

The new Sydney Fish Market: Concept and Stage 1 Early Works and Stage 2 Main Works

Addendum to: Artefact Heritage (2017) The Bays Market Precinct Rezoning Pyrmont. Aboriginal Cultural Heritage Assessment Report. Report to UrbanGrowth NSW

Project: The new Sydney Fish Market: Concept and Stage 1 Early Works and Stage 2 Main Works	Date: 5 November 2018
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NOTE: UrbanGrowth NSW Development Corporation (UrbanGrowth NSW) was abolished on 1 July 2019 with all functions transferred to Infrastructure NSW (INSW). Any reference to UrbanGrowth NSW throughout the report is interchangeable with Infrastructure NSW.

Summary

Infrastructure NSW (INSW) proposes the development of a New Fish Market at Pyrmont (the study area). The study area includes land-based and water-based area. The land-based parts of the study area have already been subject to Aboriginal Cultural Heritage Assessment (Artefact Heritage 2017¹). Water based areas are not subject to Aboriginal Cultural Heritage assessment. The findings of Artefact Heritage (2017) were that the study area of the proposed New Fish Market at Pyrmont is wholly within reclaimed and infilled lands. These alterations to landform do not diminish the traditional Aboriginal values of the study area. Areas of reclaimed land are however of nil Aboriginal archaeological potential. Areas of swamp infill are of very low to low Aboriginal archaeological sensitivity. The study area is therefore of nil to low archaeological potential, and no further archaeological assessment of it is required.

This addendum updates the ACHAR to include an impact assessment for the new proposed development within the study area. This report together with Artefact Heritage (2017) satisfy NSW Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARS) for applications SSD 8924² and SSD 8925³

¹Artefact Heritage 2017. The Bays Market Precinct Rezoning. Aboriginal Cultural Heritage Assessment Report (ACHAR). Report to UrbanGrowth NSW. Updated 1 August 2018.

² NSW Department of Planning and Environment Secretary's Environmental Assessment Requirements for Sydney Fish Markets – Concept development application and Stage 1 works comprising demolition and early works (SEARS 22 December 2017 – SSD 8924)

³ NSW Department of Planning and Environment Secretary's Environmental Assessment Requirements for Sydney Fish Markets – Concept development application and Stage 1 works comprising demolition and early works (SEARS 22 December 2017 – SSD 8925)

This report finds:

- No further Aboriginal archaeological assessment of the study area is required
- Existing recommendations included in the ACHAR for management and risk minimisation are appropriate
- Registered Aboriginal Parties consulted during the ACHAR preparation process have been updated on the proposed development

Scope of this report

This report documents that the investigation, assessment and recommendations of Artefact Heritage (2017) satisfy the NSW Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARS) for applications SSD 8924⁴ and SSD 8925⁵ for the study area of this report for the proposed new Sydney Fish Market. These requirements are set out below in Table 1 :

Table 1: SEARS for applications SSD 8924 and SSD 8925

SSD 8924 Sydney Fish Markets – Concept development application and Stage 1 works	SSD 8925 Sydney Fish Markets – Stage 2 main works
Identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) and consultation with OEH regional officers.	If required for the detailed design, identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the <i>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW</i> (DECCW, 2011) and consultation with OEH regional officers.
Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents</i> 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.	Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents</i> 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.
Assess and document the impacts on Aboriginal cultural heritage values and demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable outline the proposed measures to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.	Assess and document the impacts on Aboriginal cultural heritage values and demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, outline the proposed measures to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.

⁴ (SEARS 22 December 2017 – SSD 8924)

⁵ (SEARS 22 December 2017 – SSD 8925)

Proposed works – New Fish Market

Location of works

The study area is located at the head of Blackwattle Bay between the Pyrmont Peninsula and the foreshore of Glebe, situated less than 2km west of Sydney's CBD and is partially within the City of Sydney Local Government Area (Figure 1).

The study area is within Lots 3 - 5 in DP 106433, part lot 107 in DP 1076596 and part Lot 1 in DP835794. The study area is partly on land above mean high water mark and partly on water below mean high water mark. Lot 107 DP1076596 is the largest part of the study area and is wholly comprised of water.

Figure 1: Location of the study area



Document Path: C:\Users\GIS\Desktop\GIS\GIS_Mapping\170119_Bays_Precinct\MXD\20180801_StudyArea.mxd

The new Sydney Fish Market: Concept and Stage 1 Early Works and Stage 2 Main Works -Aboriginal Heritage

The study area for the proposed new Sydney Fish Market is wholly within the Bays Precinct study area of Artefact Heritage (2017). In Figure 2 the study area is shown outlined in black, within the surrounding study area of Artefact Heritage (2017), shown in red. Indicative planning of the proposed development is shown in Figure 3.

Figure 2: Study area relative to Artefact Heritage (2017) study area

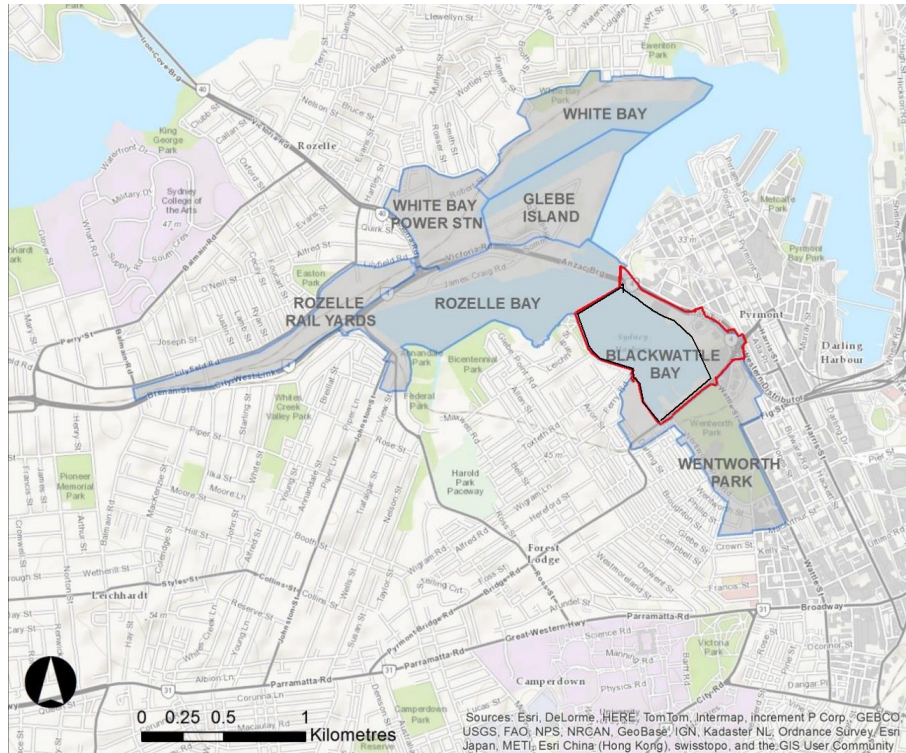
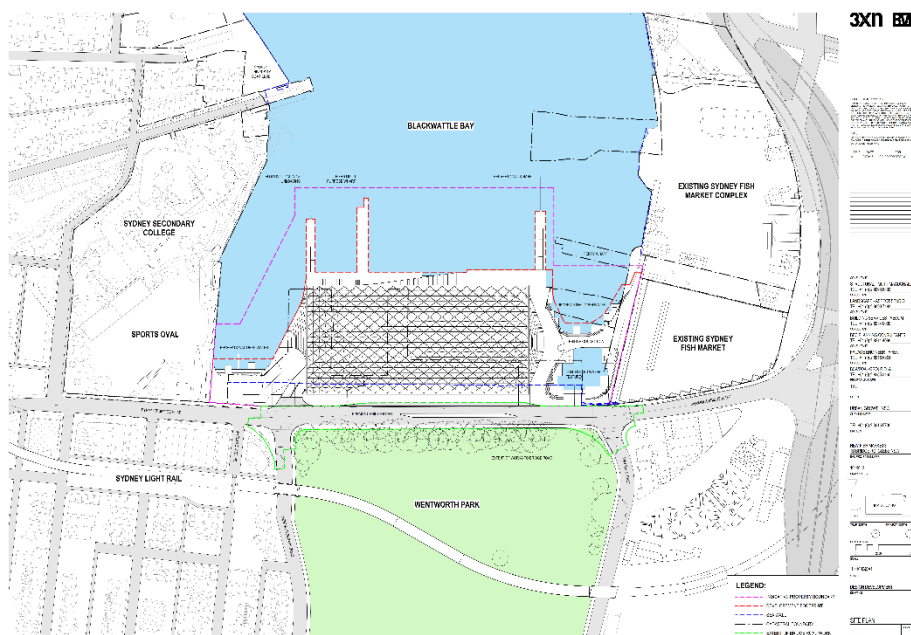


Figure 3: Indicative planning of The New Fish Market (UrbanGrowth) NSW



Scope of works

The existing Fish Market at Pyrmont is the largest of its kind in the Southern Hemisphere and among the three largest seafood markets in terms of variety in the world. The market sources product both nationally and internationally and trades approximately 14,500 tonnes of seafood annually with up to one hundred sustainable seafood species traded every day and approximately 500 species traded annually. The site attracts over 3 million visits each year.

The proposal is to build a new Sydney Fish Market with a contemporary urban design, provide unique experiences for visitors and world-class auction and wholesale facilities. The new facility will be set within an improved public domain including the creation of a waterfront promenade with improved access to Blackwattle Bay and linking to surrounding areas and to public transport.

The development will expand and improve the functions of the existing Fish Market in a new setting designed to achieve design excellence, functional performance and environmental sustainability.

The new Sydney Fish Market will include retail and food and beverage premises, wholesale facilities and auction rooms, offices and commercial space, Sydney Seafood Schools, back-of-house facilities and car, truck and coach parking spaces. The new facility is to include a new foreshore promenade and wharves. The New Sydney Fish Market will be purpose built and will be supported by a state of the art back-of-house plant and recycling/waste management facilities.

The development will include below ground level parking, freight, service, plant and waste management facilities. The building envelope will comprise three levels. Ground level development outside the building envelope will include wharves, loading facilities and publicly accessible promenade.

Overview of previous Aboriginal cultural heritage assessment

The ACHAR (Artefact Heritage 2017) built upon a Preliminary Aboriginal Heritage Assessment (Artefact Heritage 2014⁶) of the Bays Precinct that included the location of the proposed New Sydney Fish Market. Findings of the ACHAR were also supported by results of geotechnical testing in the study area. The ACHAR was undertaken in consultation with Registered Aboriginal Parties who reviewed reporting, participated in site survey and made recommendations for ongoing management.

The ACHAR identified that its study area is within the traditional country of Aboriginal people who are speakers of the Dharug language. There is some uncertainty as to whether the study area lies within the clan lands of the Cadigal or the Wangal people. The location maintained a distinct Aboriginal presence up to 1836 with visits by Aboriginal people noted up to the 1870's. Artefact Heritage (2017) found that the study area had been subject to significant levels of disturbance. This included the formation of much of the study area through land reclamation, considerable alterations to the natural coastline, and the ongoing development of the study area as a combined industrial, transport, and commercial area. Even the effects of drastic changes to landform such as through land reclamation, do not diminish Aboriginal attachment to country, although these processes may greatly diminish the archaeological evidence of past Aboriginal life..

No registered Aboriginal sites were identified within the Bays Precinct study area discussed in the ACHAR. One location of Potential Archaeological Deposit (PAD) was identified outside of the study area - PAD Jackson Landing Shelter AHIMS ID45-6-2960. A survey of previous Aboriginal archaeological reporting related to the study area found that few studies had been undertaken in the locality, and that no archaeological excavations had been carried out in the surrounds of the study

⁶ Artefact Heritage (2014) Bays Precinct Preliminary Aboriginal Heritage Assessment. Report to UrbanGrowth NSW

area. This was primarily due to the significantly disturbed nature of the locality and the limited number of modern development activities that would have triggered archaeological investigation.

During the site survey for the ACHAR, and in consideration of geotechnical results, two locations of Potential Archaeological Deposit (PAD) were identified within the Bays Precinct study area: The Bays Precinct PAD01 AHIMS ID 45-6-3339 & The Bays Precinct PAD02 AHIMS ID 45-6-3338. Neither of these PADs are within the current study area for the new Sydney Fish Market.

Management recommendations in the ACHAR addressed the need for further assessment of The Bays Precinct PAD01 AHIMS ID 45-6-3339 & The Bays Precinct PAD02 AHIMS ID 45-6-3338 prior to development impacts. Recommendations were made for considerations of visual impacts on PAD Jackson Landing Shelter 45-6-2960 (located outside the north east extremity of the study area), and for a Heritage Interpretation Plan to be prepared prior to the overall rezoning and planning of the Bays Precinct study area.

The ACHAR found that the totality of the study area outside of The Bays Precinct PAD01 AHIMS ID 45-6-3339 & The Bays Precinct PAD02 AHIMS ID 45-6-3338 had been very significantly disturbed, was of nil to low archaeological potential and that no further archaeological testing or assessment was required.

No particular areas of cultural significance were identified within The Bays Precinct study area.

Updated Registry Searches

Registry searches included in the ACHAR were carried out over a year ago. An updated search of the Aboriginal Heritage Information System (AHIMS) was undertaken for the study area on 31 July 2018 (Client ID 361043).

This search did not identify any newly recorded Aboriginal sites in the study area of The New Sydney Fish Market. The only nearby areas of Aboriginal cultural heritage sensitivity were those Potential Archaeological Deposits that had already been identified and assessed in Artefact Heritage (2017). The Bays Precinct PAD01 AHIMS ID 45-6-3339 is at nearest 30m from the study area. The Bays Precinct PAD02 AHIMS ID 45-6-3338 is at nearest 175m from the study area and PAD Jackson Landing Shelter AHIMS ID 45-6-2960 is at nearest 180m from the study area.

The results of this updated AHIMS search have been mapped relative to the study area in Figure 4.

An updated search of the National Native Tribunal register was carried out on 31 July 2018. There were no Native Title claims registered within the study area.

The new Sydney Fish Market: Concept and Stage 1 Early Works and Stage 2 Main Works -Aboriginal Heritage

Figure 4: Study area of The new Sydney Fish Market relative to AHIMS listed items



Assessment of potential Aboriginal cultural heritage impacts

The new Sydney Fish Market – impacts on identified Aboriginal Cultural Heritage

The lands of the study area do not contain any areas of identified archaeological Aboriginal Cultural Heritage.

The new Fish Market – impacts on Aboriginal Potential Archaeological Deposit

The lands of the study area do not contain any areas of Aboriginal Potential Archaeological Deposit.

Conclusions

The land of the study area has been appropriately assessed in Artefact Heritage (2017). The registry searches of the ACHAR have been updated, and findings mapped with specific regard to the current study area. The study area does not contain any areas of identified or potential Aboriginal Cultural Heritage. The study area has been assessed as of nil to low archaeological potential due to its location on reclaimed and disturbed lands. This low archaeological rating in no way diminishes any Aboriginal cultural values of the location.

Recommendations

The recommendations of Artefact Heritage (2017) for areas outside PAD01 AHIMS ID 45-6-3339 & The Bays Precinct PAD02 AHIMS ID 45-6-3338 cover the entirety of the assessable (land based) locations of the proposed new Sydney Fish Market.

These recommendations are reproduced here.

It is recommended that:

- Registered Aboriginal Parties should be advised of the proposed development
- No further archaeological testing or assessment is required for the proposed development within the study area of this report.
- An unexpected finds policy should be put in place during eventual construction of the proposal for development. This would include recommendation that if Aboriginal objects are identified during construction work should stop immediately and RAPs, OEH and an archaeologist contacted to identify and record the objects
- If suspected human remains are located during any stage of the proposed works, work should stop immediately and the NSW Police and the Coroner's Office should be notified. RAPs, OEH and an archaeologist should be contacted if the remains are found to be Aboriginal

On 11 September 2018 Registered Aboriginal Parties involved in the ACHAR consultation process were updated by email or mail regarding the proposed new development. This update included a description and map of the proposed development, a statement that the proposed development would not impact known Aboriginal heritage and that the proposed development was in an area identified as of low archaeological potential. This update satisfies the requirements of the first recommendation listed above.