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Ms Amy Watson
Team Leader
Key Sites Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

By email: chris.king@planning.nsw.gov.au

Dear Ms Watson

Notice of Exhibition: Amended concept proposal for the redevelopment of the Cockle Bay Wharf (SSD 7684)

I refer to your letter of 14 November 2017 about the public exhibition of amended Environmental Impact Statement (EIS) for State Significant Development (SSD) application seeking a concept approval for the redevelopment of the Cockle Bay Wharf located at 241-249 Wheat Road, Cockle Bay. The amended concept proposal includes, demolition of existing site improvements, up to 15,000m² of publicly accessible open space, building envelope providing a podium and tower form with maximum height of 195m and a maximum gross floor area of 75,000m² for commercial and 14,000m² for retail development.

Several documents exhibited with the amended proposal has been reviewed to provide this assessment, including:

- *Amended Environmental Impact Statement (EIS)*, Cockle Bay Park, Wheat Road, Sydney prepared by Ethos Urban, dated 1 November 2017
- *Cockle Bay Park Development: Maritime Archaeological Assessment* prepared by Cosmos Archaeology Pty Ltd, dated September 2017
- *Historical Archaeological Assessment* prepared by GML Heritage, dated August 2017

It is noted that the amended SSD site adjoins State Heritage Register item Pyrmont Bridge (SHR 01618) and is situated over a section of the early Sydney Harbour foreshore. Previous archaeological investigations at nearby Barangaroo, found that the area was intensively used for harbour-side docking, wharves etc. Therefore, it is highly likely that archaeological evidence of shipping-related activities and other industrial activities remain within parts of the subject site, under the later layers of fill. These remains have been assessed as likely to be of both potential state and local heritage significance.

The Response to Submissions was reviewed and it is noted that some of the previous comments and conditions have been adequately addressed by the applicant. Further comments and recommended conditions of consent are provided below for maritime archaeology and historical archaeology.

Maritime Archaeology

It is noted that the condition provided in the letter dated 14 February 2016 about the requirements of a Maritime Archaeological Assessment (MAS) and updated EIS has been addressed. The amended EIS and MAS is considered to be adequate with the exception of the following comments:

- The results of the transect surveys undertaken under the current wharves, which have only examined the upper strata of the seabed, are not necessarily indicative of the archaeological potential of these areas. Limited test excavation of these areas would provide a better indication of the archaeological potential and nature of these areas;
- The MAS report does not provide details of the likely dredging, if any, around former wharf;
- The MAS report has not addressed the potential impact of amended proposal on the SHR listed South Steyne (S.S)'s views once the vessel is relocated to the proposed Wharf 7 mooring near the Australian National Maritime Museum in 2020;
- The report states that there is only low archaeological potential under the positions of the former wharves, as relics do not usually accumulate under wharves. However, other studies of wharf and piers sites (e.g. long jetty in Fremantle) have shown that relics accumulate both around and under these structures. This potentially affects the proposed areas of maritime archaeological potential across the study area and should be reconsidered;
- Although there is a low relative area of suggested impacts to potential maritime archaeological sites across the study area, relative to the overall study area size, most of the potential maritime archaeological sites have been assessed as being of State level heritage significance. As the extent and nature of the sites has not yet been determined, the possible impact cannot be accurately determined until these aspects have been fully investigated using archaeological test excavation;
- As the impact of the proposed development is currently based on concept structural plans only, the exact extent of the impact of the development cannot be accurately assessed at this time;
- The statement in the MAS report that the impact of construction could be reduced by the use of hollow piles is not supported, as although the use of hollow piles may introduce minimal disturbance when installed, they destroy the archaeological context and stratigraphy of the site when they are eventually removed;
- The observation that the mitigation measures specified in MAS report should be improved and enhanced if the proposed works are modified to increase disturbance of the ground area/depth and seabed is strongly supported.

The following revised conditions of consent are recommended to appropriately manage the maritime archaeological resources located within the subject area:

1. Any proposed demolition and excavation works should be monitored by a suitably qualified and experienced maritime archaeologist who has an understanding of the effects of dredging and reclamation processes on former submerged maritime infrastructure sites;
2. All the proposed archaeological maritime heritage works need to be undertaken by a suitably qualified and experienced maritime archaeologist;

3. There should be clear inclusion of what will be done if unexpected sites are discovered during the demolition process and how they will be recovered and or excavated, the observation techniques to be employed, and if in situ preservation and interpretation can be undertaken.
4. The EIS should consider the potential visual impact on the SHR listed 'South Steyne (S.S)' once the vessel is relocated to the proposed Wharf 7 mooring near the Australian National Maritime Museum in 2020.

Historical Archaeology

It is noted that in the amended EIS, the applicant has addressed the concerns regarding the inconsistency between the previous EIS and the Historical Archaeological Assessment prepared by GML for historical archaeology. The proposed approach as recommended by GML Heritage, to undertake test excavation in the first instance to clarify the location of significant archaeological deposits and to redesign to avoid them is supported.

The previous recommended conditions of consent to appropriately manage the historical archaeological resources located within the subject area through the life of this project are still relevant and are reiterated below:

5. An archaeological consultant shall be nominated for the works. The consultant shall have appropriate qualifications and experience commensurate with the scope of the Major Project works. The name and experience of this consultant shall be submitted to the Heritage Division, Office of Environment and Heritage for approval prior to commencement of works.
6. All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated archaeological consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW.
7. The Applicant must retain all state significant archaeological resources *in situ* and unharmed. Archaeological test excavation should occur in the first instance to guide redesign to avoid harm to these resources.
8. All affected historical archaeological 'relics' and/or deposits of Local heritage significance are to be subject to professional archaeological excavation and/or recording before construction works commence which will impact those 'relics'. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines. Those documents shall be prepared for the approval of the Department of Planning & Environment upon receipt of advice from the Heritage Division of the Office of Environment & Heritage.
9. At the completion of all archaeological works on site, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the City of Sydney and the Department of Planning and Environment.
10. The information within the final excavation report shall be required to include the following:
 - a. An executive summary of the archaeological programme;
 - b. Due credit to the client paying for the excavation, on the title page;
 - c. An accurate site location and site plan (with scale and north arrow);
 - d. Historical research, references, and bibliography;

- e. Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
 - f. Nominated repository for the items;
 - g. Detailed response to research questions (at minimum those stated in the Department of Planning & Infrastructure approved Research Design);
 - h. Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site;
 - i. Details of how information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).
11. A suitable repository for all historical archaeological artefacts recovered from the archaeological investigation shall be identified by the Applicant with the provision of the final excavation report. This location and facility must address the long term storage and conservation needs of these artefacts. Artefacts shall be appropriately catalogued to enable review by researchers in future.
12. The results of the archaeological fieldwork should be used to inform an Interpretation Plan to guide the future incorporation of the findings from the works in communicating the significance of the site to future visitors. This Plan shall include the results of any historical and maritime archaeological investigations undertaken at the site and whether any remains are retained *in situ*. The Interpretation Plan should be prepared in accordance with the Guidelines issued by the Heritage Council of NSW. The Interpretation Plan should be prepared for the approval of the Department of Planning & Environment upon receipt of advice from the Heritage Division of the Office of Environment & Heritage.

Please note that comments and conditions above are provided in relation to non-Aboriginal heritage only, whilst any comments on Aboriginal heritage would be provided by the Regional Operations Group (ROG) of OEH.

If you have any questions regarding the above matter please contact Vibha Upadhyay, Heritage Programs Officer, Statewide Programs at the Heritage Division, Office of the Environment and Heritage by telephone on 02 98738587 or email at vibha.upadhyay@environment.nsw.gov.au.

Yours sincerely



Rochelle Johnston
Manager Statewide Programs
Heritage Division
Office of Environment & Heritage

As Delegate of the Heritage Council of NSW

17 December 2017