



Office of
Environment
& Heritage

Your reference : SSD 6751
Our reference : DOC14/304600
Contact : Jennifer Charlton
8837 6311

Mr Cameron Sargent
Acting Manager Key Sites
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Simon Truong

Dear Mr Sargent

I refer to your invitation to the Office of Environment and Heritage (OEH) to comment on exhibition of a development application for Tourist and Visitor Accommodation at the Sandstone Precinct, 23-33 and 35-39 Bridge Street, Sydney (SSD 6751).

OEH provides comments on Aboriginal archaeology and cultural heritage issues in Attachment 1. Please note that the Heritage Division of OEH may provide a separate letter.

Should you have any queries in regard to this correspondence please contact Jennifer Charlton, Conservation Planning Officer, on 8837 6311 or by email at jennifer.charlton@environment.nsw.gov.au.

Yours sincerely,

S. Harrison 29/01/15

SUSAN HARRISON
Senior Team Leader Planning
Greater Sydney Region
Regional Operations

ATTACHMENT 1. Public Exhibition of the Environmental Impact Statement (EIS) for Tourist and Visitor Accommodation at the Sandstone Precinct, 23-33 and 35-39 Bridge Street, Sydney (SSD 6751)

The public exhibition documents include Appendix G to the EIS which is titled *Archaeological Assessment 'Sandstone Precinct': 23-33 Bridge Street (Lands Building), 35-39 Bridge Street (Education Building), and road and public reserves at Gresham Street, Loftus Street and Farrer Place, Sydney* (Urbis November 2014).

1. Aboriginal Archaeology and Cultural Heritage

OEH has reviewed the document *Archaeological Assessment 'Sandstone Precinct': 23-33 Bridge Street (Lands Building), 35-39 Bridge Street (Education Building), and road and public reserves at Gresham Street, Loftus Street and Farrer Place, Sydney* prepared by Urbis dated November 2014 and has the following comments regarding its adequacy to conform with the SEARs and inform the EIS prepared to assess the concept approval for the Stage 1 Development Application (DA) of the project (SSD 6751) - redevelopment of the Sandstone Precinct. OEH understands that further and more detailed design including consideration of subterranean impacts would be forthcoming in any Stage 2 DA application. However it is not clear to OEH whether approval of the Stage 1 DA concept plan will enable in principle approval of any subsequent Stage 2 subterranean option. OEH requests that this is clarified in the EIS.

The Archaeological Assessment does not adequately address the requirements of the SEARs issued by Department of Planning and Environment (DPE). The EIS has argued that the Assessment is appropriate to understand the archaeological resource and that it can be appropriately managed through more detailed assessment and excavation at a later stage (Stage 2) of this project. OEH disagrees with the argument outlined in the EIS and has the following comments with respect to the Assessment relative to Aboriginal cultural heritage:

- A. The advice in the Preliminary Assessment identified at a basic level that Aboriginal and Historical archaeological evidence will be present within the subject land to varying degrees. This evidence will be of high significance. However the Assessment was not clear what the Aboriginal archaeological evidence may comprise of (i.e. more than only burials). OEH notes that archaeological investigation of sites in the Sydney Central Business District including at First Government House and sites within Bridge Street have identified isolated pockets of Aboriginal archaeology, some within intact and most within disturbed contexts. This means that there is potential for Aboriginal objects to exist here. No consideration was given other than to the potential presence of burials, of post-contact evidence of occupation of this area during the early colonial period.
- B. No Aboriginal community consultation was undertaken as part of the Assessment of Aboriginal cultural heritage to support the SEARs. OEH notes that the sites of First Government House and this surrounding area may have significance to Aboriginal people in the Sydney area and appropriate investigation of these elements should be undertaken as soon as possible.
- C. The Assessment did not display a clear understanding of the processes of urban archaeological site formation and preservation processes, how impacts will have affected it and what that will mean for its integrity and significance. As a result of this, proposed mitigation (to undertake further assessment and to excavate if sub-surface impacts will occur) is inadequate given the potential significance of what may be here and the proposal for a subterranean option in its current form.
- D. No impact assessment and mitigation measures were proposed within this Assessment as required in the SEARs. Because there was no discussion of the implications of excavation there was no provision for future management (such as e.g. *in-situ* conservation) of the archaeological resource.

OEH recommends to DPE that the following actions are required prior to the approval of the Stage 1 DA concept plan, if that approval also gives in principle approval for the subterranean facility under the Stage 2 DA.

In the event that the Stage 1 DA does not approve in principle a Stage 2 subterranean facility, the following should be undertaken to inform any detail design option and approval of any subterranean facilities within a Stage 2 DA for the Sandstone Precinct.

1. A detailed Archaeological Assessment (including consideration of Aboriginal cultural heritage, Historical and Aboriginal Archaeology) of the study area must be undertaken;
2. The detailed Archaeological Assessment should include a detailed impact assessment which responds to all works that will involve ground disturbances and excavation for this project based on the proposed subterranean option(s);
3. The detailed Archaeological Assessment should include mitigation strategies based on the significance of the physical evidence likely to be found and the proposed impacts of the development;
4. This detailed Archaeological Assessment should be prepared by suitably qualified archaeologists familiar with the complexities of "contact archaeology"/urban archaeology, State Significant archaeological investigation and Aboriginal archaeological investigation and mitigation;
5. Aboriginal Community Consultation should be undertaken in accordance with the OEH *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010);
6. Should the advice of this investigation require test excavation to further inform the proposed subterranean redevelopment, this should be undertaken in accordance with best practice and be suitable for both Aboriginal archaeological and Historical archaeological excavation by suitably qualified archaeologists as outlined above;
7. The recommendations of the detailed Archaeological Assessment should guide the appropriate mitigation, conservation, interpretation and future management of the potential archaeological resource. This strategy should also incorporate the advice of the Aboriginal community on this project and include consideration of appropriate management of any relics/Aboriginal objects recovered from this site. The strategy recommendations should be applied to assist the detailed design for the Stage 2 DA with respect to any subterranean options involving subsurface excavation. The subterranean impact assessment should also consider additional issues of harm caused through direct and/or indirect vibrations to archaeological remains both at this location and at/on other significant *in-situ* archaeological sites/relics and Aboriginal objects present (e.g. within the First Government House site). This should be adequately addressed in the impact assessment and statement of heritage impact; and,
8. An appropriate interpretation strategy that incorporates the results of any archaeological investigations (both Aboriginal and Historical) and detail appropriate ongoing management of relics/Aboriginal objects recovered during this project.

OEH considers that the evidence of Aboriginal cultural heritage surviving within the study area is likely to be found in direct association with early historical colonial archaeological evidence and within surviving natural soil profiles. This type of evidence is incredibly rare and likely to represent an important cultural resource to the Aboriginal community. It is important that Aboriginal community correspondence is appropriately addressed throughout this assessment process in accordance with OEH guidelines as OEH is conscious of the importance of the site of nearby First Government House and its associations to important members of the Aboriginal community and to the broader community of Sydney, NSW and Australia.

Further, OEH understands that any Aboriginal archaeological evidence remaining would be of high significance for a number of reasons including the rarity of these finds in an urban landscape and the specific locational context in proximity to this area (i.e. First Government House) which may contribute to the narrative of the City of Sydney and its development which no other resource can provide.

(END OF SUBMISSION)