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Mr Andy Nixey
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Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Email to: Andrew.Hartcher@planning.nsw.gov.au

Dear Mr Nixey

Heritage Council comments on Renewal of Marine Structures Cockle Bay, Darling Harbour – s.96 modification of project approval to include an additional 24m long floating walkway (SSD 6611 MOD1)

I refer to your email dated 31 August 2017 inviting comments on the above State Significant Development modification for construction of an additional 24m long floating walkway adjacent to the Australian National Maritime Museum.

It is noted that:

- the proposed walkway was part of the original application and was deleted in Response to Submissions because of the lack of Land Owners Consent, which is now provided.
- the *Section 96 Modification Report* prepared by Environet Consultancy Pty Ltd, reiterates that the Environmental Impact Statement for the original application concluded *there was no direct impact on the Pyrmont Bridge (SHR - 01618) or the Woodward Water Feature (SHR - 01933). Minor impacts to the maritime archaeological remains on the seabed were considered acceptable. Piling works to be carried out with an Exemption under s139(4) of the Heritage Act 1977*; and
- the proposed re-inclusion of a 24m section of proposed walkway was predicted in the Secretary's Environmental Assessment Report.

Following a review of the Maritime Archaeological Survey and Statement of Heritage Impact (MAS&SOHI) undertaken by Cosmos Archaeology 2015, it is apparent that the impact on heritage of the floating walkway extension underneath Pyrmont Bridge has not been adequately assessed as no archaeological investigation has taken place in this area (MAS&SOHI: p34). It is known both from historical information (MAS&SOHI: Annexe A p6) that there may be archaeological sites or relics in this area; in particular, the original 1857 Pyrmont Bridge.

No mention of piling was included in the original proposal in regards to the floating structure under Pyrmont Bridge. The MAS&SOHI specifically states that the structure "will float on water" (p80), and does not mention that piles are planned for this area and it is not clear in concept images for the site where it extends under Pyrmont Bridge (MAS&SOHI: p72).

The documents have been reviewed and it is considered that there has been insufficient archaeological investigation to assess the heritage impact of the proposed re-inclusion of the 24m section of walkway on the area of the floating walkway under Pyrmont Bridge.

In order to adequately assess and manage the heritage impact of the proposal the following condition is recommended in relation to any approval that may be issued for this modified proposal:

An underwater inspection of the area under the proposed floating walkway beneath Pyrmont Bridge be is to be undertaken by a suitably qualified and experienced maritime archaeologist to:

- assess the presence (or likely presence) of archaeological sites and relics in this area, both above and below the seabed, and
- submit a Heritage Impact Statement which includes the findings of the inspection and an assessment of the heritage impact and mitigation measures in relation to the installation of the proposed piles associated with the proposed floating walkway under Pyrmont Bridge.

The Heritage Impact Statement must be submitted to the Heritage Council of NSW for comment and approved by the Department of Planning and Environment.

If you have any questions regarding the above advice, please feel free to contact James Quoyale, Heritage Officer, Heritage Division, Office of Environment and Heritage, at email James.Quoyale@environment.nsw.gov.au or on telephone 02 9873 8612.

Yours sincerely



Rochelle Johnston
Manager Conservation
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As Delegate of the NSW Heritage Council

14 September 2017