

21 August 2026

Amy Kiely
Project Director – Waterloo Renewal Project
Stockland, Level 25, 133 Castlereagh Street
Sydney NSW 2000
amy.kiely@stockland.com.au

Dear Amy,

Re: Waterloo Estate South (Concept Proposal) – Aboriginal and historical heritage reports – Letter responding to Heritage NSW response to submission comments

Artefact Heritage and Environment (Artefact Heritage) were engaged by Stockland and Homes NSW (the Applicant) to prepare Aboriginal and historical heritage reports as part of the Waterloo Estate South (Concept Proposal) project. The concept proposal is undergoing assessment for State Significant Development (SSD-93222706) under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Item 18 and 19 of the Secretary's Environmental Assessment Requirements (SEARs) issued on 8 October 2025 outlined that Aboriginal and historical heritage assessment would be required to inform the Environmental Impact Statement (EIS) for the concept proposal:¹

Table 1: Item 18 and 19 of the Project SEARs

SEAR	Supporting Documentation
18. Aboriginal Cultural Heritage - Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or - providing an initial assessment of the potential impacts. - Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: - identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site - is prepared in accordance with relevant guidelines.	Aboriginal Cultural Heritage Assessment Report
19. Environmental Heritage Provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.	- Statement of Heritage Impact - Archaeological Assessment

¹ NSW Government, Planning Secretary's Environmental Assessment Requirements, Application number: SSD-93222706.

Artefact Heritage prepared the following reports to be submitted as part of the EIS in support of the concept proposal State Significant Development Application (SSDA):

Aboriginal Heritage (SEAR Item 18: Aboriginal Cultural Heritage)

- Archaeological Technical Report (ATR)
- Aboriginal Cultural Heritage Assessment Report (ACHAR)

Historical Heritage (SEAR Item 19: Environmental Heritage)

- Statement of Heritage Impact (SoHI)
- Historical Archaeological Assessment (HAA).

The EIS was submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) on 16 April 2026. Heritage NSW reviewed and provided comments on the ATR, ACHAR, SoHI, and HAA on 29 May 2026 as part of the Agency Advice required for the Response to Submission (RtS) (HMS ID 14548 and HMS ID 14550). This letter provides a response to the agency comments provided by Heritage NSW (see Table 2 and Table 3). The agency advice from Heritage NSW has also been appended (see Appendix A – Heritage NSW Agency Advice).

Heritage NSW has advocated for early identification of archaeology to limit impacts through design and have recommended that test excavations be undertaken prior to submission of applications for future stages of the project. It is noted that the Heritage NSW Major Planning team are integrating into the Development Coordination Authority (DCA) to streamline the heritage process for major projects assessed by DPHI. Artefact Heritage and the applicant have made enquiries with Heritage NSW and the DCA and have also outlined in the heritage reports that a test excavation program that informs the detailed design prior to the submission of the EIS for each stage may not be feasible. This is due to ongoing site constraints, notably the active demolition program of the extant infrastructure being undertaken by Homes NSW. For this reason, a post-demolition test excavation program prior to the lodgement of the EIS or during the RtS phase for each stage of the project has been recommended. For stages of the project where a test excavation program prior to the lodgement of the EIS or during the RtS phase is not possible due to site constraints, programs of archaeological test and salvage excavation would be undertaken once an SSD approval has been granted.

This letter has been prepared by Jonny Love (Heritage Manager). Quality Review provided by Jayden van Beek (Technical Specialist) and Mike Hincks (Archaeology Team Leader–Principal).

I hope this information is all you require; please do not hesitate to contact me if you have any questions.

Thank you and kind regards,

jllove

Jonny Love
Heritage Manager

ARTEFACT

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Table 2: Artefact Heritage response to Heritage NSW RtS Comments for Aboriginal cultural heritage

Heritage NSW Comment No.	Comment	Artefact Heritage Response
Aboriginal cultural heritage (ACHAR and ATR) (HMS ID 14550)		
<u>Standard conditions</u>		
Heritage NSW 1.	All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.	Artefact Heritage agrees with this approach. Approval to harm under SSD Conditions of Consent may be required after the excavation program. Management and Mitigation Measures for Aboriginal heritage have been outlined in Section 9.0 of the ACHAR.
Heritage NSW 2.	The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.	Artefact Heritage agrees with this approach. Provision of the ACHAR for review to all project RAPs is outlined in Section 2 of the ACHAR. It is recommended that the project maintains continuous consultation with RAPs in determining and assessing impacts, development and selecting options for avoidance of Aboriginal cultural heritage and mitigation measures, as outlined in the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010).
<u>Addendum Aboriginal Cultural Heritage Assessment</u>		
Heritage NSW 3.	Any future applications following the concept SSD must be accompanied by an Addendum Aboriginal Cultural Heritage Assessment which: - has been prepared by suitably qualified and experienced persons in accordance with the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010), Code of practice for archaeological investigation of Aboriginal objects in New South Wales (DECCW 2010) and Guide to Investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011). - demonstrates adequate and continuous consultation with the RAPs. - includes a gap analysis incorporating any further relevant archaeological investigations undertaken within or surrounding the study area since completion of the concept SSD.	Artefact Heritage agrees with this approach. The applicant is moving forward with staged applications as part of the wider concept SSD study area. The staged applications would include an addendum / updated ACHAR with evidence of continuous consultation with the RAPs, results of the excavation programs, gap analysis, assessment of impacts to Aboriginal heritage, and recommendations for potential mitigation measures, as requested by Heritage NSW. The recommendation for an amended / updated ACHAR for each stage of work has been outlined in Section 9.0 of the ACHAR.

- d. includes, and is informed by, the results of archaeological test excavations (where relevant).
- e. identifies and assesses the impact (including cumulative impact) of the proposed works to Aboriginal cultural heritage, and describes any options considered or implemented to avoid or minimise impacts.
- f. recommends mitigation measures to manage any proposed impact to Aboriginal cultural heritage.

Table 3: Artefact Heritage response to Heritage NSW RtS Comments for Environmental Heritage

Heritage NSW Comment No.	Comment	Artefact Heritage Response
Environmental Heritage (SoHI and HAA) (HMS ID 14548)		
<u>Associated development approvals</u>		
	Section 2.3.2 of the EIS identifies that demolition and site preparation works have been assessed and approved for Blocks 8 and 9 of the Waterloo South development under Division 5.1, Part 5 of the Environmental Planning and Assessment Act 1979. Heritage NSW notes that works approved as a part of this process are subject to the provisions of the Heritage Act 1977. If these works will result in impacts to historical archaeology additional assessment and approval may be required as the HAA identifies potential for relics to be present in Blocks 8 and 9.	<u>This comment from Heritage NSW addresses the demolition scope for the development proposal for Stage 1 (Blocks 8 and 9) which is excluded from Artefact Heritage's scope.</u> The applicant has replied with the following: "Demolition and site preparation works for Stage 1 of the development is to proceed under Part 5 of the EP&A Act (Project Number-BH46L)."
<u>Built Heritage</u>		
	Following review of the documents referenced previously, Heritage NSW provides the following advice in relation to built heritage: - The SoHI assesses that there would be no visual impacts on the Pressure Tunnels and Shafts (SHR no. 01630) as the item is underground. We agree with this assessment. - The SoHI identifies one SHR listed item within a 250 m radius of the SSD site, the Yiu Ming Temple (SHR no. 01297), which is located approximately 150 metres south-west of the SSD site at 16-22 Retreat St Alexandria. The SoHI assess that the SSD would have a minor adverse visual impact on the item. We agree with this assessment.	Artefact Heritage notes that Heritage NSW agrees with the visual impact assessment for the Pressure Tunnels and Shafts (SHR no. 01630) and the Yiu Ming Temple (SHR no. 01297), as outlined in Section 7.0 of the SoHI. The detailed SoHI for each stage of the development would further assess any potential physical impacts of the proposal on SHR listed Pressure Tunnel and Shafts (SHR no. 01630). As noted in Section 7.2.1 of the SoHI, the development proposal has been assessed to have little to no physical impacts on the SHR listed item, as it is located approximately 30 m below the ground surface. As recommended by Heritage NSW, the Applicant should consult with Sydney

- We support the SoHI recommendation that detailed design should avoid physical impacts to the SHR listed Pressure Tunnel and Shafts. As the pressure tunnel is an active Sydney Water asset, we further recommend that developed design of any structures in the vicinity of the pressure tunnel be undertaken in consultation with Sydney Water.
- We support the SoHI recommendation that any future design stages be accompanied by a Statement of Heritage Impact.

Water or a heritage asset specialist when finalising the detailed design to ensure there are no potential impacts to the SHR item, as the heritage item is a Sydney Water asset.

Artefact Heritage agrees with Heritage NSW that a detailed SoHI should be prepared for each stage of the development proposal as recommended in Section 8.3 of the SoHI.

Further information

Heritage NSW recommends that the Department request additional information from the proponent prior to determination on the following matter:

Heritage NSW
1.

It appears that the SSD may result in overshadowing of the Yiu Ming Temple between approximately 9am and 10.30am mid-winter. The SoHI does not assess the heritage impacts of this overshadowing. We recommend that the Department seek further advice from the proponent in this regard.

Further analysis of the overshadowing impacts to the 'Yiu Ming Temple' (SHR no. 01297) have been undertaken by SJB Architects and overshadowing diagrams are provided within the Architectural Response Pack from the Applicant.

Artefact Heritage have also updated Section 7.3.1 of the concept proposal SoHI to address the request for further information from Heritage NSW by including an overshadowing assessment of the 'Yiu Ming Temple' (SHR no. 01297).

Section 7.3.1 of the SoHI previously assessed the potential visual impacts of the concept proposal on the 'Yiu Ming Temple' (SHR no. 01297), concluding that there would be an overall minor adverse impact. Artefact Heritage have updated Section 7.3.1 of the SoHI to also include an assessment of the overshadowing impacts on the SHR item and have maintained the overall minor adverse impact assessment. This is because the overshadowing impacts are relatively consistent with the impacts envisaged by the 2022 Design Guide envelope and the existing shadows from extant infrastructure within the heritage item's vicinity.

Historical Archaeology

Following review of the documents referenced previously, Heritage NSW provides the following advice in relation to historical archaeology:

- The HAA recommends that detailed design limit excavation within areas of archaeological potential. Heritage NSW supports this recommendation.

Artefact Heritage notes that Heritage NSW agrees that detailed design should limit excavation within areas of archaeological potential, as outlined in Section 8.3 of the HAA.

Artefact Heritage notes that the Applicant is moving forward with staged applications as

- If this concept SSD is approved, any applications for future stages of the project should include an assessment which:
 - identifies and includes a summary of any further relevant archaeological investigations undertaken within or surrounding the study area since completion of the assessment supporting the concept SSD.
 - includes an updated assessment of archaeological potential where relevant based on any additional information.
 - identifies and assesses the impact (including cumulative impact) of the detailed design to areas of archaeological potential within the study area in accordance with the relevant guidelines.
 - describes any options considered or implemented to avoid or minimise impacts to the potential archaeological resource.
 - recommends mitigation measures to manage impacts to the potential archaeological resource.
 - Any applications for future stages of the project which involve impacts to areas of archaeological potential should include an Archaeological Research Design and Excavation Methodology prepared in accordance with the relevant guidelines. This document may be combined with the assessment referenced above.
 - Heritage NSW advocates for early identification and consideration of archaeology to minimise impacts through design. Archaeological test excavation is not considered to be a mitigation measure, and information gained from testing should be used to inform the impact assessment and management recommendations for each stage of the project. Where possible, testing should be undertaken prior to the submission of applications for future stages of the project. We advise that the current approach for the management of State significant archaeology is preservation and conservation *in situ* as the preferred heritage outcome.
- part of the wider concept SSDA study area. This staged application would include SSDAs for separate stages with the first four applications being for Stage 1 (Blocks 8 and 9) Early Works, Block 8, Block 9, and Building 2D.
- Each of the staged applications should include an addendum / updated HAA which clarifies the areas of impact and provides an updated assessment of archaeological potential, as recommended by Heritage NSW.
- Artefact Heritage notes that as the concept proposal HAA identified a sizable area of high potential for significant archaeological resources, it was recommended that an Archaeological Research Design and Excavation Methodology (ARDEM) be prepared for each stage of the development proposal (see Section 8.3 of the HAA).
- As part of the staged works, Artefact Heritage will prepare an ARDEM to manage the potential archaeological resource through a recommended testing and salvage excavation program. The ARDEM would form a separate document to the updated / addendum HAA for each stage of the development proposal.
- The ARDEMs would be prepared for each stage of the development proposal to assess archaeological potential in detail and to provide archaeological management mitigation measures and recommendations. The ARDEM for each stage of the application would consider the cumulative impact to the archaeological resource across the project study area.
- As outlined above, Heritage NSW has recommended that for each stage of the development proposal test excavations be undertaken to inform the impact assessment and these management recommendations. However, a test excavation program for each stage prior to the submission of the of EIS applications or during the RtS phase for future stages may not be feasible due to ongoing site constraints. For stages of the project where a test excavation program prior to the lodgement of the EIS or during the RtS phase is not possible due to site constraints, programs of archaeological test and salvage

excavation would be undertaken once an SSD approval has been granted

Where State significant remains are identified during testing, options will be explored to conserve them *in situ*, where possible. In instances where conservation and preservation is not feasible, Artefact Heritage would recommend that the final project design for each stage incorporate appropriate heritage interpretation, as recommended in Section 8.3 of the HAA.

Further information

Prior to determination, Heritage NSW recommends that the Department request additional information from the proponent in relation to the matters outlined below. This information is requested to ensure that there is a comprehensive understanding of the historical context of the site, that a consistent approach is taken to future assessment and archaeological investigation in the study area, and to facilitate comparative analysis. Further historical context at this stage will assist in providing context to the historical occupation and uses of the site, such as commercial uses not identified in other sources. It may also provide clarification on whether the site was occupied by any significant persons or groups, assist in identifying areas which may be more likely to retain potential for State significant archaeology, and support the development of strategies to investigate and manage the potential archaeological resource to improve heritage outcomes.

Heritage NSW 2.	The historical context for the study area should be updated to include information from additional resources, such as a review of relevant Rate Books and Sands Directories for all properties within the study area.	Artefact Heritage agrees that the current historical context is high level. This approach has been taken due to the scale of the project and the complexity of the nineteenth century neighbourhoods and their development, including hotels, schools, and individual properties. Artefact Heritage and the Applicant will approach the stage-specific (i.e. Stage 1 Blocks 8 and 9) HAA and ARDEM by including a detailed historical context and assessment. This stage-specific level approach allows a detailed block-by-block analysis, as recommended by Heritage NSW, which cannot be achieved at the concept project-wide level without making the document unwieldy.
Heritage NSW 3.	Section 3.2.6 of the HAA provides specific discussion of the development of the Duke of Wellington Hotel and the Waterloo Ragged School, however Figure 38 identifies additional hotels and a set of stables which are not considered in further detail. Please update the assessment to provide further information on the history and development areas.	
Heritage NSW 4.	Section 6 of the assessment identifies that substantially intact archaeological resources associated with Phase 2 would be of Local significance, with the potential to be of State significance depending on the degree of intactness and the nature of the item. Please provide further discussion to clarify what nature of item and level of intactness would be considered to meet the threshold for State significance, given that the assessment identifies that resources must be 'substantially intact and <i>in situ</i> ' to be considered Locally significant.	Artefact Heritage has updated Section 6 (Assessment of Archaeological Significance) of the HAA to provide high-level thresholds that the archaeology would need to meet to satisfy significance at a State level. Further discussion to clarify what archaeology would be considered to meet the threshold for State significance will be outlined in site-specific detail for each stage of the development proposal.
Heritage NSW 5.	Given that the concept SSD is likely to be followed by further applications covering portions	Artefact Heritage agrees with Heritage NSW and has updated the concept proposal HAA

of the current study area, Heritage NSW recommends that the HAA is updated to clearly articulate the key research themes relating to the study area to form a framework for specific research questions and guide future investigations.

which covers the entire Waterloo Estate South study area to outline general historical research themes to form a framework for specific research questions and guide future investigations as part of the staged development proposals (see Section 3.4: Thematic History).

Appropriate themes for each stage of the development would also be researched and outlined in detail for the staged ARDEMs.

Appendix A – Heritage NSW Agency Advice

Aboriginal Heritage (SEAR Item 18: Aboriginal cultural Heritage) (HMS ID 14550)

Department of Climate Change, Energy, the Environment and
Water



Our ref: HMS ID 14550

Jude Urbanik
Senior Planning Officer
Department of Planning, Housing and Infrastructure
jude.urbanik@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Waterloo Estate (South) Concept

Major Project reference: SSD-93222706

Received: 4 May 2026

Dear Jude,

Thank you for seeking advice from Heritage NSW on the above State Significant Development (SSD) proposal. In preparing this advice Heritage NSW has reviewed the following documents:

- *Environmental Impact Statement Concept Proposal for Waterloo Estate (South) (EIS)* – prepared by Beam Planning, dated 16 April 2026.
- *Waterloo Estate South Aboriginal Cultural Heritage Assessment Report (ACHAR)*– prepared by Artefact, dated 30 March 2026.
- *Waterloo Estate South Archaeological Technical Report* – prepared by Artefact, dated 30 March 2026.

It is understood that the proposed SSD is concept only and does not seek approval for any physical works, which will be addressed by future detailed design applications. The ACHAR supporting the EIS adequately addresses the requirements of the SEARs for the concept SSD, noting that further investigation is required in advance of any future applications.

Heritage NSW advocates for early identification and consideration of archaeology to minimise impacts through design. Archaeological test excavation is not considered to be a mitigation measure, and information gained from testing should be used to inform the impact assessment and management recommendations for each stage of the project. Where possible, testing must be undertaken prior to the submission of applications for future stages of the project.

Section 2.3.2 of the EIS identifies that demolition and site preparation works have been assessed and approved for Blocks 8 and 9 of the Waterloo South development under Division 5.1, Part 5 of the *Environmental Planning and Assessment Act 1979*. Heritage NSW notes that works approved as a part of this process are subject to the provisions of the *National Parks and Wildlife Act 1974*. If these works will result in impacts to Aboriginal cultural heritage additional assessment and approval may be required as the ACHAR identifies areas of archaeological potential within Blocks 8 and 9.

Heritage NSW has no further comment on the proposed SSD at this time, and has recommended draft conditions of approval in Attachment A.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact James Cole, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll
A/Practice Lead – Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
29 May 2026

**Attachment A – Recommended draft conditions of approval for Aboriginal cultural heritage,
Waterloo Estate (South) Concept (SSD-93222706)**

Heritage NSW recommends that, if approved, the concept SSD includes the following conditions relating to Aboriginal cultural heritage.

Standard conditions

1. All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
2. The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.

Addendum Aboriginal Cultural Heritage Assessment

3. Any future applications following the concept SSD must be accompanied by an Addendum Aboriginal Cultural Heritage Assessment which:
 - a. has been prepared by suitably qualified and experienced persons in accordance with the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), *Code of practice for archaeological investigation of Aboriginal objects in New South Wales* (DECCW 2010) and *Guide to Investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011).
 - b. demonstrates adequate and continuous consultation with the RAPs.
 - c. includes a gap analysis incorporating any further relevant archaeological investigations undertaken within or surrounding the study area since completion of the concept SSD.
 - d. includes, and is informed by, the results of archaeological test excavations (where relevant).
 - e. identifies and assesses the impact (including cumulative impact) of the proposed works to Aboriginal cultural heritage, and describes any options considered or implemented to avoid or minimise impacts.
 - f. recommends mitigation measures to manage any proposed impact to Aboriginal cultural heritage.

Historical Heritage (SEAR Item 19: Environmental Heritage) (HMS ID 14548)

Department of Climate Change, Energy, the Environment and
Water



Our ref: HMS ID 14548

Jude Urbanik
Senior Planning Officer
Department of Planning, Housing and Infrastructure
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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Waterloo Estate (South) Concept

Major Project reference: SSD-93222706

Received: 4 May 2026

Dear Mr Urbanik,

Thank you for seeking advice from the Heritage Council of NSW on the above State Significant Development (SSD) proposal. In preparing this advice Heritage NSW has reviewed the following documents:

- *Environmental Impact Statement Concept Proposal for Waterloo Estate (South) (EIS)* – prepared by Beam Planning, dated 16 April 2026.
- *Waterloo Estate South Statement of Heritage Impact (SoHI)* – prepared by Artefact, dated 30 March 2026.
- *Waterloo Estate South Historical Archaeological Assessment (HAA)* – prepared by Artefact, dated 30 March 2026.
- *Rezoning Proposal and Concept SSDA Urban Design Report* - prepared by SJB Architecture, dated 30 March 2026.
- *Waterloo South Visual Impact Assessment* - prepared Urbis, dated 30 March 2026.

The study area includes part of the State Heritage Register curtilage of the *Pressure Tunnels and Shafts* (SHR no. 01630). It is noted that the study area contains a number of local heritage items, and that additional SHR items are near the study area.

Heritage NSW understands that the proposed SSD is concept only and does not seek approval for any physical works, which will be addressed by future detailed design applications.

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www.environment.nsw.gov.au/topics/heritage

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Following review of the above documents, comments from Heritage NSW and requests for further information prior to determination regarding the proposal are provided in Attachment A.

As the site contains local heritage items, and further local items are in the vicinity, advice should be sought from the relevant local council.

Please note that this advice relates only to environmental heritage regulation matters. If you have any questions about this correspondence, please contact James Cole, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
Strategic Manager – Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
29 May 2026

Attachment A - Heritage NSW comments relating to environmental heritage, Waterloo Estate (South) Concept (SSD-93222706)

Associated development approvals

Section 2.3.2 of the EIS identifies that demolition and site preparation works have been assessed and approved for Blocks 8 and 9 of the Waterloo South development under Division 5.1, Part 5 of the *Environmental Planning and Assessment Act 1979*. Heritage NSW notes that works approved as a part of this process are subject to the provisions of the *Heritage Act 1977*. If these works will result in impacts to historical archaeology additional assessment and approval may be required as the HAA identifies potential for relics to be present in Blocks 8 and 9.

Built heritage

Following review of the documents referenced previously, Heritage NSW provides the following advice in relation to built heritage:

- The SoHI assesses that there would be no visual impacts on the *Pressure Tunnels and Shafts* (SHR no. 01630) as the item is underground. We agree with this assessment.
- The SoHI identifies one SHR listed item within a 250m radius of the SSD site, the *Yiu Ming Temple* (SHR no. 01297), which is located approximately 150 metres south-west of the SSD site at 16-22 Retreat St Alexandria. The SoHI assess that the SSD would have a minor adverse visual impact on the item. We agree with this assessment.
- We support the SoHI recommendation that detailed design should avoid physical impacts to the SHR listed Pressure Tunnel and Shafts. As the pressure tunnel is an active Sydney Water asset, we further recommend that developed design of any structures in the vicinity of the pressure tunnel be undertaken in consultation with Sydney Water.
- We support the SoHI recommendation that any future design stages be accompanied by a Statement of Heritage Impact.

Further information

Heritage NSW recommends that the Department request additional information from the proponent prior to determination on the following matter:

1. It appears that the SSD may result in overshadowing of the Yiu Ming Temple between approximately 9am and 10.30am mid-winter. The SoHI does not assess the heritage impacts of this overshadowing. We recommend that the Department seek further advice from the proponent in this regard.

Historical archaeology

Following review of the documents referenced previously, Heritage NSW provides the following advice in relation to historical archaeology:

- The HAA recommends that detailed design limit excavation within areas of archaeological potential. Heritage NSW supports this recommendation.

- If this concept SSD is approved, any applications for future stages of the project should include an assessment which:
 - identifies and includes a summary of any further relevant archaeological investigations undertaken within or surrounding the study area since completion of the assessment supporting the concept SSD.
 - includes an updated assessment of archaeological potential where relevant based on any additional information.
 - identifies and assesses the impact (including cumulative impact) of the detailed design to areas of archaeological potential within the study area in accordance with the relevant guidelines.
 - describes any options considered or implemented to avoid or minimise impacts to the potential archaeological resource.
 - recommends mitigation measures to manage impacts to the potential archaeological resource.
- Any applications for future stages of the project which involve impacts to areas of archaeological potential should include an Archaeological Research Design and Excavation Methodology prepared in accordance with the relevant guidelines. This document may be combined with the assessment referenced above.
- Heritage NSW advocates for early identification and consideration of archaeology to minimise impacts through design. Archaeological test excavation is not considered to be a mitigation measure, and information gained from testing should be used to inform the impact assessment and management recommendations for each stage of the project. Where possible, testing should be undertaken prior to the submission of applications for future stages of the project. We advise that the current approach for the management of State significant archaeology is preservation and conservation in situ as the preferred heritage outcome.

Further information

Prior to determination, Heritage NSW recommends that the Department request additional information from the proponent in relation to the matters outlined below. This information is requested to ensure that there is a comprehensive understanding of the historical context of the site, that a consistent approach is taken to future assessment and archaeological investigation in the study area, and to facilitate comparative analysis.

Further historical context at this stage will assist in providing context to the historical occupation and uses of the site, such as commercial uses not identified in other sources. It may also provide clarification on whether the site was occupied by any significant persons or groups, assist in identifying areas which may be more likely to retain potential for State significant archaeology, and support the development of strategies to investigate and manage the potential archaeological resource to improve heritage outcomes.

2. The historical context for the study area should be updated to include information from additional resources, such as a review of relevant Rate Books and Sands Directories for all properties within the study area.

3. Section 3.2.6 of the HAA provides specific discussion of the development of the Duke of Wellington Hotel and the Waterloo Ragged School, however Figure 38 identifies additional hotels and a set of stables which are not considered in further detail. Please update the assessment to provide further information on the history and development areas.
4. Section 6 of the assessment identifies that substantially intact archaeological resources associated with Phase 2 would be of Local significance, with the potential to be of State significance depending on the degree of intactness and the nature of the item. Please provide further discussion to clarify what nature of item and level of intactness would be considered to meet the threshold for State significance, given that the assessment identifies that resources must be 'substantially intact and in situ' to be considered Locally significant.
5. Given that the concept SSD is likely to be followed by further applications covering portions of the current study area, Heritage NSW recommends that the HAA is updated to clearly articulate the key research themes relating to the study area to form a framework for specific research questions and guide future investigations.