

Sandstone Precinct—OEH Submission Response



Curio Projects on behalf of PLG
January 2017

This document has been prepared by Curio Projects, on behalf of PLG, in response to the NSW Office of Environment and Heritage (OEH) submission to the exhibition of the 'Sandstone Precinct and Stage 2 DA (SSD 6751 MOD 2), letter dated 14 December 2016, (OEH Ref: DOC16/581), Attachment 1.

This document reviews and addresses all OEH comments, and provides response and actions where relevant. This information has been prepared in table form for the ease of reference and organisation. The following project reports are referenced in this response (and abbreviations provided for as such):

- Curio Projects, October 2016, *Archaeological Assessment of the 'Sandstone Precinct'- Lands Building, Education Building, Road and Public Reserves at Gresham Street, Loftus Street and Farrer Place, Sydney*. (Curio Projects 2016, *Archaeological Assessment*)
- Curio Projects, October 2016, *Archaeological Assessment: Appendix B—'Details of Aboriginal Community Consultation Sandstone Precinct, Bridge St, Sydney'* (Curio Projects 2016, *Details of Aboriginal Community Consultation*)
- Curio Projects, October 2016, *Archaeological Assessment: Appendix C—'Aboriginal Cultural Heritage Methodology and Methodology for Unexpected Aboriginal Archaeology'* (Curio Projects 2016, *Methodology for Unexpected Aboriginal Archaeology*)
- GBA Heritage, October 2016, *Interpretation Strategy—The Education Building, 35-39 Bridge Street, Sydney*, Issue D (GBA 2016, *Interpretation Strategy, Education Building*)
- GBA Heritage, October 2016, *Interpretation Strategy—The Lands Building, 23-33 Bridge Street, Sydney*, Issue D (GBA 2016, *Interpretation Strategy, Lands Building*)

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Archaeological Excavation—p.2			
<i>'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.'</i>	<p>Agreed.</p> <p>A combined historical and Aboriginal archaeological excavation has been proposed through the Archaeological Assessment (AA) and Appendix C—'Aboriginal Cultural Heritage Methodology and Methodology for Unexpected Aboriginal Archaeology.</p> <p>As it has been assessed that there is low potential for an Aboriginal</p>	<i>'...while previous land use and disturbance (notably the development of the Lands and Education Buildings) suggests that there is a very low likelihood of Aboriginal archaeology to be present within the study area, any potential impact to this unlikely deposit would still require assessment.'</i> —Curio 2016, <i>Archaeological Assessment: Section 8.2. p.76</i>	<p>No action required.</p> <p>Confirmation that any unexpected Aboriginal archaeology present within the subject site would be addressed as a collaborative excavation with the historical archaeological investigation.</p>

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	<p>archaeological deposit to be present within the subject site, potential for Aboriginal archaeological deposit has been described in the AA using the terminology of 'Unexpected Aboriginal Archaeology'.</p> <p>It is proposed that Aboriginal archaeology, if encountered during the historical archaeological excavation program, will be adequately investigated and addressed at that time. This has been addressed in the 'Methodology for Unexpected Aboriginal Archaeology', and will be further addressed through the historical Archaeological Research Design, which is in preparation.</p>	<p><i>'The discovery of an Aboriginal archaeological deposit is not expected within the study area. However in the unlikely event that natural soil profiles with the potential to retain Aboriginal archaeological deposits are encountered, a methodology to address any unexpected Aboriginal archaeology has been developed. This is in order to mitigate and address any potential impact to unexpected Aboriginal archaeological deposits, to avoid causing unnecessary delay to the development, to provide a clear process as to how this unexpected resource would be addressed and investigated, as well as how to inform and involve the Registered Aboriginal Parties (RAPs) in this process if it is required.'</i></p> <p>—Curio Projects 2016, <i>Methodology for Unexpected Aboriginal Archaeology</i>: p.18</p>	
<p><i>'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</i></p>	<p>Agreed.</p> <p>While Aboriginal archaeology is unexpected, should it be present, it would be located either within small, discrete pockets of natural soil</p>	<p><i>'Aboriginal archaeology, if present within the study area, would be present either within natural soil profiles, possibly mixed into historical fill from previous land disturbance, or possibly located within layers of</i></p>	<p>No action required, as the Curio Report states the same conclusions as OEH as to where deposits may be found, if found.</p>

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<p><i>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.</i></p>	<p>profiles, or as isolated artefacts in a disturbed context, potentially encountered through the historical archaeological investigation.</p> <p>However, Curio Projects notes that the potential for Aboriginal archaeological deposits within the ‘Sandstone Precinct’ subject site has been assessed to be lower than that of other recent CBD excavations (i.e. Wynyard Walk, 200 George Street, Darling Quarter). This is predominantly due to site-specific archaeological assessment of the sandstone site, (which in the assessment was compared with the profiles of other sites), and the consideration that it is most likely that the site is directly located on sandstone, with the low to nil potential for natural soil profiles to exist.</p> <p>While Aboriginal archaeology is not expected at the site, the fact that isolated artefacts may be present (most likely in disturbed context) cannot be discredited. Therefore, the assessment acknowledges that any potential impact of this unlikely</p>	<p><i>historic archaeology at the site due to post-1788 contact between the local Aboriginal people and the colonists.’</i></p> <p>—Curio Projects 2016, <i>Archaeological Assessment</i>: Section 4.3.6, p.23</p> <p><i>‘...while previous land use and disturbance (notably the development of the Lands and Education Buildings) suggests that there is a very low likelihood of Aboriginal archaeology to be present within the study area, any potential impact to this unlikely deposit would still require assessment.’</i></p> <p>—Curio 2016, <i>Archaeological Assessment</i>: Section 8.2. p.76</p>	

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	deposit would still require assessment.		
<p><i>OEH therefore would like to see a historical archaeological excavation program that incorporates Aboriginal archaeological investigation.'</i></p>	<p>As an Aboriginal archaeological resource is not expected at the site due to the archaeological due diligence and assessment work undertaken, it was determined that an Archaeological Research Design specific to Aboriginal archaeology is not required as part of the Stage 2 DA application documentation.</p> <p>An Historical Archaeological Research Design for the subject site will need to be prepared as a condition of the Stage 2 consent for the project. This would include the detailed procedure for unexpected finds (i.e. Aboriginal archaeology, which is already included in the Stage 2 DA documentation).</p> <p>As with previous historical archaeological projects at similar site types that Natalie Vinton (Director of Curio Projects) has project managed and prepared historical documentation for (Wynyard Walk, 200 George St), the historical archaeological research design, when prepared would include a two-stage</p>	<p><i>'Prior to commencement of excavation on site, an Archaeological Research Design and Excavation Methodology will be required to be prepared and submitted to the NSW Heritage Division and DPE for approval.'</i></p> <p>—Curio Projects 2016, <i>Archaeological Assessment</i>, Recommendation 1, p.92</p>	<p>Preparation of an Historical ARD is to be undertaken as a condition of Stage 2 Consen and will incorporate the Aboriginal archaeological methodology for 'unexpected Aboriginal archaeology' as outlined in the Stage 2 DA documentation.</p> <p>Therefore, it meets this request.</p>

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	<p>process to be implemented if Aboriginal Archaeology was found.</p>		
<p><i>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.'</i></p>	<p>The AA has determined that Aboriginal artefacts are not expected to be present within the study area in high enough densities to trigger the need for a comprehensive Research Design specific to Aboriginal archaeology. However, it is proposed that in the event of the recovery of a sufficient density of Aboriginal artefacts, archaeological excavation would pause at the site, and a Research Design, specific to Aboriginal archaeology, would be prepared.</p> <p>Current industry standard for expansion and investigation of an Aboriginal archaeological deposit is generally 4 artefacts/m². However, in order to ensure any unexpected Aboriginal archaeology of the subject site is investigated in an appropriate manner, it is proposed that a trigger point of an encountered density of 3 artefacts/m² would prompt the preparation of a detailed Aboriginal Research Design, including research</p>	<p>N/A</p>	<p>Provisions for the investigation of unexpected Aboriginal archaeology to be included within the historical Archaeological Research Design for the project (as a condition of Stage 2 development consent).</p> <p>This would include a trigger point of 3 Aboriginal artefacts/m² (below industry standard) as a requirement for the development of specific research questions relevant to Aboriginal archaeology at the site.</p> <p>Section 6.2 of the <i>Proposed Methodology for Unexpected Aboriginal Archaeology</i> has also been updated to reflect this, as follows:</p> <p><i>The AA has determined that Aboriginal artefacts are not expected to be present within the study area in high enough densities to trigger the need for a comprehensive Research Design specific to Aboriginal archaeology. Current industry</i></p>

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	<p>questions specific to the Aboriginal occupation and use of the subject land and how this compares with other sites in the region.</p>		<p><i>standard for expansion and investigation of an Aboriginal archaeological deposit is generally 4 artefacts/m². However, in order to ensure any unexpected Aboriginal archaeology of the subject site is investigated in an appropriate manner, it is proposed that a trigger point of an encountered density of 3 artefacts/m² would apply to this site. If greater than 3 artefacts/ m² are unexpectedly discovered, then work would cease in the immediate area so that the RAPs, OEH and DoPE could be consulted, and the preparation of a detailed Aboriginal Research Design, including research questions specific to the Aboriginal occupation and use of the subject land and how this compares with other sites in the region could be prepared, prior to works recommencing in the affected area.</i></p> <p><i>Page 19: Jan 2017.</i></p>
<p><i>'The excavation methodology should detail the methodology of Aboriginal archaeological excavation and how this will interact with the historical archaeological excavations; the</i></p>	<p>The <i>Proposed Methodology for Unexpected Aboriginal Archaeology</i> report details the methodology of Aboriginal archaeological excavation in Section 6.2 ('Proposed</p>	<p><i>'In the unexpected event that suspected remnant soil profiles are encountered within the study area, (historical) excavation in the immediate vicinity will be paused, and</i></p>	<p>Section 6.2 of the <i>Proposed Methodology for Unexpected Aboriginal Archaeology</i> report has been updated to include additional details about:</p>

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<p><i>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.'</i></p>	<p>Methodology for Unexpected Aboriginal Archaeology').</p> <p>This is the same general methodological approach, as used in 200 George St (Mirvac) and Wynyard Walk (Thiess, TfNSW). Both sites contained natural soil profiles that were discovered during historical excavations, and Wynyard Walk also revealed Aboriginal artefacts. The key difference is that at this site we are not expecting insitu Aboriginal archaeology, yet the predictive modelling at each of the other sites did anticipate potential for insitu Aboriginal objects. Nevertheless, we will be using the same 'cease historical archaeological work' in our historical research design, should we unexpectedly find Aboriginal objects, or pockets of natural soil.</p> <p>Stone artefact recording of any unexpected Aboriginal stone artefacts would follow the requirements detailed through the Code of Practice, and in accordance with current accepted academic texts for stone artefact analysis and recording in</p>	<p><i>a geomorphologist will be consulted to assess the geomorphological nature of the soils, in order to confirm whether the soils are in fact remnant natural profiles. If soils are confirmed to be natural, the Archaeologist/Aboriginal Excavation Director, Sam Cooling, will investigate the nature of the soils. Should any Aboriginal stone artefacts be encountered, excavation will immediately cease in the area, and the project RAPs will be contacted.</i></p> <p><i>Excavation would be undertaken by hand, generally in 10cm spit depths, in provenance 1m squares subdivided into 50cm x 50cm quadrants. Precise archaeological techniques to be applied (including spit depth, and area of expansion etc) would be determined by the Excavation Director in the field, in consultation with the project RAPs, to allow excavation techniques to be flexible to the nature of the unexpected find'.</i></p> <p>—Curio Projects 2016, <i>Proposed Methodology for Unexpected Aboriginal Archaeology</i>: Section 6.2, p. 18</p>	<ul style="list-style-type: none"> • Method of analysis of any Aboriginal objects recovered; • Proposed temporary and long-term management strategies for any Aboriginal objects recovered during excavations; and • How the results of any Aboriginal archaeological excavation program (if triggered) would be reported on.

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	<p>southeast Australia (i.e. Holdaway and Stern 2004).</p> <p>Any unexpected Aboriginal artefacts would be temporarily stored at the Curio Projects office (Level 1/24-26 Botany Road, Alexandria, NSW), in a locked box.</p> <p>There are several options when it comes to the long term management and curation of Aboriginal stone objects, once recovered from excavations. The suitability of each option depends on a number of factors including the nature of the development, the significance and extent of the deposit, and the wishes of the Aboriginal community.</p> <p>Long term management strategies for any Aboriginal objects would be discussed with project RAPs and the developer, upon the conclusion of any required excavation work.</p> <p>Following the completion of any Aboriginal archaeological investigation at the subject site, detailed post excavation reporting and analysis of the results of</p>		

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	excavation would be undertaken. Results would be compiled in a detailed report, suitable for submission to the OEH.		
Geotechnical Excavation—p.3			
<i>‘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 Designs and Excavation Methodology...’</i>	<p>Agreed. This is currently in place, in accordance with a Section 60 approval, issued by the NSW Heritage Division in 2016.</p> <p>Following completion, the results of the geotechnical investigation will be used in the preparation of the Archaeological Research Design for the project.</p>	<p><i>‘While no geotechnical information was available at the time of writing, approvals for geotechnical investigation of the site have recently be sought, and geotechnical works will soon be undertaken. This geotechnical information from the study area (once available) would assist to inform the understanding of the level of disturbance and nature of subsurface soil and fill profiles.’</i></p> <p>—Curio Projects 2016, <i>Archaeological Assessment</i>: Section 4.3.5, p.23</p>	<p>Results of the geotechnical investigation are be used in the preparation of the Archaeological Research Design for the project (as a condition of consent of the Stage 2 DA).</p> <p>The site is currently subject to geotechnical investigation which is attached to a S60 approval issued by the NSW Heritage Division in 2016 – in which Curio Projects have stated that the results will be used to refine the archaeological predictive modelling.</p>
Interpretation Plan—p.3			
<i>‘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.’</i>	NSW Historical Theme ‘Aboriginal cultures and interactions with other cultures’ has been identified in Interpretation Plans for both the Education and the Lands Building as a theme relevant to the development, and requiring heritage interpretation.	<p><i>‘Aboriginal people intensively occupied the Sydney area for thousands of years prior to European colonisation, continuing into the post-contact period.</i></p> <p><i>The site is one of the earliest known contact sites in Australia, and is located in close association (physically</i></p>	No action required. Already included within existing Interpretation Plans (GBA Heritage 2016).

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	<p>One of the identified storylines included within both Interpretation Plans is ‘<i>Aboriginal Sydney</i>’, which directly acknowledges the significance of the subject land to Aboriginal people.</p> <p>In addition, the proposed interpretive strategies (Section 5.3 of the GBA reports) and Potential Interpretive Strategies (Section 5.4 of the GBA reports) all include consideration of the significance of the subject site to the Aboriginal community through interpretive products.</p> <p>It is also suggested that naming of spaces within the Lands and Education buildings could reflect the significance to the Aboriginal community through the use of Aboriginal works and names. (GBA 2016, Section 5.4.5)</p>	<p><i>and functionally) with first government house, an important site of early contact and cross cultural exchange between Sydney’s Aboriginal population and the first colonists. The first government house site and associated area has been associated with potential Aboriginal burials, however no evidence of any burials has been noted to date.’</i></p> <p>—GBA 2016, <i>Interpretation Strategy, Education Building</i>: 18</p> <p>—GBA 2016, <i>Interpretation Strategy, Lands Building</i>: 18</p> <p>Aboriginal Sydney Storyline: <i>‘The Gadigal people of the Eora Nation have occupied the general Sydney area for thousands of years. In fact, the very landscape features that attracted Governor Phillip to erect first government house and the colonial officer’s residences at the study area, such as the advantageous landform position towards the top of the hill, with a good view over the harbour, close to the Tank Stream, with a natural spring just behind, would have been the same features that made this</i></p>	

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		<p><i>a valuable and well occupied landscape and resource zone for Aboriginal people. First government house and its surrounds is one of the most significant post contact sites between Aboriginal people and the first Australian government.'</i></p> <p>—GBA 2016, <i>Interpretation Strategy, Education Building</i>: Section 5.2, p.28</p> <p>—GBA 2016, <i>Interpretation Strategy, Lands Building</i>: Section 5.2, p.28</p>	
<p><i>'The Interpretation Plan should also incorporate relevant results of the Aboriginal archaeological excavation program'.</i></p>	<p>The Interpretation Plans note that any recovered archaeological resources, relics or artefacts (both historical and Aboriginal), if recovered, would be the basis of a more detailed archaeological interpretation strategy.</p> <p>This initiative, if an Aboriginal archaeological resource is recovered relevant for interpretation, would be undertaken following the bulk excavation and earthworks at the subject site.</p>	<p><i>'The site has the potential to contain archaeological resources... that if discovered would form the basis of a more detailed archaeological interpretation strategy, that would be prepared upon conclusion of the archaeological investigation program'</i></p> <p>—GBA 2016, <i>Interpretation Strategy, Education Building</i>: Section 4.7: 25</p> <p>—GBA 2016, <i>Interpretation Strategy, Lands Building</i>: Section 4.7: 25</p> <p><i>'Once the archaeological investigations are complete, an interpretive strategy that looks at how to best interpret Aboriginal and non-</i></p>	

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		<p><i>Aboriginal archaeology at the site can be designed.'</i></p> <p>—GBA 2016, <i>Interpretation Strategy, Education Building</i>: Section 5.4.7: 36</p> <p>—GBA 2016, <i>Interpretation Strategy, Lands Building</i>: Section 5.4.7: 36</p>	
Consultation—p. 3			
<p><i>'OEH recommends ongoing consultation with the Aboriginal community throughout the duration of the project.'</i></p>	<p>Agreed.</p> <p>Ongoing consultation with the Aboriginal community is proposed throughout the duration of the project.</p> <p>Aboriginal community consultation has been undertaken for the project in accordance with the OEH guidelines 'Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010', as detailed in Appendix B to the Archaeological Assessment, and Registered Aboriginal Parties (RAPs) have been identified for the project ongoing.</p>	<p><i>'Project RAPs have been provided the proposed methodology for unexpected Aboriginal archaeology...for their review and comment, and will continue to be involved in all relevant future stages of the project regarding Aboriginal archaeology or Aboriginal cultural heritage.'</i></p> <p>—Curio Projects 2016, <i>Appendix B Details of Aboriginal Community Consultation</i>: p.10-11</p>	<p>As per reports, ongoing consultation with the Aboriginal community will be undertaken throughout the duration of the project.</p>

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Protocol for the discovery of human remains–p.3			
<i>'OEH notes that there are inaccuracies in the protocol for the unexpected discovery of potential human skeletal remains presented by Curio Projects. The approved OEH protocol for the discovery of human remains is outlined below for your reference...'</i>	<p>Noted.</p> <p>The protocol for unexpected discovery of human skeletal remains has been updated to present the current approved OEH protocol as presented in OEH's letter.</p>	N/A	Section 6.2 of <i>'Methodology for Unexpected Aboriginal Archaeology'</i> have been revised as per approved OEH protocol.