



Office of
Environment
& Heritage

DOC16/581
SSD 7484 / SSD 6751 MOD 2

Mr Brendon Roberts
Team Leader Key Sites Assessment
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Petra Blumkaitis

Dear Mr Roberts

Notice of Exhibition – Modification to Sandstone Precinct and Stage 2 DA (SSD 6751 MOD 2, SSD 7484)

I refer to your letter received 14 November 2016 by the Office of Environment and Heritage (OEH) seeking comments on the modification to the Sandstone Precinct and Stage 2 development application for tourist and visitor accommodation at 23-33 and 35-59 Bridge Street, Sydney.

OEH has reviewed the documentation provided, and provides comments on Aboriginal cultural heritage at Attachment 1.

If you have any further questions about this issue, please contact Marnie Stewart, Senior Regional Operations Officer on 9995 6868 or marnie.stewart@environment.nsw.gov.au.

Yours sincerely

S. Harrison 14/12/16

SUSAN HARRISON
Senior Team Leader Planning
Regional Operations

ATTACHMENT 1 – Office of Environment and Heritage comments on Modification to Sandstone Precinct and Stage 2 DA

1. Background

OEH understands that the proposals involve:

- Modification to the Stage 1 Concept Proposal (SSD 6751) to enable the Stage 2 State significant development application (SSD 7484), which seeks approval for the physical works to the buildings, to be consistent with the Stage 1 Development Consent; and
- Physical works to enable the conversion and adaptive reuse of the Department of Lands and Department of Education Buildings (collectively known as the Sandstone Precinct) for tourist and visitor accommodation.

OEH previously provided comments on 29 January 2015 for the Stage 1 Concept Proposal, raising concerns in relation to the Aboriginal cultural heritage assessment and proposal to defer assessment and excavation to Stage 2.

2. Aboriginal cultural heritage

OEH has reviewed the *Archaeological Assessment of the 'Sandstone Precinct' – Lands Building, Education Building, Road & Public Reserves at Gresham Street, Loftus Street and Farrer Place, Sydney* report prepared by Curio Projects for Pontiac Land Group, October 2016 (Curio Projects 2016a), and the *Aboriginal Cultural Heritage Methodology and Methodology for Unexpected Aboriginal Archaeology, Sandstone Precinct, Bridge St, Sydney*, prepared by Curio Projects, September 2016 (Curio Projects 2016b). OEH makes the following comments:

Archaeological excavation

OEH notes that the subject land has been assessed by Curio Projects (2016a: 90) as having a low potential for intact Aboriginal archaeological deposits to be present and a low to moderate potential for disturbed Aboriginal archaeological deposits to be present. It is concluded that should intact Aboriginal archaeology be present, it would be of high scientific significance, and, should Aboriginal objects be present within a disturbed context, they would likely be of moderate scientific significance, but possibly of higher social or cultural significance to the local Aboriginal community. Curio Projects (2016a: 90) recommends that *"...in the unlikely event that natural soil profiles with the potential to retain Aboriginal archaeological deposits are encountered during site works, the document entitled 'Aboriginal Cultural Heritage Methodology and Methodology for Unexpected Aboriginal Archaeology'...should be referred to for subsequent management and excavation methodologies."* OEH also notes that, due to the potential historical heritage significance of the subject land, Curio Projects (2016a: 92) recommends that historical archaeological investigation should be undertaken in areas proposed to be excavated. It is further recommended that *"Prior to commencement of excavation on site, an [historical] Archaeological Research Design and Excavation Methodology will be required to be prepared and submitted to the NSW Heritage Division and DPE for approval."*

OEH considers that a better outcome for the potential Aboriginal archaeology of the subject land would be for a combined historical and Aboriginal archaeological excavation program to be undertaken, rather than Aboriginal archaeological investigation only being triggered by the recognition of natural soil profiles during site works. OEH notes that intact Aboriginal archaeological deposits have been found beneath contemporary and historical buildings at sites within the Sydney CBD. OEH considers that any intact Aboriginal archaeological deposits surviving within the subject land are likely to be located within natural soil profiles and also in direct association with early historical colonial archaeological evidence. OEH therefore would like to see a historical archaeological excavation program that incorporates Aboriginal archaeological investigation.

The Archaeological Research Design should include research questions specific to the Aboriginal occupation and use of the subject land and how this compares with other sites in the region. The Excavation Methodology should detail the methodology of Aboriginal archaeological excavation and how this will interact with the historical archaeological excavations; the method of analysis of any Aboriginal objects recovered; the proposed temporary and long-term management strategies for any

Aboriginal objects recovered during the excavations; and how the results of the Aboriginal archaeological excavation program will be reported on.

Geotechnical investigation

OEH notes that geotechnical investigation of the subject land will soon be undertaken (Curio Projects 2016a: 23). OEH considers that the results of the geotechnical investigation, which will provide information on disturbance levels and the nature of the subsurface soil profiles, should be used to inform the combined historical and Aboriginal Archaeological Research Design and Excavation Methodology referred to above.

Interpretation Plan

OEH considers that the Aboriginal occupation and use of the subject land should be incorporated into the wider Interpretation Plan for the Sandstone Precinct site and that the Interpretation Plan should be developed in consultation with the Aboriginal community. The Interpretation Plan should also incorporate relevant results of the Aboriginal archaeological excavation program.

Consultation

OEH recommends ongoing consultation with the Aboriginal community throughout the duration of the project.

Protocol for the discovery of human remains

OEH notes that there are inaccuracies in the protocol for the unexpected discovery of potential human skeletal remains presented by Curio Projects (2016b: 19). The approved OEH protocol for the discovery of human remains is outlined below for your reference.

If any suspected human remains are discovered and/or harmed the proponent must:

- a) not further harm these remains;
- b) immediately cease all work at the particular location;
- c) secure the area so as to avoid further harm to the remains;
- d) notify the local police and OEH's Environment Line on 131 555 as soon as practicable and provide any available details of the remains and their location; and
- e) not recommence any work at the particular location unless authorised in writing by OEH.

(END OF SUBMISSION)