

An architectural rendering of a modern school building with a mix of brick and dark grey panels, large windows, and balconies. In the foreground, there is a paved courtyard with a large tree, a brick play area where children are playing, and a grassy area. The sky is blue with some clouds.

# **Upgrades to Chatswood Public School and Chatswood High School**

## **Appendix 20 - Archaeological Assessment**

SSD 9483

Prepared by Eco Logical Australia

For School Infrastructure NSW, Department of Education



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# Upgrades to Chatswood Public School and Chatswood High School - Archaeological Assessment

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**Architectus on behalf of Department of Education**

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Template 2.8.1

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## Abbreviations

Abbreviation	Description
AHIMS	Aboriginal Heritage Information Management System
AHD	Australian Heritage Database
CHL	Commonwealth Heritage List
CMP	Conservation Management Plan
DCP	Development Control Plan
DPE	Department of Planning & Environment
ELA	Ecological Australia Pty Ltd
LEP	Local Environment Plan
LGA	Local Government Area
LPI	Land and Property Information
RNE	Register of the National Estate
SHI	State Heritage Inventory
SEPP	State Environmental Planning Policy
SHR	State Heritage Register

## Executive Summary

Eco Logical Australia Pty Ltd (ELA) was commissioned by Architectus on behalf of the Department of Education to prepare an Archaeological Assessment for the proposed redevelopment of the Chatswood Public School and Chatswood High School. Nimbus Architecture and Heritage (2018) undertook separate Heritage Assessments of the Chatswood Public School site and the Chatswood High School site and identified an area of “archaeological potential” within the southern portion of the site of Chatswood High School which consists of a sandstone retaining wall. In the Chatswood Public School assessment, further work to ascertain “the possibility of Archaeological findings” was recommended.

Chatswood Public School was constructed on vacant land in 1895. It is a locally listed heritage item on Schedule 5 of the Willoughby Local Environmental Plan (2012). Chatswood High School is not a listed Item. The existing High School campus was established in the 1950s after the demolition of ‘Chislehurst’ which was constructed in 1892. The current sections of retaining wall identified by Nimbus are not considered to be items of archaeological potential or significance.

Previous Aboriginal assessment of the campuses (ELA 2019) note that both campuses have been subject to alterations, additions, demolition, construction and substantial land modification over time. Neither campus is considered to have historical or Aboriginal archaeological potential. Any new buildings planned for construction at either campus will not impact significant or intact archaeological deposits.

Occupation-related artefact deposits and previous structural and garden features relating to the late 19<sup>th</sup> and early 20<sup>th</sup> century is not considered significant. Evidence relating to the construction and use of both the High School and the Public-School campuses would not meet the heritage significance criteria at either a state or local level. Likewise, evidence relating to the construction and use of Chislehurst would not meet the heritage significance criteria at either a state or local level.

- There is low potential for archaeological evidence of occupation or past use of either campus.
- If any archaeological resource is present in the study area, it is unlikely to be significant.
- No further historic archaeological assessment of the study area is considered necessary.

### **Recommendations**

- In the highly unlikely event that Aboriginal objects, such as stone artefacts are located during construction works, works must cease and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, the OEH must be notified under section 89A of the *NPW Act* and appropriate management sought.
- In the extremely unlikely event that human remains are found, works should immediately cease, and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, the Department of Planning, Industry and the Environment (DPIE) may also be contacted at this time to assist in determining appropriate management.
- In the extremely unlikely event that any suspected historical archaeological relics be uncovered during construction works, a suitably qualified archaeologist should be called to assess the finds. If deemed to be relics, Heritage personnel from the Department of Premier and Cabinet must be notified of the discovery under Section 146 of the *Heritage Act 1977* and appropriate assessment and management determined and put in place.

# 1. Introduction

## 1.1 Background

Eco Logical Australia Pty Ltd (ELA) was commissioned by Architectus to prepare this Archaeological Assessment for both Chatswood Public School and Chatswood High School, Chatswood NSW. Nimbus Architecture and Heritage (2018) undertook separate Heritage Assessments of the Chatswood Public School site and the Chatswood High School site and identified an area of “archaeological potential” within the southern portion of the site of Chatswood High School which consists of a sandstone retaining wall. In the Chatswood Primary School assessment, further work to ascertain “the possibility of Archaeological findings” was recommended.

The purpose of an archaeological assessment is to provide a careful analysis of the potential of the site to contain an archaeological resource, deposits, or features and to identify whether the archaeological resource has heritage significance on either a local or state level. The identified values of the site and ‘relics’ will help determine which management options are most appropriate.

The entire Chatswood Public School site is listed on the Willoughby City Council Local Environmental Plan 2012. The Chatswood High School site is not listed on any heritage registers.

In New South Wales historical archaeological sites are protected under the *Heritage Act 1977* whether they are listed items or not. The Act requires that historical archaeological sites and ‘relics’ are managed in accordance with permits issued by the Heritage Council of NSW. The consent of the Office of Environment and Heritage (OEH) - Heritage Division, under delegation from the Heritage Council of NSW, is required before any archaeological ‘relics’ are disturbed (Heritage Branch of the Department of Planning 2009).

## 1.2 Site Location

Both the Chatswood Public School and Chatswood High School are located approximately 10 km to the north of the Sydney CBD. Chatswood Public School is located at 5 Centennial Avenue (Lot C DP3464499 and Lot 1 DP812207) and consists of a parcel of land approximately 1.3 hectares in size. Chatswood High School is located at 24 Centennial Avenue (Lot 1 DP725204 and Lots 16-23 DP2273) and covers an area of approximately six hectares (Figure 1).

## 1.3 Proposal

The Department of Education seeks to increase the number of student enrolments at both the Chatswood Public School and Chatswood High School campuses. Upgrades to Chatswood Public School and Chatswood High School will deliver:

- more than 150 new and refurbished innovative learning and teaching spaces
- increased quality active play space currently allocated to primary school and high school students
- specialist teaching facilities such as science, art, and music rooms
- dedicated performing arts spaces
- new sports facilities and recreational areas



- new libraries and administration facilities.

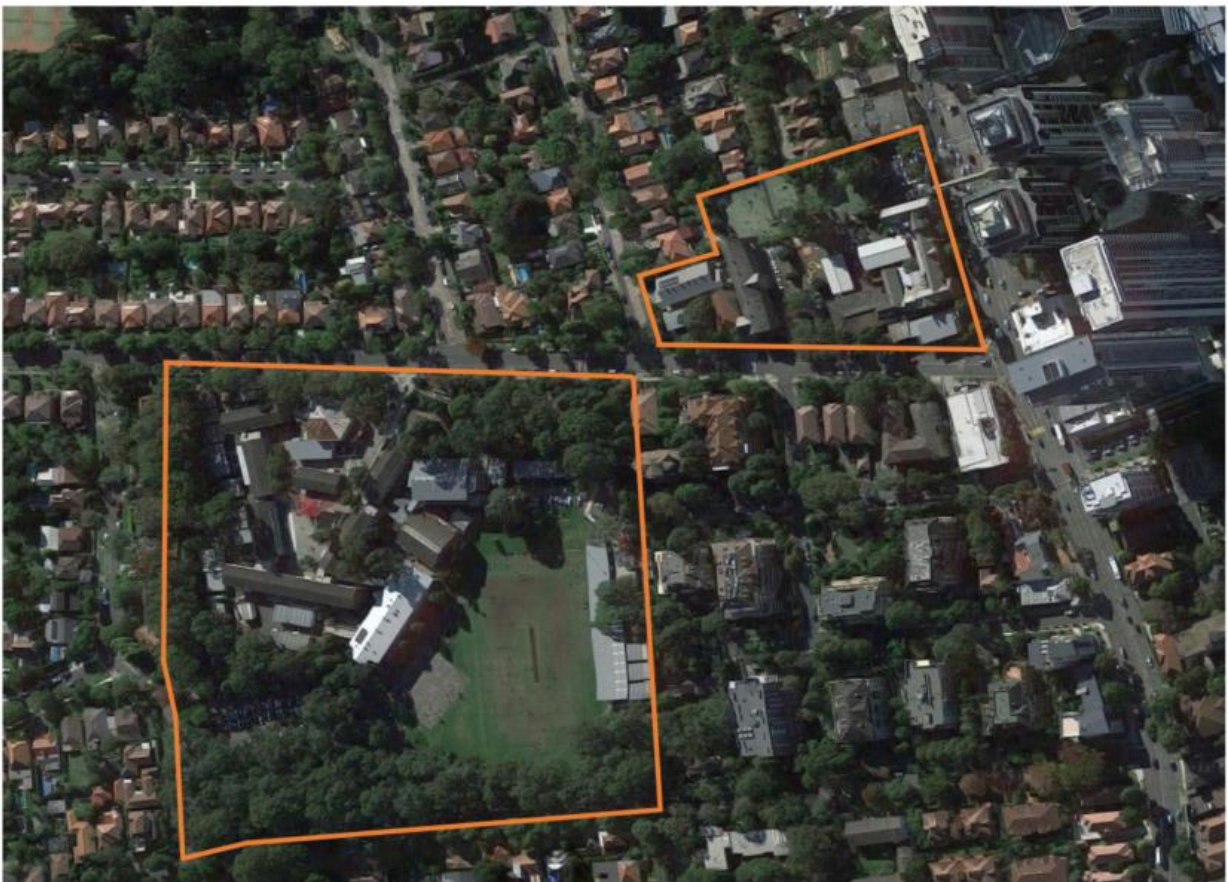
Upgrades to Chatswood Public School, including the provision of:

- 53 x homebases (comprising 25 existing and 28 new spaces);
- 4 x special program classrooms (music, language etc);
- 3 x special support unit classrooms;
- Increased quality active play spaces;
- Retaining Heritage buildings A and B
- New hall;
- New car parking facilities; and
- Associated site works and landscaping.

Upgrades to Chatswood High School, including the provision of:

- 123 Classrooms (comprising 21 existing and 102 new spaces)
- New administration and staff facilities;
- New hall; and
- Associated site works and landscaping.

All listed heritage items will be retained and refurbished (see section 3.5).



**Figure 1: Location of the study area, the High School is the larger land area (Six Maps LPI)**



A key plan of the site showing the layout of buildings and parking areas. The site is bounded by a red line. Buildings are represented by grey shapes, and parking areas by white shapes. A north arrow is located in the bottom right corner.





A key plan map showing the site's location within a larger urban context. The site is highlighted with a red outline. A north arrow is located in the bottom right corner of the map.



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Upgrades to Chatswood Public School and Chatswood High School  
Pacific Highway S

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Site Plan Proposed (Final)

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## 1.4 Methodology

This archaeological assessment has been prepared in accordance with the NSW Heritage Branch guidelines including *Archaeological Code of Practice* and *Assessing Significance for Historical Archaeological Sites and Relics* (2009). The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999 (revised 2013).

## 1.5 Author Identification

The following report has been prepared by Karyn McLeod, Principal Archaeologist, ELA (BA Hons [Archaeology] University of Sydney, MA [Cultural Heritage] Deakin University) and Caitlin Marsh (BA Hons [Archaeology] University of Sydney and reviewed by Alistair Grinbergs (BA Hons [Archaeology], Australian National University, Graduate Certificate Environmental Law, Australian National University).



## 2. Site Context

### 2.1 Aboriginal occupation

The study area is located within the traditional lands of the Cammerygal and Wullumedegal peoples of the Kuring-gai tribe. For thousands of years, Aboriginal clans occupied the northern Sydney area. Generally, occupation was primarily along the foreshores where they fished and gathered shellfish, and in the hinterland, where they and hunted and gathered resources. Chatswood is located on a ridge which was known as a source of freshwater springs and would have contained resources such as fruiting trees and flowering plants (Currie 2008). Following the arrival of Europeans to the Sydney basin the a small-pox outbreak killed many Aboriginal people, causing them to move away from their traditional clan boundaries. New European land grants and land use practices such as clearing and fencing irrevocably changed the access to resources and the traditional pattern of life for Aboriginal people.

### 2.2 Regional history

The suburb of Chatswood is located within Willoughby City Local Government Area (LGA). The site is located within the original grant of former convict Isaac Nicolls who became the Colony's first postmaster. The first settlers to the area were often timber getters who took advantage of the heavily forested North Shore and Chatswood area. Following the clearing of the land, orchards were successfully planted. Nichol's land was purchased by Richard Hayes Harnett and subdivided into smaller land parcels after 1876 as the "Chatswood Estate". The suburb name 'Chatswood' was officially adopted when the post office in the Chatswood area opened in 1879. The suburb developed slowly until the opening of the train line from Hornsby to St Leonards was constructed in 1890 and a tram line along Victoria Road, connecting Willoughby to Chatswood from 1908 to 1958. The availability of public transport significantly increased the population of the area (Nimbus 2018).

### 2.3 Chatswood Public School

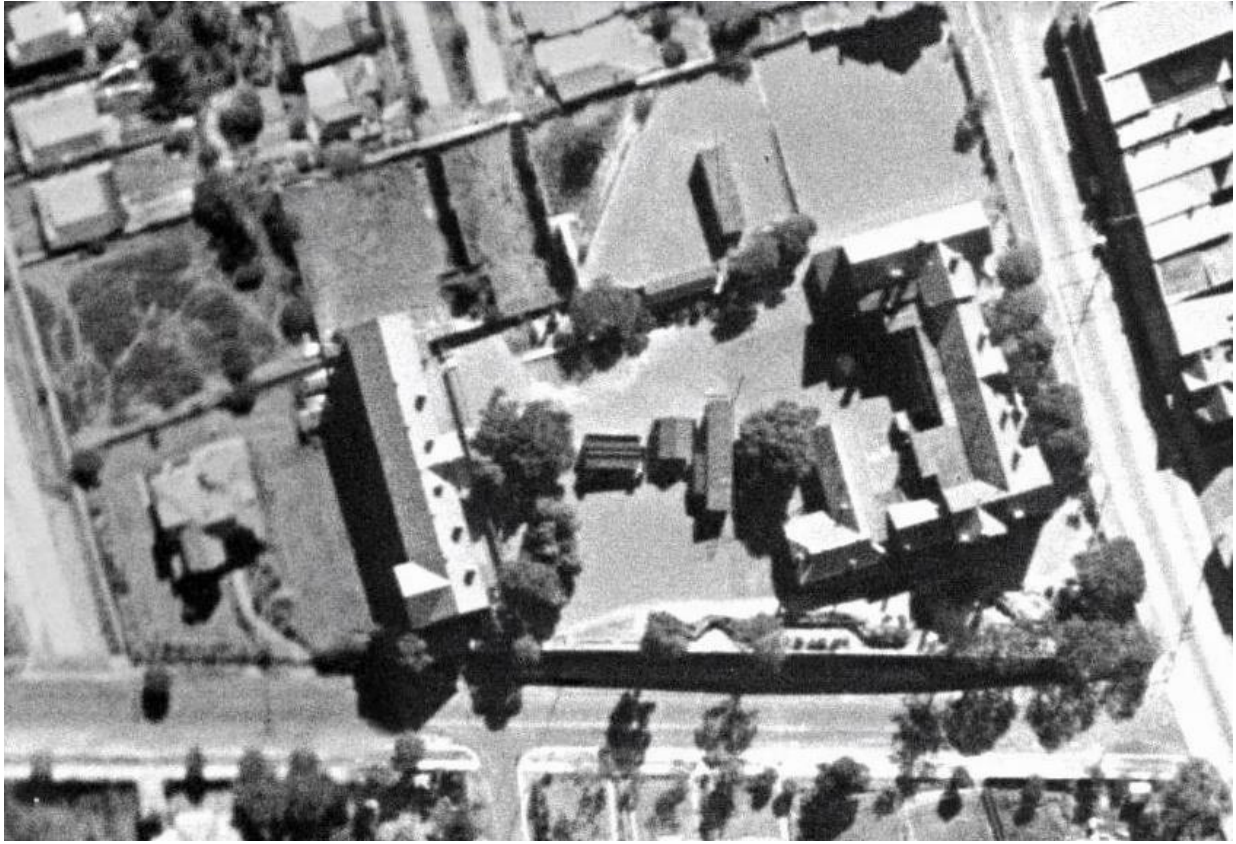
The first application for a Public School in Chatswood was made in 1882. The original site for the School was approximately one kilometre to the north of the current School on Findlay Avenue at Roseville. The original School was opened in 1883 with 34 students who were housed in a single weatherboard shed. Fast population growth and the opening of the northern train line meant a new location for the School was sought, closer to Chatswood train station.

The original School building (known as Building A) began construction in 1895 as a single storey brick building constructed fronting the Pacific Highway in the Federation Arts and Crafts style. The building had additional wings added, and a second storey was added in 1915. A second two-storey building consisting of ten new rooms (known as Building B) was constructed for infant classes in 1927-1929, it was located fronting Centennial Avenue on the western side of the site.

The peak of the School's population was in 1933, where 2,045 students were enrolled at the School. Students were enrolled in the combined infants and Kindergarten, Girls Primary, Boys Primary as well as a Domestic Science School for High School aged girls and a Commercial School for High School aged boys.

The Pacific Highway was widened in 1958, which reclaimed the garden space which separated the classroom buildings of Building A from traffic. When the separate campus for the Chatswood High School

opened in 1959, the population of the remaining Primary School significantly decreased. Additional buildings were constructed on the Public-School site in the 1970s.



**Figure 4** Chatswood Public School in 1943, the original building, building A) is to the right facing the Pacific Highway and building B is accessed from Centennial Avenue (Six Maps, LPI)



**Figure 5:** Building A facing the Pacific Highway



**Figure 6:** The rear of building B and the various levels of the Lower in the northern part of the School





**Figure 7: Brick retaining wall adjacent to the basketball court in the area known as the Loweres**



**Figure 8: Asphalt paved surfaces around the grounds of the School and building B**

The Primary School comprises an assemblage of three main buildings which date to various phases of construction. Building A, which is the oldest building on the site, fronts onto the Pacific Highway (Figure 5). The building has undergone various additions and alterations since it was constructed as a single storey brick building in 1895. Building A is now a two-storey building with an addition on the northern wing. Building B is the original infants' School and it is a two storey, ten classroom building located to the west of Building A. Of note is the open space in the north west corner of the site, which is known as the 'Loweres'. This is an area of highly modified landscape with basketball courts and large retaining walls (Figure 7) which was constructed in 1912 as a designated open space for children.

## 2.4 Chatswood High School

24 Centennial Avenue was the location of "Maroombah" house within a grand estate belonging to John de Villiers Lamb. The house was constructed on vacant land formerly within the Chatswood estate in 1892 and sold to K. Weidmann in 1900. The estate was sold again in 1906 to Edward Carr Hordern who changed the name of the house to Chislehurst. The house remained in the possession of Carr Hordern until his death in 1940.

The Department of Education took possession of the property at 26 Centennial Avenue from the Carr Hordern family in June 1954, and Chislehurst house was demolished two years later. Prior to the construction of this School, there was no public High School for either boys or girls in the Chatswood area. The School has undergone multiple upgrades and additions in the years that it has been in operation. In 2017 upgrades to the oval, and sporting facilities were undertaken at the site.

The High School site comprises of an assemblage of buildings with varying construction dates, the earliest dating to the late 1950s. The buildings are clustered in the north western quadrant of the site around a central cemented courtyard. All buildings have been refurbished or renovated over time. The sports fields are located to the east of the buildings and the 'bush campus' consists of a number of smaller buildings utilised by the Chatswood Primary School located along the eastern boundary of the site. The southwestern portion of the campus comprises of a car park and bushland and is around three meters lower than the adjoining School buildings to the north. Evidence of the change of level in the southern part of the School grounds is clear around the car park, the netball courts and soccer field

(Figure 10). The land form slopes down toward the south and large-scale modification of the site was undertaken to construct the School and its associated facilities. Due to the sloping topography, a retaining wall running almost parallel to Eddy Road was constructed during the Chislehurst period almost the length of the entire allotment effectively creating an upper and lower level to the estate.

A short section of sandstone block retaining wall was identified by Nimbus (2018) as an item of archaeological potential (Figure 11). Similar stones have also been used nearby to form the retaining wall along the northern boundary of the car park accessed from De Villiers Avenue in the southwestern portion of the School grounds (Figure 13). The existing sections of retaining wall are not on the same alignment as the that in the 1943 image (Figure 9).



**Figure 9 Chislehurst in 1943 prior to demolition. Note the location of the original retaining wall (green) and the current retaining wall sections (orange) (Six Maps LPI)**

Both sections of retaining wall consist of sandstone blocks laid in regular courses without mortar and appear to have been constructed of reused blocks. There is some indication that the blocks were hand cut and are now considerably weathered. It is possible that these blocks came from Chislehurst or a previous retaining wall on the property and have been relocated and reused. The existing retaining wall is of different heights and a section has been removed and replaced by a brick wall (Figure 12). The current retaining wall does not extend across the School grounds to the extent of the former retaining wall. The section identified by Nimbus is merely an additional section of retaining wall upslope from the car park. It does not relate to any previous structures in the area.





**Figure 10: Buildings and sporting facilities showing the change in level in southern part of the site**



**Figure 11: Sandstone wall section upslope from the car park identified as a potential archaeological significance by Nimbus**



**Figure 12: View along the retaining wall, note the graffiti on the brick portion and the different wall heights**



**Figure 13: View east, along the length of the of the retaining wall**



**Figure 14: Detail of the retaining wall bounding the car park**



**Figure 15: Sandstone curb adjacent to the southern side of the driveway using the same stone as the retaining wall**

## 3. Archaeological assessment

### 3.1 Historical archaeology

Historical archaeology is the study of human activity in the past using physical evidence in conjunction with historical sources. It focuses on the objects used by people in the past and the places where they lived and worked. It can tell us about the way things were made and used and how people lived their daily lives. Archaeology is not just about objects and remains; it is also about landscapes and links between sites.

This report does not assess the Aboriginal archaeological potential of the site. This has been assessed elsewhere (ELA 2019).

### 3.2 Previous studies

The studies that are listed below relate directly to the Chatswood Public School and Chatswood High School area.

- The study area has been the subject of a previous Aboriginal Cultural Heritage Assessment conducted by ELA (2019). This report found that there was no Aboriginal archaeological sensitivity across both the Public-School site and the High School due to the previous disturbance from the construction of the current Schools and the large-scale terracing and land modification undertaken on both sites.
- Nimbus Architecture and Heritage (Nimbus) undertook a “Heritage Assessment Report” of Chatswood Primary School (2018). The results of this assessment concluded that even although the site retains a blanket heritage listing, the only pertinent buildings of local heritage significance are Buildings A and B, and the heritage curtilages of the Public School should be amended to reflect this. ‘The Lowers’ should also be retained with a ten-metre curtilage buffer. No areas of historical archaeological potential were identified within the Nimbus report at the Public-School site.
- Nimbus undertook a separate “Heritage Assessment Report” which covered Chatswood High School (2018). This report concluded that there was an area of archaeological potential located in the south western part of the study area. Photos of scrub covered sandstone blocks were included at the end of the report, but no further analysis was included in this report. The report is not specific about whether this includes the current sandstone retaining wall.

### 3.3 Historical archaeological potential

Archaeological Potential is defined as:

*The degree of physical evidence present on an archaeological site, usually assessed on the basis of physical evaluation and historical research. Common units for describing archaeological potential are:*

- known archaeological features/sites (high archaeological potential)
- potential archaeological features/sites (medium archaeological potential)
- no archaeological features/sites (low archaeological potential) (OEH 2011).



### 3.3.1 Chatswood High School

The Nimbus report identifies an area of archaeological potential located adjacent to the car park in the south western quadrant of the High School. This appears to be a section of retaining wall and is constructed of the same stones as the retaining wall on the northern boundary of the car park. While a retaining wall appears to be present in the 1943 aerial image of Chislehurst, the current retaining wall is on a different alignment and does not relate to the Chislehurst phase (Figure 9). It is therefore likely that sandstone from the retaining wall visible in the 1943 image may have been reused to construct the current retaining walls associated with the car park and bushland. This feature is on a different alignment to previous structures, was constructed around 1961 and does not have any archaeological potential.

Inspection of the high school campus clearly demonstrates that there is no evidence of previous structures and the remainder of the Chatswood High School campus is unlikely to have archaeological potential, as Chislehurst house was demolished prior to the construction of the School in 1954. Below ground features such as cisterns/wells, cesspits and rubbish pits associated with the house would have been extensively cleared or filled for the safe construction of new School buildings.

Chatswood High School campus as a whole is considered to have little or no historical archaeological potential.

**Table 1: Levels of archaeological potential- High School**

Type	Archaeological remains	Potential
Structural remains	Below ground structural remains of early buildings, toilets, wells and/or cisterns and outbuildings.	Low/Nil
Occupation debris	Underfloor and yard deposits around original building.	Low/Nil
Landscape features	Original gardens and remnant planting, fencing.	Low/Nil
Land use	Land clearing, agricultural remains and pastoral evidence.	Low/Nil

### 3.3.2 Chatswood Public School

The Public School was constructed on a vacant site. Inspection of the site clearly demonstrates that the site contains no evidence of previous structures and it is unlikely that the School grounds will contain below ground archaeological structures, features and/or deposits.

Any archaeological remains of activities that were undertaken in the Public School will be predominantly associated with educational pursuits. The majority of activity that will result in an archaeological resource is likely to be located in the vicinity of the first building constructed in 1892. Later building phases, construction of hard surface recreation areas and large-scale modification of the 'Lowers' are likely to have impacted on any remains of early phases. There is low potential for evidence of early School buildings, cisterns/wells, cesspits and rubbish pits to have survived below ground.

**Table 2: Levels of archaeological potential- Public School**

Type	Archaeological remains	Potential
Structural remains	Below ground structural remains of early buildings, toilets, wells and/or cisterns and outbuildings.	Low/Nil
Occupation debris	Underfloor and yard deposits around original building.	Low/Nil

Type	Archaeological remains	Potential
Landscape features	Original gardens and remnant planting, fencing.	Low/Nil
Land use	Land clearing, agricultural remains and pastoral evidence.	Low/Nil

### 3.4 Significance

In NSW, the process of finding out whether an item is important is called assessing significance. It is essential to understand how and why the values of something is important. This leads to decisions that will retain and protect these values in the future.

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. These include Historic, Social, Associative, Aesthetic, Scientific/Technical, Rarity and Representative. Significance is thus an expression of the cultural value afforded a place, site or item.

In addition, the Heritage Council of NSW recognises four levels of heritage significance in NSW: Local, State, National and World. The level indicates the context in which a heritage place/item is important. In most cases, the level of heritage significance for a place/item has a corresponding statutory listing and responsible authority for conserving them. In the case of the remains of Chislehurst and the High School, neither are listed as state or locally significant heritage items.

Archaeological sites may have the potential to contain an archaeological resource however, 'relics' as defined in the NSW Heritage Act, must be either state or locally significant. Significance in terms of the archaeological resource is generally associated with research potential and stress the importance of the need for archaeological research to add to the knowledge of the past in an important way, rather than merely duplicating known information or information that might be more readily available from other sources such as documentary records or oral history.

Due to the late date of construction of both the Chislehurst and the Public School, any below ground remains are unlikely to have research potential and therefore would not be locally significant.

#### 1. Can the site contribute knowledge that no other resource can?

There was no development on the High School campus prior to the construction of Chislehurst in 1892. It was subsequently demolished, and the current buildings constructed from the 1950s. There will not be occupation-related artefact deposits or the remains of structural features relating to the previous house and outbuildings as they are likely to have been extensively cleared for the construction of the School and impacted by the new buildings. All construction of subsequent School buildings has occurred in the location of the former Chislehurst house and it is highly unlikely that substantial or significant evidence relating to Chislehurst, its outbuildings or gardens would have survived the demolition and construction phases. Documentary evidence is available for both Chislehurst and the development of the School.

The Public School was constructed on vacant land. Due to the late date of the buildings primary School an underfloor deposit is unlikely due to tongue in groove floorboards and any yard deposits are likely to



have been disturbed or destroyed by terracing and later development. Documentary evidence is available for both Chislehurst and the development of the School.

## **2. Can the site contribute knowledge that no other site can?**

It is unlikely that evidence of use of the site prior to construction of the School buildings remains and it is unlikely that information would be available that no other site would be able to provide.

The Public School has little archaeological potential and would be unlikely to provide information that no other site would contain.

## **3.5 Proposal**

The Department of Education seeks to increase the number of student enrolments at both the Chatswood Public School and Chatswood High School campuses. Upgrades to Chatswood Public School and Chatswood High School will deliver:

- more than 150 new and refurbished innovative learning and teaching spaces
- increased quality active play space currently allocated to primary school and high school students
- specialist teaching facilities such as science, art, and music rooms
- dedicated performing arts spaces
- new sports facilities and recreational areas
- new libraries and administration facilities.

Upgrades to Chatswood Public School, including the provision of:

- 53 x homebases (comprising 25 existing and 28 new spaces);
- 4 x special program classrooms (music, language etc);
- 3 x special support unit classrooms;
- Increased quality active play spaces;
- Retaining Heritage buildings A and B
- New hall;
- New car parking facilities; and
- Associated site works and landscaping.

Upgrades to Chatswood High School, including the provision of:

- 123 Classrooms (comprising 21 existing and 102 new spaces)
- New administration and staff facilities;
- New hall; and
- Associated site works and landscaping.

The proposed development is shown in Figure 2 and Figure 3.

### 3.6 Impacts

A number of new buildings will be constructed in both sites. This will require the demolition of a number of existing buildings, excavation for foundations and services and additional landform modifications for parking, sport facilities, paths and gardens. It has been assessed that both campuses have little to no archaeological potential and remaining below ground deposits or features will not be archaeologically significant.

- Impacts from the proposed works and associated enabling works will not impact a historical archaeological relic or any areas identified as possessing historical archaeological potential and therefore an excavation permit from the Heritage Division of OEH as delegate of the Heritage Council will not be required.
- The historical archaeological potential of both the Chatswood Public School and Chatswood High School has been considered in relation to the proposed site plan and associated enabling works. It has been determined that the proposed site plan will have no impact on any areas of historical archaeological potential. Additionally, the retention of existing heritage buildings within the study area will result in there being no impact upon the heritage significance of existing heritage items within both the Chatswood Public School and Chatswood High School.
- No further approvals or assessments are required.

## 4. Statutory Obligations

The conservation and management of historic heritage items, places and archaeological sites is subject to a range of statutory provisions including local, State and Commonwealth legislation. There are also a number of non-statutory heritage lists or registers, conservation policies and community expectations that can have an impact on the management, use and development of heritage items. This section only includes statutory obligations relating to the Chatswood Public School and Chatswood High School area.

### 4.1 State Legislation (NSW)

#### 4.1.1 Heritage Act 1977 (NSW)

The *Heritage Act 1977* (NSW) provides protection of the environmental heritage of the State which includes places, buildings, works, relics, movable objects or precincts that are of State or local heritage significance.

The NSW State Heritage Register (SHR) is the statutory register under Part 3A of the NSW Heritage Act. Listing on the SHR means that any proposed works or alterations (unless exempted) to listed items must be approved by the Heritage Council or its delegates under section 60. Section 57(2) of the Heritage Act provides for a number of potential exemptions to Section 57(1) approval requirements to reduce the need for approval of minor or regular works such as maintenance. Exempted development does not require prior Heritage Council approval. Standard exemptions do not apply to the disturbance, destruction, removal or exposure of archaeological relics.

Archaeological features and deposits are afforded statutory protection by the 'relics provision'. Section 4(1) of the Heritage Act (as amended 2009) defines 'relic' as any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

The 'relics provision' requires that no archaeological relics be disturbed or destroyed without prior consent from the Heritage Council of NSW. The Heritage Council must be notified on the discovery of a relic under Section 146 of the *Heritage Act 1977*.

- Neither campus is listed on the SHR;
- Both campuses have been assessed as having no archaeological potential or significance. No excavation permits or further approvals are required.

#### 4.1.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (NSW) [EP&A Act] requires that consideration is given to environmental impacts as part of the land use planning process. In NSW, environmental impacts are interpreted as including cultural heritage impact. Proposed activities and development are considered under different parts of the EP&A Act, including:

- Major projects (State Significant Development under Part 4.1 and State Significant Infrastructure under Part 5.1), requiring the approval of the Minister for Planning.
- Minor or routine development requiring local council consent, are usually undertaken under Part 4. In limited circumstances, projects may require the Minister's consent.
- Part 5 activities which do not require development consent. These are often infrastructure projects approved by local councils or the State agency undertaking the project.

The EP&A Act also controls the making of environmental planning instruments (EPIs) such as Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs). LEPs commonly identify, and have provisions for the protection of, local heritage items and heritage conservation areas.

- The proposal will be assessed as a Major project (State Significant Infrastructure under Part 5.1) and will require approval of the Minister for Planning. Willoughby Council will be provided opportunity for comment.



## 5. Conclusion and recommendations

### **Conclusions**

Occupation-related artefact deposits and previous structural and garden features relating to the late 19<sup>th</sup> and early 20<sup>th</sup> century are not considered significant. Evidence relating to the construction and use of both the High School and the Public-School campuses would not meet the heritage significance criteria at either a state or local level. Likewise, evidence relating to the construction and use of Chislehurst would not meet the heritage significance criteria at either a state or local level.

The current sections of retaining wall identified by Nimbus are not considered to be items of archaeological significance. Neither campus is considered to have historical or Aboriginal archaeological potential.

The existing High School campus was established in the 1950s after the demolition of Chislehurst which was constructed in 1892. The Public School was constructed on vacant land in 1895. Both campuses have been subject to alterations, additions, demolition, construction and land modification over approximately many years. Any demolition or new buildings planned for construction at either campus will not impact significant or intact archaeological deposits.

- There is low potential for archaeological evidence of occupation or past use of either campus.
- If any archaeological resource is present in the study area, it is unlikely to be significant.
- No further historic archaeological assessment of the study area is considered necessary.

### **Recommendations**

- In the highly unlikely event that Aboriginal objects, such as stone artefacts are located during construction works, works must cease, and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, the OEH must be notified under section 89A of the *NPW Act* and appropriate management sought.
- In the extremely unlikely event that human remains are found, works should immediately cease, and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, the OEH may also be contacted at this time to assist in determining appropriate management.
- In the extremely unlikely event that any suspected historical archaeological relics (ie local or state significant) be uncovered during construction works, a suitably qualified archaeologist should be called to assess the finds. If deemed to be relics, the Heritage Council must be notified of the discovery under Section 146 of the *Heritage Act 1977* and appropriate assessment and management determined and put in place.

## 6. References

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