Plan identifies that the site potentially meets several of the criteria for listing on the State Heritage Register.
- Better justification for departures from the 2016 Conservation Management Plan's recommendations (e.g. conservation policy 25 – mature trees, and policy 21 – no new development in the north-east courtyard) regarding all significant layout, built and landscape elements should be provided in a revised Statement of Heritage Impact.

## Historical Archaeology

An Historical Archaeological Assessment was prepared by Casey and Lowe Pty Ltd dated July 2016. However, this has applied the historical research outlined in the Perumal Murphy Alessi Heritage Consultants Heritage Assessment for the site, without addressing whether additional historical research was warranted for this site. Notwithstanding this, the Archaeological Assessment has considered the historical information available and the likely impact to archaeological remains through site formation processes, which is appropriate.

The Archaeological Assessment has argued previous site modification has impacted the archaeological resources associated with the earlier 1855 occupation of the site, particularly the later construction of Building 2. However, the Assessment of Significance for this site is not sufficient to demonstrate the argument for limited research potential. There is no comparative analysis or consideration of the site against the relevant NSW Historical Themes and how they might be reflected in the archaeological record at this site. The Archaeological Assessment needs to provide sufficient information to support the argument for limited research potential. The current Archaeological Assessment should be revised in light of these comments.

The assessment of impacts considered several options for the new school with varying degrees of archaeological impact. The location of the new building in the location of 'Building 4', would harm archaeological deposits in this area. However, the area is identified as retaining low to moderate archaeological potential for locally significant archaeological resources. The proposed mitigation strategy in the archaeological assessment needs to be clearly outline when and why an archaeologist is required for monitoring and/or the discovery of unexpected finds. The management strategy should be guided by what is likely to be found and where impacts will occur. Some of the anticipated impacts are likely to be refined or expanded in detailed design. The research framework proposed in Section 7 needs to consider relevant comparative information and the NSW Historical Themes in forming questions to be addressed during archaeological works.

To address these aspects of the proposal, a revised Archaeological research design and excavation methodology should be prepared, which includes an amended response to the assessment of significance.

### **Recommended Historical Archaeology Conditions of Approval**

The following conditions of consent are recommended to manage the impacts to historical archaeological resources which will be harmed by the proposed project:

- **An Excavation Director shall be nominated to direct the archaeological program for this project. The consultant shall have appropriate qualifications and experience commensurate with the scope of the Major Project works. This person shall demonstrate a response to the Heritage Council of NSW's Excavation Director Assessment Criteria for the significance and archaeological activity for approval of the Department of Planning and Environment prior to commencement of works. The nominated Excavation Director shall revise the assessment of significance supporting the archaeological assessment to include comparative analysis and against the NSW Historical Themes to guide the research questions relevant to support archaeological investigation of this site.**
- **All construction contractors, subcontractors and personnel are to be inducted and informed by the Department of Planning and Environment Approved Excavation Director prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics'.**

- All affected historical archaeological 'relics' and/or deposits of Local heritage significance are to be subject to professional archaeological excavation and/or recording before construction works commence which would impact those 'relics'. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines by the Department of Planning and Environment Approved Excavation Director. Those documents should be prepared for the approval of the Secretary, Department of Planning & Environment upon receipt of advice from the Heritage Division of the Office of Environment & Heritage prior to works commencing on site.
- After any archaeological works have been undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the City of Sydney and the Department of Planning & Environment. The proponent shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations.
- The information within the final excavation report shall be required to include the following:
  - An executive summary of the archaeological programme;
  - Due credit to the client paying for the excavation, on the title page;
  - An accurate site location and site plan (with scale and north arrow);
  - Historical research, references, and bibliography;
  - Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
  - Nominated repository for the items;
  - Detailed response to research questions (at minimum those stated in the Department of Planning & Environment approved Research Design);
  - Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site;
  - Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).
- The results of the archaeological fieldwork and the history of the site should be used to inform an Interpretation Plan for the site. This should be used to guide the future incorporation of the findings from the works in communicating the significance of the site to future students and visitors. The Interpretation Plan should be prepared in accordance with the Guidelines issued by the Heritage Council of NSW. The Interpretation Plan should be prepared for the approval of the Department of Planning & Environment.

## Aboriginal Archaeology

It is noted that the Aboriginal archaeological assessment has assessed the site as retaining state heritage significance and indicates possibly high potential for physical evidence of Aboriginal occupation to be present. This part of the project should be addressed by the Regional Operations Division at Office of Environment and Heritage with respect to managing Aboriginal objects in NSW given the approval provisions for s.90 applications under the *National Parks and Wildlife (NPW) Act 1974* do not apply for State Significant Development Applications under s89J of the *Environmental Planning and Assessment Act 1979*. However,

it is advised that the significant Aboriginal cultural heritage values identified for this site must be acknowledged and protected through appropriate management and consultation with the Aboriginal community as part of this redevelopment process.

If you have any questions regarding the above matter, please contact Stuart Read, Heritage Assessment Officer, at the Heritage Division, Office of Environment and Heritage on telephone (02) 9873 8554 or by email: [Stuart.Read@environment.nsw.gov.au](mailto:Stuart.Read@environment.nsw.gov.au).

Yours sincerely



**Rochelle Johnston**  
Manager, Conservation  
Heritage Division  
Office of Environment & Heritage

**As Delegate of the Heritage Council of NSW**

18 August 2017