



Office of
Environment
& Heritage

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SSD 7064

Mr Brendon Roberts
Team leader
Key Site Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: James Groundwater
james.groundwater@planning.nsw.gov.au

Dear Mr Groundwater

Exhibition of modification for mixed use hotel, retail and residential development (SSD 7064 MOD1) 175-177 Cleveland Street and 1-5 Woodburn Street, Redfern

I refer to your letter received 13 September 2018 seeking comment from the Office of Environment and Heritage (OEH) on the modification proposal for a six-storey mixed use hotel, residential flat building and retail development, comprising 45 hotel rooms, 20 residential apartments, two retail tenancies and two levels of basement car parking at Cleveland Street and Woodburn Street, Redfern (SSD 7064).

The modification request seeks approval for internal and external changes to the approved development, such as:

- an additional 280 square metres of retail/ commercial gross floor area
- internal layout changes to the retail/ commercial tenancies and
- additional residential communal open space.

OEH originally provided comments on this application to DPE on 20 November 2015 after reviewing the report *175-177 Cleveland Street and 1-5 Woodburn Street, Redfern: Aboriginal Cultural Heritage Assessment, Final, for Construct Corp, AHMS, September 2015* (Aboriginal Cultural Heritage Assessment). OEH raised concerns that:

“The Aboriginal Cultural Heritage Assessment states that no further Aboriginal cultural heritage assessment or investigation is required prior to the development, based on the densely developed nature of the Cleveland Street area. It is stated that the construction of the factory buildings that are currently on the site are likely to have required footings and foundations and that these will have disturbed the site sufficiently to ensure that no Aboriginal objects will be present. However, no information about historical land uses at the site and past construction methodologies appear to have been considered and were not presented. As a result of this, the extent of impact to any archaeological objects that may be on site is not known. Many older

buildings have discrete footings and foundations and no basements. Aboriginal objects and intact deposits have been located in between footings in other urban areas. Intact pre-European soil horizons have been recorded in other locations along Cleveland Street and may be present here. OEH considers that further assessment relating to this should occur, including an extensive site history and disturbance mapping.

OEH notes that no evidence of consultation with the local Aboriginal community is presented in the Aboriginal Cultural Heritage Assessment. If consultation has taken place, the results of that consultation should be provided. If not, OEH considers that consultation should occur and that the results of this consultation inform the recommendations of the Aboriginal Cultural Heritage Assessment.”

OEH understands that the proponent’s response to submissions on the original SSD did not address OEH’s concerns outlined above. The SSD was refused by DPE, however it was approved on appeal to the Land and Environment Court (*Platinum Property Advisors Pty Ltd v Minister for Planning Appeal No: 17/85735*). The Conditions of Consent relating to Aboriginal Heritage (conditions C7 and C8) required that in the event of discovery of previously unidentified Aboriginal objects, or human remains, that works in the vicinity must cease.

There is a possibility that the site may have intact soil profiles that contain Aboriginal objects particularly given the extent of excavation to facilitate two levels of basement car parking. The proponent needs to be aware of this and the two conditions of this consent relating to Aboriginal cultural heritage. The proponent must ensure the stop work protocol is implemented in the event of the discovery of unidentified Aboriginal objects, or human remains.

If you have any queries regarding this matter please contact Svetlana Kotevska Senior Conservation Planning Officer, on 8837 6040.

Yours sincerely

S. Harrison 27/09/18

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