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Leanne Grove
DA Coordinator
Priority Projects, Key Sites & Industry
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Grove,

Request for Heritage Council Comment on a proposed mixed use residential and retail development at 80-88 Regent Street, Redfern (SSD 7080) – Notice of Public Exhibition.

Thank you for the invitation to the Heritage Council of NSW to comment on and recommend conditions of approval for the proposed mixed use residential and retail development at 80-88 Regent Street, Redfern (SSD 7080, herein referred to as the 'Project Area'). I am responding as the Delegate of the Heritage Council of NSW. A review of the documentation associated with the Environmental Impact Statement (EIS) has been undertaken, in particular the:

- *Heritage Impact Statement 80-88 Regent Street Redfern* prepared by Urbis Pty Ltd dated January 2016 (the Assessment).

Based upon this review, the following comments and recommended conditions are provided.

The Project Area consists of five commercial terraces built in 1883. The Project Area does not contain items listed on the State Heritage Register, S170 Heritage and Conservation Registers or items that are locally listed on a Local Environment Plan and no items of heritage significance were identified in the Assessment. The Project Area is adjacent to the Redfern Estate Conservation Area (City of Sydney LEP Item No C56), an item of local heritage significance.

The historical research identified that the Project Area has been in use since the 1850s with three buildings identified in an 1854 plan of the Project Area and four buildings fronting Regent Street, with ancillary structures at the rear depicted on a plan in 1865. The assessment of significance did not identify the current terraces as having heritage significance and did not consider the Project Area to have archaeological potential, while also noting that an archaeological assessment was beyond the remit of the Assessment (p.19). Based on this no management recommendations were made for historic archaeology or historic heritage in general.

The NSW Heritage Council guidelines outline that a Statement of Heritage Impact is required to assess impacts to every type of heritage which may be present at the site, including archaeological potential and without this information the Assessment is considered inadequate. The limited historical information presented in the report has identified a continuous intensive occupation at the Project Area from the 1850s (p.8-9). Building techniques in the 1880s may not have removed all evidence of previous structures suggesting the archaeological potential of the Project Area may be higher than currently predicted. A comparative analysis is not present, which would assist in determining the significance of the Project Area and any potential archaeological deposits. It is noted that the assessment of the nearby development at 68-70 Regent Street, Redfern considered a similar group of buildings to the current Project Area. The buildings at 68-70 Regent Street, were assessed as having moderate to high archaeological potential. This investigation is an important comparative resource for the current project and should be considered.

Additionally, the site visit to the Project Area did not investigate the interior or rear of the buildings, which are essential to understand the potential for archaeological remains in the Project Area. The Heritage Impact Statement also lacked information such as investigation into evidence of basements, underground structures, yard deposits, privies and/or wells. An understanding of historical evidence, a thorough site assessment and investigation of the site development is not present in the report and should be included in a revised statement of heritage impact.

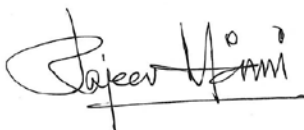
There are no methods proposed for management of heritage in the Project Area such as an unexpected finds procedure, guidance on stop work procedures if potential relics are identified and inductions for personnel working on the project. Moreover, considering the deficiencies in the historical investigation, the significance assessment and the lack of an assessment of archaeological potential, the lack of management measures is considered inadequate. There is potential for relics of local or State heritage significance to be present and these relics will require detailed assessment and investigation as part of a revised statement of heritage impact. This assessment may include test excavation carried out by a suitably qualified archaeologist to establish the integrity, location and significance of any potential deposits within the Project Area, based on an updated archaeological assessment and an appropriate research design.

The Heritage Division advises the Department of Planning and Environment the Statement of Heritage Impact is not adequate as it has not addressed any of the above archaeological heritage issues. As a result impact to archaeology has not been adequately considered in the preparation of the EIS for this project. The following recommendations are made to ensure that heritage concerns are adequately addressed prior to project approval:

1. An appropriate and thorough archaeological assessment is prepared as part of a revised statement of heritage impact, including detailed historical information, an updated statement of heritage significance which includes archaeological potential and a research design for test and possible salvage excavation based on existing Heritage Council guidance material including 'Archaeological Assessments', 1996 and 'Assessing Significance for Historical Archaeological sites and Relics', 2009 and in consultation with the Heritage Council of NSW or its Delegate;
2. A historical archaeological Excavation Director must be nominated if any archaeological fieldwork is required. This Excavation Director shall meet the criteria endorsed by the Heritage Council of NSW at the appropriate significance level;
3. Results of the archaeological works shall be presented in a final excavation report within one (1) year of completion of all archaeological works on the site and shall be submitted for the information of the Heritage Council of NSW; and
4. A suitable artefact repository for the ongoing retention for any relics of local heritage significance which are recovered during excavations for this activity must be identified in the report; and a copy of the excavation report shall be retained with the relics at all times.

Should you have any queries, please contact Rebecca Newell, Archaeologist, at the Heritage Division on (02) 9873 8500 or at Rebecca.Newell@environment.nsw.gov.au.

Yours sincerely



Rajeev Maini
Acting Manager, Conservation
Heritage Division
Office of Environment and Heritage
AS DELEGATE OF THE NSW HERITAGE COUNCIL OF NSW
18 February 2016