



Office of
Environment
& Heritage

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SSD 7484 and SSD 6751 MOD 2

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

Attention: Brendon Roberts

Dear Ms Watson

Response to Submissions - The Sandstone Precinct 23-33 and 35-39 Bridge Street, Sydney

I refer to your letter dated 2 May 2017 to the Office of Environment and Heritage (OEH), requesting comments on the Response to Submissions (RTS) for the Sandstone Precinct (SSD 7484 and SSD 6751 MOD 2).

OEH has reviewed the RTS documentation provided and provides comments in relation to Aboriginal Cultural Heritage at Attachment 1.

If you have any queries regarding this matter, please contact Marnie Stewart on 9995 6868 or marnie.stewart@environment.nsw.gov.au.

Yours sincerely

S. Harrison 08/05/17

SUSAN HARRISON
Senior Team Leader Planning
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ATTACHMENT 1 – Office of Environment and Heritage comments on the Response to Submissions for The Sandstone Precinct

OEH has reviewed the Sandstone Precinct – OEH Submission Response, prepared by Curio Projects on behalf of PLG, January 2017 (Curio Projects 2017a), and the Aboriginal Cultural Heritage Methodology and Methodology for Unexpected Aboriginal Archaeology, Sandstone Precinct, Bridge St, Sydney, prepared by Curio Projects, January 2017 (Revision following OEH Comment) (Curio Projects 2017b).

OEH previously commented on 14 December 2016 that:

OEH considers 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 therefore would like to see a historical archaeological excavation program that incorporates Aboriginal archaeological investigation.

OEH further commented that *"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."* OEH also outlined what should be included in the associated Excavation Methodology.

It is stated in the response (Curio Projects 2017a: 4) that *"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."* As an associated 'Action' it is noted that a Historical Archaeological Research Design will be prepared as a condition of Stage 2 Consent, and that this will incorporate the Aboriginal archaeological methodology for 'unexpected Aboriginal archaeology.'

It is further stated by Curio Projects (2017a: 5) that *"The AA [Archaeological Assessment] 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. 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."* OEH notes that section 6.2 of the methodology for unexpected Aboriginal archaeology has been updated to reflect this (Curio Projects 2017b: 18-19).

OEH does not consider that the revised methodology for unexpected Aboriginal archaeology addresses OEH's previously expressed preference for a combined historical and Aboriginal archaeological excavation program to be undertaken. This is because Aboriginal archaeological investigation is only triggered if remnant natural soil profiles are encountered. No consideration appears to have been made of the possibility that Aboriginal objects may be encountered within historical archaeological contexts (e.g. post-contact archaeology) and disturbed contexts.

OEH also has concerns that a detailed Aboriginal archaeological research design will only be prepared if a trigger point density of 3 artefacts/m² is encountered. It has been assessed by Curio Projects (2017b: 13) that should intact Aboriginal archaeological deposits be present, these would be of high significance, and should Aboriginal objects be present within a disturbed context, these would be of moderate to high significance. Based on this, OEH considers that the presence of a single Aboriginal object (or feature), regardless of context, should trigger the preparation of Aboriginal Archaeological Research Design. The specified density trigger of 3 artefacts/m² is considered by OEH to be inappropriate in this situation. OEH also questions the stated industry standard (4

artefacts/m²) from which the specified density trigger is derived. Information on the source of this standard, the evidence it is based on and its relevance to the subject land is not provided.

In light of the above, OEH reiterates 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. This should involve up-front preparation of an Aboriginal Archaeological Research Design in association with the Historical Archaeological Research Design. The Aboriginal Archaeological Research Design should incorporate all the elements raised by OEH in the letter dated 14 December 2016 (e.g. specific research questions and excavation methodology) and it should be informed by the results of the geotechnical investigation. This will direct the program of excavation and ensure that the Aboriginal archaeology of the subject land is investigated in an appropriate, informed manner.

(END OF SUBMISSION)