



Heritage Council

of New South Wales

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Mr Mark Schofield
A/Director, Metropolitan & Regional Projects South
Department of Planning and Infrastructure
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Attention: Chris King
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Dear Mr Schofield

**PART 3A DEVELOPMENT – ROYAL FAR WEST SCHOOL SITE, MANLY –
CONCEPT PLAN FOR MIXED USES AND THREE NEW BUILDINGS – PREFERRED
PROJECT AND RESPONSE TO SUBMISSIONS – MAJOR PROJECT 10_0159**

I refer to your letter dated 30 August 2012, received on 31 August 2012, requesting comments on the preferred project and response to submissions for the above concept plan proposal. The Heritage Council has reviewed the revised proposal and supporting assessments and accordingly provides the following comments with regard to heritage issues.

Previous comments

Previous Heritage Branch comments on the environmental assessment raised the following heritage issues with the proposed redevelopment:

1. An archaeological assessment of non-Aboriginal archaeology is required prior to determination of the application to satisfy the Director General Requirements for archaeology.
2. Include conservation and restoration works for the two heritage buildings ('Drummond House' and 'The Terraces') to balance negative impacts on these buildings.
3. Revise the design, bulk and scale of the new buildings (of twelve, eight and seven storeys) in consultation with the heritage consultant to mitigate physical and visual impacts on the two heritage buildings (of three and two storeys)
4. Incorporate the recommended mitigation measures of the Statement of Heritage Impact as conditions of consent.

The following section reviews how these comments have been addressed in the preferred project and taking into account related further issues raised in submissions.

Preferred project

The Heritage Council notes that this revised application for a mixed use redevelopment seeks approval for:

- re-use of two historic buildings for health and residential uses
- demolition of four later buildings on the site
- construction of three new buildings for health, retail, hotel and apartment uses
- building heights of nine, eight and five storeys over additional basement levels
- total floor space ratio of 3.2:1 (floor area of 22,290 square metres on a site area of 6,950 square metres).

Comments on preferred project and response to submissions

The following comments concentrate on heritage matters managed under the Heritage Act 1977 to be addressed as part of the consolidated Part 3A approval. This covers heritage sites of state heritage significance and archaeological relics of local and state heritage significance.

A. Drummond House and The Terraces

The Heritage Branch issues summarised above as points 2-4 relate to impacts on the affected heritage items known as 'Drummond House' and 'The Terraces', which were the focus of the exhibited environmental assessment for heritage. It is noted that these are identified as items of local heritage significance and that this local level of significance is confirmed in the exhibited assessment.

Heritage impacts on heritage items of local heritage significance are important to assess and mitigate as part of this major redevelopment proposal. However these are matters for Manly Council to assess under the planning Act and its local planning instruments.

The Heritage Council therefore makes no further comments on whether the revised proposal addresses these issues, but defers to the assessment by Manly Council. The Heritage Council requests the Department of Planning and Infrastructure to include Manly Council's recommendations as conditions of consent to mitigate these local heritage impacts.

B. Manly Beach precinct impacts

The Heritage Council notes that Manly Council's submission raised issues with the impact of the development on the historic beachfront promenade, Manly Beach and the associated South Steyne streetscape. The Heritage Council therefore has examined how these further heritage issues are addressed in the submitted proposal.

The exhibited environmental assessment for heritage acknowledges that the beach reserve (promenade) is listed as a local heritage item. However, this environmental assessment did not assess the significance of this adjoining heritage item or the impact of the development on the Manly Beach promenade and beachfront.

The significance of Manly Beach to the community and its iconic status is widely acknowledged and therefore, in the view of the Heritage Council, could be considered as an item of potential state heritage significance.

The site and proposed development are both substantial in size and directly address the beachfront in a highly prominent position. This means that the impact of the development extends beyond the boundaries of the subject site and its immediate neighbouring heritage items. The impact of the development can not therefore be considered in isolation of its potentially more significant context, as currently by the majority of the exhibited drawings and environmental assessments.

The exhibited building height context diagram and visual assessment do not identify or assess significant features of this beachfront presentation. By virtue of its scale and focus on building heights, the context diagram emphasises building forms and heights which may detract from the significance of the beach and promenade precinct, rather than identifying positive characteristics of this precinct to be reinforced in the proposed development.

The exhibited photomontages in the visual assessment do not clearly assess the impact of the new development in its immediate context or its visual impact on listed heritage items including the promenade. While the visual assessment concludes the development will have a high visual impact from closer vantages, it provides no complete and clear views of the development in its context from these closer vantages and excludes the most significant views from the listed promenade directly opposite. Photomontages for closer views are cropped to exclude the full height or width of the new buildings, do not include immediately adjoining buildings or affected heritage items, or portray the new buildings unclearly in abstract grey shades behind trees.

Manly Council's submission highlights that the proposed bulk, height and form of the development exceeds the local planning controls and impacts on the setting of built heritage items in the vicinity.

For these reasons, the Heritage Council recommends that the Department of Planning and Infrastructure give due consideration to the cumulative impact of this development on the significance of the broader precinct of Manly Beach in terms of:

- the bulk, scale and massing of the development's presentation to the promenade, beach, South Steyne and associated public domain;
- views to and from the promenade, beach, and South Steyne and all heritage items in the vicinity of the development, including near views;
- overshadowing of the beach, promenade and associated public domain in all daylight hours;
- retaining and reinforcing positive characteristics of this streetscape which contribute to the significant setting of the beach and promenade.

The Heritage Council recommends that this consideration of the cumulative impact be guided by the advice and planning controls of Manly Council for the desired urban form for this precinct and development in the vicinity of heritage items.

C. Archaeological impacts

The impact on archaeological relics is the main outstanding issue in relation to addressing the Heritage Branch recommendations in point 1 above. As Part 3A applications replace the need to obtain a separate excavation permit under the Heritage Act, impacts on potential archaeological relics instead needs to be addressed as part of the consolidated Part 3A assessment.

It is noted that the recommended archaeological assessment has not been provided to satisfy the Director General's Requirements. The updated Heritage Impact Statement identifies the site as having:

'...medium archaeological potential, which may contribute further knowledge than known through other sources in relation to demolished late 19th century dwellings and their occupants, and various entertainment venues on the corner of South Steyne and Wentworth Street.'

Conditions are therefore recommended below for the appropriate management of archaeological relics consistent with the intent of the Heritage Act provisions for excavation permits and to address the Director General's Requirement for archaeology.

Recommendations

As delegate of the Heritage Council, the following conditions are recommended for the consolidated consent under Part 3A of the Environmental Planning and Assessment Act 1979 in relation to heritage issues:

Archaeological impacts mitigation:

1. Before excavation commences on site, the Applicant must engage a suitably qualified historical archaeologist to undertake an archaeological assessment to determine the likelihood and significance of any archaeological relics in areas proposed for excavation. This assessment must contain an appropriate methodology for any archaeological works required and an appropriate research design to guide the archaeological works. For relics of potential state significance, the archaeological assessment should also include an appropriate mitigation strategy with options for in situ retention or on-site interpretation. This archaeological assessment must be submitted to the Heritage Branch, Office of Environment and Heritage, for comment prior to any archaeological works commencing on site.
2. All demolition and excavation works on the site of significant relics identified in the archaeological assessment must be monitored by a suitably qualified historical archaeologist. Details of this archaeologist must be forwarded to the Heritage Council for sign off prior to works commencing.
3. Should archaeological evidence be revealed during works, all works must stop and the archaeologist must be given adequate resources to allow full and detailed recording of this archaeology to be undertaken to the satisfaction of the NSW Heritage Council.
4. The Applicant must ensure that the site under archaeological investigation is made secure and that the un-excavated artefacts, structures and features are not subject to deterioration, damage or destruction.
5. The Applicant is responsible for the safe-keeping of all relics recovered from the site.
6. The Applicant must ensure that the approved Excavation Director or an appropriate specialist, cleans, stabilises, labels, analyses, catalogues and stores any artefacts recovered from the site in a way that allows them to be retrieved according to both type and provenance.

7. The Applicant must ensure that a summary of the results of the field work, up to 500 words in length, prepared by the approved Excavation Director is submitted to the Heritage Council of NSW for approval within one (1) month of completion of archaeological field work.
8. The Applicant must ensure that a final excavation report is written by the approved Excavation Director to publication standard, within one (1) year of the completion of the field based archaeological activity. This report must include an assessment of the significance of the archaeology, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of Ardross and other comparative sites in the area and recommendations for the future management of the site.

Manly Beach precinct impact mitigation:

It is further recommended that the Department of Planning and Infrastructure give consideration to the cumulative impact of this development on the significance of the broader precinct of Manly Beach in terms of:

- the bulk, scale and massing of the development's presentation to the promenade, beach, South Steyne and associated public domain;
- views to and from the promenade, beach, and South Steyne and all heritage items in the vicinity of the development, including oblique views as noted by council;
- overshadowing of the beach, promenade and associated public domain in all daylight hours;
- retaining and reinforcing positive characteristics of this streetscape which contribute to the significant setting of the beach and promenade.

The Heritage Council recommends that this consideration of the cumulative impact be guided by the advice and planning controls of Manly Council for the desired urban form for this precinct and development in the vicinity of heritage items.

For any enquiries regarding this matter, please contact Claudine Loffi of the Heritage Branch on (02) 9873 8590.

Yours sincerely



24/09/2012

Vincent Sicari
Manager Conservation Team
Heritage Branch
Office of Environment and Heritage
As Delegate of the Heritage Council of NSW