



Statement of Heritage Impact

Milton Public School

9 Thomas Street, Milton NSW 2538

Submitted to School Infrastructure NSW

APRIL 2025

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This report has been reviewed and approved for issue in accordance with City Plan's quality assurance policy and procedures.

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EXECUTIVE SUMMARY

City Plan Heritage (CPH) were engaged by School Infrastructure NSW (SINSW), a division of the NSW Department of Education, to prepare a Statement of Heritage Impact (SOHI) for proposed upgrade works to Milton Public School, situated at 9 Thomas Street, Milton NSW 2538 (subject site).

Milton Public School is listed as a heritage item with local heritage significance on Part 1 Schedule 5 of the *Shoalhaven Local Environmental Plan (LEP) 2014* as 'Victorian rendered masonry school and schoolmaster's cottage', heritage item no. 304. The school is also listed on the NSW Department of Education's Section 170 Heritage Conservation Register as 'Milton Public School – Building B00A and B00Q'. Both the Section 170 listing and *Shoalhaven LEP 2014* listing covers Buildings A and Q within the school, which are situated on the site's southern boundary fronting Thomas Street.

CPH previously prepared a draft Summary Report of Initial Site Investigations (SRISI) in December 2023 for SINSW which identified the potential heritage impacts of the proposed upgrade of Milton Public School. Under the Milton Public School Upgrade Study, prepared by NBRS for SINSW in July 2023, the upgrade involved the construction of a new two storey building to accommodate permanent teaching spaces (PTS) near the site's south-western boundary (north of the staff carpark off Wason Street).

Due to the site's heritage listing, the SRISI identified (at page 6):

As the whole allotment (Lot 1 DP 861814) is identified as the heritage curtilage of the Shoalhaven LEP 2014 heritage item (item 304), development within this school would likely require a Statement of Heritage Impact (SOHI) that assesses any proposal against the heritage significance of the site.

Accordingly, this SOHI has been prepared to support a Review of Environmental Factors (REF) for the NSW Department of Education for upgrades to Milton Public School (the activity). The purpose of this REF is to assess the potential environmental impacts of the activity prescribed by *State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021* as "development permitted without consent" on land carried out by or on behalf of a public authority under Part 5 of the *Environmental Planning and Assessment Act (EP&A Act) 1979*. The activity is to be undertaken pursuant to Chapter 3, Part 3.4, Section 3.37 of the T&I SEPP.

This SOHI has been prepared in accordance with the Guidelines for Division 5.1 assessments by the Department of Planning, Housing and Infrastructure (DPHI). The purpose of the report is to assess the potential heritage impacts of the proposed development on the subject site's heritage values.

This SOHI found that the proposal would likely have minimal impacts on the heritage significance of 'Victorian rendered masonry school and schoolmaster's cottage' (item no. 304). This is because the proposed two storey building would fit within the existing scale of school buildings within Milton Public School (like buildings V and H) site. There are no direct sightlines between the heritage buildings (A & Q) and the proposed location for the new PTS as the two sites are obstructed by existing buildings (N & M) and covered walkways within the schoolgrounds. The proposed location for the new PTS is also at a lower topography than that of the two heritage buildings (A & Q), meaning there will be no overshadowing or impacts on significant views to and from the heritage buildings. As a result, the new PTS was assessed as having no more than a minimal visual or physical impact on the school's heritage item.

The SOHI also found that there would be no impacts on the heritage items listed on the *Shoalhaven LEP 2014* in proximity to Milton Public School as there are no direct sightlines between the area proposed for the new PTS and the nearby heritage items.

In conclusion, it is considered by City Plan Heritage that:

1. The extent and nature of potential heritage impacts from the proposed activity is low and will not have a significant impact on the heritage locality, community and environment.
2. The mitigation measure of implementing an unexpected finds procedure (as outlined in Appendix A) is recommended to prevent damage to potential archaeological relics.

1. BACKGROUND

1.1. Introduction

City Plan Heritage (CPH) were engaged by School Infrastructure NSW (SINSW), a division of the NSW Department of Education (DoE), to prepare a Statement of Heritage Impact (SOHI) for proposed upgrade works to Milton Public School, situated at 9 Thomas Street, Milton NSW 2538 (subject site).

This SOHI has been prepared to support a review of Environmental Factors (REF) to the NSW DoE for upgrades to Milton Public School (the activity). The purpose of this REF is to assess the potential environmental impacts of the activity prescribed by *State Environmental Planning Policy (SEPP (Transport and Infrastructure) 2021* as "development permitted without consent" on land carried out by or on behalf of a public authority under Part 5 of the *Environmental Planning and Assessment Act (EP&A Act) 1979*. The activity is to be undertaken pursuant to Chapter 3, Part 3.4, Section 3.37 of the *SEPP (Transport and Infrastructure) 2021*.

This SOHI has been prepared in accordance with the Guidelines for Division 5.1 assessments by the Department of Planning, Housing and Infrastructure (DPHI). The purpose of the report is to assess the potential heritage impacts of the proposed development on the subject site's heritage values.

All recommendations are made in accordance with statutory requirements and cultural heritage best practice.

1.2. The Site

The subject site is located at 9 Thomas Street, Milton, NSW, 2538 and has an approximate site area of 4ha. The subject site is legally referred to as Lot 1 in Deposited Plan 861814 and is within the Shoalhaven Local Government Area (LGA). A cadastral map of the site is provided at (Figure 1).

The subject site is zoned SP2 Educational Establishment and existing development comprises various buildings, a car park, landscaping, a sports field and sports courts associated with Milton Public School. Milton Public School currently comprises 24 permanent teaching spaces (PTS) and 12 demountable teaching spaces (DTS). The site contains two locally heritage listed buildings (Building A and Q).

The site is predominantly cleared; however, there is existing vegetation interspersed throughout the site and significant trees are present along the northern and western boundary of the site. There is a gradual slope downwards from the west to east of the site.

The site is an irregularly shaped lot with a narrow frontage along Thomas Street. Pedestrian and vehicular access is provided from Thomas Street and from Wason Street. Milton Public School is adjoined by low density residential properties to the south, west and east and Milton Rainforest Reserve is located to the north.

For a more detailed description of the site and its surrounding context, see Section 2 - Site Context and Description.



Figure 1: Map of the subject Milton Public School site and its surrounding context. Source: Urbis, April 2025.

1.3. Legal Description

The subject Milton Public School comprises an irregular-shaped allotment being Lot 1 DP 861814 as described on the records held by the NSW Land & Registry Services.

1.4. Heritage Listing

The existing Milton Public School is listed as a heritage item 'Victorian rendered masonry school and schoolmaster's cottage'¹ (item no. 304) under Part 1 of Schedule 5 of the Shoalhaven Local Environmental Plan (LEP) 2014 as having local heritage significance. The subject site is also listed on the Department of Education Section 170 Heritage Conservation Register as 'Milton Public School – Building B00A and B00Q'.²

Additionally, the subject site is located in proximity to the following heritage items identified on the Shoalhaven LEP 2014 as having local heritage significance (Figure 2):

Environmental Planning and Assessment Act, 1979

Shoalhaven Local Environmental Plan (LEP) 2014, Part 1 Heritage items

- 'Remnant rainforest', Church Street, item no. 262
- 'Wynella'—Victorian weatherboard residence', 6 Gordon Street, item no. 269

¹ NSW State Heritage Inventory, 'Victorian rendered masonry school and schoolmaster's cottage', Item ID. 5065992, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5065992>.

² NSW State Heritage Inventory, 'Milton Public School - Buildings B00A and B00Q', Item ID 5065736, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5065736>.

Environmental Planning and Assessment Act, 1979

- 'Federation rendered masonry courthouse and police station', 64 Princes Highway, item no. 272
- 'Two storey rendered masonry post office', 66 Princes Highway, item no. 273
- 'Victorian Georgian style residence and bakehouse', 67 Princes Highway, item no. 274
- 'Inter-war rendered masonry and fibro hall', 69 Princes Highway, item no. 275
- 'Victorian classical style rendered masonry Town Hall', 71 Princes Highway, item no. 276
- 'The Star Hotel'—two storey rendered masonry building', 82 Princes Highway, item no. 277
- 'Rendered masonry commercial store including residence', 61 Princes Highway, item no. 299
- 'Granite Obelisk – War memorial', Princes Highway, item no. 300
- 'Two storey Victorian former manse and graveyard', 1 Thomas Street and Princes Highway, item no. 303

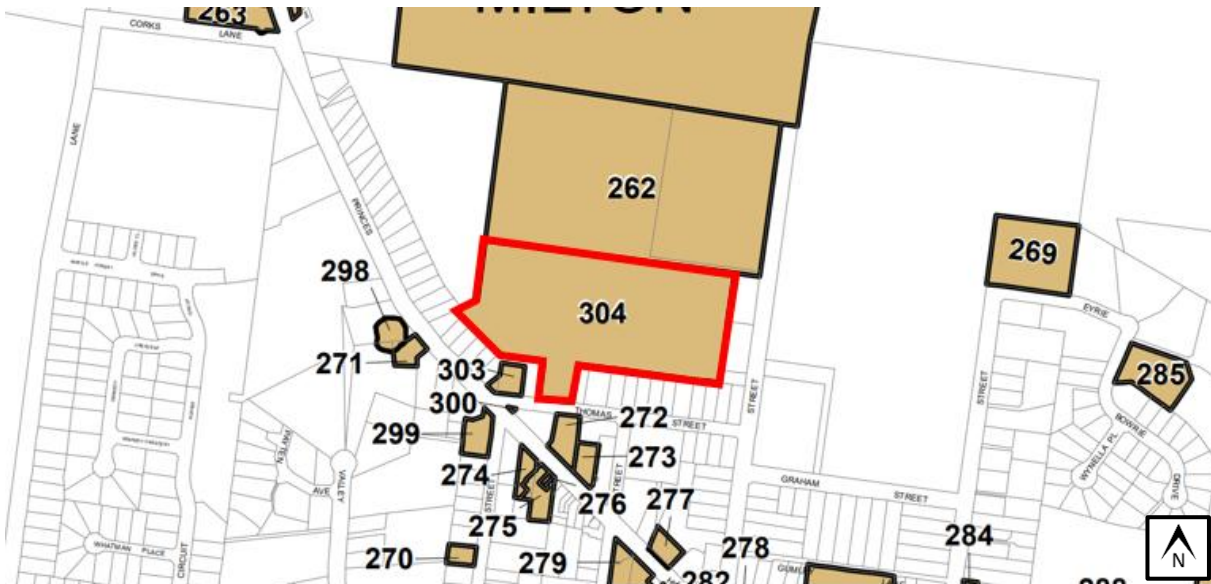


Figure 2: Heritage Map of Milton, showing the school site at 9 Thomas Street (indicated in red) and the surrounding heritage context. Source: Shoalhaven LEP 2014, Heritage Map – Sheet HER_016C.

1.5. Proposal

The proposed activity relates to upgrades to Milton Public School. Specifically, the proposed activity comprises the following:

- Construction of a new two-storey homebase building.
- Installation of additional solar panels.
- Relocation of existing cricket nets to the eastern boundary of site.
- Construction of new stairs and covered walkways linking the new building to the existing school.
- Construction of new fencing.
- Construction of new hardstand area.
- Minor alterations to the existing staff car park.
- Tree removal.
- External landscape works.

Any works relating to the demountables or the water tank will be undertaken via a separate planning pathway.

This SOHI has assessed the following information prepared by Fulton Trotter Architects. To aid an understanding of the proposal, relevant plans have been included at Figure 3 and Figure 4.

Fulton Trotter Architects			
Date	Title	Drawing No	Revision
03.03.2025	Cover Page + Drawing List	DR A 0000	06
03.03.2025	Specifications Schedule & Material Selection	DR A 0001	04
03.03.2025	Specifications Schedule & Material Selection	DR A 0002	01
03.03.2025	Specifications Schedule & Material Selection	DR A 0003	01
03.04.2025	Existing & Demolition Site Plan	DR A 1001	11
03.03.2025	Site Analysis Plan	DR A 1002	03
03.04.2025	Proposed Site Plan	DR A 1101	11
03.03.2025	Site Sections	DR A 1201	08
03.03.2025	Shadow Diagrams	DR A 1301	03
03.03.2025	Shadow Diagrams	DR A 1302	03
03.03.2025	External Works Plan	DR A 1401	02
03.03.2025	Staging Plan	DR A 1501	06
03.03.2025	Playspace Calculation	DR A 1601	03
03.03.2025	Proposed Amenities Strategy	DR A 1602	03
03.03.2025	Access Strategy	DR A 1603	01
03.03.2025	Indigenous Artwork Strategy	DR A 1604	03
03.03.2025	Construction Management Plan	DR A 1605	01
03.03.2025	Public Domain Plan	DR A 1701	03
03.03.2025	Proposed Ground Floor Plan	DR A 2101	11
03.03.2025	Proposed Level 1 Floor Plan	DR A 2102	11
03.03.2025	Proposed Roof Plan	DR A 2103	10
03.03.2025	Proposed Ground Floor Ceiling Plan	DR A 2201	05

Fulton Trotter Architects			
03.03.2025	Proposed Level 1 Ceiling Plan	DR A 2202	05
03.03.2025	Proposed Elevations	DR A 3201	05
03.03.2025	Proposed Elevations	DR A 3202	05
03.03.2025	Proposed Sections	DR A 3301	05
03.03.2025	Façade Strategy	DR A 3401	08
03.03.2025	External Materials and Finishes	DR A 3402	04
03.03.2025	Internal Wall Type Details	DR A 4001	04
03.03.2025	External Wall Type Details	DR A 4002	04
03.03.2025	External Wall Type Details	DR A 4003	01
03.03.2025	Typical Detail Section 01	DR A 4201	04
03.03.2025	Typical Detail Section 02	DR A 4202	04
03.03.2025	Stair & Ramp Details	DR A 4401	02
03.03.2025	Handrail & Balustrade Details	DR A 4501	02
03.03.2025	Covered Walkway Details	DR A 4801	03
03.03.2025	Typical Fascia Detail	DR A 4901	02
03.03.2025	Core Amenities Room Layout Plans - Ground Floor	DR A 5001	01
03.03.2025	Core Amenities Room Layout Elevations - Ground Floor	DR A 5002	01
03.03.2025	Core Amenities Room Layout Plans - First Floor	DR A 5003	01
03.03.2025	Core Amenities Room Layout Elevations - First Floor	DR A 5004	01
03.03.2025	Support Learning Unit Room Layout Plan	DR A 5005	01
03.03.2025	Support Learning Unit Room Layout Ceiling Plan	DR A 5006	
03.03.2025	Support Learning Unit Room Layout Elevations	DR A 5007	01
03.03.2025	Support Learning Unit Room Layout Elevations - Wet Areas	DR A 5008	01

Fulton Trotter Architects			
03.03.2025	External Door & Window Schedule	DR A 6001	02
03.03.2025	Internal Door & Window Schedule	DR A 6002	02
03.03.2025	Perspectives 01	DR A 9001	05

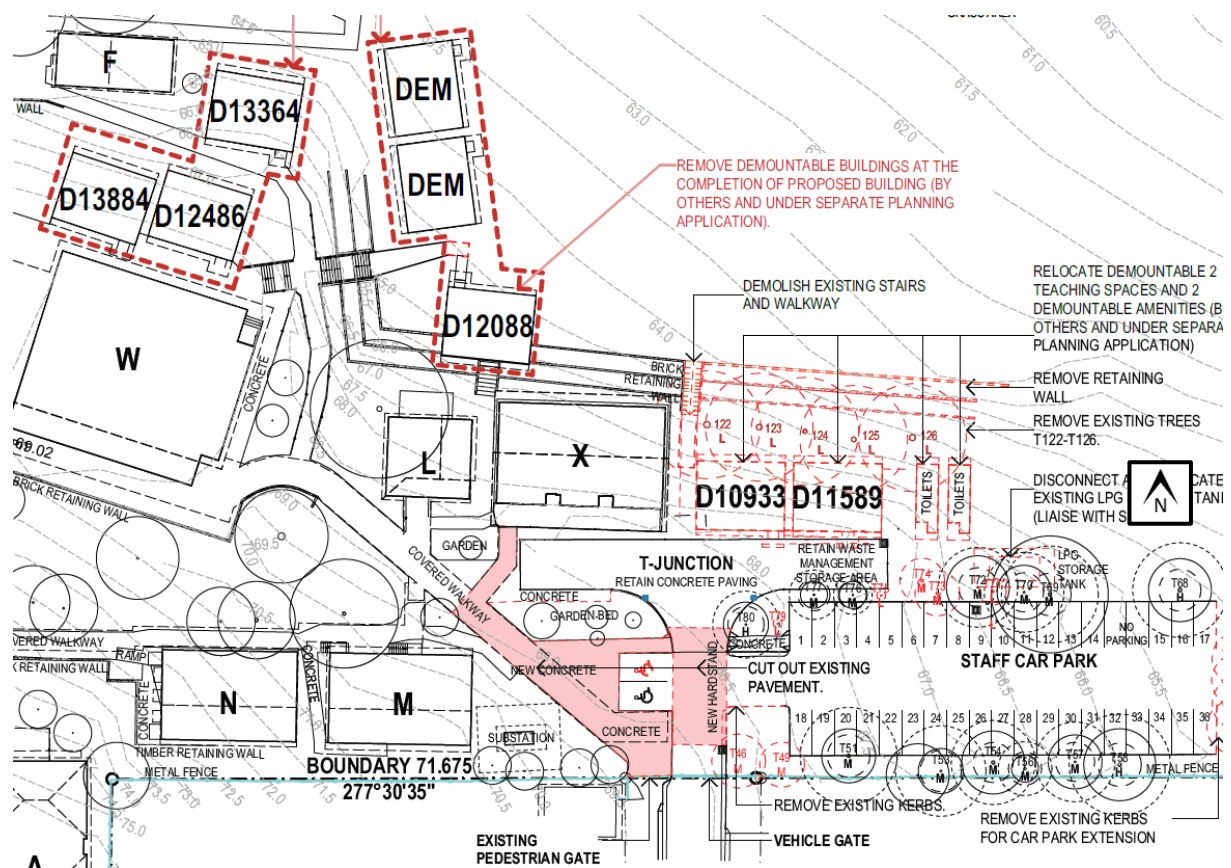


Figure 3: Existing Site Plan prepared by Fulton Trotter Architects.



The following previous studies and reports were reviewed during production of this report. Relevant information has been included where necessary:

- City Plan Heritage, European Heritage Summary Report of Initial Site Investigations (SRISI) for the upgrade of Milton Public School, December 2023. Unpublished Report Submitted to SINSW.
- Apex Archaeology, Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW, August 2023. Unpublished Report Submitted to SINSW.

This SOHI relates to the upgrade works at Milton Public School. It has been prepared in accordance with the Department of Planning and Environment (DPE) publications, *Guidelines for preparing a Statement of Heritage Impact, 2023* and *Assessing Heritage Significance, 2023*. It is also guided by the philosophy and processes included in The Burra Charter: *The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (Burra Charter).

The subject proposal has been assessed in relation to the relevant controls and provisions contained within the Shoalhaven LEP 2014, Shoalhaven Development Control Plan (DCP) 2014 and State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021. It forms one of a collection of specialist reports.

Research for this SOHI comprised a review of the existing SRISI prepared by CPH, which involved desktop historical research. CPH did not undertake a site survey of Milton Public School as the site was

sufficiently photographed for the purposes of this SOHI by SINSW (July 2024) and Fulton Trotter Architects (September 2024). All results are presented in Section 2 - Site Context and Description.

1.7. Constraints and Limitations

- A detailed historical archaeological assessment or an assessment of Aboriginal cultural heritage values is not within the scope of this report as it was investigated by Apex Archaeology.
- Historical research undertaken as part of the SRISI was based only on a desktop assessment and limited to the resources readily available through online platforms. Thus, the assessment was solely based on the primary and secondary resources readily available online, including Old Land Title records, general histories, historical aerial imagery, and online mapping platforms.
- The subject site was not inspected by CPH, however, detailed photography identifying the existing condition and setting of the subject site has been undertaken by SINSW in July 2024 and Fulton Trotter in September 2024. This report relies on the photography provided.
- This assessment relates to the proposed works and documentation described in 1.5 - Proposal and Section 1.6 - Methodology. It does not relate to any additional or revised documentation by any party.
- CPH were not involved in the design process.

1.8. Author Identification

The following report has been adapted from the previous *European Heritage Summary Report of Initial Site Investigations - Milton Public School* prepared by CPH in December 2023. This SOHI has been prepared by:

- Kurt Dixon, Heritage Consultant (BA-LLB (History)).
- Alexandra Gangan, Assistant Heritage Consultant (MSCE, BCE, CertIVBusAdmin).

The SOHI has been reviewed and endorsed by:

- Carole-Lynne Kerrigan, Assistant Director - Heritage (MCultHeritage)(MICOMOS).
- Kerime Danis, Director - Heritage (MHeritCons (Hons), BArch, Associate RAIA, M.ICOMOS, ICOMOS AdCom).

2. SITE CONTEXT AND DESCRIPTION

2.1. Site Context

The subject site is located within the township of Milton, one of the two main commercial centres of the Milton-Ulladulla district. It is located approximately 220 km south of Sydney along the Princes Highway, a major highway that connects Sydney with Melbourne and Adelaide. The town of Milton is a historic settlement that features a number of heritage items, primarily fronting onto the Princes Highway.

The area immediately surrounding the subject site consists of multi-storey residential, commercial and administrative development. The subject site is bound by a combination of residential and commercial development to the south, east and southwest, as well as the Milton Rainforest Reserve to the north. Milton Memorial Park is located directly opposite the subject site to the south.

The following images provide an overview of the subject site's context.



Figure 5: General view along Thomas Street at the intersection with Wason Street, looking west. Source: SINSW, July 2024.



Figure 6: General view at Thomas Street, looking east from Milton Public School. Source: SINSW, July 2024.



Figure 7: General view along Wason Street at the intersection with Thomas Street, looking north. Source: SINSW, July 2024.



Figure 8: General view of Milton Rainforest Reserve located to the north of the subject site, looking northeast. Source: SINSW, July 2024.



Figure 9: General view at Thomas Street, looking south west from Milton Public School towards heritage item 'Granite Obelisk – War memorial'. Source: SINSW, July 2024.



Figure 10: General view at Thomas Street, looking east from the intersection with Princess Highway. On the left is heritage item 'Two storey Victorian former manse and graveyard.' On the right is heritage item 'Granite Obelisk – War memorial.' Source: Google Street View (May 2023) accessed September 2023.



Figure 11: General view at Princess Highway, looking southeast from the intersection with Thomas Street. Source: Google Street View (May 2023) accessed September 2023.

2.2. Site Description

Milton Public School occupies an irregular-shaped allotment and contains several school buildings. These include single storey brick buildings (C & X), two storey brick buildings (U & V (library)) and a Hall (W). The subject site also features ten demountable single storey buildings and several single storey weatherboard structures constructed over brick foundations or piers. These include buildings B, D, H, F, G, L, M and L. The subject site also features basketball court, playgrounds, garden and a variety of Covered Outdoor Learning Areas (COLA). A staff car parking is located along the southern site boundary in the eastern part of the allotment. The northeastern part of the allotment is occupied by large grass areas.

Additionally, two heritage listed buildings: the Victorian Rendered Masonry Public School and the Victorian Rendered Stone Schoolmaster's Cottage are located within the boundaries of the subject site.

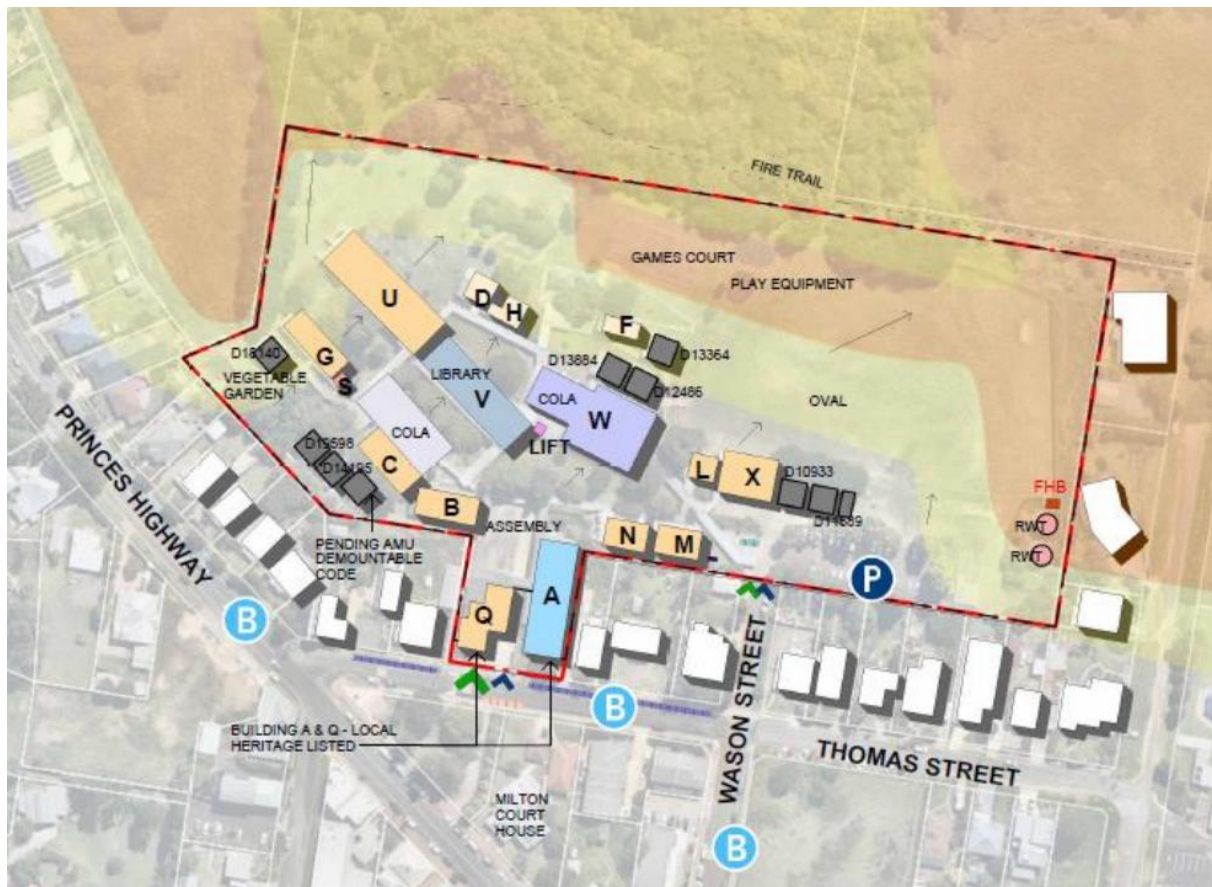


Figure 12: Milton Public School, showing designation of buildings. Buildings A and Q are identified as heritage items. (Source: Milton Public School Upgrade Study, existing site plan, dated 20.07.2023).

Former Schoolmaster's Cottage (B00A)

The Former Schoolmaster's Cottage is currently identified as Building A and is used as a school office. It is an L-shaped single-storey stone building with encircling verandah along its southern and eastern elevations. The main building features a hipped and gabled corrugated iron roof. The gables are decorated with timber finials and timber lace trims. The verandah is covered with a separate corrugated iron roof set below the main roof and features timber columns and timber picket balustrade. The western end of front (south) is enclosed.

The front (south) elevation of the building features a multi panelled entry door with top panels being glazed and two sliding sash windows located symmetrically both sides of the front door. The western wall features a chimney flanked with two identical multi paned sliding sash windows. Another sliding sash window is located below the gable. Unlike other windows at this elevation which have eight panes, this window is four-paned. Two hooded vents are located on both sides of this window (Figure 14).

The building has a large extension at the rear under a hipped corrugated iron roof. The extension is built of red brick and features a verandah along its western elevation (Figure 15).

The main building is surrounded by a lawn with concrete path connecting Thomas Street with the front door.

The interior of the building has a modern look due to numerous modifications and repair works, including to accommodate the school office usage (Figure 16 and Figure 17).



Figure 13: Former Schoolmaster's Cottage (B00A), western and south elevations. Source: Fulton Trotter Architects, September 2024.



Figure 14: Former Schoolmaster's Cottage (B00A), western elevation showing the main building. Source: Fulton Trotter Architects, September 2024.



Figure 15: Former Schoolmaster's Cottage (B00A), western elevation, showing rear extension. Source: SINSW, July 2024.



Figure 16: Former Schoolmaster's Cottage (B00A), interior. Source: SINSW, July 2024.



Figure 17: Former Schoolmaster's Cottage (B00A), interior. Source: SINSW, July 2024.

Former School Building (B00Q)

The former school building is an L-shaped single storey brick building under a gable corrugated metal roof. The gables include timber finials and timber bargeboards with rounded moulding incorporating a 'hole', with the front gable featuring three grouped multi paned sash windows with multi paned fanlights and two plaques stating "1877" and "Milton Public School" (Figure 18). There is an elevated garden bed in front of this gable. The western elevation of this wing features two small multi paned windows (Figure 20). The second gable (at western elevation of the building) features three sliding sash windows. This wing houses a single surviving chimney and three multi paned sash windows with two paned fanlights at the southern elevation (Figure 20). The building has a small extension at the western elevation (Figure 19) and a larger extension at the rear. The rear extension is constructed in face brick (Figure 21 and Figure 22).

The interior of the building has a modern look due to numerous modifications and repair works (Figure 23).



Figure 18: Former school building, front (south) elevation. Source: SINSW, July 2024.



Figure 19: Former school building, western elevation. Source: SINSW, July 2024.



Figure 20: Former school building, eastern elevation. Source: Fulton Trotter Architects, September 2024.



Figure 21: Former school building (B00A) rear (northern) elevation. Source: SINSW, July 2024.



Figure 22: Former school building (B00A) rear extension, eastern elevation. Source: SINSW, July 2024.



Figure 23: Former school building (B00A), interior. Source: SINSW, July 2024.

Brick Buildings

The subject school site features several brick buildings such as single storey buildings B00C (General Learning/Support Unit) (Figure 33) and B00X (General Learning) (Figure 31 and Figure 32) and two storey B00U (General Learning/Pupil Facilities) (Figure 24, Figure 25 and Figure 26) and B00V (General Learning/Library) (Figure 27 and Figure 28). These buildings feature simple gable corrugated iron roofs and multi paned windows. The two storey buildings feature verandahs under the main roof at the first and second floors. The interiors have modern look.

The Hall building (B00W) (Figure 29 and Figure 30) features a predominately curved corrugated iron roof with a flat roof over northern part of the building.



Figure 24: Building B00U, north and western elevations. Source: SINSW, July 2024.



Figure 25: Building B00U, second floor verandah, north elevation. Source: SINSW, July 2024.



Figure 26: Building B00U, southern elevation. Source: SINSW, July 2024.



Figure 27: Building B00V (library), eastern elevation. Source: Fulton Trotter Architects, September 2024.



Figure 28: Interior, library, building B00V. Source: SINSW, July 2024.



Figure 29: Building B00W (Hall), northern and eastern elevations. Source: SINSW, July 2024.



Figure 30: General view showing eastern elevation of B00W (hall), COLA area and a single storey building adjacent to B00V (library)(left). Source: SINSW, July 2024.



Figure 31: Building B00X, southern elevation. Source: SINSW, July 2024.



Figure 32: Building B00X, northern elevation. Source: SINSW, July 2024.



Figure 33: Building B00C, northern elevation. Source: SINSW, July 2024.

Weatherboard Buildings

The subject site features several single storey weatherboard structures constructed over brick foundations or piers. These include buildings B00B (Figure 34 and Figure 35), B00D (Figure 36), B00H (Figure 37), B00F (Figure 38), B00G (Figure 39), B00L (Figure 40), B00M (Figure 41) and B00N (Figure 42). Windows are predominately timber sliding sash windows; however, some buildings feature aluminium sliding windows (for example B00L - Figure 40) or timber casement windows. Some windows also feature awnings (Figure 36 and Figure 39). Roofs are predominately corrugated iron gable roofs. Interiors have modern look.



Figure 34: Building B00B, eastern elevation. Source: SINSW, July 2024.



Figure 35: Building B00B, interior. Source: SINSW, July 2024.



Figure 36: Building B00D, western elevation. Source: SINSW, July 2024.



Figure 37: Southern elevations of buildings B00H (right) and B00D (left). Source: SINSW, July 2024.



Figure 38: General view showing Building B00F (right), Basketball court and COLA (left). Source: SINSW, July 2024.



Figure 39: Building B00G (northern elevation) constructed partially on brick piers and partially on brick foundation. Source: SINSW, July 2024.



Figure 40: Building B00L (southern elevation). Source: SINSW, July 2024.



Figure 41: Building B00M (northern elevation). Source: SINSW, July 2024.



Figure 42: Building B00N (northern elevation). Source: SINSW, July 2024.

3. HISTORICAL OVERVIEW

3.1. Brief Aboriginal History

The following Aboriginal history has been extracted from Milton Ulladulla Historical Society website:³

The Milton-Ulladulla district is a unique part of Australian and New South Wales heritage. First Nations people, the Murramarang of the Yuin Nation thrived in its tall forests and coastal waters and enriched the local landscape with their art and cultural practices. British colonists arrived from 1828, and the district's towns reflect the early expansion of the timber industry and later dairying, followed by silica mining and then tourism.



Figure 43: Map of Indigenous Australia, with approximate site of Milton Public School (indicated in blue) situated within the lands of the Yuin Nation. Source: Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), 'Map of Indigenous Australia', available from: <https://aiatsis.gov.au/explore/map-indigenous-australia>.

3.2. Brief Suburb History

The following history of the suburb of Milton has been extracted from Milton Ulladulla Historical Society (MUHS) website: ⁴

When Reverend Thomas Kendall arrived on the South Coast in 1828 in search of red cedar, he settled on some land just north of present-day Milton, near what is now Narrawallee. As it became evident that this was where better soil (the famed Milton monzonite) could support farming, more families were attracted to the area. Gradually, this small village centre became known simply as 'The Settlement' and the harbour from where supplies arrived and produce was shipped to Sydney was called 'Boat Harbour', which became the present-day town of Ulladulla.

³ Milton Ulladulla Historical Society (MUHS), 'Our History', available from: <https://muhsinc.org.au/>.

⁴ MUHS, 'Towns of Milton-Ulladulla', available from: <https://muhsinc.org.au/our-places/towns-of-milton-ulladulla/>.



Figure 44: Milton Subdivision Plan 1860, as surveyed by Henry G. Morton. Source: MUHS, 'Towns of Milton-Ulladulla', available from: <https://muhsinc.org.au/our-places/towns-of-milton-ulladulla/>.

Milton was first developed as a private town in 1859, with all the land owned by John Booth, an investor, speculator and excellent networker. The town's streets were surveyed by Mr Henry G. Morton, with the land divided into 62 allotments. Streets were named after Booth's relatives and friends, such as Thomas St and Charles St for his sons, and Wason St for his friend William Wason. Lots were first auctioned in February 1860 and sold for between £8 and £27/10/-.



Figure 45: Main St (now the Princes Highway), Milton, in 1911. Source: MUHS, 'Towns of Milton-Ulladulla', available from: <https://muhsinc.org.au/our-places/towns-of-milton-ulladulla/>.

Although Boat Harbour/Ulladulla was a busy port, Milton with its strategic position on the main road became the commercial, banking and administrative centre and the place where visitors to the district would stay, in inns and boarding houses.

The name of Milton has several possible origins – it was the name of Booth's cousin's estate in Bedfordshire; others attribute the naming to the town's first post master, George Knight. Another story suggests it came from Booth happening to see a copy of 'Paradise Lost' by the 17th century English poet John Milton when he was searching for a suitable name.

3.3. History of the Subject Site

The following history of Milton Public School has been extracted from the Department of Education s.170 listing:

There is little information on record about the establishment of a public school at Milton. Some evidence suggest [sic] that a [sic] application was made for a school on the 7 May 1875 for the erection of a building at Croobyar (there was a school operating at the time at Croobyar). A second application was received in September that stated that £160 has been raise by the residence for the provision of a site for a school. The application was approved in November 1875. It appears that no further action towards [sic] establishing a school was made until the 5 February 1877 when 2 acres of land was acquired for the purpose of a school. The site was acquired from Mr. T Mitchell.

The school and schoolmaster's cottage buildings were designed by G.A Mansfield who was the Government Architect at the time, he also designed Hunters Hill Primary School. Tenders for the construction of the buildings were called for in the Kiama Independent on the 5th September 1876. The tender from C. and F. Moore local builders was accepted in November, and the contract signed in 1877. Building began that year and was completed in 1878 and cost £1,900. The buildings are made of local sandstock bricks made by the Montgomery family at East Milton.

The residence was a four roomed building. The school was 50 ft by 22 ft, with walls of 13 ft with a pine ceiling following the pitch of the iron roof. It was plastered outside and painted inside, it

had tiered hardwood floors, cedar desks with inkwells and backless forms which were seven to ten and a half feet long. There was a galvanised iron tank for water and one pit toilet. In 1895 the classroom was extended by 13 ft, and after an outbreak of diphtheria new pan toilets were added. By 1900 another classroom of red brick had been constructed for the infants [sic] students.

In 1891 an application for an extension of the residence was lodged and in 1895 an extension of the existing school premises was requested. It appears however that the proposed extensions were not implemented.

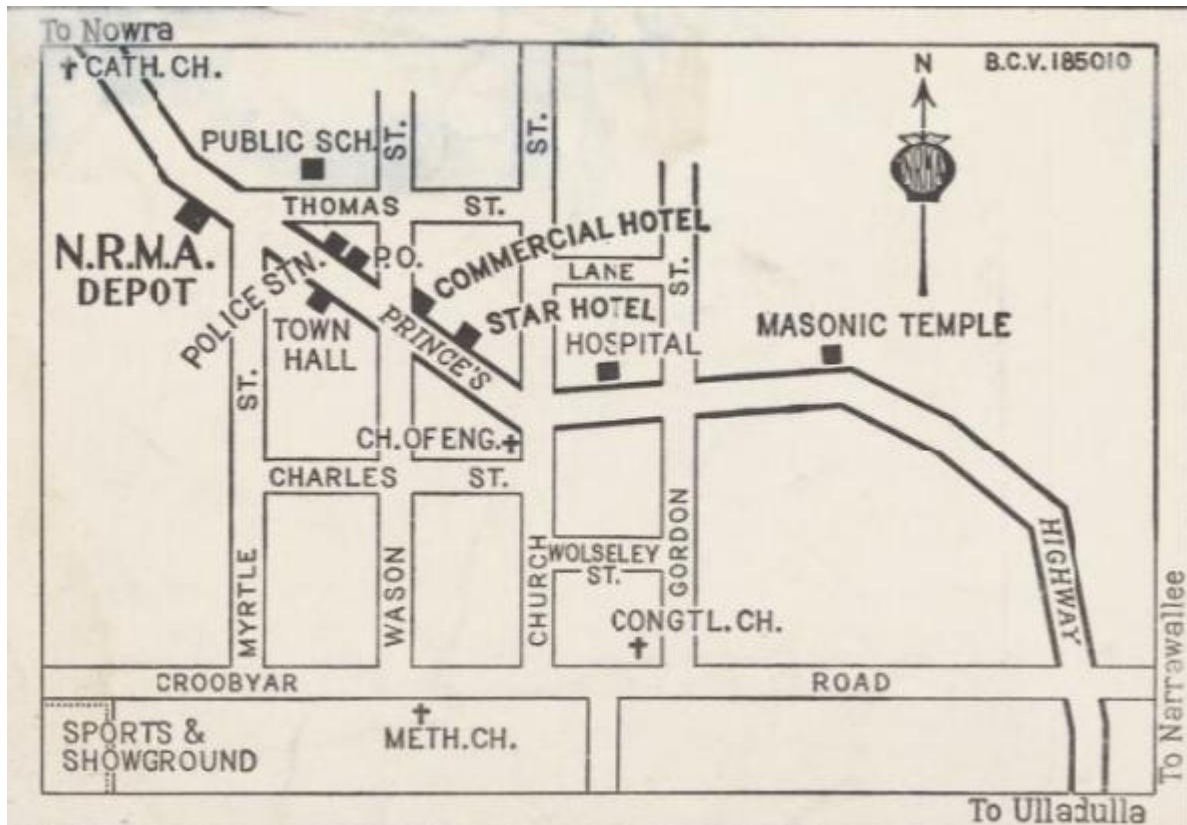


Figure 46: 1950s Milton District Map, showing key landmarks in the township including Milton Public School. Source: National Roads and Motorists' Association, 'Milton District Map', 1950s, available from: <https://nla.gov.au/nla.obj-233700309/view>.

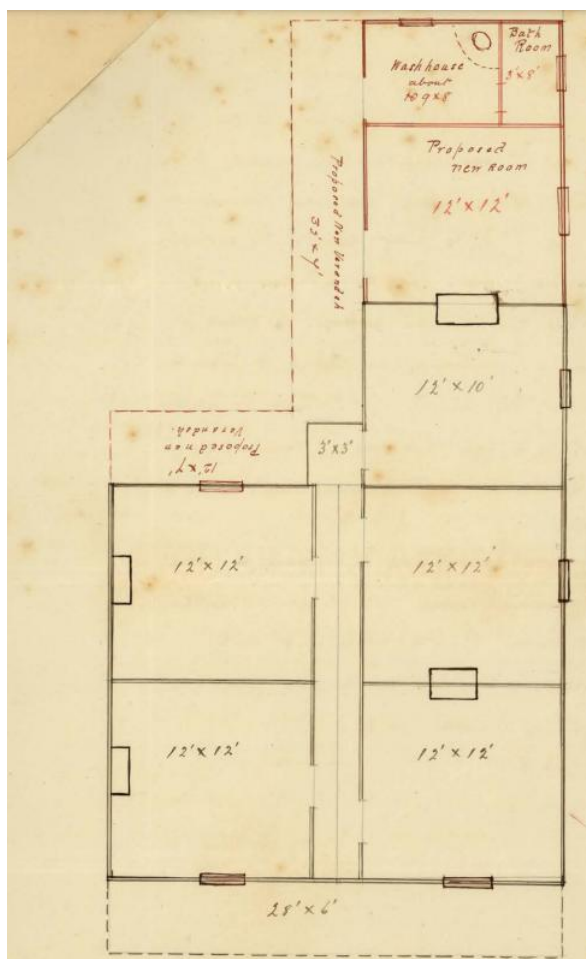


Figure 47: 1891 plan of residence at Public School Milton showing the existing building in black ink and proposed additions in red ink. Source: State Archives NSW, Administrative files School records 1876-1979, Item No: [5/16854.3].

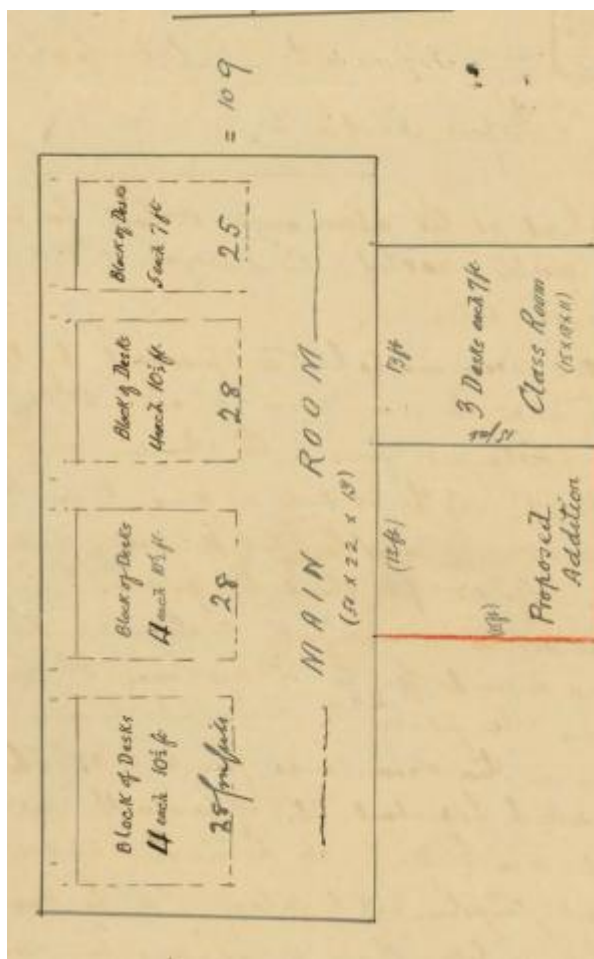


Figure 48: 1895 rough plan of schoolroom and classroom showing the proposed additions. Source: State Archives NSW, Administrative files School records 1876-1979, Item No: [5/16854.3].

The school was subject to a sanitary inspection in late 1899, with the findings of the inspector published in the local newspaper *The Ulladulla and Milton Times*.⁵ This inspector's report was commissioned following complaints made by the Milton Progress Association.

The school proper consists of a brick building containing two class-rooms, one large and one small. The ventilation of the premises is very good, and, as far as my experience goes, superior to that usually found in schools of this size. The walls are provided with good damp-course, and no dampness is to be noticed at any point of the building. The lavatory arrangements are good and suitable for the purpose.

The building is situated about 20 feet from the street, on a two acre allotment, which has a good fall from front to back. A considerable portion of the grounds surrounding the school has, some three or four months ago, been covered with gravel composed of rotten granite. The grounds are clean, and taking the heavy rainfall during the last three months into consideration, remarkably dry.

...

About 25 feet from the school the master's residence is situated – a good brick building with all the necessary out-buildings. This, too, is dry and well ventilated. A few damp sports are to be

⁵ *The Ulladulla and Milton Times*, 'Milton Public School', 4 November 1889, p. 1, available from: <https://trove.nla.gov.au/newspaper/article/161456955>.

noticed under the windows on the weather side, but these could be remedied by fixing some lashing to the sills.⁶

The report was controversial in finding that there were no poor sanitary conditions at the school, with the local Progress Association passing a unanimous motion that the report was unsatisfactory and even defamatory to one of its members.⁷ The school grounds at that time were sketched and are available on the State Archives of NSW (Figure 49).

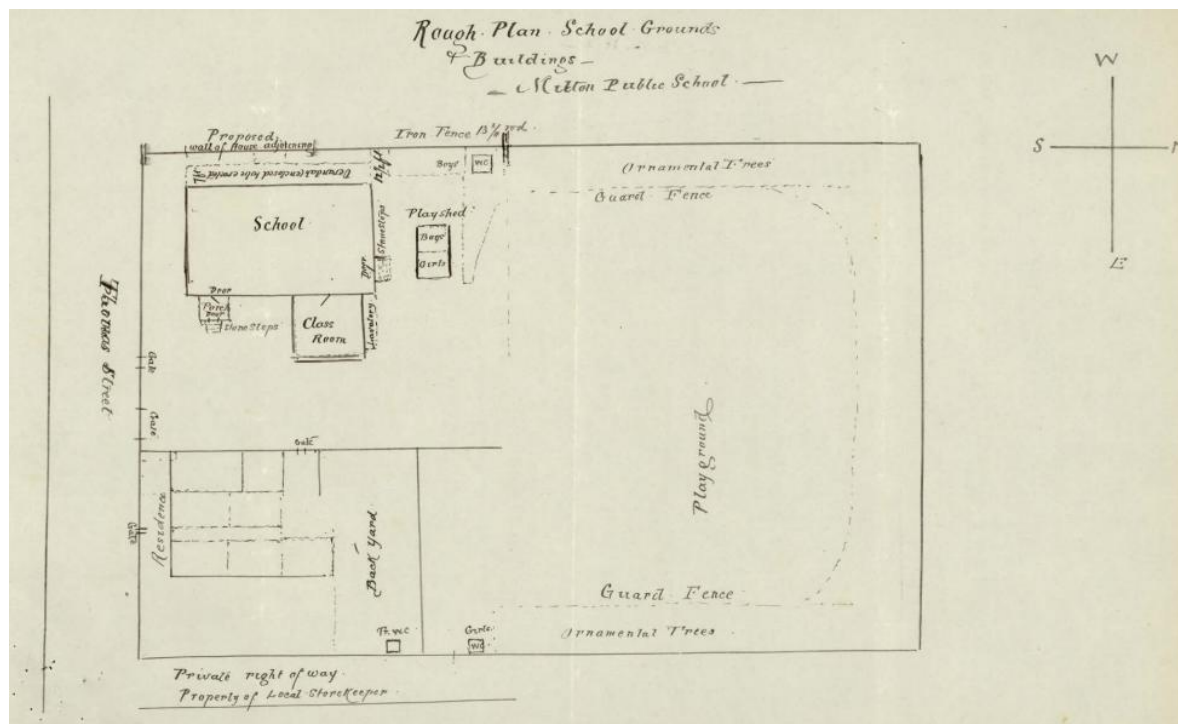


Figure 49: 1898 rough plan of school grounds and buildings. Source: State Archives NSW, Administrative files School records 1876-1979, Item No: [5/16854.3].

Overcrowding of the school was reported in August 1905, with some classes “occupying the weathershed” due to limited space.⁸ This led to the local community petitioning the Education Department for alterations and additions to the school to better accommodate the school’s numbers. In May 1906, tenders were formally invited for additions to the school.⁹ Mr W Riley was identified as the lowest tenderer for the additions, charging £428 for the works.¹⁰ The price of this tender suggests that these were extensive alterations to be done to the school. The additions to the school were completed by November 1906,¹¹ though the official opening was not held until February 1907.¹² The local newspaper article recounting the event confirmed that it was Mr Riley who built the new classroom – “Mr School Inspector Walker complimented Mr Riley upon the excellent manner in which he had carried out the work of the additions.”

Tenders would be called for repairs and improvements to Milton Public School again in August 1924.¹³ The extent of these improvements, which involved modifying the windows and entrances, are captured in the sketches below (Figure 50).

⁶ Ibid.

⁷ Ibid.

⁸ The Ulladulla and Milton Times, ‘Public Meeting’, 19 August 1905, p. 5, available from: <https://trove.nla.gov.au/newspaper/article/161281713>.

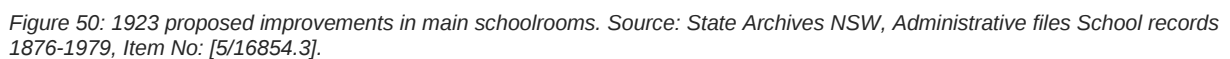
⁹ The Shoalhaven Telegraph, ‘Milton’, 1 May 1906, p. 12, available from: <https://trove.nla.gov.au/newspaper/article/127418915>.

¹⁰ The Shoalhaven Telegraph, ‘Milton’, 30 May 1906, p. 1, available from: <https://trove.nla.gov.au/newspaper/article/127419836>.

¹¹ The Shoalhaven Telegraph, ‘Milton’, 7 November 1906, p. 7, available from: <https://trove.nla.gov.au/newspaper/article/127424607>.

¹² The Ulladulla and Milton Times, ‘The Milton Public School’, 9 February 1907, p. 5, available from: <https://trove.nla.gov.au/newspaper/article/161475307>.

¹³ The Nowra Leader, ‘News in Brief’, 29 August 1924, p. 5, available from: <https://trove.nla.gov.au/newspaper/article/213951565>.



It appears, that the original school site contained approximately 2 acres of land. In the 1890s the school was in need of extension, and it was proposed to purchase additional land to the east and west of the site. However, it appears that this extension did not happen until 1944 (Figure 51). In 1948 the school site was further extended, and part of Wason Street was enclosed (Figure 52).

¹⁴ *South Coast Times and Wollongong Argus*, 'Milton', 19 October 1928, p. 30, available from: <https://trove.nla.gov.au/newspaper/article/142323087>.

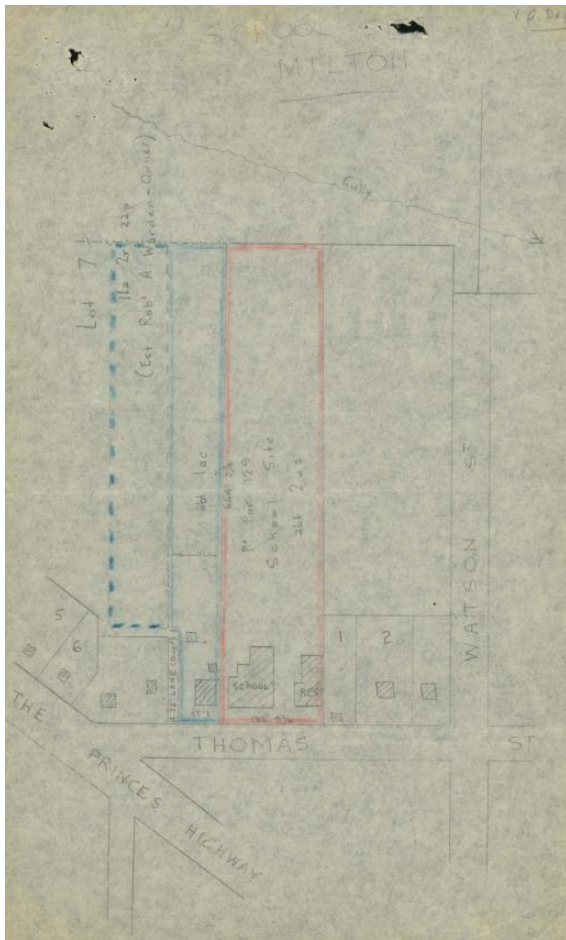


Figure 51: 1944 Public School Milton and Surroundings. Source: State Archives NSW, Administrative files School records 1876-1979, Item No: [5/16854.3].

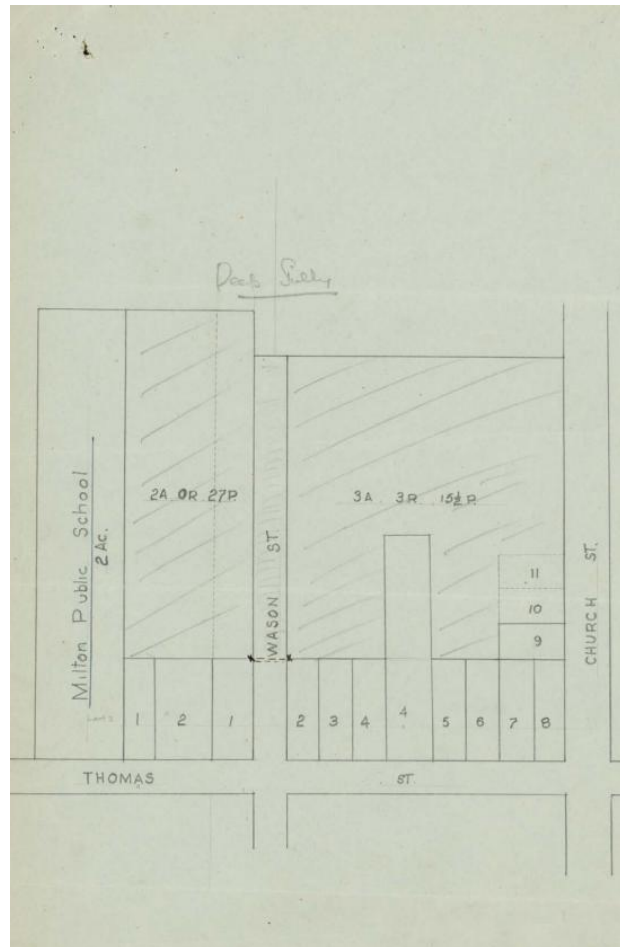


Figure 52: 1948 Milton Public School grounds showing additional land and portion of Wason Street proposed for enclosure. Source: State Archives NSW, Administrative files School records 1876-1979, Item No: [5/16854.3].

The earliest aerial image of the subject site dates back to 1959 (Figure 53). This faintly shows the building outlines for Building B00A (classroom) and B00Q (residence) fronting Thomas Street, whilst the remainder of the school is built setback from the street. The majority of the buildings in 1959 appear to be simple classroom structures that are adjacent to one another and oriented east-west, behind Building B00Q. By 1979, it is clear that several new blocks were erected, and that the original school residence was extended (Figure 54). One structure that appears in this image and continues to survive on site is that of Building B00C and B00B, situated north-west of the heritage buildings. By 1997, the school site was further redeveloped, with many of those former east-west oriented classrooms extended north-west (Figure 55). In the early 2000s, the school site was part of a major redevelopment (Figure 56). Many earlier structures appear to have been demolished (except the heritage buildings and Blocks B00B and B00C). These demolished structures were replaced with two storey Buildings B00U and B00V, amongst other new facilities. The 2010 imagery shows the school in a similar configuration as to that which currently exists, except for Building B00X which is under construction in the 2010 imagery.



Figure 53: 1959 aerial image showing approximate boundary of the subject site (indicated in yellow). Source: NSW Government Historical Aerial Imagery.

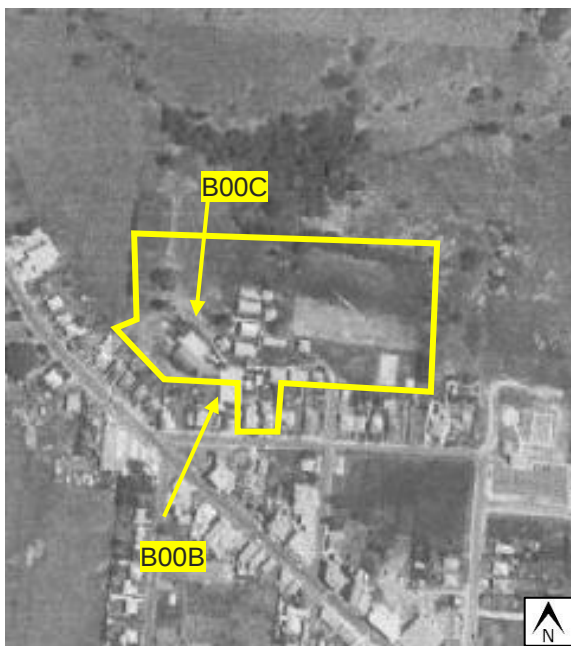


Figure 54: 1979 aerial image showing approximate boundary of the subject site (indicated in yellow). Source: NSW Government Historical Aerial Imagery.



Figure 55: 1997 aerial image showing approximate boundary of the subject site (indicated in yellow). Source: NSW Government Historical Aerial Imagery.

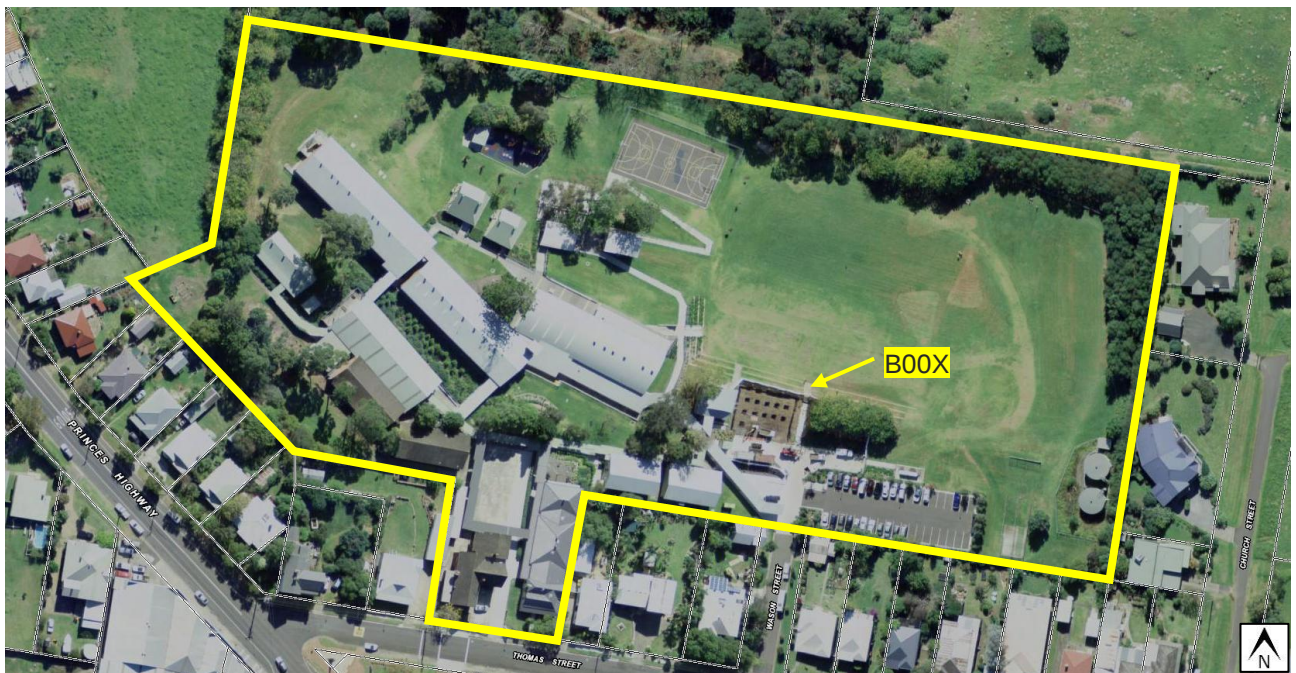


Figure 56: 2010 aerial image showing the subject site. Source: Six Maps Imagery, accessed September 2023.

4. ESTABLISHED SIGNIFICANCE

The existing Milton Public School is listed as 'Victorian rendered masonry school and schoolmaster's cottage', Thomas Street, under Part 1 of Schedule 5 of the Shoalhaven Local Environmental Plan (LEP) 2014 (item no. 304). There is an entry on the State Heritage Inventory with this exact name, however it does not contain any significance assessment or additional information to inform the established significance of the site.¹⁵

Two additional entries exist on the State Heritage Inventory, one for each building. The Statement of Significance for 'Milton Vict. Rendered Masonry Public School' is:¹⁶

Rare early Victorian school building designed by noted architect G A Mansfield. Built as a National school, prior to the Public Instruction Act of 1881. Architectural integrity severely comprised though essential form retained. Said to have associations with poet Henry Kendall. Historic, aesthetic and social values. Local significance (Shoalhaven).

The second entry on the State Heritage Inventory database for 'Milton Vict. Rendered Stone Schoolmaster's Cottage', which is situated at 11 Thomas Street, Milton, is as follows.¹⁷

Victorian period school residence designed by prominent architect G A Mansfield and built with the former National School. Streetscape contribution as part of the school group. Historic, aesthetic and social value. Local significance (Shoalhaven).

The following statement of significance is extracted from the Department of Education Section 170 Heritage Conservation Register listing for 'Milton Public School – Building B00A and B00Q', which was provided to CPH for the purposes of this report:

Victorian period school residence designed by prominent architect G A Mansfield and built with the former National School. Streetscape contribution as part of the school group. Historic, aesthetic and social value. Local significance (Shoalhaven District).

The Milton School Building and Schoolmaster's Residence are significant in the local area's history. They reflect the competition among rural settlements for facilities, the growth into centres of economic importance in the district, and the importance of proximity in rural areas, there being only a few kilometres between Milton and Croobyar. The town with the most facilities such as schools, shops and banks, would attract more people to settle in the area. Milton proved the importance of being a growing town by winning the school. It represents a time of prosperity and growth in Milton's history.

The buildings themselves are aesthetically and architecturally significant as examples of the designs of G.A. Mansfield who designed other Government Schools such as Hunters Hill Public School. The School Building and Residence are examples of Victorian era school buildings. The fact that they are still together and have been in continuous use as School buildings, also adds to their significance. Aesthetically they are an important factor in the streetscape. Though not in the Milton Conservation Area, many sites on Thomas Street are, so the School Building and Residence fronting onto Thomas Street are significant in this respect.

¹⁵ Above n, 1.

¹⁶ NSW SHI, 'Milton Victorian Rendered Masonry Public School', Item ID. 2390577, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390577>.

¹⁷ NSW SHI, 'Milton Victorian Rendered Stone Schoolmaster's Cottage', Item ID. 2390565, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390565>.

4.1. Established Statements of Significance of Heritage Items in the Vicinity

The following Statements of Significance have been extracted from the respective listings of the heritage items on the NSW State Heritage Inventory. These have been extracted to understand any potential impacts the proposal would have on these heritage items in proximity.

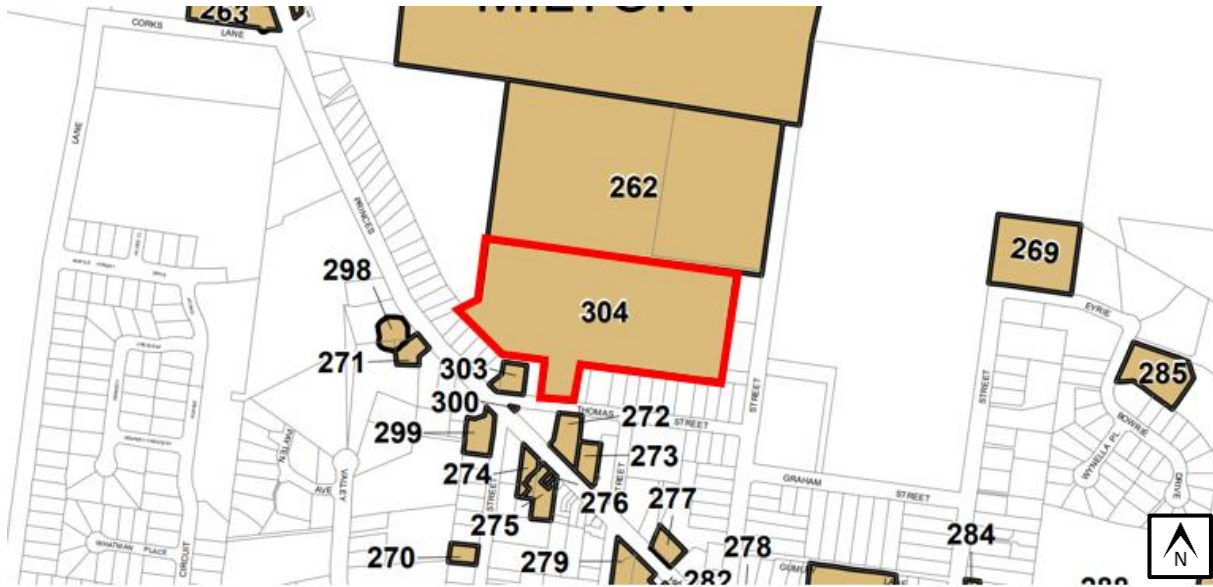


Figure 57: Heritage Map of Milton, showing heritage items in proximity to the subject site (item 304, indicated in red).

4.1.1. Heritage Item 'Remnant rainforest', Church Street, item no. 262

The remnant rainforest forms a significant contribution to the character of Milton. It is the only significant rainforest in the area where a number of rainforests were cleared for pasture land and cedar getting. Its importance as an educational resource for school children and adults alike is invaluable considering the above. Local significance (Shoalhaven).¹⁸

4.1.2. Heritage Item 'Wynella'—Victorian weatherboard residence', 6 Gordon Street, item no. 269

An important rural residence of notable historic, aesthetic and scientific significance to the Milton area. Contributory element to the urban conservation area. Local significance (Shoalhaven).¹⁹

4.1.3. 'Federation rendered masonry courthouse and police station', 64 Princes Highway, item no. 272

An excellent example of a Federation period courthouse/police station complex. The two buildings are better integrated than usual. Designed by Government Architect Walter Liberty Vernon, it is a fine example of his work. The buildings emphasise the presence of government and law enforcement in a country town. Important to Milton for its contribution to the streetscape. Local significance (Shoalhaven)²⁰

¹⁸ NSW State Heritage Inventory, 'Remnant rainforest', Item ID. 2390648, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390648>.

¹⁹ NSW State Heritage Inventory, "'Wynella' - Victorian weatherboard residence', Item ID. 2398668, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2398668>.

²⁰ NSW State Heritage Inventory, 'Federation rendered masonry courthouse and police station', Item ID. 2390563, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390563>

4.1.4. 'Two storey rendered masonry post office', 66 Princes Highway, item no. 273

Early Victorian Post Office, considerably enlarged in the Federation period. Contributes effectively to Milton's streetscape values although integrity has been compromised by more recent alterations. Social and historical interest as the town's first official post office. Local significance (Shoalhaven).²¹

4.1.5. 'Victorian Georgian style residence and bakehouse', 67 Princes Highway, item no. 274

Early Victorian Georgian town house later adapted for a range of shop and business uses including a bakery and bank. Historic and aesthetic values. Important contribution to the main street values of Milton. Local significance (Shoalhaven).²²

4.1.6. 'Inter-war rendered masonry and fibro hall', 69 Princes Highway, item no. 275

Inter war cinema, one of many built throughout the country during the motion picture boom period. A good example of an Inter-War School of Arts despite alterations and continuing use as a theatre maintains its social and historical interest. Local significance (Shoalhaven).²³

4.1.7. 'Victorian classical style rendered masonry Town Hall', 71 Princes Highway, item no. 276

A rare local example of a Victorian Classical building. Main facade essentially unaltered. Considerable social and historical interest as a former School of Arts and Council Chambers. Ulladulla was one of the many small councils in the region eventually amalgamated. Contribution to the Milton townscape. Local significance (Shoalhaven).²⁴

4.1.8. 'The Star Hotel'—two storey rendered masonry building', 82 Princes Highway, item no. 277

Good example of a late Victorian period country town hotel with later overlays. Retains something of its original character despite substantial alteration. Streetscape value as part of Milton's 'Main Street'. Historic, aesthetic and social values. Local significance (Shoalhaven).²⁵

4.1.9. 'Rendered masonry commercial store including residence', 61 Princes Highway, item no. 299

Late Victorian shop and residence. Original character maintained despite some alteration. Social and historical interest as a former corner shop. Local significance (Shoalhaven).²⁶

4.1.10. 'Granite Obelisk – War memorial', Princes Highway, item no. 300

War memorials erected in towns and cities following the Boer and First World wars were a conscious statement of participation, grief and nationalism. Milton's memorial is historically important as a record of participation in the First World War and an embodiment of the sentiments and attitudes of those times and community response to subsequent military events. The granite obelisk is a good example of one of the most frequent designs. The memorial's prominent siting

²¹ NSW State Heritage Inventory, 'Two storey rendered masonry post office', Item ID. 2390573, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390573>.

²² NSW State Heritage Inventory, 'Victorian Georgian style residence and bakehouse', Item ID. 2390567, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390567>.

²³ NSW State Heritage Inventory, 'Inter-war rendered masonry and fibro hall', Item ID. 2390568, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390568>.

²⁴ NSW State Heritage Inventory, 'Victorian classical style rendered masonry building', Item ID. 2390561, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390561>.

²⁵ NSW State Heritage Inventory, 'The Star Hotel' - two storey rendered masonry building', Item ID. 2390574, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390574>.

²⁶ NSW State Heritage Inventory, 'Rendered masonry commercial store including residence', Item ID. 2390566, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390566>.

at the junction of routes into Milton exemplifies the need to influence subsequent generations. Historic, aesthetic and social value. Local significance (Shoalhaven).²⁷

²⁷ NSW State Heritage Inventory, 'Granite Obelisk - War Memorial', Item ID. 2390580, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2390580>.

5. HERITAGE IMPACT ASSESSMENT

5.1. Statutory Controls

The existing Milton Public School is listed as a heritage item of local heritage significance under Part 1 of Schedule 5 of the Shoalhaven Local Environmental Plan (LEP) 2014 as 'Victorian rendered masonry school and schoolmaster's cottage'²⁸ (item no. 304). The subject site is also located within close proximity to a number of heritage items and therefore is subject to the heritage controls in the *Shoalhaven LEP 2014* and the *Shoalhaven DCP 2014*.

Milton Public School is also subject of State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021.

5.1.1. Environmental Planning and Assessment Act (EP&A Act) 1979

The following provisions contained within the *EP&A Act* are relevant to the subject proposal due to the site's heritage listing and thus have been considered below.

Subdivision 2 Duty of determining authorities to consider environmental impact of activities

5.5 Duty to consider environmental impact

(1) For the purposes of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

- The existing Milton Public School contains the heritage item 'Victorian rendered masonry school and schoolmaster's cottage', which is listed as a heritage item of local heritage significance under Part 1 of Schedule 5 of the Shoalhaven LEP 2014. The proposal involves the erection of a new school building within the Milton Public School schoolgrounds. As such, the impact of the proposal on the heritage item is required, which is undertaken in this SOHI.
- Due to the scope of works and the nature of the subject site, the development will be undertaken through a REF pathway under Division 5.1 of the *Environmental Planning and Assessment Act 1979*.
- Following, written notice of an intention to carry out the development will be provided to Shoalhaven City Council. Any response provided within 21 days to this notice will be taken into consideration

5.1.2. Environmental Planning and Assessment Regulation 2021

171 Review of environmental factors – The Act, s5.10(a)

- *(1) When considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the environmental factors guidelines that apply to the activity.*
- *(2) If there are no environmental factors guidelines in force, the determining authority must take into account the following environmental factors--*
 - *(e) The effects on any locality, place or building that has*

²⁸ NSW State Heritage Inventory, 'Victorian rendered masonry school and schoolmaster's cottage', Item ID. 5065992, available from: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5065992>.

- (i) Aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance, or
- (ii) Other special value for present or future generations.

Discussion

In determining environmental impact, the *EP&A Regulation 2021* identifies that various criteria of heritage significance are relevant for consideration. These are highlighted above in regulation 171 (2) (e). These significance considerations are mostly taken from the Heritage Council of NSW's significance assessment criteria.

The specific significance criteria that are relevant to the heritage significance of the 'Victorian rendered masonry school and schoolmaster's cottage' heritage item are its historical, architectural and aesthetic significance. This is because as per the Statement of Significance (extracted from the Section 170 listing and included at Section 4 above), the heritage item is significant for being a surviving example of a Victorian-era school building designed by Government Architect G A Mansfield, as well as being one of the surviving Victorian-era building stock in the historic township of Milton. It is also identified as significant for its social and historical value to the community, being an operational school since 1878.

It is considered that the aesthetic, architectural, historical and social significance of the heritage item will not be impacted by the proposed activity. This is due to the physical distance between the heritage building and the area proposed for the new homebase building within the schoolgrounds. The historical and aesthetic significance of the heritage item will not be compromised with the proposed activity, thus there is not environmental impact from a heritage perspective.

5.1.3. Shoalhaven Local Environmental Plan (LEP) 2014

Though the proposed activity is going through an REF pathway, the relevant clauses of the Shoalhaven LEP 2014 have been considered to provide a framework for the assessment of the activity.

Clause 5.10 Heritage Conservation

(2) Requirement for consent.

Development consent is required for any of the following-

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

(i) a heritage item,

(ii) an Aboriginal object,

(iii) a building, work, relic or tree within a heritage conservation area

...

(e) erecting a building on land-

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance

...

- The existing Milton Public School contains the heritage item 'Victorian rendered masonry school and schoolmaster's cottage', which is listed as a heritage item of local heritage significance under Part 1 of Schedule 5 of the Shoalhaven LEP 2014. The subject site is also located within proximity to a number of heritage items and therefore would have required the consent of the Shoalhaven Council under Clause 5.10 (2) (e) (i) of the Shoalhaven LEP 2014. However, due to the scope of works and the nature of the subject site, the development will be undertaken through a REF pathway under Division 5.1 of the *Environmental Planning and Assessment Act 1979*. As such, development consent from Shoalhaven City Council is not required under this subsection.

(4) Effect of proposed development on heritage significance

Clause 5.10 Heritage Conservation

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

- This SOHI has considered the likely impacts of the construction of a new two storey building and associated removal of several trees and brick retaining wall at the subject site. It concludes that the proposed works will have no impact on the established heritage values of the subject site and heritage listed items in proximity. The proposal will continue to maintain the characteristics of the place and not have any adverse effect on its established heritage values and the amenity of the surrounding area.
- A more detailed assessment of the proposed development has been provided under the controls of the Shoalhaven DCP 2024 in Section 5.2.3 - Shoalhaven Development Control Plan (DCP) 2014.

(5) Heritage assessment

The consent authority may, before granting consent to any development -

- (a) on land which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b)*

Require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

- A heritage management document is defined at the Dictionary for Shoalhaven LEP 2014 as
 - (a) a heritage conservation management plan,
 - (b) a heritage impact statement, or
 - (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of significance or heritage conservation area.
- This Statement of Heritage Impact has been prepared to address this subclause as the development is identified within the curtilage of the local heritage item.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)-

- (a) notify the Heritage Council of its intention to grant consent, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after notice is sent.*

- The subject site is not listed as an archaeological site in the Shoalhaven LEP 2014, nor has it been identified as an archaeological site; therefore, the subject clause does not apply.
- The proposal involves subsurface excavation and below ground works, however, an Aboriginal archaeological due diligence assessment for the subject site has been prepared by Apex Archaeology in August 2023 (Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW.) advises:

"...ground disturbance is prevalent across the majority of the study area, as existing buildings and play areas have been benched into the original ground surface to

Clause 5.10 Heritage Conservation	
	create level areas. There are some areas of open space (oval and periphery), however this area has seen ground surface modification activities over the last 100 years. Evidence of vegetation clearance (historic and recent), landscaping, building, landscape modification and ongoing land use practices are evident within the entire study area. It is considered highly unlikely that archaeological material will be present within the study area due to the level of disturbance within the site." Notwithstanding, to prevent any damage to potential historic or Aboriginal archaeological deposits within the site, an unexpected finds protocol is recommended (an example of such is included at Appendix A).
(8) Aboriginal places of heritage significance	
The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance- (a) consider the effect of the proposed development on the known heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.	- A Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW prepared by Apex Archaeology in August 2023 advises: <i>"There are no areas within the study area considered likely to have Aboriginal cultural heritage values. No further Aboriginal archaeological assessment is necessary for development within the site. No Aboriginal Heritage Impact Permit (AHIP) will be necessary prior to works commencing within the site."</i> - Any proposed impacts to the study area should proceed with caution. Should any unexpected Aboriginal objects, features or sites be identified during construction works the proponent should follow the unexpected finds protocol (see Appendix A).

5.1.4. Shoalhaven Development Control Plan (DCP) 2014

The following table addresses the relevant heritage controls within Section 3 - European Heritage and Section 4 - Aboriginal Cultural Heritage of the Shoalhaven DCP 2014. It is noted that the proposal is undergoing an REF pathway and thus addressing these DCP controls is not a requirement for receiving development consent. Regardless, these heritage controls have been considered in this SOHI to illustrate the proposal's minimal heritage impact.

Section 3 - European Heritage	This proposal relates to these matters as follows:
3.3.1 Assessment considerations ...	Though Shoalhaven City Council are not the consent authority for this proposal, the below

Section 3 - European Heritage	This proposal relates to these matters as follows:
<i>Council must give consideration to a range of matters when assessing an application in relation to any heritage items or within any heritage conservation area including natural and pastoral landscapes. Council will make an assessment of:</i> - the heritage significance of the item as a heritage item or as a component of a heritage conservation area of the City of Shoalhaven (urban, pastoral or natural); and - the impact the proposed development will have on the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the heritage item and its site or the heritage conservation area (urban, pastoral or natural); and - the impact the proposed development will have on any stylistic, horticultural or archaeological features of the heritage item or its site or the heritage conservation area (urban, pastoral or natural); and - the measures proposed to conserve the heritage significance of the item and its setting or the conservation area; and - The extent to which the carrying out of the proposed development would affect the form of a historic subdivision. <i>When assessing an application to alter a building that is a heritage item or is a component of a heritage conservation area, including natural and pastoral landscapes, Council will assess:</i> - the colour, texture, size, style and type of finish of any materials to be used on the exterior of the building; and - the effect the use of those materials will have on the appearance of the exterior of the building and of any other building in its vicinity; and - the size, style, proportion and position of openings for any windows and doors which will result from, or be affected by, the carrying out of the development; and - The pitch and form of the roof.	considerations have been addressed in the development of the school. - The heritage significance of the Victorian rendered masonry school and schoolmaster's cottage will be retained in the proposed works. The significant school buildings A and Q that front Thomas Street will not be physically or visually impacted by the proposed construction of the new building to the north-west near the staff carpark. No fabric of the original buildings will be affected, with alterations within the school restricted to landscape elements. This ensures the historic and aesthetic significance of the heritage item continues to be appreciated. - Additionally, the proposed development of the new building does not affect the established character of the heritage item within the school, its historic usage and its contribution to the streetscape. This is due to the physical distance this new building has from the heritage items and from Thomas Street, where the Victorian rendered masonry school and schoolmaster's cottage are viewed and appreciated from. - The proposed new development does not mimic the heritage fabric, colours, textures and features of the rendered masonry heritage buildings on site (Buildings A & Q), instead utilising contemporary materials that are easily identifiable as such. The two storey size of the building is appropriate within the context of the school, particularly as the area where the new classroom is to be built is at a lower topographical height than that of the heritage buildings (A & Q) on Thomas Street. - Based on Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW prepared by Apex Archaeology in August 2023 there is limited historical archaeological potential for the site due to the high level of disturbance across the site. However, if any unexpected finds are uncovered during proposed works, the 'STOP WORK' policy should be followed and a suitably qualified archaeologist should be consulted.
3.3.3 Development in the Vicinity of a Heritage Item <i>Where development is to occur within the vicinity of a heritage item Council must make an assessment of the effect the carrying out of that</i>	The proposed two storey building may be partially visible from the north at Milton Rainforest Reserve. However, the new building will be located approximately 90 metres from the shared boundary. This distance along with mature plantings planted

Section 3 - European Heritage	This proposal relates to these matters as follows:
<i>development would have on the significance of the heritage item, its site and its setting. Such developments will need to provide a heritage impact statement (see Section 3.3.5) addressing the effect of the development.</i> <i>Note: Most developments that adjoin or are close to a heritage item or heritage conservation area will require consent and you will, therefore, need to provide a heritage impact statement. If in doubt, discuss your proposal with Council's Development Services Section.</i>	at school grounds along the shared boundary creates a sufficient buffer to visually separate the new structure from the heritage listed reserve. As a result, there is likely no impacts to the setting and amenity of the heritage listed reserve. ▪ The new two storey building has no other visual relationship with any of the heritage items in proximity to Milton Public School. The majority of these heritage items are situated to the south-east of Milton Public School, which is away from the proposed new building. As such, there are no visual impacts on any of the other heritage items in the vicinity. ▪ It is concluded by CPH, that the proposed works are respectful to heritage listed items within the subject site and in vicinity in terms of form, scale bulk and location.
3.3.5 Heritage Impact Statements <i>The key objective of your application is to provide clear information in drawings, text and photographs which will explain your intentions in the simplest way. Council is required to assess the impact of the proposed works on the heritage significance of any heritage item or conservation area. This is best addressed in a Heritage Impact Statement as part of your development application.</i> <i>The Heritage Impact Statement should be prepared in accordance with NSW Heritage Manual "Statements of Heritage Impact" and "Assessing Heritage Significance Guidelines" and the principles of The Burra Charter. It should include a Statement of Significance which is a concise summary of the cultural significance of a place and includes an assessment of aesthetic, historic, scenic and cultural values and comparative criteria. The Heritage Impact Statement should address:</i> ▪ <i>The history and development of the place.</i> ▪ <i>The fabric of the place in terms of its original configuration and later alterations.</i> ▪ <i>The cultural significance of the place.</i> ▪ <i>A description of the proposed works.</i> ▪ <i>An assessment of the impact of the proposed works on the cultural significance of the item or place.</i>	▪ This SOHI has been prepared in accordance with the Department of Planning and Environment (DPE) publications, <i>Guidelines for preparing a Statement of Heritage Impact, 2023</i> and <i>Assessing Heritage Significance, 2023</i>. It is also guided by the philosophy and processes included in The Burra Charter: <i>The Australia ICOMOS Charter for Places of Cultural Significance, 2013</i> (Burra Charter). ▪ This SOHI addresses matters such as history and development (Section 3 - Historical Overview), the fabric (Section 2 - Site Context and Description), significance (Section 4 - Established Significance), proposed works (Section 1.5 - Proposal) and assessment of heritage impacts (Section 5 - Heritage Impact Assessment).
4 Aboriginal cultural heritage	▪ A Preliminary Indigenous Heritage Assessment and Impact Report for Milton

Section 3 - European Heritage	This proposal relates to these matters as follows:
<i>Aboriginal cultural heritage is legally protected in NSW. There are many sites of special significance to Aboriginal communities in the Shoalhaven. These sites should be preserved for all people, as a part of our heritage.</i> <i>The National Parks and Wildlife Act 1974 (NPW Act), administered by the NSW Office of Environment and Heritage (OEH) is the primary legislation for managing and conserving Aboriginal objects or places. It is your responsibility to seek the necessary approval under the NPW Act, separate to Council's Development Assessment process.</i> <i>OEH maintains a register of notified Aboriginal objects and declared Aboriginal places in NSW - the Aboriginal Heritage Information Management System (AHIMS). You can search AHIMS to discover if an Aboriginal object has been recorded or an Aboriginal place declared on a parcel of land.</i>	Public School, Milton, NSW prepared by Apex Archaeology in August 2023 advises: <i>"There are no areas within the study area considered likely to have Aboriginal cultural heritage values. No further Aboriginal archaeological assessment is necessary for development within the site. No Aboriginal Heritage Impact Permit (AHIP) will be necessary prior to works commencing within the site."</i> Any proposed impacts to the study area should proceed with caution. Should any unexpected Aboriginal – or suspected – objects, features or sites be identified during construction works the proponent should follow the unexpected finds protocol.

5.1.5. State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021

Under Part 3.4 'Schools - specific development controls' of the SEPP (Transport and Infrastructure) 2021, there are various consent requirements for development works (including exempt development, complying development, development permitted with consent and development permitted without consent). Only the identified planning pathway requirements for this proposal are considered below.

Section	This proposal relates to these matters as follows:
3.9 Consultation with councils—development with impacts on local heritage	
<i>(1) This section applies to development carried out by or on behalf of a public authority if the development—</i> <i>(a) is likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item in a way that is more than minimal, and</i> <i>(b) is development that this Chapter provides may be carried out without development consent.</i> <i>(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section</i>	- The proposed works for the site qualify as development permitted without consent under section 3.37 of the SEPP (see below). - The proposed works will have no more than a minor impact on the established heritage values of the 'Victorian rendered masonry school and schoolmaster's cottage' (item no. 304 on the LEP) and the heritage items listed on the Shoalhaven LEP 2014 in proximity. The proposal will continue to maintain the characteristics of the school and not have any adverse effect on the appreciation and usage of the heritage item on site, nor on its amenity or visual setting. The lack of direct sightlines between the area proposed for work and the heritage school buildings means that there would be no impacts to the significant views of and from the heritage item.

Section	This proposal relates to these matters as follows:
<i>applies unless the authority or the person has—</i> <i>(a) had an assessment of the impact prepared, and</i> <i>(b) given written notice of the intention to carry out the development, with a copy of the assessment and a scope of works, to the council for the area in which the local heritage item or heritage conservation area (or the relevant part of such an area) is located, and</i> <i>(c) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.</i>	▪ This SOHI which accompanies a REF is considered to be an assessment of the potential heritage impact for the purposes of 3.9 (2) (a). ▪ Shoalhaven City Council will need to be given written notice of the intention to undertake the proposed activity at the school. SINSW will need to take into consideration any response received from Council within 21 days of giving the written notice.
3.37 Existing or approved government schools—development permitted without consent	
<i>(1) Development for any of the following purposes may be carried out by or on behalf of a public authority without development consent on land within the boundaries of an existing or approved government school—</i> <i>(a) construction, operation or maintenance of any of the following—</i> ... <i>(iii) a permanent classroom</i> <i>(b) minor alterations or additions, such as—</i> <i>(i) internal fitouts, or</i> <i>(ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability, or</i> <i>(iii) alterations or additions to the external facade of a building that do not increase the building envelope (for example, porticos, balcony enclosures or covered walkways),</i> <i>(c) restoration, replacement or repair of damaged buildings or structures,</i> <i>(d) security measures, including fencing, lighting and security cameras,</i> <i>(e) demolition of structures or buildings (unless a State heritage item or local heritage item).</i> <i>(2) A building resulting from development carried out under subsection (1) (a) or (f)</i>	▪ Under this clause, the construction of a permanent classroom no more than 4 storeys is a development identified that does not require consent. Additional works like installing new fencing would also qualify as development which is permissible without consent. ▪ The proposed activity does not involve any demolition of structures or buildings that are a heritage item; Buildings A and Q will be retained as existing. ▪ As a result, the activity is considered to qualify as development permitted without consent and therefore Section 3.9 of the SEPP is applicable (see discussion above).

Section	This proposal relates to these matters as follows:
<i>must not have a height of more than the greater of -</i> <i>(a) the maximum height permitted for a building under an environmental planning instrument applying to the land on which the development is proposed to be carried out, or</i> <i>(b) 4 storeys.</i>	

5.2. NSW Department of Planning and Environment Guidelines

The following questions to be answered have been extracted from the NSW Department of Planning and Environment's, *Guidelines for Preparing a Statement of Heritage Impact, 2023*. Responses have been provided in relation to the proposed development.

5.2.1. General Considerations

General considerations	This proposal relates to these matters as follows:
Do the proposed works include removal of unsympathetic alterations and additions? How does this benefit or impact the heritage item and its significance?	The proposed works do not physically affect heritage listed items within the subject site or in proximity. Additionally, due to the established landscape and setting, along with the scale of proposed new development, there will be no impact on the established heritage values of the subject site and the heritage items in proximity.
Do the proposed works affect the setting of the heritage item, including views and vistas to and from the heritage item and/or a cultural landscape in which it is sited? Can the impacts be avoided and/or mitigated?	As noted above, due to the established landscape and setting along with the location of affected by the proposal area, no visual impact is anticipated on the established heritage values of the subject site and heritage items in vicinity. The proposed two storey building may be partially visible from adjacent at the north Milton Rainforest Reserve. However, the new building will be located approximately 90 metres from the shared boundary. This distance along with mature plantings planted at school grounds along shared boundary creates a sufficient buffer to visually separate the new structure from the heritage listed reserve.
- Are the proposed works part of a broader scope of works? - Does this proposal relate to any previous or future works? If so, what cumulative impact (positive and/or adverse) will these works have on the heritage significance of the item?	The proposed works are limited to the construction of a new two-storey building, new covered walkways and associated landscaping. No further alterations and additions are anticipated at this stage.
Are the proposed works to a heritage item that is also significance for its Aboriginal cultural heritage values? If so,	The proposal involves subsurface excavation and below ground works, however, the subject site is not listed as being an archaeological site in the

General considerations	This proposal relates to these matters as follows:
have experts in Aboriginal cultural heritage been consulted? Has the applicant checked if any other approvals or a separate process to evaluate the potential for impacts is required?	Shoalhaven LEP 2014 nor has been identified as an archaeological site. - Based on Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW prepared by Apex Archaeology in August 2023: <i>"There are no areas within the study area considered likely to have Aboriginal cultural heritage values. No further Aboriginal archaeological assessment is necessary for development within the site. No Aboriginal Heritage Impact Permit (AHIP) will be necessary prior to works commencing within the site."</i> - Additionally, based on the above-mentioned report: <i>"...ground disturbance is prevalent across the majority of the study area, as existing buildings and play areas have been benched into the original ground surface to create level areas. There are some areas of open space (oval and periphery), however this area has seen ground surface modification activities over the last 100 years. Evidence of vegetation clearance (historic and recent), landscaping, building, landscape modification and ongoing land use practices are evident within the entire study area. It is considered highly unlikely that archaeological material will be present within the study area due to the level of disturbance within the site."</i> - Notwithstanding, any proposed impacts to the study area should proceed with caution. Should any unexpected Aboriginal – or suspected – objects, features or deposits be identified during construction works the proponent should follow the unexpected finds protocol.
Do the proposed works trigger a change of use classification under the National construction code that may result in prescriptive building requirements? If so, have options that avoid impact on the heritage values been investigated?	Not applicable.
If the proposed works are to a local heritage item, are the requirements of the development control plans or any local design guidelines that may apply to the site considered?	The controls of the Shoalhaven DCP 2014 have been considered and addressed in detail in Section 5.1.4 - Shoalhaven Development Control Plan (DCP) 2014, though they are not binding on the development consent which will be assessed through a REF pathway.

General considerations	This proposal relates to these matters as follows:
Will the proposed works result in adverse heritage impact? If so, how will this be avoided, minimised or mitigated?	As discussed above, due to the established landscape and setting along with nature and scale of the proposed works, no adverse effects including visual impacts are anticipated.

5.2.2. Considerations for specific types of work

New Landscaping

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to new landscape works and features.

Questions to be answered	This proposal relates to these matters as follows:
How has the impact on the heritage significance of the existing landscape been minimised?	The proposal includes removal of several mature trees to accommodate the construction of the new two storey building. It also includes partial removal of retaining walls and construction of a new pathway. The proposed for removal trees are not identified as having any heritage significance. Additionally, due to the location of the affected areas and established landscape and setting, no impacts, either physical or visual, are anticipated by the landscaping works.
Are works to the landscape or pathways necessary to comply with the access requirements of the Disability Discrimination Act 1992?	The proposed works are necessary to accommodate for construction of a new two storey building and associated amenities. Additionally, the works are required to provide safe access to new areas.
Has evidence (archival and physical) of previous landscape work been investigated? Is the original landscape work being reinstated?	As noted above, the proposed for removed trees are not identified as having any significance. This is based off an assessment of historical aerial imagery for the school, with the earliest aerial image dating from 1959 (Figure 53). This image indicates the proposed area for the new building was previously occupied by structures that have since been removed. As such, the trees to be removed in this proposal are not associated with the original school and grounds that was established on site in the late 1800s. Any other images or other sources containing information on landscape or pathways features are not located at this stage.
Will any known or potential archaeological relics be affected by the landscape works? How will this be mitigated? Has advice been sought from a suitably qualified archaeologist?	- The Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW prepared by Apex Archaeology in August 2023 identified the subject site as being subject of previous disturbance and concluded that no areas within the subject site were considered likely to have Aboriginal cultural heritage values. - Notwithstanding, any proposed impacts to the study area should proceed with caution. Should any unexpected Aboriginal objects, features or deposits be identified during construction works the

Questions to be answered	This proposal relates to these matters as follows:
	proponent should follow the unexpected finds protocol.
Do the proposed works impact views to, from and within adjacent heritage items?	As discussed above, due to the established landscape and setting along with nature and scale of the proposed works, no adverse effects including visual impacts are anticipated.

Tree Removal

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to tree removal or replacement.

Questions to be answered	This proposal relates to these matters as follows:
Does the tree proposed to be removed contribute to the heritage significance of the heritage item?	The proposal includes removal of several mature trees (16) to accommodate the construction of a new two storey building. The proposed trees for removal are not identified as having any heritage significance and do not contribute to established heritage values of the subject site or heritage items in vicinity.
Why is the tree being removed?	As above.
Has the advice of a qualified arborist, tree surgeon or horticultural specialist been sought and implemented?	An Arboricultural Impact Assessment has been prepared for the school by Allied Tree Consultancy (2025).
Is the methodology for tree removal adequately understood? Will the proposed works impact on the significance of the heritage item?	- The tree removal methodology is outlined in the Arboricultural Impact Assessment prepared by Allied Trees Consultancy. - Due to the location of the affected areas and established landscape and setting, no impacts, both physical and visual, are anticipated to the heritage item.
Is the tree being replaced? Where will it be replaced and with what species? Why?	Trees are proposed to be planted to the northern side of the proposed building (as per landscape plans prepared by Ground Ink Landscape Architects).

Works Adjacent to Heritage Items or within the heritage conservation area

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to works adjacent to a heritage item or within the heritage conservation area (listed on an LEP).

Questions to be answered	This proposal relates to these matters as follows:
Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?	No. The proposed for redevelopment area is located 70 - 100 metres from the identified heritage items and does not contribute to the established heritage values of the subject site or heritage items in vicinity.
Will the proposed works affect views to, and from, the heritage item? If yes, how will the impact be mitigated?	No. Due to the location of the affected areas and established landscape and setting along with the nature and scale of the proposed works, no impacts both physical and visual are anticipated.

Questions to be answered	This proposal relates to these matters as follows:
Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?	As above

5.2.3. Matters for Consideration

Fabric and Spatial Arrangements

There are no impacts to the significant fabric or spatial arrangements of the heritage item.

Settings, views and vistas

The construction of the new teaching block as part of the proposed development will not impact any significant views, vistas or settings of the heritage items within the subject site or the heritage items in vicinity. This is because the area proposed for the new classroom is located at a sufficient distance from the heritage item within the site (Buildings A & Q) and heritage items in proximity. Additionally, the proposed area is separated from the heritage item and the established streetscape by existing school buildings.

Landscape

The proposal includes removal of trees to accommodate the construction of new the two storey building. The trees proposed for removal are not identified as having any heritage significance and do not contribute to the established heritage values of the subject site or the heritage items in vicinity.

Use

There are no changes to the use of the site under the current proposal.

Demolition

Demolition does not form part of this proposal.

Curtilage

There are no impacts to the curtilage of the site as part of the current proposal.

Moveable heritage

There is no moveable heritage identified within the schoolgrounds.

Aboriginal cultural heritage

As per Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW prepared by Apex Archaeology in August 2023, there is likely to be no potential archaeological deposits within the schoolgrounds due to the level of disturbance. The site has therefore been assessed as having little-no Aboriginal cultural heritage values.

Historical archaeology

Due to the high level of disturbance across the site, there is limited historical archaeological potential for the site based on Preliminary Indigenous Heritage Assessment and Impact Report for Milton Public School, Milton, NSW prepared by Apex Archaeology in August 2023.

Natural heritage

There is no identified natural heritage within the site.

Conservation areas

Not applicable.

Cumulative impacts

This SOHI has assessed that there overall will be no visual or physical impacts on heritage items within the subject site or in proximity due to the siting of the work at a lower level away from the significant buildings.

The conservation management plan

There is no Conservation Management Plan for Milton Public School.

Other heritage items in the vicinity

There are no impacts on the heritage items in the proximity. This is because those heritage items are sufficiently distanced and obstructed from the area affected by the proposal.

Commonwealth / National heritage significance

Not applicable

World heritage significance

Not applicable.

5.3. Mitigation Measures

As a result of the above assessment of the potential heritage impact of the proposed activity, the following mitigation measure is recommended to ensure the heritage significance of item 304 is respected.

Mitigation name	Aspect	Mitigation Measure	Reason for Mitigation Measure
Unexpected Finds procedure	During trenching works	The <i>Heritage Act</i> 1977 protects non-Aboriginal heritage items which are defined as “any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance”. Should any unexpected finds be uncovered during trenching works, the 'unexpected finds protocol' should be implemented and works stopped immediately. Allow for the inspection of the relic by appropriately qualified archaeologist in order to advise on the required management and consultation with Heritage NSW. Refer to Appendix A for this protocol.	Prevent damage to archaeological relics

6. CONCLUSION AND EVALUATION OF ENVIRONMENTAL IMPACTS

In conclusion, it is considered by City Plan Heritage that:

1. The extent and nature of potential heritage impacts from the proposed activity is low and will not have a significant impact on the heritage locality, community and environment.

2. The mitigation measure of implementing an unexpected finds procedure (as outlined in Appendix A) is recommended to prevent damage to potential archaeological relics.

The proposal has no physical impacts to the 'Victorian rendered masonry school and schoolmaster's cottage' (item no. 304 on the *Shoalhaven LEP* 2014), with the proposed location for the new school building sufficiently distanced away from the heritage school buildings (A & Q). There are also no visual impacts on the heritage item as there exists no sightlines between the item and the proposed location due to the school's topography and existing building stock. The proposed activity will not compromise the historic setting and cartilage of the heritage item due to being located away from these significant buildings. As a result, the new PTS was assessed as having no discernible visual or physical impact on the school's heritage item.

The development will also have no visual impacts on any heritage items in the vicinity of the school due to the distance away and lack of clear sightlines to proximate heritage items.

Should any unexpected finds be uncovered during trenching works, the 'unexpected finds protocol' should be implemented and works stopped immediately. Allow for the inspection of the relic by appropriately qualified archaeologist in order to advise on the required management and consultation with Heritage NSW.

In conclusion, the proposal demonstrates compliance with the existing controls regarding heritage conservation.

CITY PLAN HERITAGE

APRIL 2025

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APPENDIX A

Unexpected Finds Procedure

1. Unexpected Find Procedure for Aboriginal objects

It is recommended that an Unexpected Finds Procedure for Aboriginal objects be implemented for the duration of the project. In the unlikely event that a suspected Aboriginal object/s is identified the procedure should include the following:

- Works are to stop immediately.
- The area of the suspected find/s is to be fenced off with an appropriate buffer and protected.
- A qualified archaeologist and representative of Ulladulla Local Aboriginal Land Council (LALC) are to be contacted to inspect the area and the nature of the find.
- Representative of Ulladulla LALC to determine the find's significance, in consultation with a qualified archaeologist or Heritage NSW.
- Works are not to proceed until written advice is provided from the archaeologist or Heritage NSW on the appropriate management of the find and heritage approval requirements.

2. Unexpected Finds Procedure for suspected historical finds or relics

Should unexpected finds be located:

- Works are to stop immediately.
- The area of the suspected find/s is to be fenced off with an appropriate buffer and protected.
- A qualified archaeologist are to be contacted to inspect the area and complete a preliminary assessment and recording of the item
- Notify Heritage NSW of the find and implement the regulator advice prior to recommencing work.

3. Unexpected Human Remains Procedure

It is recommended that an Unexpected Human Remains procedure be implemented for the duration of the project.

Where it is suspected that less than 100 years has elapsed since death, human skeletal remains come under the jurisdiction of the *State Coroner and the Coroners Act 2009 (NSW)*. Under s35(2) of the *Act*, a person must report a death to a police officer, a coroner or an assistant coroner as soon as possible. This applies to all human remains less than 100 years old regardless of ancestry. Public health controls may also apply.

Where the remains are suspected of being more than 100 years old, they are considered to be either Aboriginal objects or non-Aboriginal relics, depending on the ancestry of the individual. Aboriginal human remains are protected under the *National Parks and Wildlife Act*, while non-Aboriginal heritage remains are protected under the *Heritage Act*.

The discovery of Aboriginal human remains also triggers notification requirements to the commonwealth minister for the Environment under s20 (1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

In the unlikely event that suspected human remains are identified the procedure should include the following:

- Works are to stop immediately.
- The area of the suspected Human Remains find is to be secured and cordoned off.
- NSW Police are to be notified. No further works can be undertaken until the NSW Police provide written advice.

- If these remains are deemed to require archaeological investigation by the NSW Police or NSW Coroner, then:
 - Heritage NSW and Ulladulla LALC must be notified; and
 - a plan of management for any identified Aboriginal human remains must be developed in consultation with Heritage NSW and Ulladulla LALC, as well as any necessary approvals. This will include an AHIP.
- Works are not to proceed until written advice is provided from the archaeologist or Heritage NSW and DPE.