

Archaeological Assessment of the
'Sandstone Precinct'-Lands Building, Education Building, Road & Public Reserves at Gresham
Street, Loftus Street and Farrer Place, Sydney



Prepared for Pontiac Land Group by Curio Projects
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EXECUTIVE SUMMARY

Curio Projects has been commissioned by Pontiac Land Group (PLG) to prepare an updated Aboriginal and Historical Archaeological Assessment (AA) for the 'The Sandstone Precinct' which includes 23-33 Bridge Street (Lands Building), 35-39 Bridge Street (Education Building), the road and public reserves at Gresham Street, Loftus Street and Farrer Place, Sydney (the subject site).

The site benefits from Stage 1 Concept Plan Approval (CPA) SSD 6751 granted by the NSW Department of Planning and Environment (DPE) on the 25 August 2015. The DPE issued development approval for the Stage 1 Concept Proposal for tourist and visitor accommodation, retail premises and function centre uses -including a maximum above and below ground building envelope at 23-33 Bridge Street and 35-39 Bridge Street, Sydney.

This AA establishes an overarching framework for the investigation and management of potential Aboriginal and historical archaeological heritage values present within the study area; prior to, during, and post, redevelopment of the subject site and has been prepared in order to address the requirements of the NSW DPE, the NSW Heritage Division (HD) and the Office of Environment and Heritage (OEH) -throughout the redevelopment process- within the context of current relevant NSW legislation.

This AA reviews and builds upon the recommendations of the report 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* prepared by Urbis in November 2014.

The key objectives of this AA are to:

- review, and update, the previous archaeological assessment and recommendations made by Urbis (2015) with respect to potential Aboriginal and historical archaeology within 'The Sandstone Precinct';
- further refine, where possible, whether the proposed development has the potential to impact on Aboriginal objects and/or historical archaeological relics of significance within the curtilage of 'The Sandstone Precinct'; and
- develop a pragmatic framework for the management of any potential archaeological resources that might be impacted upon.

The reassessment of the Aboriginal and historical archaeological potential has been undertaken in accordance with all relevant NSW Heritage Division, OEH and DPE guidelines and policies.

Pontiac Land Group, MAKE Architects, GBA Heritage and Curio Projects have worked in very close collaboration since the commencement of the Stage 2 DA process to develop an outcome that will deliver an outstanding world class luxury hotel whilst retaining as much of the significant fabric of the buildings, and potential archaeology, as possible.

Based on the reassessment of the environmental and archaeological context, as well as in consideration of the historical background for the site, previous land use and disturbance, and in the current statutory context (SSD development) for the entire development envelope, the following conclusions and recommendations are made regarding the management of Aboriginal and Historical archaeology within the Sandstone Precinct.

Aboriginal Archaeology -Conclusions

- The study area does not contain any previously registered Aboriginal sites.
- The study area is located in close proximity to the original foreshore of Sydney Cove, and the Tank stream.

- The study area would have been a focus for Aboriginal occupation prior to the establishment of the Sydney colony in 1788.
- The study area was a focus for the earliest government of Sydney colony, and was in close proximity to known sites of early contact and interaction between Aboriginal people and the first European colonists.
- There is a low potential for intact Aboriginal archaeological deposits to be present within the study area.
- There is a low to moderate potential for disturbed Aboriginal archaeological deposits to be present within the study area.
- Should intact Aboriginal archaeology be present within the study area, it would be of high significance.
- Should Aboriginal objects be present in a disturbed context within the study area, they would likely be of moderate scientific significance, but possibly of higher social or cultural significance to the local Aboriginal community.
- The study area has been assessed to have a **low level of potential** for Aboriginal archaeological deposits that would be of **high scientific significance**.

Aboriginal Archaeological Recommendations

1. Aboriginal community consultation has been undertaken in accordance with OEH guidelines for this project, in order to seek information regarding the social and cultural values of the study area. Full details of the Aboriginal community consultation process are provided in Appendix B.
2. While the development is exempt from the requirement to seek an AHIP in accordance with the NPW Act due to its status as an SSD project, an Aboriginal Archaeological Impact Assessment (contained within this report) has been prepared, and methodology for unexpected Aboriginal archaeology has been developed, specific to the Stage 2 DA physical impacts (See Section 9.0 of the report), in order to guide the management and possible investigation (where required) of potential Aboriginal heritage within the study area.
3. While the discovery of an Aboriginal archaeological deposit is not expected within the subject site, 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*' (Appendix C) should be referred to for subsequent management and excavation methodologies.
4. In order to maintain best practice methodologies for any subsequent Aboriginal cultural heritage investigation and assessment within the study area, the following guidelines should continue to be adhered to:
 - o *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974* (April 2010);
 - o *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010); and
 - o *Guide to Investigating, Assessing, and Reporting on Aboriginal cultural heritage in NSW* (April 2011).

Historical Archaeology Conclusions

The reassessment of the potential for significant historical archaeological resources to be present within the subject site is based on a thorough reassessment of the history of the site since 1788, including a reconsideration of how the patterns of previous land use, including land clearance, several phases of construction, demolition and redevelopment would have influenced the archaeological record.

A comparative analysis of similar site types located within close vicinity of the subject site has also provided an invaluable context for understanding the potential survival of historical archaeological resources at the subject site.

The following conclusions and recommendations are made regarding the management of historical archaeology within the Sandstone Precinct.

It is concluded that:

- Whilst the provisions of the Heritage Act are no longer strictly applicable (due to the project being designated SSD), there is still a need to archaeologically investigate, record and remove 'relics' of local and State significance in accordance with an approved historical archaeological research design and excavation methodology that complies with NSW State Government heritage policies and guidelines. The actual requirement to obtain a Section 60 permit is the only stage in the process that does not need to be adhered to, but the overall archaeological requirements and expectations for management of archaeological resources being subject to excavation remain the same.
- The subject site has the potential to contain **State significant archaeological relics** associated with all phases of development at the site, including archaeological relics associated with Phase 1- Establishment of the Colony (1788 – 1810), Phase 2 – Macquarie Era (1810-1876) and Phase 3 – Lands and Education Buildings (1876 – 1893).
- It is likely that the historical archaeological resource will have been subjected to various levels of disturbances across many areas of the site, with the more intact archaeological resources likely to remain in the northern sections of the site fronting Bridge Street.
- The Bennelong Stormwater Channel no. 29 runs below Loftus Street, and along Gresham and Young Street. It is of State significance and will need to be protected during any works program.
- The Lands Building is surrounded by a subterranean moat that is located around the exterior of the building. This moat forms part of the state significant fabric of the building and will need to be protected during the works program.
- Cutting down of the site in the southern sections of the site is likely to have impacted on the archaeological resource. However, deep features, such as wells are still likely to remain insitu.
- Should previously undisturbed relics associated with Phase 1 of the site's history – the establishment of the colony be found during the redevelopment of the site, they would likely be considered to be rare -depending on their extent, nature and level of intactness.
- Should intact archaeological resources associated with any of the three key phases of the site's history be found, they would contribute to our understanding of the site and should form the basis of a comprehensive interpretation strategy to be implemented on site.

Historical Archaeological Recommendations

1. The development impacts should aim to minimise ground disturbance and excavation impacts to ensure that potential State Significant archaeological resource are preserved, where possible, as part of the redevelopment of the site.
2. 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.
3. An Archaeological Interpretation Strategy that provides detailed interpretative options for significant archaeological resources, once found, will be required to be prepared prior to the issuance of the occupation certificate. (NB. An overarching Heritage Interpretation Strategy,

which includes provisions for archaeology, has been prepared for the Sandstone Precinct by GBA. Following archaeological investigation, an Interpretation Strategy specific to the archaeological resource (if found) for the site would be prepared).

4. Due to the potential significance of the site, the archaeological investigation in areas proposed to be excavated, should be managed by an Excavation Director that meets the State Significant Excavation Director Criteria issued by the NSW Heritage Division.
5. Should unexpected, potential historical archaeological 'relics', skeletal remains or Aboriginal objects be discovered during the works program, then works must cease in the immediate area and the project archaeologist contacted for advice.
6. Depending on the nature, extent and significance of the find, further consultation with the NSW Heritage Division and/or OEH and archaeological investigation may be required, prior to works recommencing on site.

1.0 Introduction

Curio Projects has been commissioned by Pontiac Land Group (PLG) to prepare an updated Aboriginal and Historical Archaeological Assessment (AA) for the 'The Sandstone Precinct' which includes 23-33 Bridge Street (Lands Building), 35-39 Bridge Street (Education Building), the road and public reserves at Gresham Street, Loftus Street and Farrer Place, Sydney (the site).

PLG has been selected by Government Property New South Wales to be the preferred purchaser of the long-term lease on two iconic heritage buildings in the heart of Sydney. The Sandstone buildings comprise the Lands Building (35-39 Bridge Street) and the Education Building (23-33 Bridge Street), located in the main commercial district close to Circular Quay.

PLG will sensitively adapt these iconic buildings with world-leading architecture and design and position this as a world class luxury hotel. The development will rejuvenate the Sandstone Precinct as a destination and a focal point of interest for the city of Sydney.

The site benefits from Stage 1 Concept Plan Approval (CPA) SSD 6751 granted by the NSW Department of Planning and Environment (DPE) on the 25 August 2015. The DPE issued development approval for the Stage 1 Concept Proposal for tourist and visitor accommodation, retail premises and function centre uses -including a maximum above and below ground building envelope at 23-33 Bridge Street and 35-39 Bridge Street, Sydney.

The Stage 1 CPA includes:

- use of the buildings for predominantly hotel accommodation;
- concept approval for a three–four storey addition on top of the Education Building;
- a potential link between the two buildings under Loftus Street; and
- potential hotel-related support services under the buildings, Farrer Place and Gresham Street.¹

1.1. Objectives

This AA establishes an overarching framework for the conservation, investigation and management of potential Aboriginal and historical archaeological heritage values present within the study area; prior to, during, and post, redevelopment of the land and has been prepared in order to address the requirements of the NSW Department of Planning and Environment (DPE), the NSW Heritage Division (HD) and the Office of Environment and Heritage (OEH) -throughout the redevelopment process- within the context of current relevant NSW legislation.

This AA reviews and builds upon the recommendations of the report 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* prepared by Urbis in November 2014.

The key objectives of this AA are to:

- review, and update, the previous archaeological assessment and recommendations made by Urbis (2015) with respect to potential Aboriginal and historical archaeology within 'The Sandstone Precinct';
- further refine, where possible, whether the proposed development has the potential to impact on Aboriginal objects and/or historical archaeological relics of significance within the curtilage of 'The Sandstone Precinct';

¹ Department of Planning and Environment, Press Release, 28 August 2015. *Sandstone Precinct concept plan approved*. Available at: <<http://www.planning.nsw.gov.au/News/2015/Sandstone-Precinct-concept-plan-approved>>

- develop a pragmatic framework for the management of any potential archaeological resources that might be impacted upon; and
- assist the design team in understanding the sites and minimizing disturbances through clever and innovative design.

This AA has been prepared in accordance with current best practice guidelines and methods for the investigation and management of Aboriginal and Historical Archaeology in NSW. These include the:

- *Historical Archaeology Code of Practice* (second edition, 2006)
- *Historical Archaeological Sites: Investigation and Conservation Guidelines* (1993)
- *Archaeological Assessment Guidelines* (1996) update in preparation
- *Skeletal Remains Guidelines* (1998)
- *Assessing Heritage Significance* (2001)
- *Guidelines for Nominations to the State Heritage Register* (2006)
- *Statements of Heritage Impact* (2002)
- *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974* (April 2010)
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010)
- *Guide to Investigating, Assessing, and Reporting on Aboriginal cultural heritage in NSW* (April 2011).

1.2. Authorship

This report was written by Natalie Vinton, Principal Heritage Specialist for, and Director of, Curio Projects and Sam Cooling, Archaeologist, Curio Projects, with specialist input from Excavation Director, Dan Tuck.

1.3. Limitations

This report has been prepared using the extensive historical data and documentation available for 'The Sandstone Precinct', and in particular, utilises the historical information contained in the draft Conservation Management Plans prepared by the Government Architect's Office² and City Plan Heritage³ (2014) and in the Archaeological Assessment prepared by Urbis (2014)⁴ in order to assess the potential impacts on historical archaeological resources. No further historical research has been undertaken.

This report assesses the archaeological potential and scientific significance of any potential Aboriginal cultural deposits only, which has generally taken the form of a Due Diligence Assessment Report. Aboriginal community consultation, with regards to social and cultural assessment, has been undertaken for this project, the results of which are presented in Appendix B. Curio Projects recognise that only Aboriginal people are able to provide information regarding the Aboriginal cultural and social nature and significance of a site or location, and therefore should be consulted in the future with regards to any further Aboriginal cultural heritage issues.

² *Final The Lands Building Conservation Management Plan*, March 2015, prepared by Government Architect's Office.

³ *The Education Department Building, Conservation Management Plan*, Draft October 2014, prepared by City Plan Heritage.

⁴ *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*, November 2014, prepared by Urbis.

2.0 Site Description and Context

For the purposes of this report, only a brief summary of the site context and description has been provided. The full, detailed description of the site and its context is provided in the *Stage One Proposal for Tourism Re-use Former Lands and Education Department Buildings 'Sandstone Precinct', Bridge Street, Sydney: Statement of Heritage Impact* prepared by Graham Brooks and Associates (December 2014)⁵ and in the archaeological assessment prepared by Urbis (November 2014)⁶.

2.1. Site Context

The subject site, known as 'The Sandstone Precinct' comprises a total area of 9,370m² and is located in the northern end of the Sydney Central Business District (CBD) (Figure 1). The site is located adjacent to the former First Government House Site (now Museum of Sydney) and is within close walking distance to Circular Quay, the Royal Botanic Gardens, the NSW State Library, Sydney Opera House, The Rocks and Martin Place (Figure 2).

The specific property descriptions are as follows:

- Land's Building, 23-33 Bridge Street, Sydney (Lot 1877 DP 877000)—3,350m²
- Education Building, 35-39 Bridge Street, Sydney (Lot 56 DP 729620)—2,795m²
- Road and Public Reserves—Gresham Street, Loftus Street and Farrer Place—3,220m²



Figure 1: Study area (outlined in red) in its wider context. (Source: GoogleEarthPro with Curio additions 2016).

⁵ The site context and description is provided in Section 1.2 & 1.3 of the HIS (Graham Brooks & Associates p10-12:2014)

⁶ Section 2 of the Archaeological Assessment (Urbis p4-5:2014)

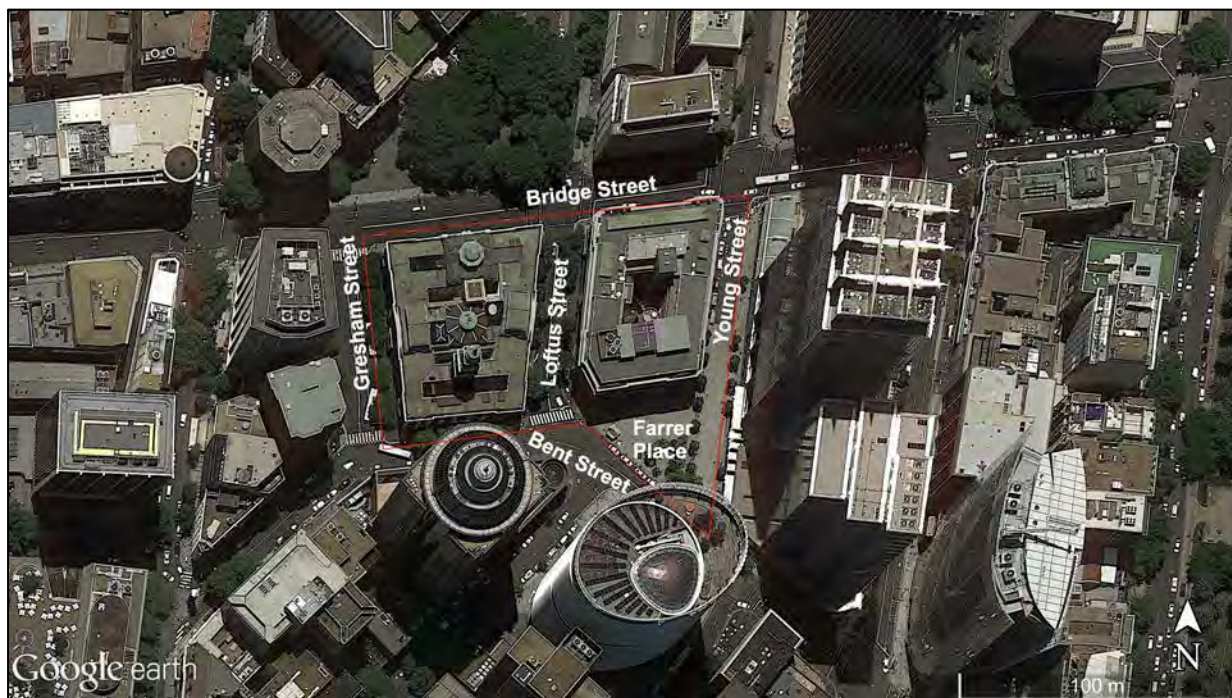


Figure 2: Study area (outlined in red) in local context. (Source: GoogleEarthPro with Curio additions 2016).

2.2. Site Description

The *State Significant Development Assessment Report: Tourism and Visitor Accommodation at the Sandstone Precinct (Lands Building and Education Building and surrounding road and public reserves), 23-33 and 35-39 Bridge Street, Sydney: Secretary's Environmental Assessment Report* prepared by the NSW Department of Planning and Environment in August 2015⁷, summarises the subject site as:

2.2.1. The Lands Building

The Lands Building is listed as an item of state and local heritage significance, listed on the State Heritage Register and Sydney Local Environmental Plan 2012 (SLEP 2012). The building is also listed on the Commonwealth Register of the National Estate (non statutory). The Lands Building was constructed in two stages between 1876 and 1893 and is one of the few remaining major 19th Century buildings in Australia which remains intact in both fabric and setting.

The Lands Building occupies an entire block and is bounded by Bridge Street to the north, Bent Street to the south, Loftus Street to the east and Gresham Street to the west.

The Lands Building is constructed of sandstone and contains 4 storeys (approximate height of 28 metres from the ground to the parapet, with floor to ceiling heights of approximately 6-7 metres). The building contains a domed roof-top feature and clock tower. The current built form provides four wings which surround a central vault with two central courtyards.

The Lands Building also comprises a number of moveable heritage artefacts including furniture and plaques reflecting the history and use of the building. The building provides pedestrian entries to all street frontages with the primary entry at Bridge Street. Vehicular access to a ground level loading dock is provided from Gresham Street.

⁷ Hereafter, referred to as the SSD Consent, 2015.

The Lands Building is currently used as government offices by the NSW Department of Planning and Environment⁸.

2.2.2. The Education Building

The Education Building is also listed as an item of state and local heritage significance, listed on the State Heritage Register and Sydney Local Environmental Plan 2012 (SLEP 2012). The building is also listed on the Commonwealth Register of the National Estate (non statutory). The Education Building was constructed in two stages between 1915 and 1930.

The Education Building occupies an entire block and is bounded by Bridge Street to the north, Farrer Place and Bent Street to the south, Loftus Street to the west and Young Street the east.

The Education Building is constructed of sandstone and contains seven storeys, with an attic on level eight and caretaker's accommodation on levels eight and nine. The built form provides a single rectangular building around a central light well. There is also a prominent Lift Motor Room above these, just to the south of the caretaker's accommodation. During the 1980-1990s the building underwent major renovations to bring the office accommodation up to modern standards and requirements.

The Education Building also comprises a number of moveable heritage artefacts including furniture and plaques reflecting the history and use of the building. Pedestrian access is provided at the Bridge and Farrer Place frontages. A loading dock and 12 off street parking spaces are provided at the Loftus Street frontage.

The Education Building is currently used as government offices by the NSW Department of Education.⁹

2.2.3. Adjacent Road and Public Reserve Areas

The adjacent road and public reserve areas comprise:

- *Loftus Street - four lane local road which separates the two sites;*
- *Gresham Street - four lane local road to the west of the Lands Building;*
- *Young Street - three lane local road to the east of the Education Building; and*
- *Farrer Place - a local public space which fronts onto the Education Building to the south east and comprises some casual outdoor seating constructed around three heritage listed palm trees and two booths selling fruits and coffee.¹⁰*

2.2.4. Surrounding Development

The site and surrounding area forms part of the northern Sydney CBD and are characterised by a mix of uses including major tourism, retail, office, residential uses and public open space.

- *to the north, Sydney Harbour, Circular Quay, Customs House (heritage item), Macquarie Place (heritage site) and the AMP Precinct (consisting of a commercial tower and some of the surrounding buildings on Young and Loftus streets);*
- *to the south, Farrer Place with three palm trees identified as heritage items under SLEP 2012, 1 Bligh Street office tower, 1 O'Connell Street office tower and a range of other commercial office buildings;*

⁸ SSD Consent p1-2:2015.

⁹ SSD Consent p2-3:2015

¹⁰ SSD Consent p3 :2015

- to the east, the Museum of Sydney (heritage item), Governor Phillip Tower, Government Macquarie Tower, the Botanic Gardens (heritage site), Young Street Terraces (heritage item) and First Government House (heritage item); and
- to the west, a commercial office tower (56 Pitt Street) and a range of other office buildings.



Figure 3: View of the Lands Building from the corner of Bent Street and Loftus Street looking north
(Source: SSD Consent August 2015)

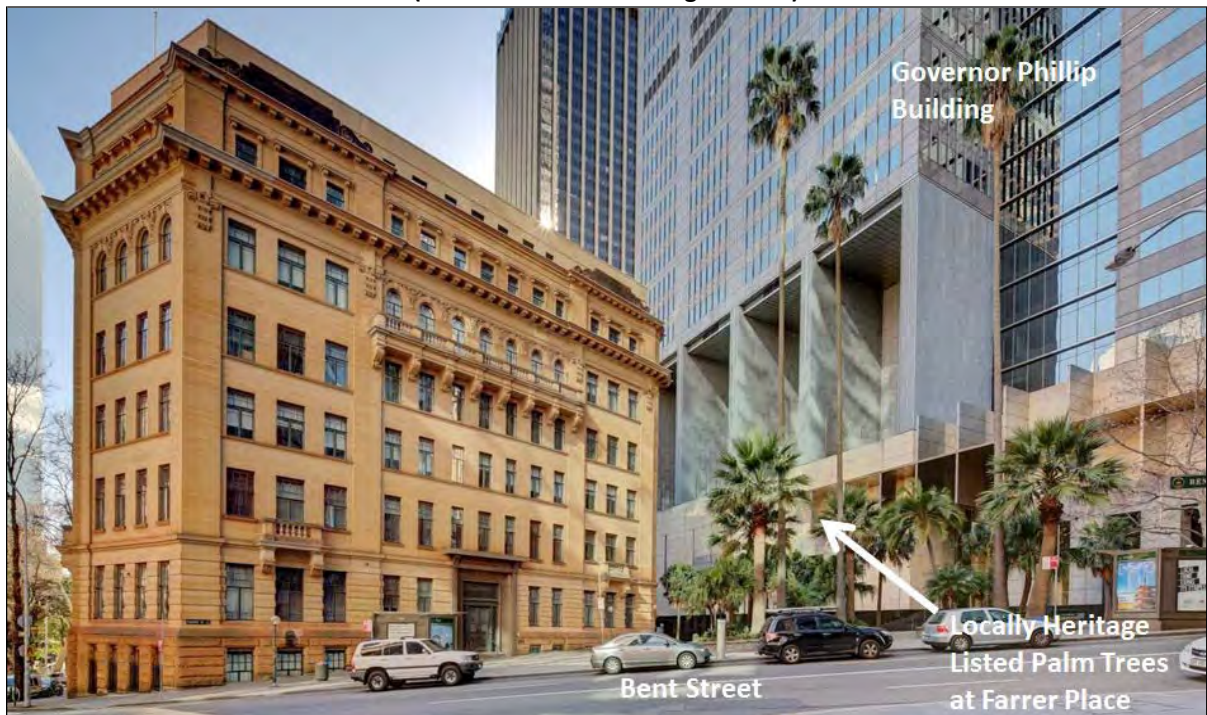


Figure 4: View of the Education Building (left) including Farrer Place (middle) and Governor Phillip Building from Bent Street looking north east. (Source SSD Consent, August 2015).



Figure 5: View look south west showing roof of the Education and Lands Buildings and surrounding buildings to the south. (Source SSD Consent, August 2015).

3.0 Statutory Controls

3.1. State Legislation—Aboriginal Archaeology

Aboriginal cultural heritage is governed in NSW by two principal pieces of legislation:

- *NSW Parks and Wildlife Act 1974* (NPW Act); and
- *Environmental Planning and Assessment Act 1979* (EP&A Act).

NSW Parks and Wildlife Act 1974

The NSW Parks and Wildlife Act 1974 (NPW Act), administered by the OEH, is the primary legislation that provides statutory protection for all ‘Aboriginal objects’ (Part 6, Section 90) and ‘Aboriginal places’ (Part 6, Section 84) within NSW.

An Aboriginal object is defined through the NPW Act as:

“any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.”

The NPW Act provides the definition of ‘harm’ to Aboriginal objects and places as:

“...any act or omission that:

(a) destroys, defaces or damages the object or place, or

(b) in relation to an object-moves the object from the land on which it had been situated, or

(c) is specified by the regulations, or

(d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c), “¹¹

The NPW Act also establishes penalties for ‘harm’ to Aboriginal objects and declared Aboriginal places, as well as defences and exemptions for harm. One of the main defences against the harming of Aboriginal objects and cultural material is to seek an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the NPW Act, under which disturbance to Aboriginal objects could be undertaken, in accordance with the requirements of an approved AHIP.¹²

OEH Guidelines

In order to best implement and administer the protection afforded to Aboriginal objects and places as through the NPW Act, and EP&A Act, the OEH have prepared a series of best practice statutory guidelines with regards to Aboriginal heritage. These guidelines are designed to assist developers, landowners and archaeologists to better understand their statutory obligations with regards to Aboriginal heritage in NSW, and implement best practice policies into their investigation of Aboriginal heritage values and archaeology in relation to their land and/or development. These guidelines include:

- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.*¹³
- *Guide to Investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW.*¹⁴

¹¹ NPW Act 1974

¹² As previously noted, the current project is exempt from the requirements of the NPW Act, due to its status as an SSD

¹³ DECCW 2010, *Due Diligence Code of Practice for the Investigation of Aboriginal Objects in New South Wales*.

¹⁴ OEH 2011, *Guide to Investigating, assessing and reporting on Aboriginal cultural heritage in NSW*.

- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales*.¹⁵
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.¹⁶
- *Aboriginal Heritage Impact Permits, a Guide for Applicants*.¹⁷

3.2. State Legislation—Historical Archaeology

Historical archaeology is governed in NSW by two principal pieces of legislation – the *NSW Heritage Act 1977* (The Act); and the *Environmental Planning and Assessment Act 1979* (EP&A Act).

NSW Heritage Act 1977

The purpose of the *NSW Heritage Act 1977* (as amended) is to conserve the environmental heritage of the State. *Environmental heritage* is broadly defined under Section 4 of the *Heritage Act* as consisting of the following items:

*‘those places, buildings, works, **relics**, moveable objects, and precincts, of State or local heritage significance.’*

The *Heritage Act* protects heritage, but historical archaeological remains are additionally protected from being moved or excavated through the operation of the ‘relics’ provisions. These protect unidentified ‘relics’ which may form part of the State’s environmental heritage, but which have not been listed on the State Heritage Register or protected by an Interim Heritage Order. An archaeological site is an area of land which is the location of one or more archaeological ‘relics’.

Division 9 of the *Heritage Act* is titled ‘*Protection of certain relics*’, with Section 139 containing provisions for ‘*Excavation permit [being] required in certain cases*’ to ‘*disturb or excavate land*’. Such permits are issued under Sections 140 and 141 of the Act, or under Sections 60 and 63 of the Act, in cases where ‘relics’ are situated within sites or places listed on the State Heritage Register. Section 139 prohibits the excavating or disturbing of land leading to a relic being discovered, exposed, moved, damaged or destroyed. To ‘excavate and disturb land’ in the context of the *NSW Heritage Act* is an act associated with the activity of digging or unearthing.

Since amendments were made to the *Heritage Act* made in 2009, a ‘relic’ has been defined as an archaeological deposit, resource or feature that has heritage significance at a local or State level. (NSW Heritage Branch Department of Planning. 2009. *Assessing Significance for Sites and ‘Relics’*).

This significance based approach to identifying ‘relics’ is consistent with the way other heritage items such as buildings, works, precincts or landscapes are identified and managed in NSW. The key issue is whether a deposit, artefact, object or material evidence that survives from the past is significant. If it is significant, it will need to be managed under the ‘relics’ provisions of the *Heritage Act*. (Heritage Branch, 2009:1). If an historical deposit, artefact, object or material evidence from the past is deemed not to meet the threshold of local or State significance, then it does not need to be managed as a ‘relic’ under the *Heritage Act*.

In addition, Section 146 of the *Heritage Act* relates to the requirement to report the discovery of relics to the Heritage Council.

¹⁵ DECCW 2010, *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales*.

¹⁶ DECCW 2010, *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

¹⁷ OEH 2011, *Aboriginal Heritage Impact Permits, a Guide for Applicants*.

Specially, Section 146 of the Heritage Act states:

146 Notification of discovery of a relic

A person, who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) must:

(a) within a reasonable time after he or she first becomes aware or believes that he or she has discovered or located that relic notify the Heritage Council of the location of the relic, unless he or she believes on reasonable grounds that the Heritage Council is aware of the location of the relic, and

(b) within the period required by the Heritage Council furnish the Heritage Council with such information concerning the relic as the Heritage Council may reasonably require.

In accordance with the Section 146 provisions of the Heritage Act, the discovery of relics is generally reported to the Heritage Division, in the form of a post-excavation report or similar, depending on the circumstances in which the discovery was made- and in accordance with any requirements of the Minister.

Under Part 4 of the EP&A Act, excavation permits under the Heritage Act are not required for SSD projects. Additional approvals specific to SSD projects may be required instead.

NSW Heritage Division Guidelines

In order to best implement and administer the protection afforded to historical archaeological 'relics' and heritage places as through the NSW Heritage Act, and EP&A Act, the NSW State Government have prepared a series of best practice statutory guidelines with regards to historical archaeology. These guidelines are designed to assist developers, landowners and archaeologists to better understand their statutory obligations with regards to historical archaeology in NSW, and implement best practice policies into their investigation of historical archaeological heritage values in relation to their land and/or development.

3.3. Environmental Planning and Assessment Act 1979

The EP&A Act is an 'Act to institute a system of environmental planning and assessment for the state of NSW' (EP&A Act)¹⁸. Dependent upon which Part of the EP&A Act a project is to be assessed under, differing requirements and protocols for the assessment of associated Aboriginal cultural heritage may apply.

Part 4, Division 4.1 of the EP&A Act identifies and defines State Significant Development projects (SSD) as those declared under Section 89C of the EP&A Act. SSD and State Significant Infrastructure projects (SSI), replace 'Concept Plan' project approvals, in accordance with Part 3A of this Act, which was repealed in 2011.

Where a project is assessed to be an SSD, the process of development approval differs, with certain approvals and legislation no longer applicable to the project. Of relevance to the assessment of Aboriginal heritage for a development, the requirement for an AHIP in accordance with Section 90 of the NPW Act is removed for SSD projects (EP&A Act, Section 89J).

¹⁸ http://www.austlii.edu.au/au/legis/nsw/consol_act/epaaa1979389/longtitle.html

Of relevance to the assessment of historical archaeological potential for a development, the requirement for a S140 Excavation Permit under the Section 139 provisions of the Heritage Act (1977) is removed for SSD projects (EP&A Act, Section 89J).

The requirement to report the discovery of a 'relic' in accordance with Section 146 of the Heritage Act is still applicable for projects assessed as SSD projects.

3.4. Current DA Approval and Requirements

On 25th August, 2015, the proposed development project was determined to be a State Significant Development (SSD 6751) in accordance with Section 89E of the EP&A Act.

The main condition of this SSD determination as relevant to Aboriginal heritage is:

*'B6. Future Development Applications involving excavation shall include a detailed Aboriginal and historical archaeological assessment which includes an assessment of the urban archaeological site, impact assessment, proposed mitigation measures and proposed preservation processes. This shall be undertaken in close consultation with the local Aboriginal community group'*¹⁹

As this development is SSD, the requirement of the NPW Act for a Section 90 AHIP to be sought prior to any impact to Aboriginal sites or objects, legally does not apply. However, Aboriginal objects, sites and places are still afforded statutory protection under the NPW Act, and are required to be adequately addressed in accordance with current standards and guidelines.

Therefore, the Aboriginal heritage section of this report seeks to holistically assess the potential and likelihood for Aboriginal objects to be located within the study area, their significance should they be present, and provide recommendations for pragmatic, low risk, preliminary management strategies regarding Aboriginal cultural heritage at the study area through the course of this initial DA, and ongoing for future development stages. In addition, as required by the condition of consent, the Aboriginal archaeological assessment and development of Aboriginal archaeological recommendations have been developed in close consultation with the Registered Aboriginal Parties (RAP) who are registered as part of the Aboriginal Community Consultation process for the site.

¹⁹ SSD 6571, p 5 Issued 24 August 2015

4.0 Aboriginal Archaeology

4.1. Background

Urbis prepared an Archaeological Assessment report, including an assessment of potential Aboriginal archaeology for the study area in November 2014²⁰. The Urbis report concluded that:

“It has previously been acknowledged that the survival of Aboriginal archaeological evidence within the Sydney CBD is extremely rare (Thorp 1995: 2). If identified, Aboriginal archaeological remains within the subject site would be considered to provide a rare and highly valuable contribution to the archaeological record.”²¹

“It has been assessed that there is a low degree of archaeological potential for Aboriginal archaeological deposits to be present on site. If present, any potential archaeological deposits are likely to be highly disturbed. Irrespective of this, any Aboriginal archaeological material, if identified, must be recorded, reported to the Office of Environment and Heritage (OEH) and registered on the AHIMS.

As mentioned above, Aboriginal archaeological deposits are relatively rare within inner Sydney and the Sydney CBD specifically. If identified, Aboriginal archaeological remains within the subject site would be considered to provide a rare and highly valuable contribution to the archaeological record.”²²

“Although AHIMS site #45-6-2299 is registered as being located to the south of Farrer Place, it has previously been noted that the site details suggest that the recording refers to the entirety of the first Government House site (including the grounds); the actual location of this site is therefore likely to be located to the immediate east of the subject site. Any future Aboriginal archaeological assessments should be cognisant of this, and of the sensitivity of the site of first Government House as potentially containing Aboriginal burials.

Based on the results of the Assessment, an Aboriginal Heritage Impact Permit (AHIP) may be required prior to impacts, unless the proposed development is approved as a State Significant Development (SSD).”²³

In summary, the Urbis report concluded that Aboriginal archaeology within the study area would:

1. have a low degree of potential to be present intact;
2. if present, have a high degree of rarity and scientific significance, with the ability to contribute in a meaningful way to the Aboriginal archaeological record and our understanding of use of the landscape of the Sydney CBD by Aboriginal people;
3. require the preparation of an Aboriginal archaeological assessment specific to proposed site works (i.e. subsequent DA applications); and
4. possibly require an AHIP prior to ground impacts.

This current report prepared by Curio Projects reassesses the environmental context, Aboriginal archaeological context and archaeological potential of the study area, in light of current development plans, DA, and in the context of the determination of this project as a SSD since the 2014 report.

²⁰ Urbis 2014, *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.* (Report to Government Property NSW.

²¹ Urbis 2014, 47

²² Urbis 2014, 48

²³ Urbis 2014, 49

As noted in the statutory context above, the status of this project as an SSD means that it is legally exempt from the requirement to seek an AHIP from the OEH.

This assessment of Aboriginal archaeological potential has been undertaken in accordance with the OEH (formerly DECCW) Due Diligence Code of Practice in order to ensure the quality of assessment through adoption of current best practice heritage guidelines.

4.2. Archaeological and Environmental Context

This section summarises the environmental and archaeological background and context for the study area, including previous work undertaken in proximity to the site. This summary serves to place the study area and proposed development into an appropriate regional context, as well as provide a current archaeological predictive model for the region. This will assist to determine the nature and significance of any potential Aboriginal archaeology that may be present, as well as assist in the development of appropriate management mechanisms.

Through this desktop assessment, a general understanding of the likely archaeology present at the site can be formed, and appropriate measures developed, prior to any non-reversible impact to the site and Aboriginal archaeology and cultural values.

4.3. Environmental Context

4.3.1. Geology and Soils

The study area is located on the GyMEA soil landscape profile, underlain by Hawkesbury Sandstone (Medium to coarse grained quartz sandstone, very minor shale and laminate lenses). The GyMEA soil profile is considered to be an erosional landscape, characterised by undulating to rolling rises and low hills with broad convex crests, moderately inclined side slopes with wide benches, and localized rock outcrop. Soils are generally shallow to moderately deep (30-100cm) on crests and insides of benches, shallow (<20cm) on leading edges of benches, and moderately deep (<100cm) on drainage lines²⁴.

Soils of the GyMEA profile are generally comprised of loose, coarse sandy loam to yellowish-brown clayey sand, sandy clay loam, and clay. Small sandstone and ironstone fragments, and charcoal fragments are common in the sandy loam topsoil. The soils native to the study area are also generally characterised by high levels of erosion, tend to be highly permeable, and with low fertility.

The study area is located right on the edge of the reclaimed land/fill of the original head of Sydney Cove/Circular Quay, which consists of man-made fill (dredged estuarine sand and mud, demolition rubble, industrial and household waste) overlying silty to peaty quartz sand, silt and clay with ferruginous & humic cementation in places and common shell layers.

While site specific geotechnical data is not currently available for the study area, incomplete soil profile information is available for Macquarie Place (i.e. from ground level to 1m depth, but incomplete data further than that), immediately north of the Lands Building, on the northern side of Bridge Street, Sydney. This incomplete soil profile report demonstrated a layer of fill from 0-59cm, overlying a layer of clayey sand (59-80cm), overlying a sandy clay with up to 80% ironstone gravel inclusions (80-100cm)²⁵.

²⁴ Chapman, G.A., and Murphy, C.L, 1989, *Soil Landscapes of the Sydney 1:100 000 Sheet*. Soil Conservation Service of NSW., Sydney.

²⁵ NSW Soil and Land Information System, Macquarie Place, Soil Profile 57 (Profile Taken: September 24, 1989), Available from <<http://www.environment.nsw.gov.au/eSpadeWebapp/>>

4.3.2. Hydrology

The initial European settlement of Sydney in 1788 was chosen, among various reasons, to be located at Sydney Cove due to the presence of a stream of fresh water that is known as the Tank Stream. The Tank Stream was formed from seepage springs in underlying sandstone, in a swampy area near to what is now Hyde Park, flowing north, between what is now George and Pitt Streets, and emptying into Sydney Cove.

In addition, the natural head of Sydney Cove was originally located in the vicinity of the intersection of George Street, Bridge Street and Pitt Street, however a massive public works program in the 1840s and 1850s (i.e. the development of Circular Quay), included land reclamation which saw the shape of the cove and the harbour altered to generally the location and shape it is today (Figure 6).

While the Tank Stream was Sydney's predominate source of fresh water until the early 1800s, it was quickly fouled through cumulative effects of the settlement including rubbish dumping, washing, and animal slaughter, and was eventually replaced by other water sources.

While the hydrology of the CBD of Sydney is vastly different today than that of 1788, the original formation of Sydney Cove prior to reclamation and the development of Circular Quay, as well as the presence of the Tank Stream as a fresh water source, would have meant that fresh and salt water sources (and the rich flora and faunal resources they would have sustained) were both located in close proximity to the current study area, and would have provided a rich resource zone for Aboriginal people to utilise prior to, and immediately after, European settlement.

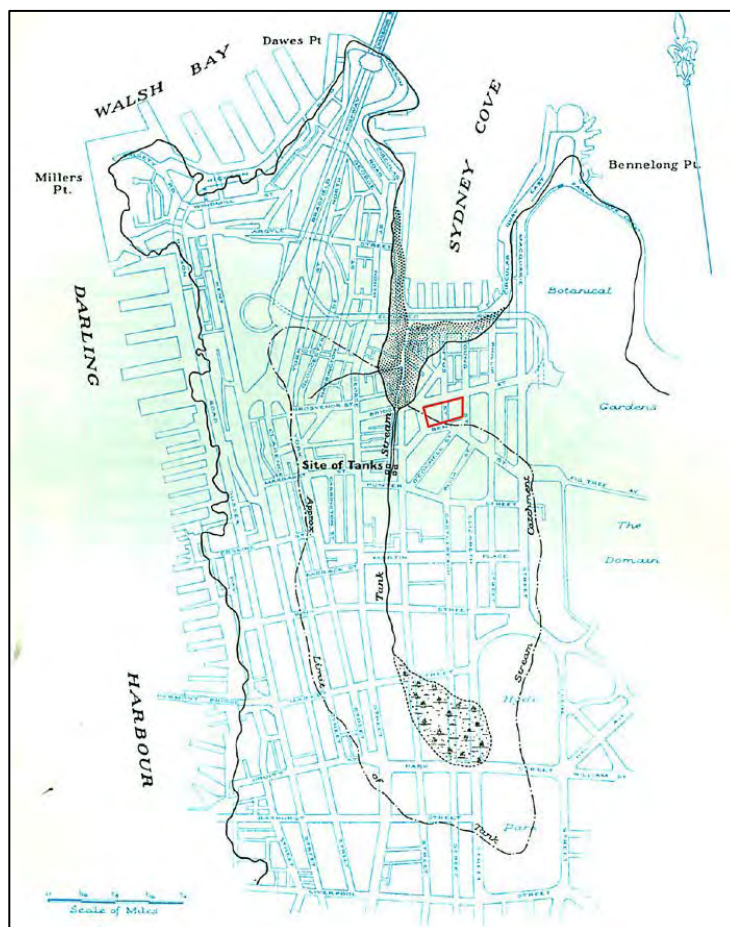


Figure 6: Plan of Original location of Sydney Cove and Tank Stream superimposed on a current map of Sydney. Current study area is outlined in red. (Sourced from City of Sydney, <http://history.cityofsydney.nsw.gov.au/waterexhibition/images/zoom/tank1.jpg.html>. Accessed 22 January 2016.)

4.3.3. Landscape and Landforms

The natural landscape of the Sydney CBD has obviously been vastly altered from what it would have been pre-1788. The study area would have originally been located on a relatively flat, wide bench that sloped gradually to the north (towards Sydney Cove), and slightly towards the Tank Stream to the west.

The landform to the west of the study area would have sloped down towards and created part of the Tank Stream estuary, and slightly further north, the intertidal zone between the estuary and Sydney Cove. The northern slope of the land is still evident today in the surveyed levels and physical appearance of the Lands and Education buildings currently present within the study area.

4.3.4. Flora and Fauna

Prior to European settlement and subsequent land clearing, the vegetation of the study area and surrounds would have generally comprised of dry sclerophyll open woodland and forest across ridges and upper slopes. Common varieties would have included Red Bloodwood, Scribbly Gum, Brown Stringybark and Old Man Banksia. The understory would have consisted of a variety of native shrubs.

The fauna of Sydney at and prior to 1788 would have consisted of species such as kangaroo, wallaby, wombat, echidna, flying fox, emus, quolls, various native rats and mice, snakes and lizards²⁶. Marine faunal resources would have also been easily accessed from the study area, both from the fresh water and estuarine environment of the Tank Stream, as well as from nearby Sydney Cove.

4.3.5. Modern Land Disturbance

This summary is provided in order to establish the affect previous land use may have had on the preservation or destruction of potential Aboriginal archaeological remains at this location.

The physical development of the subject site, since 1788, can be characterised by three main phases of use and development:

- **Early Occupation (1788-1810).** The study area is located immediately west of the site of the First Government House, construction of which commenced just months after arrival of Governor Phillip and the First Fleet into Sydney Cove. In 1792, a row of permanent residences for the Colony's civil officers were established across the study area, including the Commissary, Judge-Advocate, Surveyor-General, and Chaplain.
- **Macquarie-era buildings and road/sewer development (1810-1876).** Regularisation of roads in the area, development of Macquarie Place (immediately north of the study area), demolition of civil officer's residences at the study area, and construction of the Colonial-Secretary's residence, Judge-Advocate's residence, and the Surveyor General's residence within the study area (later to be used as general government offices).

Construction of a new guard house immediately to the east of the study area (below current Young St). Construction of new Government House to the immediate east of the study area (c. 1845), demolition of the Judge-Advocate's house for construction of Loftus Street (c. 1850). Construction of the Bennelong Storm Water Channel No. 29 around 1856, a section of which runs north-south underneath the surface of Loftus Street.

- **Lands and Education Buildings (1876-1893 and 1912-1930).** Excavation for the first stage of the Lands Building commenced in 1876, only on the northern side of the block, second stage required the demolition of the Surveyor-General's Office commencing in 1888. Lands

²⁶ Tench W. 1789, *A Narrative of the Expedition to Botany Bay*, pp13–84. In Flannery, T (ed.) 2012, *Watkin Tench: 1788*, The Text Publishing Company, Melbourne

building mainly completed by 1893. Education building constructed in two stages, northern stage completed by 1915, demolition of Colonial-Secretary's Office undertaken in 1916 to make way for the second stage of the Education building, completed by 1930.

These main phases of construction at the site would definitely have removed and disturbed the natural soil profiles, although the extent to which is unclear, and therefore the opportunity for intact natural soil profiles, or natural soil profiles in a disturbed context in conjunction with Aboriginal archaeological deposits or stone artefacts, is possible within certain parts of the study area.

In addition, the Lands Building may not have been subject to the same level of disturbance as that of the Education Building, as the excavation for the construction of the Lands building may not have been extensive²⁷, as it is located down slope of the Education building.

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.

4.3.6. Summary of Environmental Context for Aboriginal Occupation

The study area would have provided a rich resource zone to Aboriginal people, with proximity to fresh water of the Tank Stream and its estuary, as well as Sydney Cove, and the associated floral and faunal resources sustained by these environments and the sandy soils. The landscape positioning and vantage point over Sydney Cove would have been impressive and intensely utilised by Aboriginal people. Selection of the location of the study area and surrounds by Governor Phillip as the initial seat of government and colonial management in 1788, provides further evidence to the landscape of the study area as a convenient, resourceful and desirable location for human occupation.

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 historic archaeology at the site due to post-1788 contact between the local Aboriginal people and the colonists.

GyMEA soils are generally shallow (20-100cm), dependent on the landform on which they are located, and due to their sandy nature, are susceptible to sheet erosion when disturbed. This propensity for erosion and disturbance of soils within the study area indicate a low to moderate likelihood for natural soil profiles to be intact. However, a small possibility does still exist for natural soils (in which Aboriginal objects may have been deposited) to be intact, or disturbed but still present, at the study area location.

The current building alignment (i.e. the levels of the Lands and Education Buildings) generally corresponds with the natural slope of the landform on which the study area is located. It is possible that this may indicate a lower level of ground modification and ground disturbance has taken place through the construction of the Lands and Education buildings and previous Macquarie-era buildings at the study area, and may suggest the possibility that natural soil profiles may be present in isolated locations at the study area.

²⁷ Urbis 2014: 29

4.4. Aboriginal Archaeological Context

4.4.1. AHIMS Search

The OEH guidelines for Aboriginal cultural heritage management require a current extensive search of the Aboriginal Heritage Information Management System (AHIMS) database, managed by OEH (i.e. current within the last 12 months). A current search also serves to ensure recently registered sites are captured within the current assessment. The AHIMS search was undertaken on 22nd January 2016, and returned 25 results within approximately 2km of the study area. The extensive AHIMS search is attached as an Appendix to this report. No registered sites were located within the current study area.

AHIMS search results always require a certain amount of scrutiny in order to acknowledge and accommodate for things such as inconsistencies in the coordinates (differing datums between years of recording), the existence of and impact to registered sites (impact to a registered site technically requires the submission of a Heritage Impact Recording form to be submitted to the OEH, however these forms are not always submitted), and other database related difficulties. It should also be noted that AHIMS database is a record of archaeological work that has been undertaken, and registered with OEH in the region. The AHIMS database is therefore a reflection of archaeological work, the need for which has likely been predominantly triggered by development, and not a representation of the actual archaeological potential of the search area. AHIMS searches should be used as a starting place for further research and not as a definitive, final set of data.

Therefore, the above AHIMS search result has been synthesized as best possible within the scope of this current report to determine the most likely nature and location of previously registered sites in proximity to the current study area.

Summary descriptions of Aboriginal site features as identified by OEH, and as relevant to this report are presented in Table 1.

Table 1: Aboriginal Site Features referred to in this report.

Site Feature	Description/Definition by OEH
Aboriginal Ceremony and Dreaming	These types of sites are usually identified by the local Aboriginal community as locations of cultural significance, and they may not necessarily contain material evidence of Aboriginal associations with the place.
Aboriginal Burial (Aboriginal Ceremony and Dreaming Site)	A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside designated cemeteries and may not be marked, e.g. in caves, marked by stone cairns, in sand areas, along creek banks etc. Soft, sandy soils along creek and river beds, and beaches were favoured for burials, as they allowed for easier movement of soil, however burials may also often have occurred in rock shelters and shell middens.
Art Site	Art is located in shelters, overhangs and across rock formations. Techniques include painting, drawing, scratching, carving, engraving, pitting, conjoining, abrading and the use of a range of binding agents and the use of natural pigments obtained from clays, charcoal and plants.
Artefact Site (Open Camp Sites/artefact scatters/isolated finds)	Artefact sites consist of objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating physical evidence of use of the area by Aboriginal people.

Site Feature	Description/Definition by OEH
	Registered artefact sites can range from isolated finds, to large extensive open camp sites and artefact scatters. Artefacts can be located either on the ground surface or in a subsurface archaeological context.
Potential Archaeological Deposit (PAD)	An area where Aboriginal cultural material such as stone artefacts, hearths, middens etc, may be present in a subsurface capacity. Evidence for Aboriginal cultural material may not be present on the ground surface, but still may be present at a location.
Shell Midden	A shell midden site is an accumulation or deposit of shellfish resulting from Aboriginal gathering and consumption of shellfish from marine, estuarine or freshwater environments. A shell midden site may be found in association with other objects like stone tools, faunal remains such as fish or mammal bones, charcoal, fireplaces/hearth, and occasionally burials. Shell midden sites are often located on elevated, dry ground close to the environment from which the shellfish were foraged, and where fresh water resources are available. Shell middens may vary greatly in size and components.

The 25 results from the current AHIMS search included six different site types, some in combination with each other. These sites are summarised in Table 2.

Table 2: AHIMS Sites

Site Type	Number of Sites	Percentage of Sites (%)
Aboriginal Burial (Aboriginal Ceremony and Dreaming)	1	4%
Art (Pigment or Engraved)	3	12%
Artefact	4	16%
Artefact and Shell Midden	4	16%
Artefact, Shell Midden and Aboriginal Ceremony and Dreaming	1	4%
Artefact and Potential Archaeological Deposit (PAD)	1	4%
Potential Archaeological Deposit (PAD)	10	40%
Shell Midden	1	4%
TOTAL	25	100%

The general location of each of these registered sites in proximity to the study area is depicted in Figure 7. The most common site type registered in the area are 'PAD' sites, followed by 'Artefact' sites, and 'Artefact in combination with Shell Midden' sites.

Of the 25 registered sites, three have been updated with AHIMS as 'Site Status: Destroyed', and two have been updated as 'Site Status: Not a Site' (i.e. #45-6-3081, 200 George Street, and #45-6-3152, 168-190 Day Street, Sydney).

As detailed in the section below, 200 George Street (#45-6-3081) was originally registered with AHIMS as a Potential Archaeological Deposit (PAD), however archaeological excavation in 2013 did not recover an Aboriginal deposit, and therefore the reflected change in site status. Considering that 168-190 Day Street, Sydney (#45-6-3152), was also originally registered as a PAD site, it can be assumed that the change in status of this site was also due to further archaeological investigation that ascertained that there was in fact no Aboriginal archaeological deposit in this location.

It is possible that other site results from this AHIMS search have already been subject to harm or have been destroyed under AHIPs or through authorized site works, and have not been updated in AHIMS. However, as none of these sites are located within the current study area, this is not of a direct concern for this project, and the location of all sites, regardless of their current status, will inform the Aboriginal archaeological potential assessment for the current study area.

4.4.2. Assessment of AHIMS Search

The general distribution of sites from the AHIMS search around the study area is visible in Figure 7. While this is simply a representation of the archaeological work that has been undertaken across the Sydney CBD, it also appears visually to be relatively evenly dispersed across the general Sydney CBD area. This is therefore also suggestive of the actual nature of the distribution of Aboriginal archaeological sites in the area, that is to say, Aboriginal archaeological sites may exist across the entire CBD area, wherever conditions allow them to survive (i.e. incomplete levels of ground disturbance, along the edge of the original sandstone outcrops and geology, along water sources, and where natural soil profiles are still present).

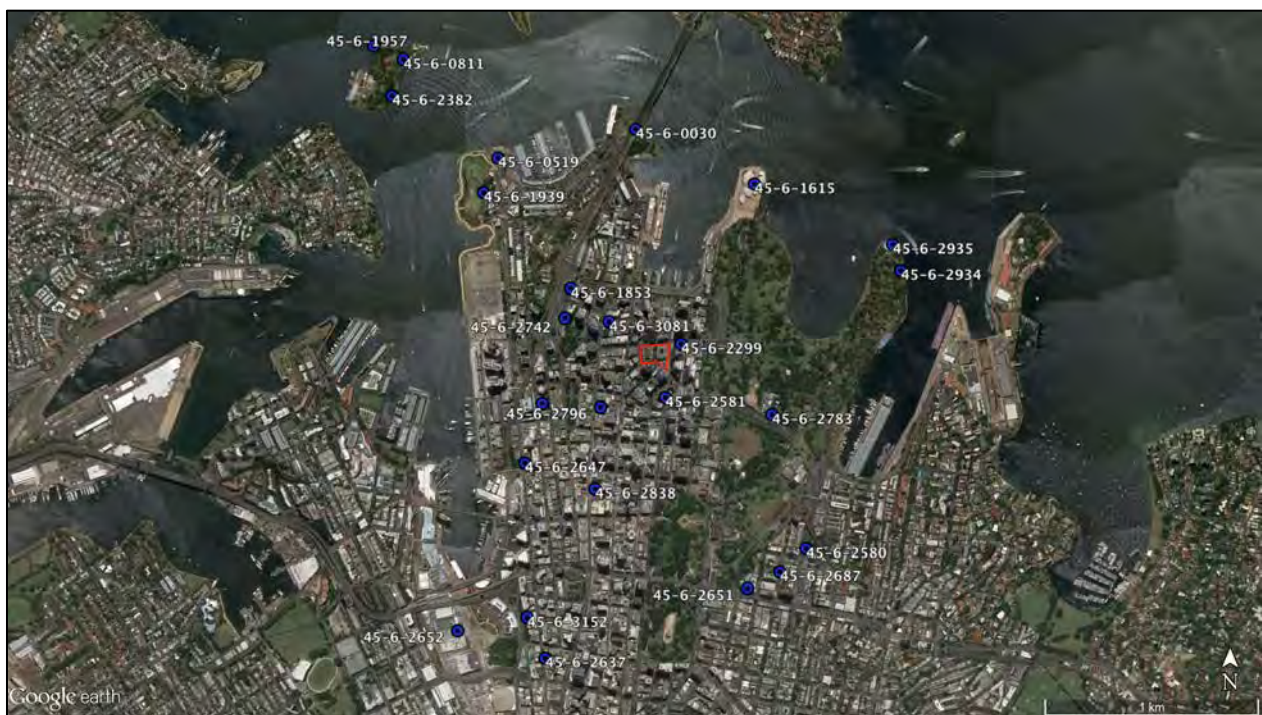


Figure 7: AHIMS Sites. Current study area is shown in red. (Source: GoogleEarth Pro with Curio additions 2016)

4.4.3. Relevant Local Aboriginal Archaeological Work

Review of relevant previous archaeological work is a highly informative and necessary step in identifying the likely nature of the potential archaeology at a site. The investigation of previous work undertaken in the region, on similar sites, and on similar landscape or landforms, can inform

our understanding of a site by providing a proxy against which a newly investigated site can be measured (albeit with caution). That is to say, understanding the archaeological record at a general location can provide us with an indication of the nature and level of potential of archaeology that may be present at a site, prior to any subsurface investigation. As archaeology is by its very nature, a destructive discipline, it is important to acquire as much information and understanding of a site as possible prior to undertaking fieldwork (as once evidence has been excavated, its context is effectively destroyed), and also to avoid any unnecessary fieldwork at a site.

The position of the current study area, within the highly developed Sydney CBD, necessitates a slightly different approach to archaeological investigation than would be possible at a green field site (i.e. at a location that had not had years of intensive development at and around the site). The brief and truncated literature review, presented below, of relevant archaeological excavations within the Sydney CBD, as well as similar sites within the wider Sydney region, provide suggestions of the nature of archaeology that may be present within the study area, the potential significance this archaeology may possess, and different methodological approaches that may be undertaken in order to best investigate the archaeology in the most practical and pragmatic way.

The location of the sites described below, in reference to the location of the current study area, is presented in Figure 8.

First Government House (Museum of Sydney)

The site of Sydney's first government house is located immediately to the east of the current study area, the foundations for which, were laid within months of the arrival of Governor Phillip and the First Fleet to Sydney Cove in 1788. This site is of extreme significance in the history of Sydney and Australia, not just as the first seat of colonial government, but also as an important place of early contact between the local Aboriginal people and the colonists. Government house was eventually relocated to a newly build purposed building in 1845 (the current location of Government House, alongside the Royal Botanic Gardens), and the original government house was demolished.²⁸ Unmarked Aboriginal burials were reported to be located at the First Government House site (AHIMS #45-5-2299).

The site is now occupied by the Museum of Sydney, after it was excavated extensively in 1983 as part of the redevelopment of the area. No Aboriginal burials were located as a result of this excavation, however physical evidence for the use of the area by Aboriginal people was encountered at the site in the form of contact period Aboriginal artefacts that appeared to have been manufactured from dark green bottle glass.

Sydney Conservatorium of Music

The current site of the Sydney Conservatorium of Music is located on the site of the former stables for first government house. Historical excavation of the former stables was undertaken in 1998, during which, some Aboriginal stone artefacts were uncovered. While the archaeologists concluded that it was likely that the Aboriginal stone artefacts had in fact been relocated to the site through the movement of soil and 'fill' material during the early colonial period, the presence of the artefacts was still significant. The relocated soil material (within which the artefacts would likely have originally been deposited) would likely have been sourced by the colonists from a site close to the former stables site. Therefore, while the actual artefacts did not provide specific information

²⁸ H Proudfoot, A Bickford, B Egloff and R Stocks, 1991. *Australia's First Government House* (North Sydney; Allen & Unwin)

about Aboriginal use of the site, it provided physical evidence for the ubiquitous use of the surrounding landscape by Aboriginal people.²⁹

Darling Quarter (Comber 2008–2009)

Comber Consultants undertook a series of Aboriginal archaeological excavations in 2008 and 2009 for the redevelopment of Darling Quarter (formerly Darling Walk), Darling Harbour (in collaboration with Casey & Lowe who undertook the historical archaeological work for the project). The post excavation report for this work was prepared in 2012³⁰.

The site was located along the original foreshore of Cockle Bay (Darling Harbour). Aboriginal test excavation identified the remains of a shell midden, including Aboriginal stone artefacts on an exposed area of bedrock (Area 5 of the excavation) in close proximity to the original shoreline. This area was expanded into an open area salvage excavation across the remainder of the sandstone outcrop in the south-east of the excavation area and recovered ten Aboriginal stone artefacts in association with the midden. It was determined that Aboriginal people would have used this location on the sandstone outcrop to cook and eat the shellfish that had been gathered from the surrounding environment.

Of the ten stone artefacts recovered, all but two of them were manufactured from chert. There is no known local source of this rock type, and therefore the report suggests that the presence of this raw material type may have been the result of trading between the local Aboriginal people of the Cockle Bay area, and Aboriginal people that lived in the west, near Plumpton Ridge, a known source of chert for Western Sydney. It is also possible that other more local sources of chert were present around the Sydney CBD area prior to 1788 that currently remain unknown to archaeologists.

200 George Street, Sydney (GML 2014)

The 200 George Street site was identified as having a high potential for historical archaeological relics and a low to moderate potential for Aboriginal objects to be present, mainly due to its location on the banks of an intertidal zone of the Tank Stream. This potential would be impacted by the proposed redevelopment of the site. The Aboriginal PAD site was registered with AHIMS (#45-5-3081), and therefore required an AHIP to impact. However, due to the nature of the site in an urban, developed environment, as well as the potential presence of Aboriginal artefacts in conjunction with the historical archaeology, usual methods of Aboriginal archaeological test excavation in accordance with the OEH Code of Practice could not be undertaken for this site. Therefore, the proposed excavation methodology involved the commencement of Aboriginal archaeological test excavation at the site, if and when natural soil profiles were uncovered through the course of the historical excavation.

While the excavation of the site identified a few areas of remnant natural soil profiles across the site, no Aboriginal objects were recovered from the excavation of these soils. Geomorphological investigation of the site determined that the stepped sandstone and highly organic estuarine environment would likely have been unsuitable for Aboriginal people, or not suitable for the preservation of archaeological signature relating to possible Aboriginal activity³¹.

²⁹ Attenbrow, V. 2012 *Sydney's Aboriginal Past. Investigating the Archaeological and Historical Records* (Sydney, UNSW Press)

³⁰ Comber Consultants 2012, *Darling Quarter (formerly Darling Walk), Darling Harbour. Aboriginal Archaeological Excavation Report*. Prepared for Casey & Lowe on behalf of Lend Lease.

³¹ GML Heritage 2014, *200 George Street Post Excavation Report, Volume 2*. Prepared for Mirvac.

Macquarie Street, Parramatta (GML 2015)

In 2015, GML Heritage undertook a two-staged Aboriginal archaeological excavation of an urban development site in the Parramatta CBD³². While located in a different location and soil profiles from the current study area, this project provides an example of the nature of remaining Aboriginal archaeological sites in highly developed urban locations, and methodologies for managing Aboriginal cultural heritage and archaeology.

The excavation was undertaken in a similar style to that at 200 George Street, in that the site had been previously registered with AHIMS, and therefore required an AHIP, and that the potential Aboriginal archaeological deposits were located along with historical archaeological deposits that also required investigation.

Prior to investigation, the site was considered to be of low potential to contain contact period Aboriginal archaeological deposits. Should these potential deposits be discovered, they were assessed, prior to the excavation, to have significance for their ability to provide a greater understanding of the relationships between the Aboriginal people of the area and early colonists. The two staged Aboriginal archaeological excavation yielded a total of low density scatter of 122 Aboriginal stone artefacts across the site, both in association with early historical archaeological deposits, and within truncated natural soil profiles remnant across the site³³.

Wynyard Walk (GML 2014-in preparation)

GML Heritage undertook Aboriginal archaeological excavation of the Wynyard Walk, West Portal site in 2014. The potential Aboriginal archaeological deposit located at Wynyard Walk was assessed to be of moderate to high scientific significance primarily for its educative and research potential values. While disturbance at the site was considered likely, previous excavations in close proximity to the site such as the neighbouring KENS site, had illustrated that soil profiles capable of bearing archaeological deposits could be preserved in the area³⁴.

As for 200 George Street and Macquarie Street Parramatta, the Aboriginal archaeological excavation of this site required a two-staged approach due to the nature of the site below previous development and in association with the historical archaeology at the site.

The post excavation report is still in preparation, however Aboriginal stone artefacts were indeed recovered in association with the historical archaeology present at the site, as well as within surviving natural soil profiles.

4.5. Summary of Archaeological Context

While the extent of development across the Sydney CBD has been great since 1788, evidence for surviving Aboriginal archaeological sites, a snapshot of which is provided above, demonstrates that many sites still survive within the vicinity of the study area. As investigation of sites within the CBD is triggered only by extensive development, it is clear that the possibility remains for many Aboriginal archaeological deposits to remain partially or wholly intact beneath the skyscrapers and historical buildings of Sydney.

The extent to which these sites survive clearly varies (i.e. 200 George Street no longer demonstrated an Aboriginal archaeological signature, while Wynyard Walk and Darling Quarter both retained evidence to contribute to the archaeological record), however these sites are still significant for

³² GML Heritage 2015, 143 and 169 *Macquarie Street, Parramatta. Aboriginal Archaeological Two-Staged Salvage Post Excavation Report*. Prepared for Leighton Properties.

³³ GML Heritage 2015, 143 and 169 *Macquarie Street, Parramatta. Aboriginal Archaeological Two-Staged Salvage Post Excavation Report*. Prepared for Leighton Properties.

³⁴ GML Heritage 2013, *Wynyard Walk Western Portal—Aboriginal Archaeological Technical Report*. Prepared for Thiess, 36

their ability to add to our understanding of Aboriginal use of the Sydney landscape, as well as often providing a tangible link through the artefactual record to assist local Aboriginal people of Sydney to connect to their culture and past.

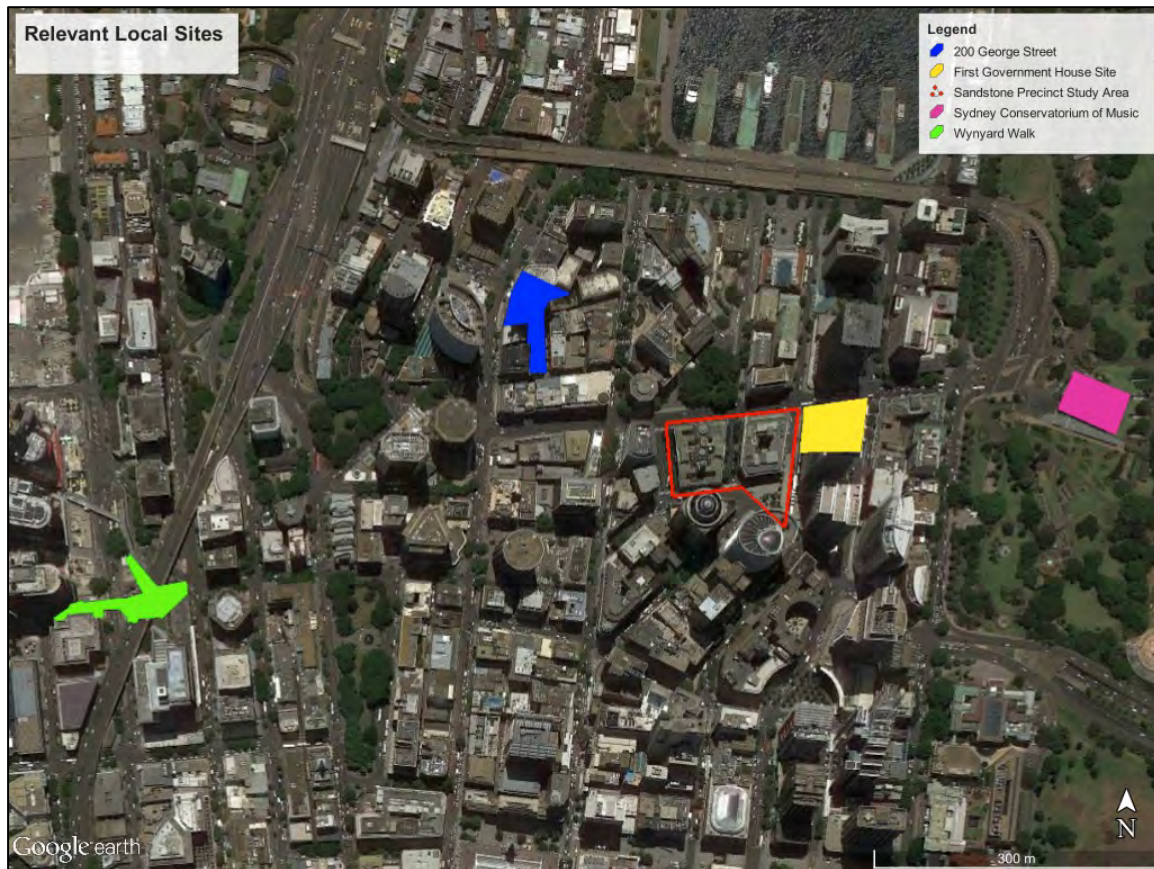


Figure 8: Relevant Local Archaeological Work. Current study area outlined in red. Note that Darling Quarter (not pictured) is located approximately 1.3km to the south west of the current study area, and Macquarie Street (not pictured) is in Parramatta. (Source: GoogleEarthPro with Curio Project additions 2016).

4.6. Aboriginal Archaeological Predictive Model

Assessment of the environmental and archaeological context of the study area has determined the Aboriginal site types that have potential to be present within the study area are:

- artefact sites;
- Potential Archaeological Deposits (PADs); and
- shell middens.

It should be noted that the potential for Aboriginal burials have been identified at the First Government House site (now the Museum of Sydney site), which is located immediately to the east of the study area. While no Aboriginal burials were uncovered through archaeological excavations at the First Government House site in the 1980's, and are considered to be highly unlikely within the current study area, the potential for burials as noted through ethnographical records should still be recognised during any development adjacent to this area. No geographical features (such as rock shelters, overhangs and exposed bedrock) are present within the study area to consider that site types such as art sites would be present within the study area.

Aboriginal archaeological deposits have the potential to be present either within remnant pockets of natural soil profiles, or in a disturbed context within layers of historical archaeology. Previous development works that have involved excavation or piling to bedrock would have removed all potential for Aboriginal archaeological deposits to be present in those locations, however in all

other locations where excavation to bedrock has not occurred Aboriginal archaeological potential still exists, albeit at varying degrees depending on activities undertaken.

4.7. Aboriginal Archaeological Potential and Significance

The following assessment of Aboriginal archaeological potential within the study area is based on a combination of the environmental assessment, including original landform, possible levels of disturbance across the site, and original resource zones that would have been favourable to, or sustained local Aboriginal populations of the area prior to European settlement, as well as previous archaeological research in the vicinity to the study area, or on comparable sites within Sydney.

Consideration of these above factors determines the likelihood for Aboriginal archaeology, artefacts or physical objects to remain at the study area in a subsurface capacity.

The significance of any potential Aboriginal archaeology, should it exist within the study area, has then been considered in order to assist a determination of the most appropriate management mitigations techniques and methods that should be applied to this project and this specific study area.

While there has evidently been a high degree of historical use of the study area, being consistently a pivotal point of government of colonial Sydney from 1788 until modern times, historical plans are often inaccurate and should not be considered as definitive within the study area. In addition, no geotechnical information is available for the site but the general observance of the site topography strongly suggests that there is little opportunity for natural soil profiles to survive intact, other than in small, discrete pockets across the site. Therefore, this desktop study is limited in its ability to definitively confirm whether there has been a total subsurface disturbance and/or removal of Aboriginal archaeological deposits, or complete disturbance or full removal of natural soil profiles (those that would contain Aboriginal archaeological deposits, if present). Rather, the potential has been based on predictive modelling specific to the site, and its environmental surrounds.

In addition, archaeological excavation undertaken as a result of the installation of Young Street (of the former guardhouse), to the immediate east of the study area, has demonstrated that historical features as well as Aboriginal stone objects have been retained in this location (to varying degrees of intactness or in situ)³⁵. Footings and structural evidence of the former guardhouse were encountered at differing levels of preservation and depth across the site, demonstrating the varying levels of potential for archaeological evidence (both Aboriginal and historical) to be present even across a relatively small area with moderate to high levels of historical development.

Whilst it is of a low likelihood that intact, in situ, Aboriginal archaeological deposits remain across the study area, if present, these deposits would be of high significance, and of high cultural and social value for the local Aboriginal community.

The assessment of local and regional Aboriginal archaeology has demonstrated that Aboriginal people would have intensely used this area of Sydney cove prior to European settlement, as well during the post contact period (1788-early 1800s).

Potential Aboriginal archaeology that may be present within the study area could include, but not be limited to varying concentrations of Aboriginal stone artefacts and knapping floors, and shell middens. While unlikely to be within the study area, and not uncovered through previous archaeological investigations, the ethnohistorical reports of Aboriginal burials located at the site of the First Government House (east of the current study area), should be noted.

³⁵ Crook, P. and Murray, T., 2006, *The Historical Archaeological of the First Government House Site, Sydney. Further Research, in Volume 11 of the Archaeological of the Modern City Series*. A Historic Houses Trust Publication: 56

Should Aboriginal objects be present within the study area, any ground disturbing works outside of the existing physical footings etc of the Lands and Education buildings that extend to bedrock, or have previously removed all natural soil profiles, may present a risk to any (as yet unregistered) Aboriginal sites that may be located within the study area.

Therefore, based on this desktop assessment, the potential for the presence of Aboriginal archaeological evidence within the study area is considered as follows:

- there is *low potential* for intact Aboriginal archaeological deposits at the study area;
- there is *low to moderate potential* for Aboriginal objects and archaeological deposits to be present at the study area in a disturbed context, where previous development has not completely removed soils;
- should intact Aboriginal archaeological deposits be present at the study area, these would be of *high significance*, for their research potential, rarity, and potential significance to the Aboriginal community; and
- should Aboriginal objects be present within the study area in a disturbed context, these objects would be of *moderate to high significance*, for their research potential, rarity, and potential significance to the Aboriginal community.

5.0 Brief Historical Overview

The brief historical overview of the occupation of the subject site has been drawn from the detailed history contained in Section 4.0 of the archaeological assessment 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*. In addition, the historical information contained in the draft CMPs for the Lands Building³⁶ and the Education Building³⁷ was also reviewed and utilised for this assessment.

The physical development of the study area, since 1788, is characterised by three main phases of use and development, as summarised below:

5.1. Establishment of the Colony (1788–1810)

The subject site is located immediately west of the site of the first permanent Government House, construction of which commenced just months after arrival of Governor Phillip and the First Fleet into Sydney Cove. On 29 January 1788, the portable house of Governor Arthur Phillip was erected just to the east of the subject site, with the first Government House (first permanent building to be erected in the colony) completed in the same location by 1789. It remained in use as the colony's Government House until 1845.

In 1792, a row of permanent residences and gardens for the Colony's civil officers were established across the subject site, including the Commissary, Judge-Advocate, Surveyor-General, and Chaplain (Figure 9). The present configuration of Bridge Street, Bligh Street, O'Connell Street and Bent Street were already established by the early 1800s (and subsequently renamed to their current street names in 1810 by Governor Macquarie).

For at least the first 40 years of settlement, the colony of New South Wales was administered from this site and its surrounding area early - as a natural response to the location of the administrative buildings.³⁸

Farrer Place is believed to have been the site of a natural spring which is thought to have been channeled into a stone 'fountain' built by Isaac Peyton in 1812. The 'fountain' was located to the rear of the Colonial Secretary's Building on a plan of Sydney dated 1822 (Figure 10).³⁹

³⁶ Government Architect's Office, 2014

³⁷ City Plan Heritage, 2014

³⁸ Urbis p14-15:2014.

³⁹ City Plan Heritage, p177:2014

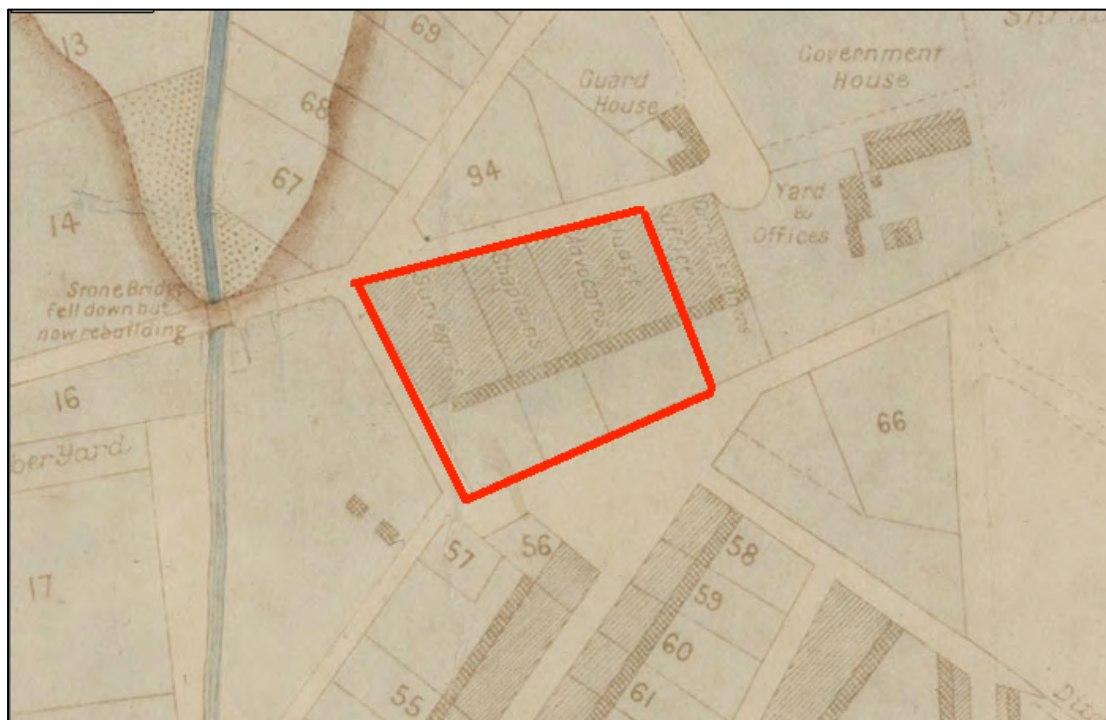


Figure 9: Meehan, Jas. 1807, *Plan of the town of Sydney in New South Wales*. Study area indicated in red.
(Source: State Library of NSW, Call No. Z/Cc 89/7).



Figure 10: Plan of the town and suburbs of Sydney, August 1822. Study area indicated in red.
Key: 26= 'Government House and Domain', 31= 'Residence of Judge of Supreme Court', 32= 'Residence of Judge Associate', 33= 'Colonial Secretary's Office', 66= 'Fountains'. (Source: State Library of NSW. Call No. Z/M2 811.17/1822/1.)

5.2. Macquarie-era buildings and road/sewer development (1810-1876)

Governor Macquarie in the early 1800s undertook a major public works program within the subject site and surrounding area – in order to improve the appearance and prominence of the first Government House site, provide some regularisation of roads in the area and to create a number of open public spaces. This led to the development of Macquarie Place (immediately opposite and to the north of the subject site) and the gradual demolition of the civil officer's residences within the subject site and their replacement with more significant administrative offices.

The construction of various new buildings, in and around the subject site, commenced between 1810-1817. The Colonial-Secretary's residence, the Judge-Advocate's residence, and the Surveyor General's residence were all constructed within the curtilage of the subject site. At the same time (1810-1812), a new guard house for the first Government House was constructed immediately to the east of the study area (below current Young St) (Figure 11).⁴⁰

By 1826, the Colonial Secretary's Residence was converted for use as the Colonial Secretary's Office and the Judge-Advocate's Residence was extended and modified to accommodate the new Colonial Secretary's family (Figure 12).

An 1828 map shows the Surveyor General's Office being used as the 'Chief Judges House', which suggests the building also had various uses at different times.⁴¹

By the mid-1800s, the public works program had intensified and the area surrounding the subject site was reconfigured. The new guardhouse was dismantled, with its materials sold, in favour of a new guard house in Macquarie Street and the first Government House site was demolished. Within the subject site, itself, the Judge-Advocate's house was demolished for the construction of Loftus Street (c.1845). (NB. the orientation of present day Loftus street was originally named as an extension to Castlereagh Street, while Young Street was originally named as an extension of Elizabeth Street).

The Colonial Secretary's Office, along with several associated outbuildings survived these changes and were surrounded by the new streets, including Loftus, Gresham and Young Streets. They were enclosed within a new boundary wall and survived, with modifications and extensions for several decades (Figure 13 and Figure 14).⁴²

The open area around the 'fountain' at the back of the Colonial Secretary's Office, became known as Fountain Street, with a triangular area dedicated as a reserve for public recreation in 1866. By 1880, Fountain Street was renamed Raphael Street, with the open space still maintained as Farrer Place today⁴³.

The Bennelong Storm Water Channel No. 29 was the main sewer of five in order to dispose of the city's stormwater into the harbor and was completed in 1857. A section of this channel runs north-south underneath the surface of Loftus Street (Figure 15).⁴⁴

⁴⁰As shown in the historical plans and images, Urbis p16-21:2015

⁴¹ Urbis p16:2014

⁴² Urbis p20:2014

⁴³ Urbis p26:2014

⁴⁴ Urbis p28:2014

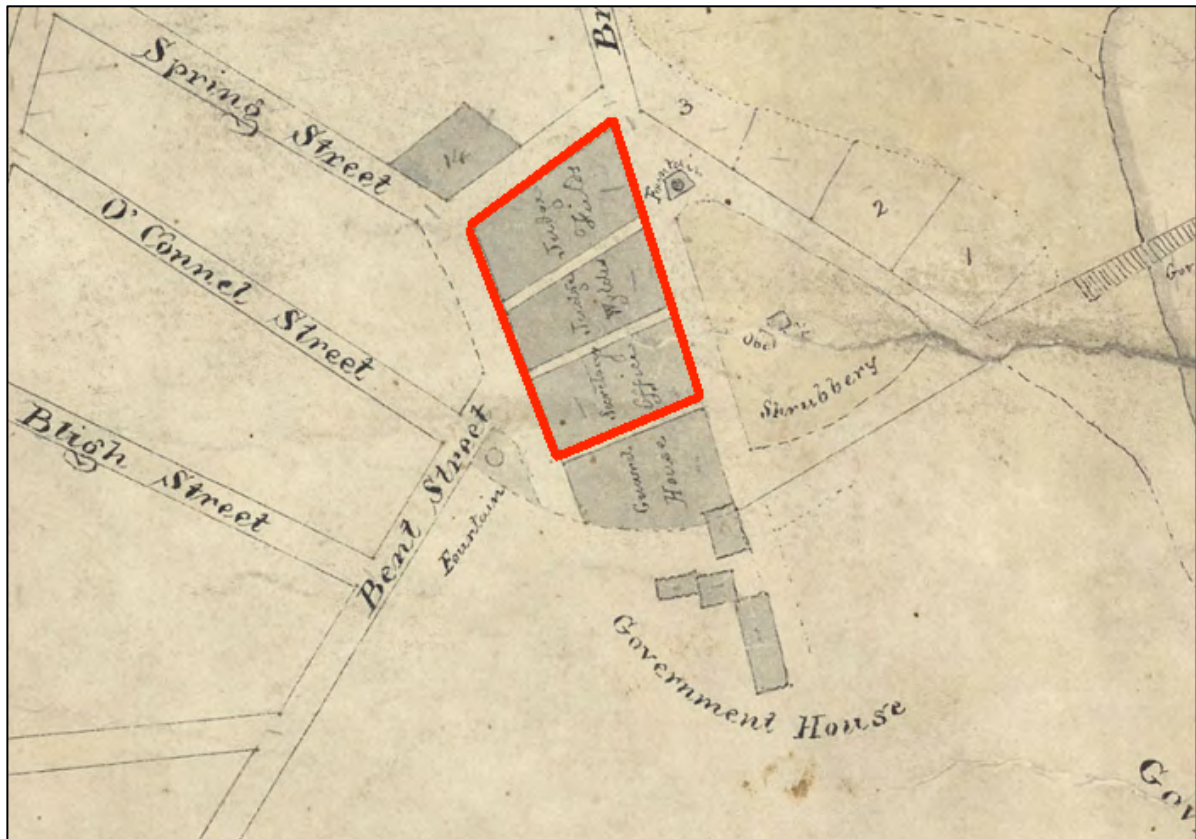


Figure 11: A sketch of the town of Sydney, 1821. Study area indicated in red. Guardhouse depicted immediately to the east of the study area. N.B Map is oriented to the west. (Source: State Library of NSW. Call No. Z/M4 811.16/1821/1.)



Figure 12: Tracing of a map showing part of Sydney, c. 1842. (Dating slightly uncertain. After 1839 which is marked on the map, before 1845 when Government House in the Botanic Gardens was demolished. C. 1842) (Source: State Library of NSW. Call No. Z/M2 811.1722/1842/1. Digital Order No. c015100001)



Figure 13: Woolcott & Clarke's map of the City of Sydney, 1854. Study area indicated in red. Plan is oriented to the north. (Source: State Library of NSW. Call No.: Z/M2 811.17/1854/1)

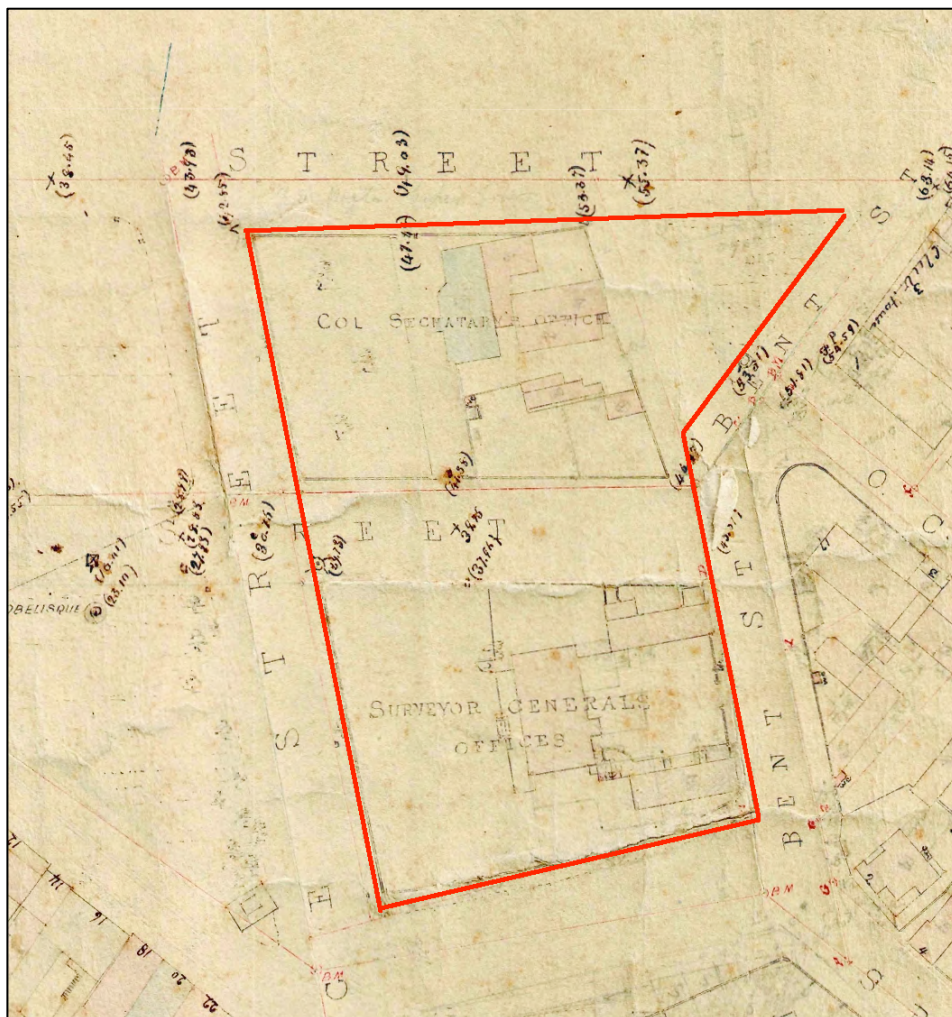


Figure 14: City Survey Plans, Plan C/Sheet 04, 1856. Study area indicated in red. Map oriented to the east. (Source: City of Sydney Archives- Digital Information)

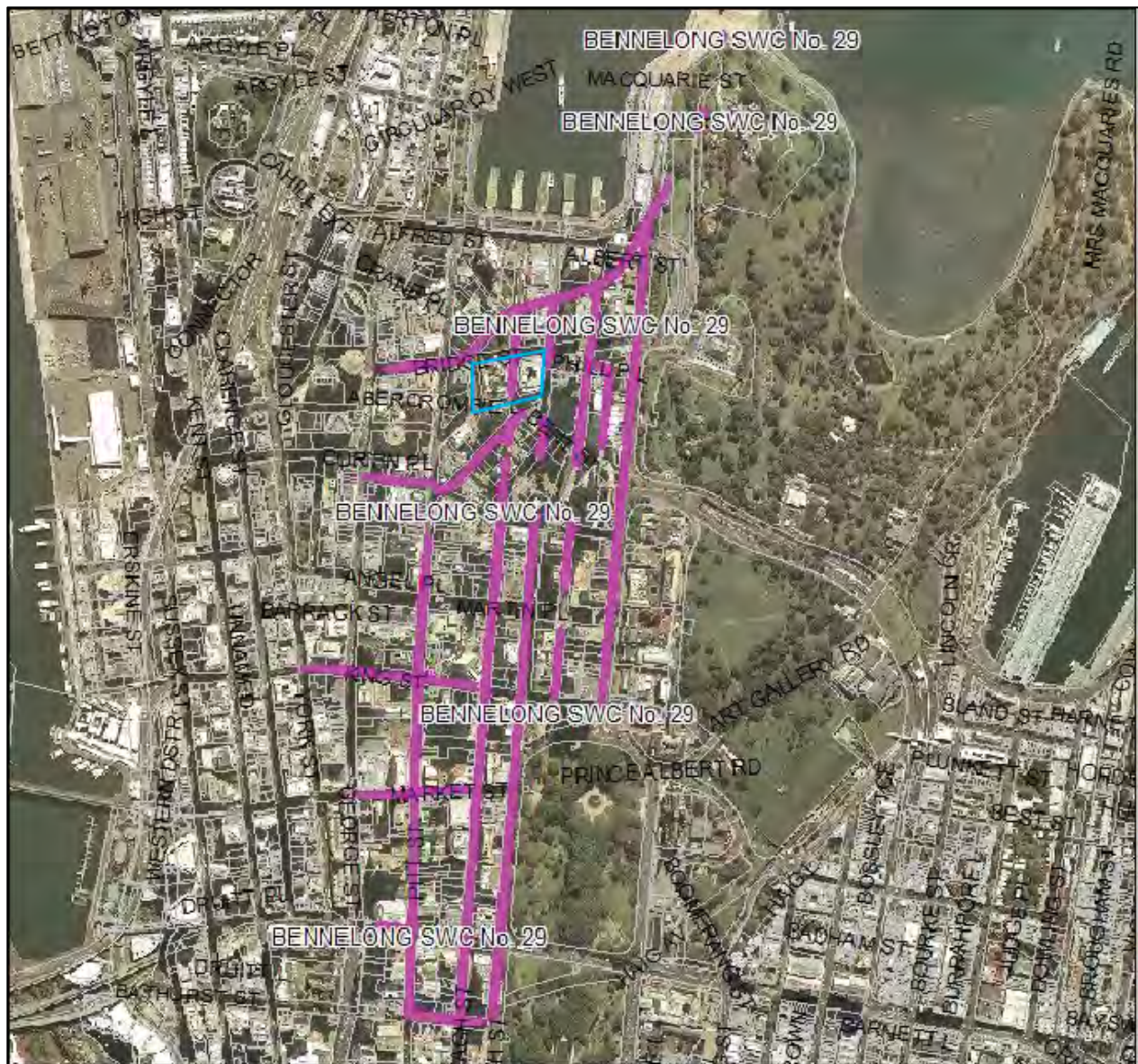


Figure 15: Physical curtilage plan for Bennelong Stormwater Channel No.29, Created by Sydney Water 2006. Study area indicated in blue. (Source: Sydney Water www.sydneywater.com.au)

5.3. Lands and Education Buildings (1876-1893 and 1912-1930)

Excavation for the first stage of the Lands Building (within the subject site) commenced in 1876 but only on the northern side of the block (Figure 16), with the second stage of the development requiring the demolition of numerous Macquarie-era buildings, including the Surveyor-General's Office. Construction on the second stage of the Lands building commenced by 1888 and was mostly completed by 1893.

A drainage 'moat' beneath the footpath surrounds the Lands Building. This 'moat' is an original element designed to deal with water and ventilation issues at the base of the Lands Building. (Barnet designed a similar drainage system around the Chief Secretary's Building in 1873). The 'moat' is an integral part of the building and has High Significance, but it is located outside the lot boundary.⁴⁵ The 'moat' is located at ground level and outside of the external walls of the building on all sides. It extends the full length of the building beneath the pavements, and is a continuous semi-vaulted tunnel section that varies in height from 5 metres to crawl spaces.⁴⁶

Whilst the Lands Building was being constructed, the Colonial Secretary's Offices continued to be used as government offices for some time. As with the construction of the Lands Building, the

⁴⁵ Government Architect's Office p111:2015

⁴⁶ Urbis p22:2014

Education Building was constructed in two stages, with the northern stage completed by 1915, and demolition of Colonial-Secretary's Office undertaken in 1916 to make way for the second stage of the Education building. Work was suspended in 1917 and did not resume until 1929, when the 1917 foundations were removed, prior to work continuing and being completed by 1930.⁴⁷



Figure 16: Doves 1880 Map of Sydney. Demonstrating the first phase of the Lands Building, as well as the retained Macquarie-era buildings to the rear. Plan is oriented to the west. Note: Red: Brick or Stone, Blue: Iron, Yellow: Wood (Source: City of Sydney Archives, Digital Information)

⁴⁷ Urbis, p24,2014.

6.0 Potential Historical Archaeological Resources

6.1. Background

Urbis prepared an Archaeological Assessment report in November 2014⁴⁸ on behalf of Government Property NSW to include with the Stage 1 Development Application SSD 6571. It included an assessment of potential historical archaeology within the subject site 'The Sandstone Precinct'.

The key findings of the Urbis report are briefly summarized below. Urbis concluded that:

- There is high archaeological potential for sub-surface structures associated with Lands and Education Buildings to be present.
- The moat and carriage loop exist below the ground and are external to the Lands Building.
- The Land and Education buildings have been assessed as significant at a state level, therefore archaeology is considered to be relevant to general questions of the history of NSW.
- There is high potential for the remains of the former Judge-Advocates residence to exist on site and if they do exist, would be considered to be state significant.
- Structural remains of the earlier phases would be rare, and considered to have state significance if found.
- Cultural deposits associated with the earliest phases of European occupation (1788-1810) are relatively common and unlikely to contribute knowledge that no other resource could. However, they could provide a rare contribution to the earliest phases of the historical archaeological record of the Sydney area.
- Cultural deposits associated with the subsequent phases of development on site, including association with occupation of the existing Lands and Education buildings are considered to have local significance.
- The Bennelong SWC No. 29 has previously been recognised as a significant sub-surface heritage item. Information is readily available and can be obtained from the many other surviving sections of the SWC located throughout the Sydney CBD, as well as documentary records.

The Urbis (2014) statement of significance for the historical archaeology states:

Based on a review of the history of the subject site, potential historical archaeological remains recovered on site are considered to be significant on a state level due to:

- *its early occupation and continuity of use since 1788 for the purposes of government and administration and its association with the first Government House and surroundings;*
- *the importance of the residents of the site and their critical role in the development of the colony;*
- *the nature of the buildings that have occupied the site and the construction methods and aesthetic sensibilities they demonstrated;*
- *the importance of the archaeological record of early European settlement for many groups in the community both in NSW and beyond; and*
- *the rarity of sites dating from the late 18th century⁴⁹.*

Urbis provided a series of recommended actions for the management of potential historical archaeological resources, based on the various levels of identified potential archaeological

⁴⁸ Urbis 2014

⁴⁹ Urbis, p53:2014

resources, ranging from *low potential* to *high potential*, with areas of low potential requiring no further archaeological works if impacts are proposed through to the involvement of an archaeologist in the investigation and management of areas with *high potential*, and possible *in situ* retention of structural remains, if found.

The full set of recommendations and proposed mitigation measures are included in Section 8.0 of the Urbis report.⁵⁰

6.2. Comparative Analysis

The following sub-section provides a brief summary of the comparative analysis undertaken by Curio Projects of archaeological investigations completed at sites in close vicinity to the subject site, or at sites within the Sydney CBD that have been found to have a similar archaeological profile as that predicted for the subject site. The comparative analysis provides invaluable information in terms of refining the assessment of potential for archaeological resources to exist and the potential significance of such a resource, if found.

200 George Street, Sydney (GML 2013)

A major archaeological excavation of 200 George Street was undertaken by GML in 2013 as part of Mirvac's redevelopment of the site. The archaeological assessment identified that it was likely that the site would likely contain archaeological resources of State significance associated with the earliest non-Aboriginal occupation of the site, and other locally significant archaeological resources, despite the extensive potential impacts to the site from intensive redevelopment over time.

The archaeological excavation yielded more than 23,000 artefacts (mostly from the deposits of two wells that were excavated) and has added substantially to understanding the site's uses over time. Key information related to the pre-colony and early colonial environment was obtained from the soil samples recovered (pollen analysis). The pollen analysis has provided an unparalleled suite of new evidence about the diversity of the environment that surrounded the Tank Stream at the commencement of European settlement.⁵¹

Evidence of James Underwood's c. 1798 boat building yard was discovered. The evidence found included a portion of the northern slip, ramp or path as seen in historic paintings. Evidence associated with Underwood's garden, a paved path, a large stone built wall and fence posts all associated with his house were also found. James Underwood arrived as a convict in 1791 and went on to become the first private ship builder after his emancipation in 1797. He built the first privately built ship in the colony – the *King George* (c.1804), as well as many other ships, which were all launched from this yard⁵².

Evidence associated with Underwood's land reclamation and commercial interests, including the foundations of a bank vault, and a substantial portion of a large warehouse (walls, floors, doors, one and window and a small intact section of wall), as well as an additional building were discovered.

Additional evidence, including postholes and fencelines associated with other early buildings were also discovered. Two wells, cut deep into the sandstone bedrock were uncovered. One was associated with the George Street shopfronts and is considered to have been filled in prior to the construction of the 1916 Nock and Kirby Building. The second well was associated with Ah Toy – a

⁵⁰ Urbis, p49-50:2014

⁵¹ GML Heritage with Wendy Thorp, Cultural Heritage Resource Management. October 2014 *200 George Street, Sydney. Post Excavation Report, Volume 1: Main Report*. Report prepared for Mirvac Projects Pty Ltd

⁵² GML Heritage and Thorp, W. p3:2014

Chinese furniture maker. It contained kitchenwares, including rice bowls, spoons, tea bowls and soy sauce pots. It also included a high proportion of fish bones and some Chinese coins.

Daley Street Telephone Exchange (CRM 1987)

The archaeological assessment prepared for the site, prior to excavation, anticipated that the 20th century development of the site would likely have removed and destroyed most of the site's archaeological resources with a low potential for some 19th century material to be present. The excavation of the site revealed that the site actually still contained evidence of the 19th century occupation of the site, despite major impacts associated with the 20th century redevelopment. The earliest evidence of non-Aboriginal activities were still present in sections of the site - at least 4 metres below the modern ground levels.

Archaeological excavations undertaken by Wendy Thorp⁵³ revealed remnant traces of the Tank Street estuarine deposits, with early cultural material – in the form of early 19th century building materials, and an early drain in the centre of the site. The 19th century layer of evidence was overlaid with a very deep layer of fill which contained hundreds of unstratified artefacts. Some were retained for dating purposes but the rest were discarded due to the fact that they were related to fill, rather than site specific activities.

Sydney Opera House (GML 2012)

Historical archaeological excavations undertaken in 2012 by Godden Mackay Logan for the Sydney Opera House Major VAPs project yielded a significant archaeological resource that was considered unlikely to exist. It was known that the Bennelong Storm Water Channel was present below the Opera House forecourt but it was not anticipated that substantive footings, postholes and a range of artefactual material associated with Fort Macquarie and early colonial Lime Burning, as well as evidence of other shoreline activities would be located. Prior to the excavation, it was anticipated that the archaeological resource would be unlikely to exist due to the high levels of disturbance associated with the construction of the Sydney Opera House.

Young Street and Raphael Place Archaeological Excavations (Bickford 1991)

Historical excavations undertaken in 1991 by Anne Bickford as part of the Young Street and Raphael Place excavations revealed an extensive archaeological resource associated with the Governor's 'guard house' (Figure 17)

Prior to the excavation, very little was known about the c.1807 Governor's guard house situated to the northwest of the First Government House complex, in the location that was to become Macquarie Place. It was rarely the subject of detailed description, sketching or measured drawing, so the excavators had few historical resources to work with when investigating the remains of the structure underlying present-day Young Street.

The evidence left behind after the complete demolition of the guard house structure was significantly disturbed by the Young Street drain (a large, rubble backfilled pit covers the area where foundation walls or postholes for the columns would have been aligned). It included building debris, household refuse and other construction fabric that archaeologists noted was clearly associated with the guard house.⁵⁴

In addition, the recovery of printer's type, associated with the colony's first Government Printing Press was also an important discovery because it helped to determine where the press was likely to have been located. Excavations in Young Street and Raphael Place, turned up 110 complete, near complete or substantial fragments, in addition to 164 miniscule fragments (that resemble breadcrumbs) of printer's type. Of these, 221 were recovered from the guard house. The large

⁵³ Thorp, W. November 1987. Archival and Archaeology Report Daley Street Sydney: New Telephone Exchange Site.

⁵⁴ Cook, Penny and Murray, Tim p63:2006

number and the greater fragmentation of the type were probably the result of being carried along in the drainage system west to the vicinity of Young Street and may be the result of clean-outs from the drainage system. The fill would have been reworked and leveled to accommodate the construction of the guard house. The high number of minuscule fragments (which were only recovered in and around the guard house) support the fact that this was not an area of primary deposition.⁵⁵



Figure 17: Photograph, outside of the Education building showing the remains of the former guard house.
(Source: City Plan 2015)

First Government House Site (Bickford 1991)

The First Government House site has been the subject of periodically intense and otherwise ongoing research since 1982 when historian Helen Proudfoot and archaeologist Anne Bickford were appointed by the Department of Environment and Planning to carry out historical and archaeological works on the site. Their research culminated in *Australia's First Government House*, published in 1991.⁵⁶

The thoroughness of the demolition of First Government House by Public Works over an eight to nine month period, compared to the Guard House (which was demolished in just one month by contractors) is thought to be a reason why the First Government House site contained substantially less construction evidence. It is also thought that perhaps there was a greater need for projects in the vicinity to reuse the material and rubble from the demolition of First Government House site in 1845 – 1846, compared to when the guard house was demolished in 1847. Despite this, the demolition layers across the site played a significant role in defining the overall stratigraphy of the site. In many areas, the demolition rubble seals the remains of First Government House below. Above this, in the vicinity of the main site, silty layers had washed in after the site was abandoned

⁵⁵ Cook, Penny and Murray, Tim. P50:2006

⁵⁶ Crook, Penny and Murray, Tim. 2006. *The Historical Archaeology of the First Government House site, Sydney. Further Research. Volume 11 of the Archaeology of the Modern City Series.* Published by the Historic Houses Trust of New South Wales The Mint, Sydney.

and left open to the elements. As development proceeded, bit by bit with the municipal council storage shed (built by 1865), the Phillip Street terraces (1867), and the Young Street terraces (1874), demolition rubble was levelled, additional fill was brought in and other pockets of rubble fill were dug through to lay services and foundations.⁵⁷

In 1825, George Howe's son and apprentice, Robert, recounted the story of the uprising against Governor Bligh in January 1808. Robert was 13-years-old and was working in the printing office when troops stormed in looking for Governor Bligh who could not be found in the grounds of Government House to be deposed. Robert recalled how Lieutenant Laycock fell through the loft of the 'little printing office which was attached as an appendage to Government House'⁵⁸.

There is strong archaeological evidence to suggest that this 'little office' with a loft was in fact the south outbuilding. Here, 39 pieces of the 52 fragments of printer's type excavated from across the FGH compound were recovered from within a barrel-drain that ran through the footings of the eastern wall of the outbuilding, just inside the northern wall. The drain was backfilled and sealed with demolition debris, probably dating to the later conversion of the office into a bakery in the late 1820s. The barrel opened into a trough within the outbuilding and it was probably here that sinks or wash stands in the building allowed the printers to wash the type, which is how these small precious items found their way into the drain.

It is unknown how sophisticated were the wares Governor Phillip brought with him on the First Fleet, and the archaeological record of those first five years is too fragmentary to enable us to determine the services of each governor. From the few drainage deposits thought to predate 1800, there are just 24 sherds of creamware (banded and plain), four sherds of oriental porcelain, one sherd of blue transfer-printed earthenware and one sherd of blue shell edgeware. Whether these represent the goods and chattels of governors Phillip (1788–1792), Hunter (1795–1800) or the interim governors Grose (1792–1794) and Paterson (1794–1795), we simply do not know. Little can be said of Governor Bligh's (1806–1808) service owing to a lack of deposits that may be securely dated to his occupation. One governor for whom his table can be discussed with greater accuracy, is Governor King (1800–1806) who brought to the colony nearly 1,000 vessels of table- and glassware ordered from Josiah Spode, one of the most prominent potters and supply houses in England. Sherds of Spode ware were found across the First Government House site and it is likely that at least some of these belong to Governor King's service.⁵⁹

6.3. Reassessment of Historical Archaeological Potential

As part of the Stage 2 Development Application submission, a reassessment of the subject site's historical archaeological potential has been undertaken by Curio Projects. In particular, the reassessment of historical archaeological potential is based on the review and comparative analysis of known, similar archaeological site types within Sydney's CBD, including those which were summarized in subsection 6.2 of this report, as well as consideration of the subject site's specific history, location and topography.

The archaeological potential of a site refers to its potential for archaeological resources to survive below-ground, and relates to its level of intactness. The potential for archaeological resources to survive is directly related to the types of cultural activities and environmental factors that have impacted on a site over time, and how such factors may or may not have disturbed, destroyed, conserved or impacted upon the evidence of earlier activities. The type of materials used for

⁵⁷ Crook, Penny and Murray, Tim 2006:p31

⁵⁸ Proudfoot *et al.* 1991: 78

⁵⁹ Crook, Penny and Murray, Tim 2006:p39

construction, daily activities, intensity of development and demolition activities, environmental conditions and topography all influence the ability of archaeological remains to survive.

There are so many factors that influence the ability of an archaeological resource to survive, from the types of construction materials used through to the way in which the actual buildings were demolished or removed from the site. Given the lack of machinery, many sites were simply just demolished to a point and then backfilled with their own rubble prior to new construction commencing. Where possible, footings were reused, wells were filled with waste and site clearance was done to a level of ‘as little as possible’ in order facilitate redevelopment. Even as recently as the 1980s, construction at sites has left much of the archaeological profile, within a site, intact.

The potential for historical archaeological resources and/or ‘relics’ to survive is not the same as potential archaeological ‘significance’. Often the two terms are confused which can lead to inaccurate historical archaeological assessments. Potential ‘archaeological significance’, which is discussed in the following sub-section, relates to the importance of any archaeological resource found, rather than its ability to survive within a cultural heritage landscape. For example, a site may contain extensive archaeological evidence of the former footings of a c.1910 terrace which means it has ‘high archaeological potential’ – a high likelihood for evidence to survive, but when assessed in terms of its archaeological significance and ability to contribute significant new information, it has ‘low archaeological significance’ because the evidence associated with the footings of c.1910 terraces in Sydney is common -with hundreds of intact c.1910 terraces still standing. Archaeological research of more c.1910 footings would not add to our understanding of Sydney’s history in a meaningful way.

Archaeological potential refers to the level of likelihood for physical evidence of a particular historical activity or development to survive. It is usually classified as low, medium or high:

- Low archaeological potential—it is unlikely that physical evidence of a particular historical phase or activity survives.
- Moderate archaeological potential—it is possible that physical evidence of a particular historical phase or activity survives, however surviving archaeological remains may have been subject to some disturbance or may only partially survive.
- High archaeological potential—it is likely that physical evidence of a particular historical phase or activity survives.

6.3.1. Reassessment of Potential Evidence

As described in the historical summary for the site (subsection 5.0 of this report), there are three key phases of historical development that have occurred at the subject site since 1788. Each phase of the site’s history has the potential to leave an archaeological signature in the landscape that can be examined by historical archaeologists.

This assessment has taken into consideration that, over the past 10 -15 years, there have been a large number of sites in the CBD, for which the assessments had concluded that it was unlikely that the site would contain archaeological resources from the earliest colonial occupation of the site due to subsequent redevelopments of the sites over the years. This has often been based on the prediction that sites have been heavily cut down to allow for the construction of the more recent buildings, thus removing all traces of archaeological evidence. Additionally, the predictive modeling often notes that as the natural sandstone topography is quite close to the ground level in key CBD areas, substantial archaeological profiles are unlikely to have survived. As demonstrated in the several examples highlighted in subsection 6.2 of this report, this predictive modeling can often prove to be wrong.

As a result, many sites assessed as having ‘low potential’ to contain pre-1850 evidence have yielded highly significant intact pockets of archaeological evidence, which when combined with the evidence of cuttings, fencelines, postholes and other archaeological features in the sandstone bedrock have created a wealth of significant information.

6.3.2. Site Disturbance Activities

As noted in the Urbis report (2014) and the City Plan assessment of archaeological potential (2015) - in addition to general vegetation clearance, the subject site has been subject to the following landuses and causes of disturbance:

- Land clearance to build temporary accommodation and government buildings c.1788;
- Site clearance and building activities associated with the construction of the Phase 1 Civil Officer’s houses and associated gardens c.1788-1792;
- Demolition of Phase 1 buildings and construction activities to build the Phase 2 civil officers’ houses and associated gardens c. 1810-1813;
- Demolition of the Judge-Advocate’s house (used also as the Colonial Secretary’s house) to lay out new streets c. 1845;
- The construction of the two stages of the Lands Building, c. 1876-1893;
- The construction of a cottage for the Department of Public Instruction offices on the west side of the Education Building site, c. mid 1880s;
- The construction of the Education Building adjacent to Bridge Street in 1912-1915;
- The demolition of the former Colonial Secretary’s offices to the south of the Education Building in 1916;
- The construction of footings for the Department of Agriculture offices to the south of the Education Building in 1916-1917;
- The subsequent removal of these footings and eventual construction of the Department of Agriculture offices in 1929-1930;
- Excavation in the early 1970s for the new lift shaft to the rear of the Bridge Street wing of the Education Building and oil pit in the centre of the courtyard;
- Excavation of footings for four columns for the new atrium within the courtyard of the Education Building in 1995.⁶⁰

6.3.3. Assessment of Historical Archaeological Potential

The following summary provides an updated assessment of the possible types of evidence that may be found within the curtilage of ‘The Sandstone Precinct’ (the subject site) and the potential for such evidence to survive.

Phase 1—Establishment of the Colony (1788–1810)

Since the arrival of the First Fleet in 1788, the subject site has been pivotal in the establishment of the non-Aboriginal occupation of Australia and as a first site of contact between Aboriginal and non-Aboriginal people. Therefore, activities which are likely to have created an historical archaeological signature in the landscape have been occurring at this site since the establishment of colonial NSW in 1788.

⁶⁰ Urbis, p29:2014

As stated in Urbis (2014),

Historical research into the subject site has shown that a number of buildings representing several phases of occupation were previously present at the subject site. The earliest of these buildings were constructed c. 1789 and were closely associated with the first Government House and the early administration of the colony. They were also the first permanent buildings to be constructed in Sydney.⁶¹

Urbis concluded that:

Previous assessments of the archaeological potential of the Lands and Education Buildings have identified that these early buildings are unlikely to have had substantial foundations, and are therefore unlikely to have survived the various phases of development that have occurred in and around the subject site (Thorp 1996: 29). Early descriptions of these buildings as 'miserable', 'insignificant' and 'mean, narrow and shabby' confirms this (Broadbent 1997: 34). Additionally, the precise location of these early buildings is not known.

In addition to this, and as seen at the first Government House site, as part of the natural topography of the area, soils are typically shallow and bedrock tends to be encountered quite close to the ground surface level. Due to the gradient of the slope that extends along Bridge Street (discussed above), both the Lands and Education Buildings were constructed with partially exposed basements on some sides. Moreover, the historical record contains reference to the excavation of 'the rock' to enable the construction of the Lands Building specifically (Thorp 1996: 29), and it is likely that this was also the case for the construction of the adjacent Education Building.

It is therefore considered that there is a low degree of archaeological potential for sub-surface structural elements/features associated with the earliest phase of occupation to be present at the subject site. This may include building footings, floorings, drainage channels/cavities, wells, and cisterns. If present, remains of this nature are most likely to be uncovered in areas that have been subject to the least amount of sub-surface disturbance including roads, pavements, and open public spaces.

In the reassessment of the site's archaeological potential it is considered that the subject site generally has **moderate to high potential** to contain archaeological evidence related to the 1788-1810 establishment of the colony. Remains from this period may include:

- evidence of the pre-settlement environment through to evidence of changes brought about to the environment through land clearing and early landscaping and development activities. Palaeobotanical data retrieved from soil samples, where present, have the ability to provide evidence of trapped pollen which can be used to identify the types of plants present on the site prior to and during the earliest phases of settlement, including information pertaining to the gardens and farming activities that occurred on site post-1788. There is a **high potential** for such evidence to exist across the site, particularly as only very small sample sizes are required for palaeobotanical testing;
- evidence related to the establishment of the colony between 1788 and 1810. By 1792 the first permanent timber buildings and outbuildings associated with the civil officers' and occupation of the subject site were located within the subject site (on the Lands Building and Education Building sites). The residential properties constructed for the Commissary, Judge-Advocate, Surveyor-General and Chaplain and contained extensive gardens are thought to have been located within the subject site – with exact locations not yet known. There is a **high potential** for fragmentary and ephemeral evidence of these structures, their gardens,

⁶¹ Urbis p35:2014

fencelines and outbuildings to still exist within the north-western (less cut down) sections of the subject site, including Loftus Street. There is **low-moderate potential** for evidence related to these buildings to be found in the more disturbed cut down sections in the south-east areas of the subject site;

- evidence related to onsite activities and/or buildings from c1788-1810 for which we have very little detail or have, to date, have remained undocumented including postholes, remnant footings, fencelines, early rudimental drainage attempts, pathways, and other remnant, fragmentary pockets of construction may also exist. There is a **low-moderate potential** for such evidence to exist within the subject site;
- more tangible evidence such as wells, cesspits, rubbish dumps and early infrastructure –may also be present from this phase of the colony’s development. Wells and cesspits will often survive the cutting down of sites for modern construction because they are cut so deep into the sandstone. It is not known where such features may exist on the subject site, however, it is considered that there is a **high potential** across the whole of the subject site for such features to be found;
- historical archaeological ‘relics’ recovered from wells, cesspits and rubbish dumps, if discovered, are likely to include a broad range of cultural materials that might provide an insight into the everyday life of a very significant time in the colonial settlement of NSW – evidence of the types of foods eaten, such as animal bones, oyster shells, seeds and other material evidence that helps to build the picture of the daily lives of the officials who established the colony. There is a **high potential** for such evidence to be found in association with wells, cesspits and rubbish dumps; and
- possible evidence associated with the post-contact interaction between Aboriginal and non-Aboriginal people may also exist from this phase of development. This may include evidence of worked glass for Aboriginal tools and adaptation of other non-Aboriginal items. There is a **low potential** for such items to be found.

Phase 2—Macquarie Era Buildings and road/sewer development (1810-1876)

Urbis concluded that the construction of a new Judge-Advocate’s residence (later used as the Colonial-Secretary’s house) and the Colonial Secretary’s residence (later used as the Colonial Secretary’s Office) during the second phase of building from c.1810 – 1812, using more substantial building materials, combined with relatively minimal low level subsurface disturbance, is likely to have resulted in a high potential for survival.

Urbis stated that:

Based on historical research, the Judge- Advocate’s residence was originally located underneath Loftus Street and outside of the construction footprint of both the Lands and Education Buildings. Similarly, the Colonial Secretary’s residence appears to have been located in the centre of the Education Building, in what is now the central atrium. The precise location and extent of the footprints of the buildings is not known.

As these areas have been subject to relatively minimal sub-surface disturbance in the form of shallow excavation and the laying of asphalt, is considered that the construction of the Lands and Education Buildings, as well as subsequent phases of development that have occurred in the area generally, are unlikely to have significantly disturbed the structural remains of the two Macquarie-era buildings.

Excavations of the guardhouse in Young Street have shown that there is potential for the structural elements of buildings from that period to survive underneath the road surface. Footings and structural elements associated with the guardhouse were uncovered at

various depths (from 0.5 metres to two metres), depending on the nature of the structure/feature (Crook & Murray 2006: 56).

It is noted, however, that historical mapping is inherently subject to inaccuracies, and the location of these buildings as they appear on early maps may not be completely accurate. Despite this, there is still a significant likelihood for at least the partial remains of both buildings to be present on site

It is therefore considered that there is a high degree of archaeological potential for sub-surface structural remains associated with the Macquarie-era Judge-Advocate's residence (later used as the Colonial- Secretary's house) to be present on site underneath Loftus Street. However, these remains may have been subject to disturbance associated with the installation of the Bennelong SWC No. 29.

It is also considered that there is a high degree of archaeological potential for sub-surface structural remains associated with the Macquarie-era Colonial Secretary's residence (later used as the Colonial- Secretary's Office) to be at least partially present on site within the central atrium of the Education Building. The construction of the Education Building is likely to have at least partially disturbed these remains, though there is still a high degree of potential for portions of the building footings or other structural elements to be present.⁶²

In this reassessment of the site's archaeological potential it is agreed that the subject site generally has **high potential** to contain archaeological evidence related to the 1810-1876 Macquarie - Era.

Remains from this period may include:

- Evidence associated with the Judge-Advocate's residence in the northwest areas of the site and below the Loftus Street vehicular entry and Colonial Secretary's residence in the central atrium area of the Education Building. Evidence associated with this significant phase of the site's development is likely to include remnant fabric associated with the construction and use of the buildings – such as introduced landfill, footings, drainage, sewer systems, pathways, c.1845 boundary walls, gardens and related landscaping elements.
- Evidence associated with the stone 'fountain' built by Isaac Peyton in 1812 and any evidence to support the theory that it was built on a natural spring. The 'fountain' was located to the rear of the Colonial Secretary's Building on a plan of Sydney dated 1822, in the general location of Farrer Place.⁶³ It was dismantled by c.1910-1911 to make room for the electric tramway in Bent Street.
- The Bennelong Storm Water Channel No. 29 was the main sewer of five in order to dispose of the city's stormwater into the harbor and was completed in 1856. A section of this channel runs north-south underneath the surface of Loftus Street.⁶⁴

Phase 3—Lands and Education Buildings (1876-1893 and 1912-Present)

The Urbis report (2014) identifies several known archaeological resources associated with the existing Lands Building, including the drainage 'moat' beneath the footpath that surrounds the Lands Building.

This 'moat' is an original element designed to deal with water and ventilation issues at the base of the Lands Building. The 'moat' is an integral part of the building and is located at ground level and outside of the external walls of the building on all sides. It extends the full length of the building beneath the pavements, and is a continuous semi-vaulted tunnel section that varies in height from 5

⁶² Urbis, p35:2014

⁶³ City Plan Heritage, p177:2014

⁶⁴ Urbis p28:2014

metres to crawl spaces.⁶⁵ Whilst the moat is technically not considered a ‘relic’ under the Heritage Act due to the fact that it is a part of the existing fabric of the standing building, it is treated as an archaeological resource for the purposes of ensuring its adequate identification and protection in any future works projects.

It is also noted that evidence of the original carriage paving remains in parts of the driveway entrance on Gresham Street and in the building’s open courtyards was identified in the Government Architect’s Office CMP for the site.⁶⁶ There is the potential for archaeological relics associated with this original carriage paving and pathway.

As a result of the known archaeological and/or subterranean fabric associated with the construction of the Lands Building and the Education building there is a **high potential** that evidence associated with the construction of both buildings will be present below the ground surface. Remains from this phase of the development of the site may include:

- evidence of the moat (which is insitu) and its construction;
- evidence of the former original carriageway and carriage loop, including paving and associated features;
- evidence of building footings, drainage features and other underground services; and
- evidence of introduced land fill.

In addition, it is noted that there may be a possibility that the walls, fireplaces, floor spaces and other cavities may contain artefactual material that could be disturbed during the redevelopment of the Lands Building and the Education Building. Whilst such resources are not technically considered ‘relics’ because they are not located below-ground, there is a **moderate - high potential** for such resources to exist.

Figure 18 and Figure 19 below present general archaeological potential across the study area, as well as the likely locations of historical structures if they remain within the study area.

⁶⁵ Urbis p22:2014

⁶⁶ Government Architect’s Office p153:2014

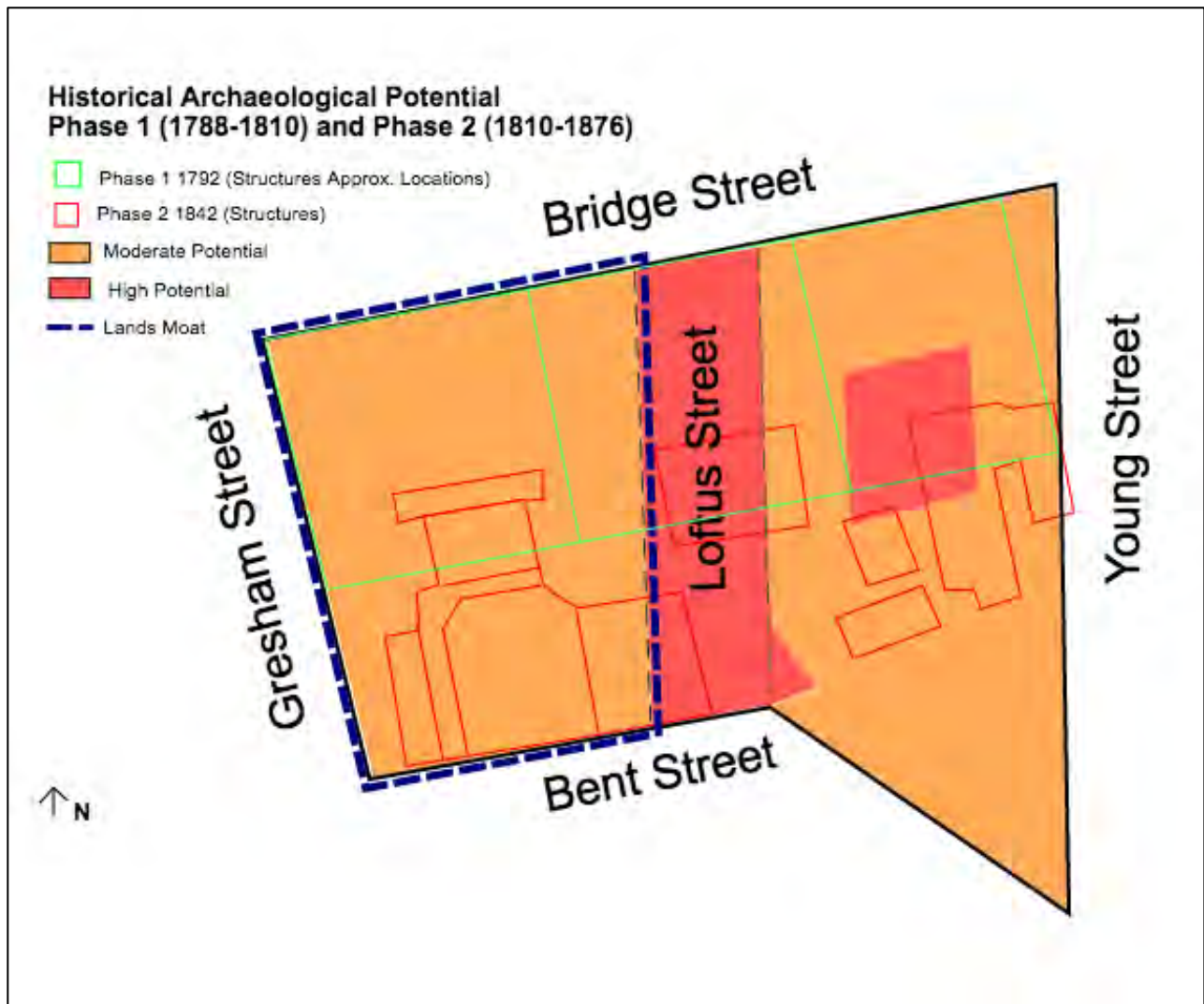


Figure 18: Phase 1 (1788-1810) and Phase 2 (1810-1876) Historical Archaeological Potential. Indicative structures of locations based on historical plans and maps. (Source: Curio Projects 2016)



Figure 19: Phase 3 (1876-Present) Historical Archaeological Potential. Indicative structures based on historical plans and maps. Structures locations based on Dove's 1880 Plan of Sydney (Source: Curio Projects 2016)

7.0 Archaeological Significance

Archaeological sites, which contain ‘relics’ as defined in the NSW *Heritage Act*, are managed like any other significant item of environmental heritage. The main aim of an archaeological significance assessment is to identify whether an archaeological resource, deposit, site or feature is of cultural value – a ‘relic’. The assessment will result in a succinct statement of heritage significance that summarises the values of the place, site, resource, deposit or feature.⁶⁷

7.1. NSW Heritage Criteria for Assessing Significance related to Archaeological Sites and Relics

The following criteria has been developed by the NSW Heritage Division to assist archaeologists determine the significance of archaeological sites and relics.

Archaeological Research Potential (current NSW Heritage Criterion E).

Archaeological research potential is the ability of archaeological evidence, through analysis and interpretation, to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site and its ‘relics’.

The integrity of the site, the state of preservation of archaeological material and deposits will also be relevant.

- To which contexts (historical, archaeological and research-based) is it anticipated that the site will yield important information?
- Is the site likely to contain the mixed remains of several occupations and eras, or is it expected that the site has the remains of a single occupation or a short time-period?
- Is the site rare or representative in terms of the extent, nature, integrity and preservation of the deposits (if known)?
- Are there a large number of similar sites?
- Is this type of site already well-documented in the historical record?
- Has this site type already been previously investigated with results available?
- Is the excavation of this site likely to enhance or duplicate the data set?

Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B & D).

Archaeological remains may have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences.

- Does the archaeological site link to any NSW Historic Themes? Will the site contain ‘relics’ and remains which may illustrate a significance pattern in State or local history?
- Is the site widely recognized?
- Does the site have symbolic value?
- Is there a community interest (past or present) which identifies with, and values the specific site?
- Is the site likely to provide material expression of a particular event or cultural identity?

⁶⁷ Heritage Branch-Department of Planning., 2009 *Assessing Significance for Historical Archaeological Sites and ‘Relics’* State of New South Wales

- Is the site associated with an important person? (the role of the person in State or local history must be demonstrated/known)
- What is the strength of association between the person and the site?
- Did the person live or work at the site? During the phase of their career for which they are most recognized? Is that likely to be evident in the archaeology/physical evidence of the site?
- Did a significant event or discovery take place at the site? Is that evident/or likely to be evident in the archaeology/physical evidence of the site?

Aesthetic or technical significance (NSW Heritage Criterion C).

Whilst the technical value of archaeology is usually considered as 'research potential' aesthetic values are not usually considered to be relevant to archaeological sites. This is often because until a site has been excavated, its actual features and attributes may remain unknown. It is also because aesthetic is often interpreted to mean attractive, as opposed to the broader sense of sensory perception or 'feeling' as expressed in the *Burra Charter*.

Nevertheless, archaeological excavations which reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, may allow both professionals and the community to connect with the past through tangible physical evidence.

- Does the site/is the site likely to have aesthetic value?
- Does the site/is the site likely to embody distinctive characteristics?
- Does the site/is the site likely to embody a distinctive architectural or engineering style or pattern/layout?
- Does the site demonstrate a technology which is the first or last of its kind?
- Does the site demonstrate a range of, or change in, technology?

Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G).

Archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation. They can demonstrate the principal characteristics of a place or process that may be rare or common.

A site may best demonstrate these aspects at the time of excavation. It may also be possible to explain the nature of the site and demonstrate past practices via public interpretation either before, during, or after excavation.

- Does the site contain well-preserved or rare examples of technologies or occupations which are typical of particular historic periods or eras of particular significance?
- Was it a long-term or short-term use?
- Does the site demonstrate a short period of occupation and therefore represents only a limited phase of the operations of a site or technology or site? Or does the site reflect occupation over a long period?
- Does the site demonstrate continuity or change?
- Are the remains at the site highly intact, legible and readily able to be interpreted?

7.2. Potential and Known Archaeological Significance

The Urbis report includes *Table 3 – Assessment of Significance – Potential and Known Historical Archaeological Relics/Deposits* which summarises their assessment of significance using the NSW Heritage Division guidelines.

As part of this updated assessment, the same table has been replicated here, with the Urbis statements shown in *italics* in order to clearly demonstrate where the assessment of significance has varied between the Urbis assessment and the assessment by Curio Projects.

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (a) an item is important in the course, or pattern, of NSW's cultural or natural history (or the local area);	<i>Structural Remains – Extant Buildings</i> <i>It is considered that there is a high degree of potential for sub-surface structural features associated with the Lands and Education Buildings to be present at the subject site. These features (such as footings and underground service networks) form part of extant building forms that have been identified as being of state heritage significance. Both the Lands and Education Buildings are highly historically significant. They are representative of growth and change in government administration from the early 20th century. They are part of an important precinct of 19th and 20th century government offices that are physical evidence of a tradition of government use of the area since 1788 and of the development of government bureaucracy from the late 1840s to the present. Sub-surface structural remains associated with these Buildings are therefore considered to be historically significant at a state level.</i>	State	STATE
	<i>Structural Remains – Unidentified Buildings of Earlier Occupation Phases</i> <i>Unidentified buildings known to have previously been erected on site, including the Judge-Advocate's residence (c.1810-1845) and Colonial Secretary's residence (c.1810-1915) are also associated with the precinct of administration buildings described above. In addition to this, buildings from the earlier phases of occupation represent some of the earliest purpose-built structures associated with the governance of the colony and the provision of housing and offices for civil officers until the 1930s. Buildings constructed from the time of settlement to the Macquarie-era also have strong associations with first Government House.</i> <i>Sub-surface structural remains associated with buildings that date from the earlier phases of occupation are therefore considered to be historically significant at a state level.</i>	State	STATE
Criterion (a) an item is important in the course, or pattern, of NSW's cultural or natural history (or the local area);	<i>Cultural Deposits – Earlier Occupation Phases</i> <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris. Expected items/fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.</i> The Urbis assessment of significance identified the potential resource as locally significant and notes that such cultural material is commonly found at historical archaeological sites. Whilst it is true that many sites of local significance contain cultural deposits, such as that described above, it is extremely rare for a site in this location, with this level of significance to yield a meaningful cultural deposit that is stratified and can be attributed to particular people and associated activities. Therefore, this reassessment of significance determines that any cultural material, if found in a stratigraphic context, would be likely to be of State significance due to its potential to reveal much about the activities and lifeways of the civil officers and convict workers in the heart of the first colony.	Local	STATE

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the local area);	<i>Structural Remains – Extant Buildings</i> <i>Both the Lands and Education Buildings are inextricably linked with the various departments that have occupied them, including the Department of Lands and Department of Education and the Department of Agriculture. They have also been associated with a number of notable architects since the time of their construction including George McRae, James Barnet, Walter Vernon, John Young and Waite & Baldwin.</i> <i>The Education Building specifically has strong associations with Directors/Director Generals of Education including Peter Board and Harold Wyndham, who were responsible for important reforms in the NSW educational system.</i> <i>Sub-surface structural remains associated with the Lands and Education Buildings are therefore considered to have associative significance at a state level.</i>	State	STATE
	<i>Structural Remains – Unidentified Buildings of Earlier Occupation Phases</i> <i>Unidentified buildings known to have previously been erected on site were purpose-built as residences and offices for the colony's earliest civil officers and their families. The various phases of construction are also closely linked with early Governors of New South Wales and particularly Governor Macquarie, who commissioned the design and erection of the buildings.</i> <i>Sub-surface structural remains associated with buildings that date from the earlier phases of occupation are therefore considered to have associative significance at a state level.</i>	State	STATE
Criterion (b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the local area);	<i>Cultural Deposits – Earlier Occupation Phases</i> <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris that were used and subsequently discarded by the early civil officers and families who inhabited and worked in and around the subject site. In addition to this, given the intensive use of open public spaces such as Bridge Street and Farrer Place, cultural deposits associated with other early members of the Sydney community may also be present on site, though it may be difficult to definitively associate artefacts with a specific historical period or occupation phase. Cultural deposits associated with earlier occupation phases uncovered at the subject site are therefore considered to have associative significance at a local level.</i> The Urbis assessment attributes local significance to any cultural deposits they may be found. This reassessment of significance assigns a level of State significance to any cultural deposits that can be identified as having an association with any of the civil offices and families who lived and worked in and around the subject site, particularly given how difficult it can be to link cultural material to a specific person or event. In this case, the people that worked and lived in the subject site were high profile government officials who played a significant role in the establishment of the colony of NSW. Any archaeological material associated with such a significant group of people would be considered to have state significance.	Local	STATE

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);	<i>Structural Remains – Extant Buildings</i> <i>Both the Lands and Education Buildings are highly aesthetically significant. Both of these buildings are part of an important and cohesive group of 19th and 20th century government offices that give a distinctive architectural character to Bridge Street and the surrounding area. They were purpose-built to complement and contribute to this character.</i> <i>Both of the buildings are also representative of innovation and technical achievement that was rare for their period, and represent construction on a scale that had not been seen before. This is exemplified by features such as the "moat" in the Lands Building. In addition to this, both buildings have strong associations with a number of notable architects and designers, as outlined in their respective CMPs.</i> <i>The Lands Department Building is a landmark that is "well known for its character due to its portrait statues on its façade and is one of the most intact late Victorian-Edwardian' styles in the city". James Barnet's building design was innovative at the time, and incorporated the use of colonnades and verandahs in view of the Australian climate. The Education Building features a "remarkably fine set of Edwardian baroque sandstone elevations forming a complete city block and providing a landmark building to Bridge Street where it forms a group with the Lands Department and Chief Secretary's Office." (SHI).</i> <i>Sub-surface structural remains associated with the Lands and Education Buildings are therefore considered to be aesthetically significant at a state level.</i> <i>Structural Remains – Unidentified Buildings of Earlier Occupation Phases</i> <i>Buildings that date from the earlier phases of occupation represent some of the earliest purpose-built structures associated with the governance of the colony. As relatively few examples of buildings from this period have survived, the sub-surface structural remains of these buildings, if present, have the potential to demonstrate the aesthetic sensibilities and/or technical achievements of the earliest occupation phase.</i> The Urbis assessment of unidentified buildings notes that the discovery of previously unidentified buildings is unlikely to yield information regarding technical achievement or have aesthetic significance. This reassessment suggests that any evidence of former buildings, particularly as it relates to building methods and information pertaining to previously unknown buildings has the potential to be of State significance for their ability to contribute to our understanding of the construction methods employed during the earliest colonial occupation of Australia.	State	STATE
		Local	STATE
Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);	<i>Cultural Deposits – Earlier Occupation Phases</i> <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris. Expected items/fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.</i> Urbis assessed the cultural deposits as having no ability to demonstrate aesthetics, creative or technical achievements. This reassessment acknowledges that cultural deposits often form the basis of interpretative displays within redeveloped sites, and that they provide a tangible, human element to a site - in a way that structural remains are unable to. Cultural deposits, when found in a stratified environment can often help us to understand particular site formation process or where different activities occurred at sites. If cultural deposits are found from the earlier period of non-Aboriginal occupation of the site are found, they may be able to be further researched and used in interpretative displays and/or public programs. It is considered that such relics may be considered to have State significance if found in a stratified context.	N/A	STATE

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the local area);	<i>Structural Remains – Extant Buildings</i> <i>Both the Lands and Education Buildings are highly socially significant. These buildings are inextricably linked with the various departments that have occupied them, including the Lands Department and Education Department. They are also associated with key individuals associated with these departments, and have ongoing links with personnel associated with these departments.</i> <i>Sub-surface structural remains associated with the Lands and Education Buildings are therefore considered to have social significance at a state level.</i> It was noted that in the Urbis assessment, the level of significance was noted as 'State', but perhaps accidentally identified as 'local' in the summary column.	Local	STATE
	<i>Structural Remains – Unidentified Buildings of Earlier Occupation Phases</i> <i>Unidentified buildings known to have previously been erected on site date from the late 1700s to the mid-to-late 1800s. As such, they do not possess any ongoing links to any specific community or group for cultural, social or spiritual reasons.</i> <i>Sub-surface structural remains associated with buildings that date from the earlier phases of occupation are therefore not considered to meet this criterion.</i> As part of this reassessment, it is considered that the social significance, or value of any resource found – to the local community and to the people of NSW would need to be assessed. It is therefore, not possible at this point to consider that this criterion is unlikely to be met. Often when intact archaeological resources are found, they create a great deal of community interest and concern at a State level (Conservatorium of Music archaeological site, KENS site, Port Macquarie Government House site).	N/A	STATE
Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the local area);	<i>Cultural Deposits – Earlier Occupation Phases</i> <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris that were used and subsequently discarded by the early civil officers and families who inhabited and worked in and around the subject site from the late 1700s to the mid-to-late 1800s.</i> Urbis noted in their assessment that cultural deposits associated with the earliest phases of development, if found, would not be associated with any specific community or group for cultural, social or spiritual reasons, yet at this point, any connections between the potential resource found and its social significance is not yet known. It is considered highly likely that if a significant resource were found, it would be important to the people of NSW.	N/A	STATE
Criterion (e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the local area);	<i>Structural Remains – Extant Buildings</i> <i>It is considered that there is a high degree of potential for sub-surface structural features associated with the Lands and Education Buildings to be present at the subject site. These features (such as footings and underground service networks) form part of extant building forms that have been identified as being of state heritage significance.</i> <i>As the exact location of these elements is not known, the archaeological resource has the potential to provide a unique insight into the construction techniques, design elements and early functioning of the Buildings. They would also contribute to an overall understanding of the subject site, and inform any future heritage interpretation strategies.</i> <i>Sub-surface structural remains associated with the Lands and Education Buildings are therefore considered to meet this criterion at a state level.</i>	State	STATE

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the local area);	<i>Structural Remains – Unidentified Buildings of Earlier Occupation Phases</i> <i>As relatively few examples of buildings from this period have survived, the sub-surface structural remains of these buildings, if present, have the potential to demonstrate the aesthetic sensibilities and/or construction methods used in the earliest occupation phase. They may also reveal the exact location of the earliest buildings, which is not known, and confirm the suspected locations of Macquarie-era buildings.</i> <i>They may also contribute to an overall understanding of the subject site, and inform any future heritage interpretation strategies. Of particular relevance would be information associated with the first Government House site, and colonial Sydney generally.</i> <i>Sub-surface structural remains associated with buildings that date from the earlier phases of occupation are therefore considered to meet the criterion for research potential at a state level</i>	State	STATE
	<i>Cultural Deposits – Earlier Occupation Phases</i> <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris. Expected items/fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.</i> <i>It is noted that the Urbis assessment generally states that 'Such items are commonly found within historical archaeological sites. If found on site, these kinds of items are unlikely to contribute any new information or knowledge. Cultural deposits associated with earlier occupation phases uncovered at the subject site are therefore not considered to meet the threshold for research potential' for most of the assessments of cultural deposits. It is considered in this assessment, that when found in context, that cultural deposits can actually provide extensive scientific evidence about how sites were used, what types of activities were located where, and information unable to be obtained from any other resources. This makes them a very valuable resource, potentially at a State level of significance.</i>	N/A	STATE
Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the local area); and	<i>Structural Remains – Extant Buildings</i> <i>Both the Lands and Education Buildings are considered to be highly significant buildings that are aesthetically distinctive. They demonstrate a high degree of technological achievement and innovation, and represent the erection of buildings and associated services on a scale that had not been attempted before. They are two of on a handful of comparable surviving buildings still present within the Bridge/Macquarie Streets administrative precinct.</i> <i>There are few buildings that demonstrate such innovative building design features as the Lands and Education Buildings; the buildings are considered to provide rare examples of what was considered to be large scale construction for their respective periods, as well as their use of innovative design and construction features, such as the "moat" structure that surrounds the Lands Building.</i> <i>Any sub-surface service networks or features associated with the buildings therefore have the potential to be relatively rare, particularly considering that archaeological investigations have not previously been undertaken for buildings of a similar scale or level of significance.</i> <i>Sub-surface structural remains associated with the Lands and Education Buildings are therefore considered to meet this criterion on a state level.</i>	State	STATE

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the local area); and	Structural Remains – Unidentified Buildings of Earlier Occupation Phases <i>As relatively few examples of buildings from this period have survived, the sub-surface structural remains of these buildings, if present, would be rare. Sub-surface structural remains associated with buildings that date from the earlier phases of occupation are therefore considered to meet the criterion for rarity.</i>	State	STATE
	Cultural Deposits – Earlier Occupation Phases <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris. Expected items/fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.</i> Whilst Urbis concludes that any cultural deposits would be common and not significant, this assessment has determined that any intact cultural deposits associated with the earliest colonial phases of the site's use would be rare and of State Significance because of their ability to contribute information that may not be able to gleaned from any other sources.	N/A	STATE
Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or the local area).	Structural Remains – Unidentified Buildings of Earlier Occupation Phases <i>As relatively few examples of buildings from this period have survived, the sub-surface structural remains of these buildings, if present, have the potential to demonstrate the aesthetic sensibilities and/or construction methods used in the earliest occupation phase. Given that there is a limited likelihood for early structures to be recovered intact, structural remains uncovered on site may not adequately demonstrate the principal characteristics of comparable buildings from that period.</i>	State	STATE
	<i>Based on historical research, however, both the Judge-Advocate's residence (later the Colonial Secretary's residence) and Colonial Secretary's residence (late Colonial Secretary's Office) were substantial buildings that appear to have been of sturdy construction. Given the relatively low level of disturbance at the anticipated location of the remains of these buildings (Loftus Street/Education Building central atrium), it is possible for footings or other structural elements of these buildings to be relatively intact. Remains of these buildings may therefore potentially be demonstrative of the principal architectural characteristics of comparable buildings of the period.</i> <i>As these buildings were the home/offices of some of the most important civil officers of the colony, it is likely that they would have been constructed in a style that was representative of the tastes and resources of early Sydney residence of a comparable socio-economic status.</i> <i>Sub-surface structural remains associated with buildings that date from the earlier phases of occupation are therefore considered to meet this criterion at a state level.</i> It is noted that in the Urbis assessment there is a discrepancy between the description of significance as State, but then the identification as local in the summary column. It is considered that State significance is the appropriate level of significance for this site.	State	STATE

NSW HERITAGE CRITERIA	POTENTIAL HISTORICAL ARCHAEOLOGICAL 'RELICS'/DEPOSITS AT THE SUBJECT SITE	URBIS	CURIO
Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or the local area).	<i>Cultural Deposits – Earlier Occupation Phases</i> <i>Cultural deposits associated with the earlier phases of occupation are likely to contain household refuse and building debris. Expected items/fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.</i> Whilst Urbis then concludes that any cultural deposits would be common and not significant, this assessment has determined that any intact cultural deposits associated with the earliest colonial phases of the site's use would have the ability to contribute information that may not be able to gleaned from any other sources. The potential cultural deposits associated with the civil occupation of the colony from its' establishment in 1788 through to the construction of the Lands and Education Buildings, if found would be of State Significance.	Local	STATE

7.3. Historical Archaeological Research Potential

The historical archaeological research potential for the site prepared by Urbis (2014) has been reviewed as part of the process of updating the Archaeological Assessment.

Generally, the Urbis report addresses the research potential according to the different phases of the site's historical development. The full assessment of research potential is included in 7.3 of the Urbis report, and is briefly summarised here for the purpose of reassessment.

The Urbis assessment concludes that:

- any cultural deposits associated with the earliest occupation of the site are commonly recorded and are unlikely to contribute knowledge that no other site or resource could, unless it is able to be dated – then they note that the resource may be rare;
- The Judge-Advocates residence (later used as the Colonial-Secretary's house) and the Colonial Secretary's residence (later Colonial Secretary's Office) were built c.1810-1812 as part of the second stage of building works at the administration precinct along Bridge Street. They have strong associations with the building and public works initiatives of the Macquarie-era, and are two of the earliest purpose-built civil office buildings in Sydney. They are also closely linked with the early administration and government of the colony and the provision of residences for civil officers prior to the 1830s. As such, the archaeological remains of these buildings, if identified, are considered to be of state significance.
- Other earlier buildings, particularly those that date from the first phase of building (c. 1790) and whose exact location is not known, may also potentially be present on site. These buildings were constructed soon after, and in direct association with, the first Government House, and represent the earliest known government and administration buildings to be constructed in the colony. As such, the archaeological remains of these building, if identified, are considered to be of state significance.
- Few buildings of a comparable age and/or social and historical significance have survived within Sydney. Those that have, including Cadman's Cottage, Elizabeth Farm, Hyde Park Barracks, The Mint, Vacluse House and Rouse Hill House and Farm, are considered to be of state significance. Any structural remains associated with the earlier phase of occupation (c.1789 - mid-1800s) would be considered to be rare, and therefore able to contribute knowledge that very few other sites in Sydney and wider New South Wales can.

- General descriptions of these buildings, including their use and appearance, are available from other resources including early newspaper articles, letters, paintings and photographs. However, the historical record is incomplete, and it is likely that archaeological remains associated with these structures would contribute knowledge that is not readily available from other resources. This may include information pertaining to the precise locations of earlier buildings, as well as their layout, method of construction and overall design.
- Structural remains associated with these buildings are considered to be of state significance, if present. Knowledge gleaned from archaeological features/elements is therefore considered to be relevant to general questions regarding the history of Sydney and New South Wales.
- It has been assessed that there is a *high degree of archaeological potential* for sub-surface structural elements associated with both the Lands and Education Buildings to be present on site. This may include footings (likely to be of sandstone construction) and general building services such as original piping systems, which may be of cast-iron, terracotta or lead construction. In addition to this, other archaeological features such as original paving and plinth bollards associated with an early carriage loop, and the “moat” structure are known to be present at the site of the Lands Building. These features were also identified during the visual inspection of the building.
- As the exact location of unidentified sub-surface structural elements and/or features is not known, the archaeological resource has the potential to provide a unique insight into the construction, design techniques and features, and early functioning of the Buildings.

As part of this review of the research potential for the site, it is considered that the assessment of research potential is very much focused on ‘structural’ remains and does not recognize the potential significance of environmental information or ‘relics’ to contribute to our understanding of sites.

In refining the development impacts, the research potential of cultural deposits will need to be further considered as part of the preparation of the research design - in order to ensure that cultural deposits are not discarded as being less significant than the structures themselves. Cultural deposits can form an extremely significant archaeological resource and require a research framework that ensures the resource is adequately recorded, if found on site. It is unclear why this type of resource was generally assessed as being common and unable to contribute in a meaningful way.

It is agreed, however, that cultural deposits associated with unstratified fill have very little to no research value as they are no longer in their original context. They can however, help to date when sites were cleared and capped with fill, and help to identify where the fill may have been brought in from.

7.4. Revised Archaeological Significance

The archaeological significance for the study area has been revised in light of the comparative analysis of other relevant historical archaeological sites in Sydney, as well as the nature of potential structural and cultural remains that may exist on site and the historical periods to which they may belong. The revised archaeological significance assessment presented here is in relation to each of the three phases of use of the study area, and has been assessed in accordance with the ‘NSW Heritage Criteria for Assessing Significance related to Archaeological Sites and Relics’.⁶⁸ This

⁶⁸ NSW Heritage Branch 2009, *Assessing Significance for Historical Archaeological Site and ‘Relics’*: p11

archaeological significance assessment supersedes the previous archaeological significance assessment presented in Urbis 2014.

7.4.1. Historical Archaeological Research Potential (current NSW Heritage Criterion E)

Archaeological evidence from Phase 1 use of the site—Establishment of the colony (1788-1810)—may survive in the form of sub-surface structural remains of early buildings known to have been erected on site, (including the original Commissary, Judge-Advocate, Chaplain, and Surveyor-General’s residences), as well as in the form of archaeological evidence, such as wells, rubbish dumps and cesspit, produced as a result of day to day on-site activities. Potential cultural deposits that could be recovered from such features include household and work-place refuse, building debris (e.g. fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.) and other remnant site-specific evidence. There is also the potential for isolated pockets of remnant soil profiles to exist within the study area.

Whilst the potential for remnant soil profiles to exist within the study area is likely to be low due to the site topography and level of site disturbances over time, should they be present, they have the potential to yield palaeobotanical evidence associated with the early occupation and use of the site, including providing evidence of the types of plants that present on the site prior to and during the earliest phases of settlement, as well as information pertaining to the gardens and farming activities that occurred on site post-1788. Should such evidence be present, this information would have research potential at a **State** level.

Buildings from the initial phase of occupation of the study area, as well as associated evidence for on-site activities and cultural deposits, represent some of the earliest purpose-built convict structures associated with the governance of the colony and the provision of housing and offices for civil officers, and would have research potential at a **State** level, as few examples from buildings from this period have survived.

Archaeological evidence associated with the second phase of occupation at the site (Phase 2—Macquarie-era buildings and road/sewer development, 1810-1876) may include structural remains of Macquarie-era buildings such as the Judge-Advocate’s, Colonial Secretary’s (c1810-1915) and Surveyor General’s residences and offices, as well as associated outbuildings and remnant fabric associated with the construction and use of the buildings.

Sub-structural remains from Phase 2 may reveal or confirm the suspected locations of the Macquarie-era buildings. Additionally, if found in context (and particularly if stratified for example in wells, rubbish dumps or cesspits), cultural deposits from this period could provide extensive scientific evidence about how the site was used, what types of activities were located where, and information unable to be obtained from any other resources. Therefore, archaeological evidence relating to Phase 2 occupation and use of the study area would have research potential at a **State** level.

Sub-surface structural features associated with Phase 3 (Lands and Education Buildings (1876-1893 and 1912-Present) occupation of the study area, such as footings or underground service networks, would form part of the extant State heritage listings. The locations of these features could have the potential to inform on unknown factors of the development of these buildings such as construction techniques, design elements, and early functioning of the buildings. Therefore, archaeological evidence from Phase 3 use of the site would be considered to have **State** significance with regards to research potential.

7.4.2. Association with Individuals, Events or Groups of Historical Importance (current NSW Heritage Criteria A, B & D)

The use of the study area during both Phase 1 (1788-1810) and Phase 2 (1810-1876) centered around the administrative centre of Sydney, and was consistently occupied by buildings resided in, or used as offices by, the earliest civil officers of the Sydney colony (and their families). In turn, the close physical proximity of these early administrative buildings to first Government House, as well as associated function, closely links any structural remains present with the early Governors of NSW, notably, Governor Macquarie. Cultural remains associated with these two early phases of occupation of the site, particularly if stratified, have the potential to reveal much about activities and lifeways of the civil officers and their families in the heart of the first colony.

Therefore, any structural remains and/or cultural remains (particularly if stratified), would be of **State** significance with regards to specific individuals (e.g. the early Surveyor General, Colonial Secretary, Chaplain, Judge Advocate etc), as well as the general group of early administrators and governors of the colony.

Phase 3 (1876–Present) use of the site for the Lands and Education Buildings is inextricably linked with the government departments that have occupied them, namely the Department of Lands, the Department of Education (previously the Department of Public Instruction), and the Department of Agriculture. The extant buildings (and potential associated sub-surface structures and archaeological relics) are also associated with specific notable architects such as George McRae, James Barnet, Walter Vernon, John Young, and Waine & Baldwin. In addition, the Education building has historical associations with Directors of Education including Peter Board and Harold Wyndham, both of whom were responsible for major reforms in NSW education.

Therefore, any archaeological remains associated with Phase 3 of the use of the study area would have historical associative significance at a **State** level.

7.4.3. Aesthetic or Technical Significance (current NSW Heritage Criterion C)

Potential archaeological evidence from Phase 1 and 2 of occupation at the site could consist of structural remains and associated 'relics' from the use of the site for the early administrative buildings for the colony of Sydney (from 1792-1876). In particular, there are very few surviving buildings from the Phase 1 (1788-1810) era of Sydney construction, a timeframe in construction which was predominantly undertaken by convicts under strict government control.

Any evidence of former buildings, particularly as it relates to building methods and information pertaining to previously unknown buildings and their surrounds (e.g. the nature of the first buildings on site from 1792-1810) has the potential to be of **State** significance for their ability to contribute to our understanding of the construction methods employed during the earliest colonial occupation of Australia.

Cultural deposits, when found in a stratified environment, can assist with our understanding of particular site formation processes and nature of use and activities undertaken at a site. Should these deposits be present within the study area from either Phase 1 or 2, they may allow for further research and/or use in interpretative displays. These potential artefacts would therefore provide an opportunity for a tangible connection with the history of this site, and the first government of Australia through physical evidence. Therefore, cultural deposits from Phases 1 and 2 if present, would also meet the threshold for **State** level of aesthetic/technical significance.

Phase 3 use of the study area relates predominantly to the extant Lands and Education buildings, which are considered to be highly aesthetically significant, as forming part of an important and cohesive group of 19th and 20th Century government administration buildings along Bridge Street and the surrounding area.

Therefore, any sub-surface structural remains associated with the construction and development of these State heritage registered buildings, would also have **State** significance on an aesthetic level.

7.4.4. Ability to Demonstrate the Past through Archaeological Remains (current NSW Heritage Criteria A, C, F & G)

Archaeological evidence associated with Phase 1 (1788-1810) of the study area such as sub-surface structural remains or cultural deposits associated with the first officer's residences constructed on site in association with the first government house and early administration of the colony, would be rare, as few examples of buildings from this period have survived.

These early buildings housed some of the most important officers of the early colony and their families, and therefore any remaining structures, as well as cultural deposits, would represent a specific socio-economic status of early Sydney. Artefacts from this period, particularly if recovered from a stratified context, would represent a rare resource that could contribute information that could not be acquired from other sources, as well as provide an opportunity for public interpretation of the lives and functionality of the earliest colonial government officials.

Therefore, any archaeological evidence relating to Phase 1 occupation of the site would be of **State** significance for its ability to demonstrate the early period of colonial administration and life in early Sydney.

Phase 2 (1810-1876) use of the site would potentially provide archaeological evidence in terms of the structural remains of the Macquarie-era administrative buildings (and associated outbuildings, yards and gardens), as well as cultural deposits associated with the lives and activities of the colonial officers of this period.

As for Phase 1 use of the site, archaeological evidence for Phase 2 would represent a rare example of evidence of specific colonial activities undertaken by the officers, both administrative, as well as personal, and where present would present a unique opportunity for tangible connection with the past through public interpretative displays, particularly of any recovered artefacts (in context). Additionally, Phase 2 use of the site continues an extended and continuous period of use of the site for NSW government and administrative purposes. Archaeological evidence from Phase 2 use of the site would also be of **State** significance for its ability to demonstrate the past.

Archaeological evidence associated with Phase 3 (1876-Present) use of the study area would be associated with the construction and use of the Lands and Education Buildings, such as sub-surface service networks or features. The extant buildings are considered to be rare in their ability to demonstrate innovative building design features and large scale construction for their respective periods. Rare construction innovations include features such as the subterranean 'moat' around the Lands Building. Therefore, any unknown sub-surface features associated with these rare architectural examples would also be of **State** significance.

7.5. Statement of Significance

Three phases of historical use of the study area have been identified: Phase 1—Establishment of the Colony (1788-1810); Phase 2—Macquarie Era Buildings and road/sewer development (1810-1876); and Phase 3—Lands and Education Buildings (1876-Present). These three historical phases all have the potential to provide rare, tangible physical evidence for the nature and location of significant, early structures, as well as cultural deposits which may have the ability to demonstrate and interpret the daily lives of early convicts, colonial officers and their families, the day to day workings of the administration of the early Sydney colony, as well as its progression through the history of the Sydney colony.

The potential archaeological structural remains, and cultural deposits from all three phases of occupation may provide excellent opportunities for public interpretation that can provide a tangible link between the current city of Sydney and its occupants, continuously back through to the original colonial settlement which was founded on the back of convict labour.

All potential archaeological structures and stratified deposits from the three phases of use of the study area have the potential to be of **State Significance**, depending on their nature, extent and level of intactness.

8.0 Proposed Archaeological Impacts

This AA has been prepared to assess, mitigate and manage the impact to any potential archaeological resources contained within the subject site, and more broadly, any impacts to relics that may be unexpectedly discovered during the construction works.

The proposed development impacts are those that will impact below the ground surface, and therefore risk disturbing any potential archaeology (either Aboriginal or historical) that may be present (as discussed above).

8.1. Proposed Development Impacts - Archaeology

The proposed development impacts, specific to potential archaeological resources, are predominantly related to the excavation of a basement underneath the Education Building (including removal of the current ground fabric and concrete slab). The three level basement will contain the majority of the plant systems, back of house functions for the whole of the hotel, as well as guest facilities, the ballroom and meeting spaces.

The proposed development also includes the excavation of a subterranean tunnel link between the Education Building and the Lands Building. Excavation beneath the Lands Building will be limited to back of house lifts, escape stair and services riser to connect with the subterranean link for the provision of access to the Education Building.

Project demolition plans, demonstrating the proposed areas of excavation as relevant to the archaeological impacts are presented in Figure 20 to Figure 25.

A summary of the specific impacts involving ground disturbances and excavation for the proposed development includes:

- excavation of three basement levels under the southern part of the Education Building, to a depth of RL 0.77 (i.e. approximately 12m below current ground level);
- excavation of a basement retaining wall, set approximately 2m inside the inside façade of the Education Building, in order to allow a zone around the assumed footings of the Education Building;
- partial removal of the concrete slab and existing asphalt fabric of the Education building Lower Ground floor (in order to allow for further subsurface excavation);
- excavation of a subterranean tunnel link at Basement 3 level (i.e. RL 0.77, approximately 12m below current ground level) to connect the Lands and Education Buildings; and
- excavation below the Lands Building, limited to back of house lifts, escape stair and services riser, to connect with the subterranean link, at Lower Ground Level.

The proposed RL depths for each level of proposed excavation beneath the Education building is as follows:

- Lower Ground (*Existing*): RL 12.93 (current ground surface)
- Basement 1: RL 8.4 (c. 4m below current ground surface)
- Basement 2: RL 4.9 (c. 8m below current ground surface)
- Basement 3: RL 0.77 (c. 12m below current ground surface)

Due to the contours of the slope, the ground floors of the Lands and Education buildings currently exist at differing levels, where the existing Lower Ground of the Education building corresponds approximately with the Ground Level of the Lands building. Currently, elevations of the base of the buildings at the site range from approximately RL17 in the southeast of the site at the southeastern corner of the Education Building (with the current lower ground level of the Education Building at approximately RL13), to approximately RL9 at the northwest corner of the Lands Building (i.e. a difference of approximately 8m between the top of the slope and the bottom of the slope across the site).

Sandstone bedrock is generally encountered in this area of the Sydney CBD quite close to the current ground surface, depending on prior development, land disturbance and geographical positioning (within 0.3m – 2metres). Archaeology, if present, would only be expected to occur between the current ground surface, and within the top levels of the sandstone bedrock. Therefore, while excavation for installation of the basement levels is proposed to continue to 12m below the current ground surface, archaeology, if found, would likely only be present to < 4 metres below ground. Proposed geotechnical investigations will soon be able to confirm the depth below ground at which sandstone occur within the study area.

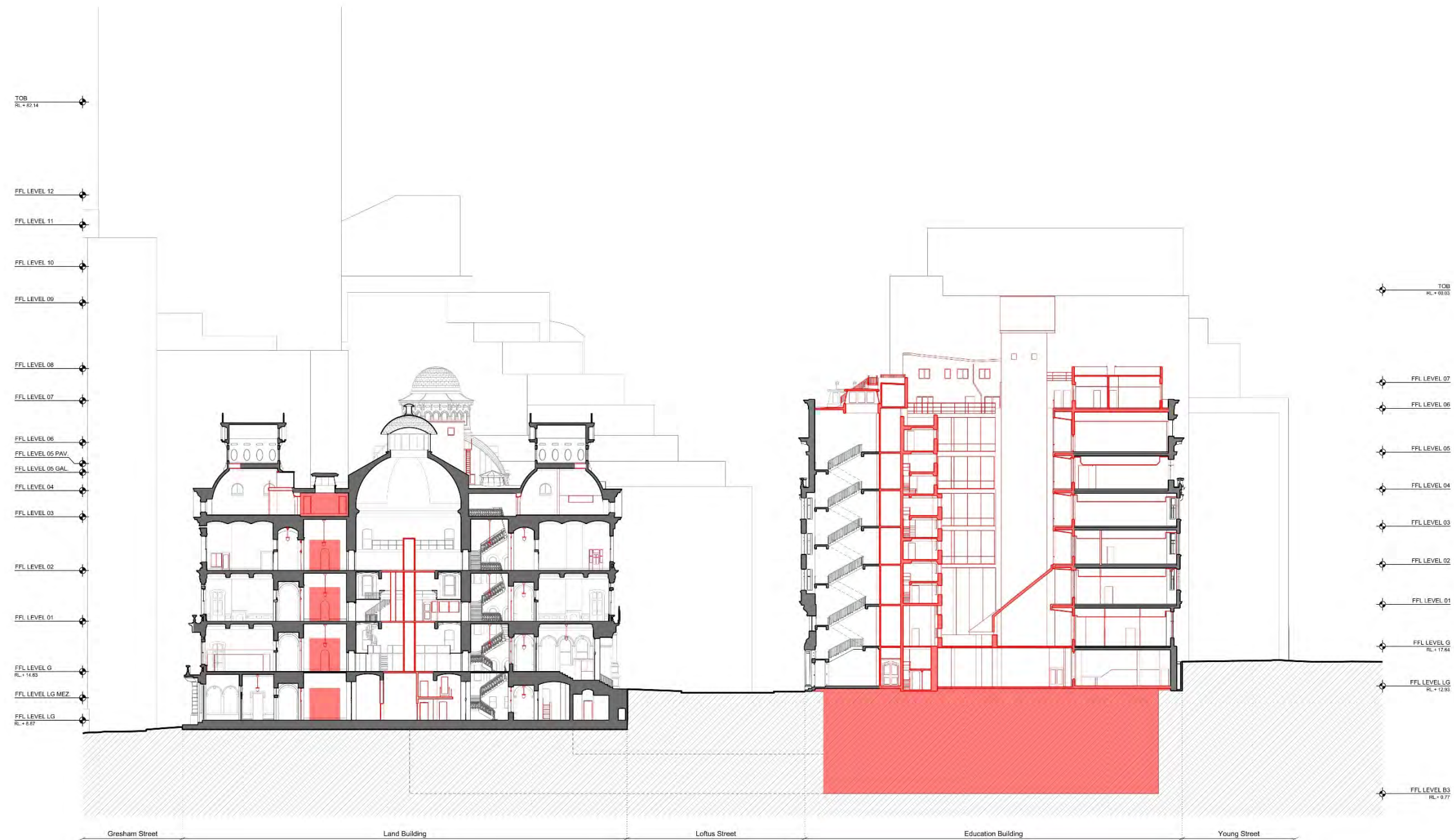
The initial stage of demolition that has the potential to impact on archaeology under the Education building, will be the removal of the concrete slab and existing built fabric within the current Lower Ground of the Education building (as per the demolition footprint shown in Figure 22). Following the removal of the existing ground surface, excavation for Basement 1 will commence, with the proposed excavation footprint as per Figure 23. Excavation for Basement 1 will be to a depth of approximately 4m below the current ground surface under the Education building.

The initial stage of demolition that has the potential to impact on archaeology under the Lands building, will be the removal of limited areas of concrete/existing built fabric within the current Lower Ground of the Lands building (as per Figure 23). Following the removal of these isolated areas of concrete removal, discrete areas of excavation will commence for installation of the lift shafts, escape stair and services riser (which will eventually connect with the subterranean tunnel at c.7m below current ground surface). The footprint for the initial stage of proposed excavation under the Lands building is presented in Figure 23.

Any proposed development excavation/demolition below c.4m (i.e. excavation for Basement 2, Basement 3, and the subterranean tunnel link) will be within the deep sandstone bedrock, and is therefore, considered not likely to impact on archaeology, as it will be below the level at which archaeology is reasonably predicted to occur within this site type. The demolition plans for Basement 2 and Basement 3 have been presented in Figure 24 and Figure 25 for information purposes, however the wider footprint of excavation in these areas will not have the potential to impact on archaeology.

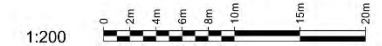
It should be noted that the footprint of the proposed basement area (under the Education Building), as assessed here, is slightly larger than necessarily required in order to construct the basement. A larger area than necessary for the back of house function and associated plant equipment has been allocated, in order to allow a small degree of flexibility during site works. It has been designed this way so that the additional space could accommodate a slight adjustment of site works in order to retain a sample of significant archaeology within the southern section of the Education Building, where considered feasible and practical if found. Whilst it may not be possible due to either the location of level of intactness of the significant resource that may be found, it is nevertheless part of the design intent.

The subterranean link will be tunneled from the lowest level of the basement excavation under the Education Building, to connect with the minimal excavation required to connect the lift shafts, escape stairs and tunnel opening beneath the Lands Building. As described in Section 5.2 of this report, a section of the Bennelong SWC occurs beneath Loftus Street. The Bennelong SWC is expected to be within the first 3m below Loftus Street, and therefore, mechanical tunneling through bedrock for the subterranean tunnel at 7m below the street level, will take place at least 4m lower than the depth at which we would expect the drain to occur. Therefore, tunneling for the subterranean link between the two buildings is not expected to have any impact on the Bennelong SWC.



01 Lands Building - Demolition Section looking North
1:200

02 Education Building - Demolition Section looking North
1:200



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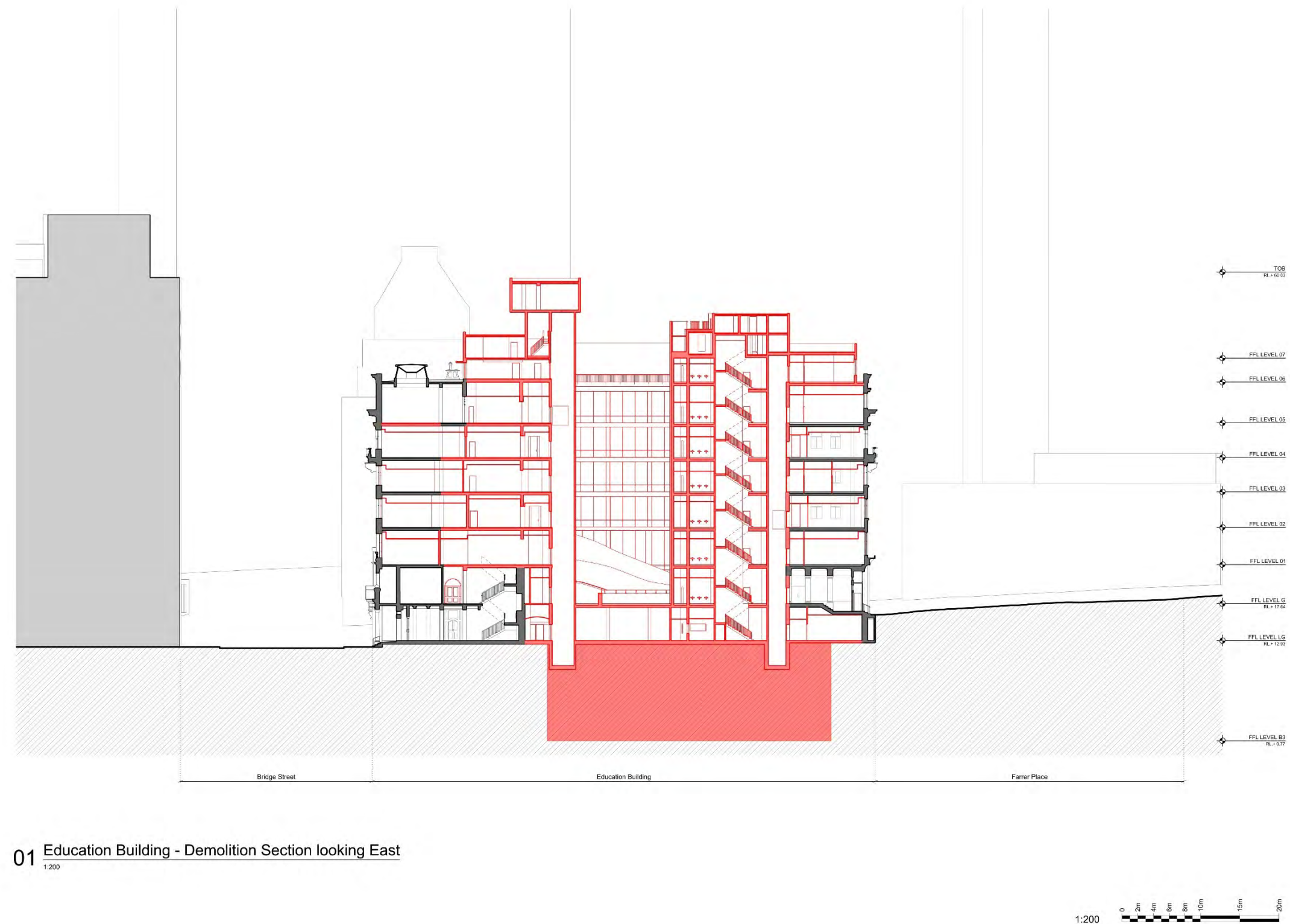
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KEYPLAN

GENERAL NOTES
1. DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE STATED.
2. DO NOT SCALE OFF DRAWING.
3. ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE
PROCEEDING.
4. ALL DISCREPANCIES TO BE NOTIFIED IN WRITING TO
RIDLEY CONSOLIDATED GROUP PTY LIMITED
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03	For Development Application	14.10.16
02	For Development Application	11.10.16
01	For Development Application	06.10.16
00	For Information	22.09.16
ISSUE	DESCRIPTION	DATE
DESIGN ARCHITECT		
make		
EXECUTIVE ARCHITECT		
Ridley		
INTERIOR DESIGNER		
B A R		
CLIENT		
TRISTAR SANDSTONE		
PROJECT		
SANDSTONE		
PRECINCT		
23-39 Bridge Street, Sydney 2000, Australia		
PROJECT NUMBER		
1166		
SCALE	1:200 @B1	DRAWN CHECKED
		MR RM
STATUS		
DEVELOPMENT APPLICATION		
DRAWING		
Demolition Sections		
Lands and Education Building - Section 01		
DRAWING NUMBER		
SP-DA-G-3400		
REVISION		
03		

Figure 20: Basement Demolition, North Facing Section, Drawing SP-DA-G-3400 (Source: Make & Ridley, 14.10.16)



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03	For Development Application	14.10.16
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ISSUE	DESCRIPTION	DATE

DESIGN ARCHITECT
make
EXECUTIVE ARCHITECT
Ridley
INTERIOR DESIGNER
B A R

CLIENT
TRISTAR SANDSTONE

PROJECT
SANDSTONE PRECINCT
23-29 Bridge Street, Sydney 2000, Australia

PROJECT NUMBER	1166
SCALE	1:200 @B1
DRAWN	MR
CHECKED	RM

STATUS
DEVELOPMENT APPLICATION

DRAWING
Demolition Sections
Education Building - Section 03

DRAWING NUMBER	SP-DA-G-3402
ISSUE	03

Figure 21: Education Building- East Facing Demolition Section, Drawing SP-DA-G-3402 (Source: Make & Ridley, 14.10.16)



Figure 22: Demolition Plan for the Education Building—Lower Ground (Source: Make & Ridley, Drawing SP-DA-G-2299, 14.10.16, as modified by Curio)



Figure 23: Demolition Plans—Lands Building: Lower Ground Floor, Education Building—Basement 1. (Source: Make & Ridley, Drawing SP-DA-G-2297 15.9.16)

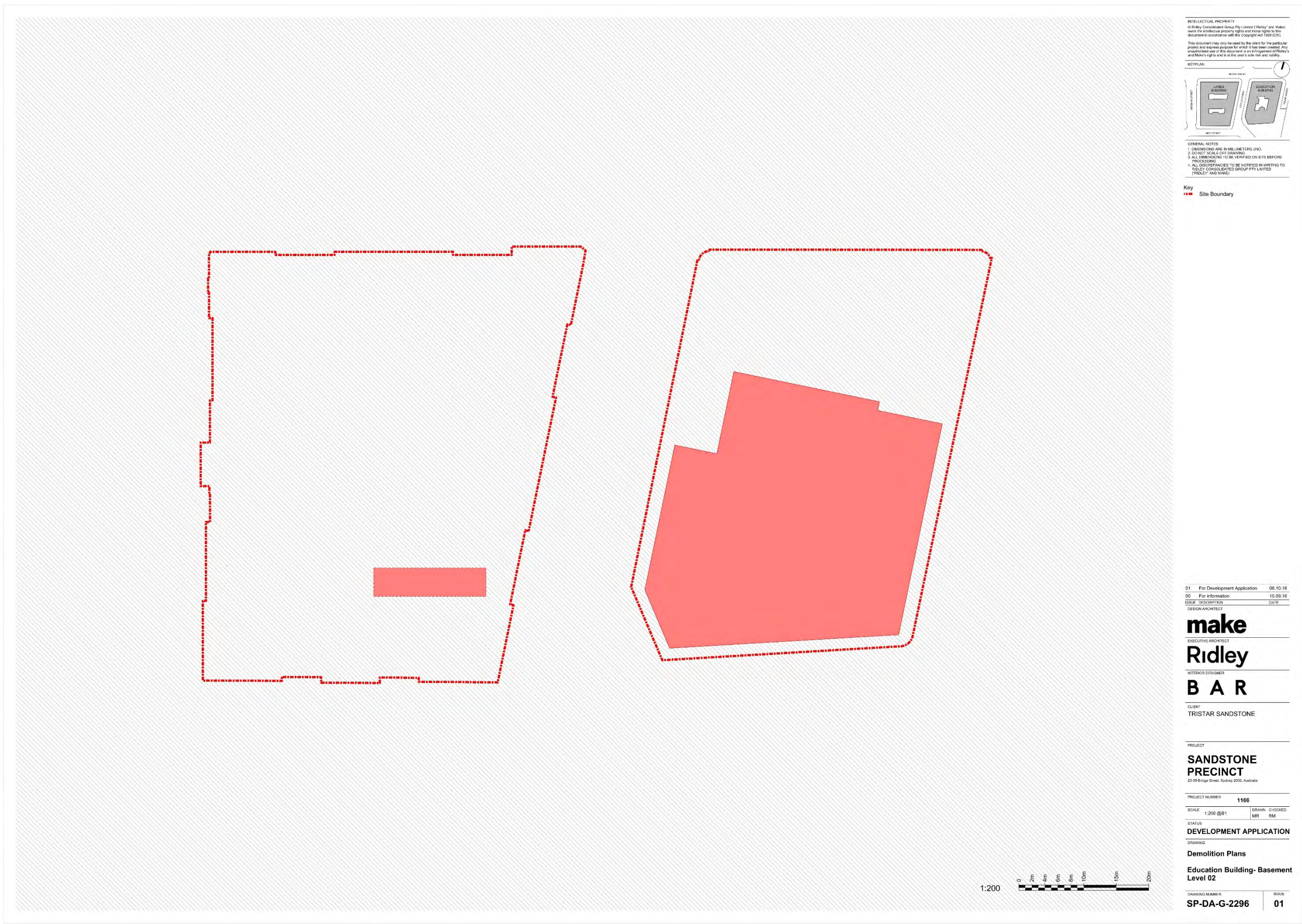


Figure 24:Demolition Plans—Lands building lift and services and Education Building - Basement 2 (c. 4-8m below current ground surface) (Source: Make & Ridley, Drawing SP-DA-G-2296 14.10.16)

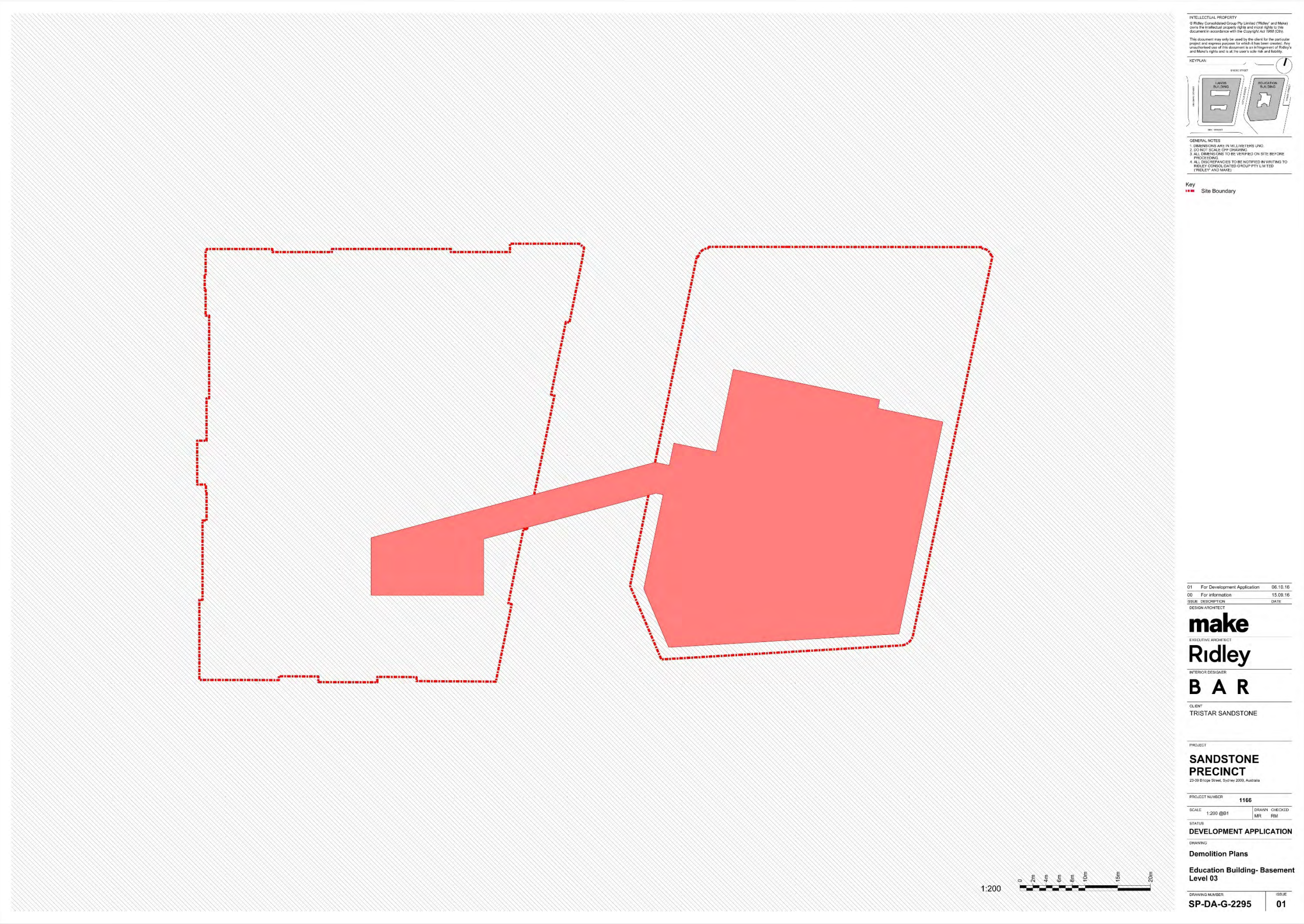


Figure 25: Demolition Plans—Basement 3 and Subterranean Link (c. 8-12m below current ground surface). (Source: Make & Ridley, Drawing SP-DA-G-2295 14.10.16)

8.2. Proposed Impact to Aboriginal Archaeological Resources

As discussed in Section 4.7, there is a low potential for an Aboriginal archaeological resource to be present within the study area. Should an unexpected Aboriginal archaeological resource prove to be present, it would likely be in a disturbed context, and potentially consist of Aboriginal stone artefacts and possibly shell middens. However, should Aboriginal archaeology be present within the study area, it would be of moderate to high cultural and social significance (depending on whether the archaeological deposit was located in situ or in a disturbed context). Therefore, 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.

Should an Aboriginal archaeological deposit be present within the study area, it would be within any remnant natural soil profiles, which may potentially exist in pockets across the study area. Previous archaeological excavations within the Sydney CBD have demonstrated the ability for isolated pockets of natural soil profiles to exist beneath modern development. Considering the consistent and intensive use of the study area since 1788 (i.e. as an administrative centre for Sydney, as well as the extensive development of the Lands and Education Buildings), as well as the geographical position of the site on northwest slope down to the Tank Stream and Circular Quay, it is likely that the study area has been subject to higher levels of ground disturbance than similar sites within the Sydney CBD.

Therefore, the potential for the proposed ground disturbance for the development to impact any Aboriginal archaeological resource (i.e. excavation for the 'Back of House' basement under the Education Building, and minimal excavation for connecting services under the Lands Building), would only be in areas where intact natural soil profiles remain.

8.3. Potential Impact to Historical Archaeological Resources

Potential historical archaeological resources that may be present within the study area have been assessed in Section 6.3, with regards to possible types of evidence that may be found, which phase of historical use of the site it may belong to (i.e. Phase 1, Phase 2 or Phase 3), and the potential for such evidence to survive. Therefore, the possible impact of the proposed development impacts to historical archaeology has also been assessed in relation to each historical phase as follows.

Any impact to the potential historical archaeological deposit under the Lands and Education buildings would be within development excavation for Basement 1 of the Education building, and the lift shafts/services riser for the Lands building i.e. from commencement of ground disturbance, to approximately 4m below the current ground surface across both buildings, noting that the ground surface slopes down towards the Lands building. Any deeper excavation proposed for the development will have little to no potential to encounter archaeological deposits as they extremely unlikely to occur deeper than 4m below the current ground surface.

Phase 1—Establishment of the Colony (1788–1810)

Potential archaeological evidence relating to Phase 1 use of the site would predominantly relate to the first permanent timber buildings and outbuildings associated with the first civil officers' of the colony, and has been assessed to have **moderate to high potential** to be present at the subject site.

While the exact locations of the original timber buildings from Phase 1 (Commissary, Judge-Advocate, Surveyor-General and Chaplain) are not known, historical plans suggest that the main structures may have been located in the north of the lots (Figure 9), with the gardens predominantly to the south. The potential for archaeological evidence relating to Phase 1 remaining within the subject site has previously been summarised as:

- **high potential** for fragmentary and ephemeral evidence of the 1792 structures, their gardens, fencelines and outbuildings to still exist within the north-western area of the site;
- **low-moderate potential** for evidence related to these buildings to be found in the more disturbed cut down sections in the south-east areas;
- **high potential** for palaeobotanical data relating to the pre-settlement environment of the subject site to be present within remnant soils (especially considering only small samples are required to recover this data);
- **high potential** for wells, cesspits, rubbish dumps and early infrastructure to survive; and
- **low potential** for evidence for post-contact interaction between Aboriginal and non-Aboriginal people.

Ground impacts from the proposed development are predominantly limited to the south eastern portion of the site (as shown in Figures 22 - 23). Due to the lack of historical plans from this phase of the site's development (c.1788-1810), there are no definitive plans that clearly show historical structural footprints to use as overlays in conjunction with the existing excavation plans.

Instead, Table 3 below summarises the potential historical archaeological evidence from Phase 1, in accordance with how likely this evidence would be encountered (considering the extent of development excavation) (Low/Moderate/High) and the impact of the development on this evidence if found (None/Partial/Full).

Table 3: Phase 1 (1788-1810) Historical Archaeology Impact Summary

Potential Archaeological Evidence	Archaeological Potential	Potential for Excavation to Encounter	Impact (if found)
1792 Structures (Fragmentary and Ephemeral Evidence)	Low-moderate	Low-Moderate	Partial
Palaeobotanical Data	High	Low-Moderate	Partial
Wells, cesspits, rubbish dumps, early infrastructure	High	Low-Moderate	Partial
Evidence for post-contact interaction	Low	Low	Partial

Phase 2—Macquarie-era Buildings and road/sewer development (1810-1876)

Potential archaeological evidence relating to the Phase 2 historical occupation of the subject site (1810-1876) would predominantly relate to the Macquarie-era officer's houses (i.e. Colonial-Secretary's residence, Judge-Advocate's residence, and Surveyor General's residence), and associated evidence. The subject site generally has **high potential** to contain archaeological evidence relating to this phase.

Historical plans are available for this phase of occupation of the subject site, and therefore, are able to be directly compared with the proposed excavation footprint to determine the potential impact to archaeology with greater accuracy than Phase 1.

The potential for archaeological evidence relating to Phase 2 remaining within the subject site can be summarised as:

- **high potential** for evidence (remnant fabric of the structure and associated materials) associated with the Judge-Advocate's residence beneath the Loftus Street vehicular entry to the Education building;
- **high potential** for evidence (remnant fabric of the structure and associated materials) associated with the Colonial Secretary's residence under the central atrium of the Education building;
- **high potential** for evidence associated with the Surveyor General's office in the southern area of the Lands building; and
- **high potential** for evidence of boundary walls, gardens and related landscaping elements associated with all three Macquarie-era structures (i.e. Surveyor General's Office, Judge-Advocate's residence and Colonial Secretary's residence).

The historical plans which depict the general location and structure of the Macquarie-era buildings compared with the footprint of the proposed excavation area, suggest that the following potential impacts may occur:

- the western edge of excavation beneath the Education building, while not directly associated with the documented location of the Judge-Advocate's residence, is in close proximity, and has a low potential to impact on the eastern side of this structure, including remnant fabric of the building itself, and any associated outbuildings, boundary walls, cesspits, rubbish dumps etc.;
- excavation for the basement under the Education building has a high potential to encounter structural remains associated with the Colonial Secretary's residence (where they may have survived the prior development at the site- i.e. development of the Education building);
- excavation for installation of lift shafts and service routes under the Lands building has the potential to encounter structural remains, associated outbuildings, boundary walls, cesspits, rubbish dumps etc., associated with the Surveyor General's office, however, due to the minimal and localised nature of excavation in this area, there is a low potential for excavation to encounter substantial historical archaeological deposits;
- all development excavation has the potential to encounter archaeological features such as wells, cesspits, rubbish dumps, etc., associated with all three Macquarie-era structures; and
- all development excavation has the potential to encounter archaeological features such as boundary walls, gardens and related landscaping elements associated with all three Macquarie-era structures.

Two stages of development demolition and excavation have the potential to impact historical archaeology from Phase 2, that is; the removal of the concrete slab and existing built fabric (both buildings), and excavation for Basement 1 (Education building)/lift shafts and services (Lands building). As these demolition/excavation footprints differ slightly, the areas of potential impact have been presented in Figure 26 (concrete slab) and Figure 27 (Basement 1 excavation).

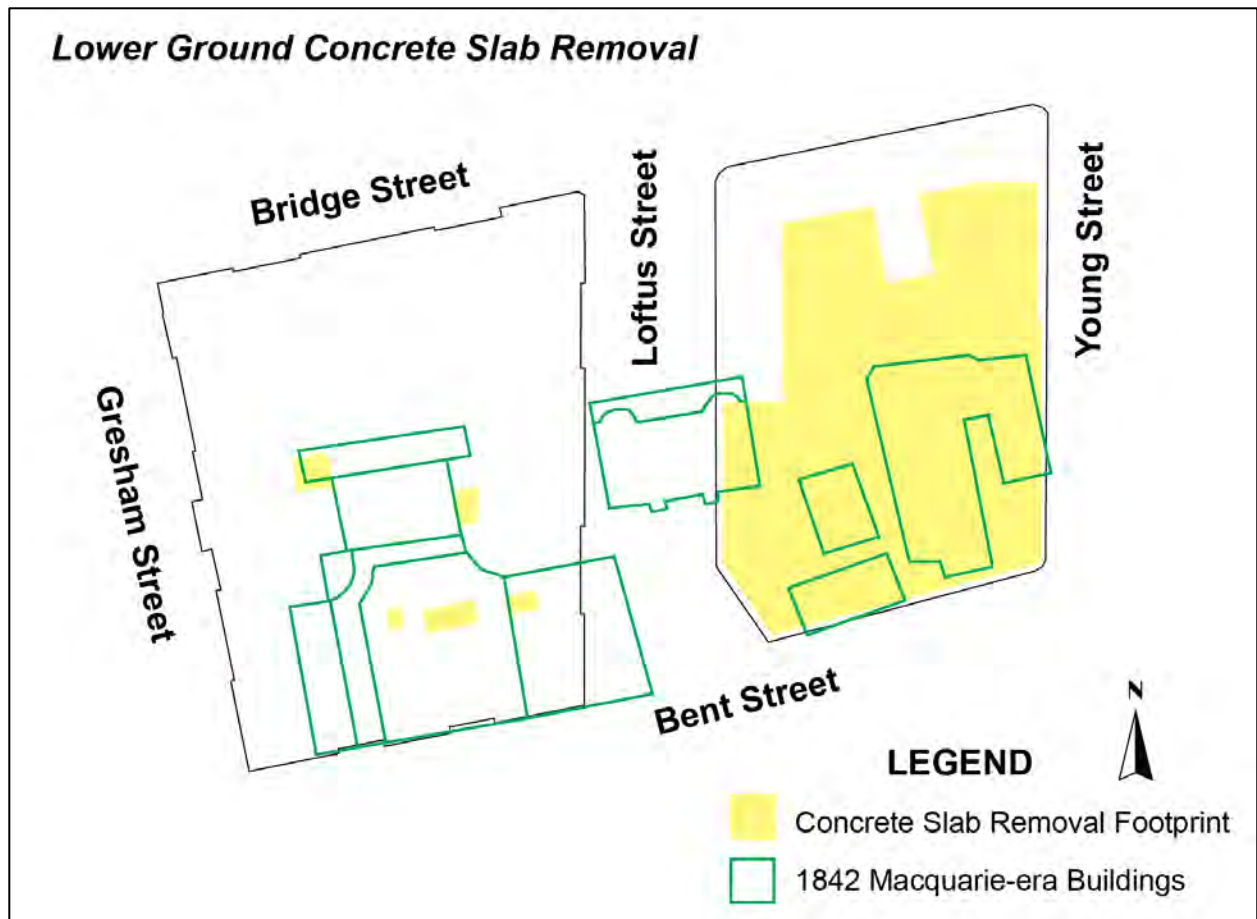


Figure 25: Lower Ground Concrete Slab Removal—Potential Impact: Phase 2 Historical Archaeology
(Source: Curio 2016)

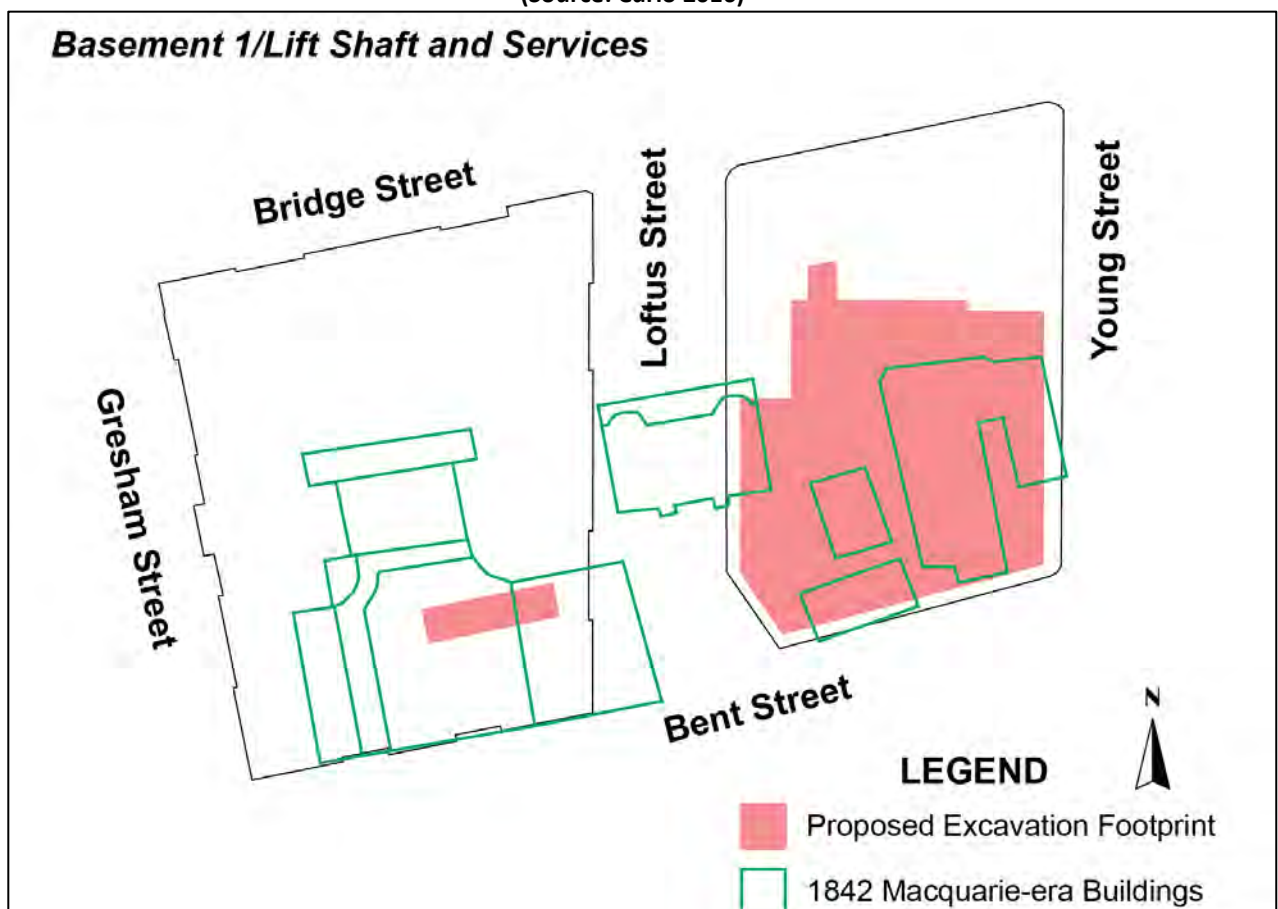


Figure 26: Basement 1/Lift Shafts and Services Excavation—Potential Impact: Phase 2 Historical Archaeology
(Source: Curio 2016)

It should be noted that historical maps are generally known to be inaccurate, and therefore the assessment of the location of potential archaeological structures should be considered to be indicative, and not definitive. The potential impacts on Phase 2 historical archaeological deposits have been summarised in Table 4.

Table 4: Phase 2 (1810–1876) Historical Archaeology Impact Summary

Potential Archaeological Evidence	Archaeological Potential	Potential for Excavation to Encounter	Impact (if found)
Judge-Advocate’s Residence (Structures)- <i>Loftus Street Vehicular Access</i>	High	High	Partial (Only eastern side)
Colonial Secretary’s Residence (Structures)- <i>Education Building</i>	High	High	Likely Total
Surveyor General’s Office (Structure)- <i>Southern area of Lands Building</i>	High	Low	Partial
Wells, cesspits, rubbish dumps, associated infrastructure	High	High	Partial
Boundary walls, gardens and related landscaping elements (all Macquarie-era buildings)	High	Moderate-High	Partial

Phase 3—Lands and Education Buildings (1876-1893 and 1912-1930)

Potential archaeological evidence within the subject site related to Phase 3 occupation is predominantly related to the construction and use of the Lands and Education buildings, and is considered to have **high potential** to be present.

Due to the staged nature of development of the Lands building, the Macquarie-era building (i.e. the Surveyor General’s Office) was retained and extended in the south of the lot, while the northern part (Stage 1) of the Lands building was constructed. Therefore, archaeological evidence associated with this historical Phase of site use also includes any late 1800s extensions to the Surveyor General’s Office, if they survive.

Therefore, the potential for archaeological evidence relating to Phase 3 remaining within the subject site can be summarised as:

- **high potential** for evidence of late 1800s extensions to the Surveyor General’s Office under the Lands building (i.e. boundary walls, stables, offices, outbuildings etc);
- **high potential** for features (such as artefacts, rubbish dumps etc) associated with the Phase 3 use of the Colonial Secretary’s office, although these would likely be located in conjunction with the Phase 2 relics and archaeological resource;
- **high potential** for evidence of the moat and its construction (not considered a ‘relic’ as it is a part of the existing fabric of the standing building, but still considered an archaeological resource);
- **high potential** for evidence of the former original carriageway and carriage loop, including paving and associated features, at the Gresham Street driveway of the Lands building (whilst

also not technically considered a 'relic' is still considered to be a significant archaeological resource);

- **high potential** for evidence of the construction, building footings, drainage features and other underground services associated with both the Lands and Education buildings;
- **high potential** for evidence of introduced land fill; and
- **moderate to high potential** for artefactual material contained within walls, fireplaces, floor space and other cavities within the existing buildings (not considered 'relics' as not located below ground, but still considered an archaeological resource).

Dove's 1880 map of Sydney provides a historical plan of the extensions to the Surveyor General's Office during the first stage of development of the Lands building (Figure 16), and has been considered alongside the proposed development impacts in order to more accurately determine the likelihood at the proposed development may impact the archaeological resource from this historical phase of site use. At the time of production of this plan, the Education building had not yet been constructed, and it appears that minimal physical alterations had been made to the Colonial Secretary's house.

Based on the excavation locations and depth for the proposed development (as described above) and in consideration of historical plans and development of the Lands and Education buildings between 1876 and 1930, the following potential impacts may occur:

- excavation for installation of lift shafts and service routes under the Lands building has the potential to encounter structural remains, associated outbuildings, boundary walls, cesspits, rubbish dumps etc associated with the the late 1800s extensions to the Surveyor General's office (used by the Department of Lands), however, due to the minimal and localised nature of excavation in this area, there is a low potential for excavation to encounter substantial historical archaeological deposits;
- as noted for Phase 2 impacts, excavation for the basement underneath the Education building has the high potential to encounter structural remains associated with the Colonial Secretary's residence, and therefore also has high potential to encounter materials associated with the Phase 3 use of the building, including rubbish dumps, relics, artefacts etc.;
- potential to encounter evidence of the construction, building footings, drainage features and other underground services associated with both the Lands and Education buildings during excavation, higher potential under the Education building than through the minimal excavation impacts under the Lands building; and
- general potential to encounter introduced land fill during development excavation.

Two stages of development demolition and excavation have the potential to impact historical archaeology from Phase 2, that is; the removal of the concrete slab and existing built fabric (both buildings), and excavation for Basement 1 (Education building)/lift shafts and services (Lands building). As these demolition/excavation footprints differ slightly, the areas of potential impact have been presented in Figure 28 (concrete slab) and Figure 29 (Basement 1/lift shafts and services excavation).

It is important to note that there are no proposed impacts within the Lands building underground 'moat' (Figure 30). The potential impacts on Phase 3 potential historical archaeological deposits have been summarised in Table 5.

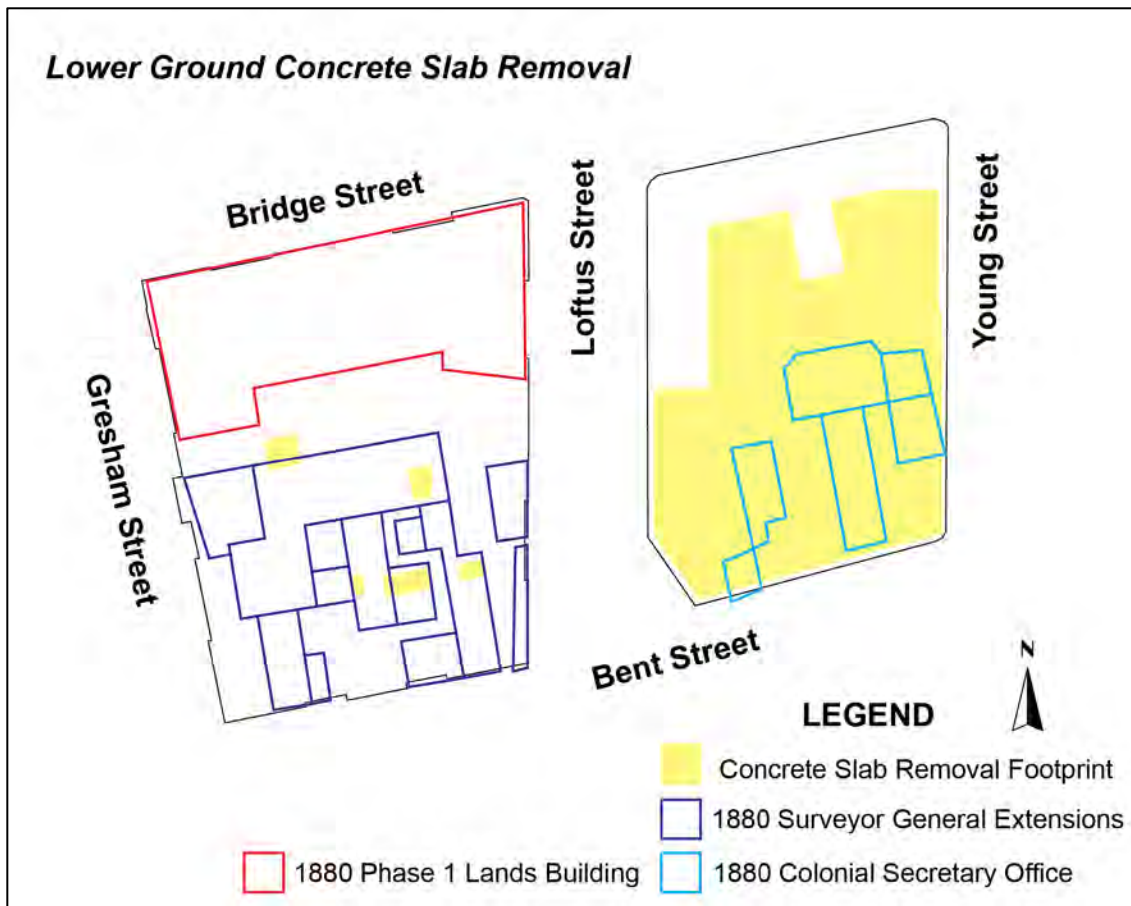


Figure 27: Lower Ground Concrete Slab Removal—Potential Impact: Phase 3 Historical Archaeology—1880s (Dove's Plan)

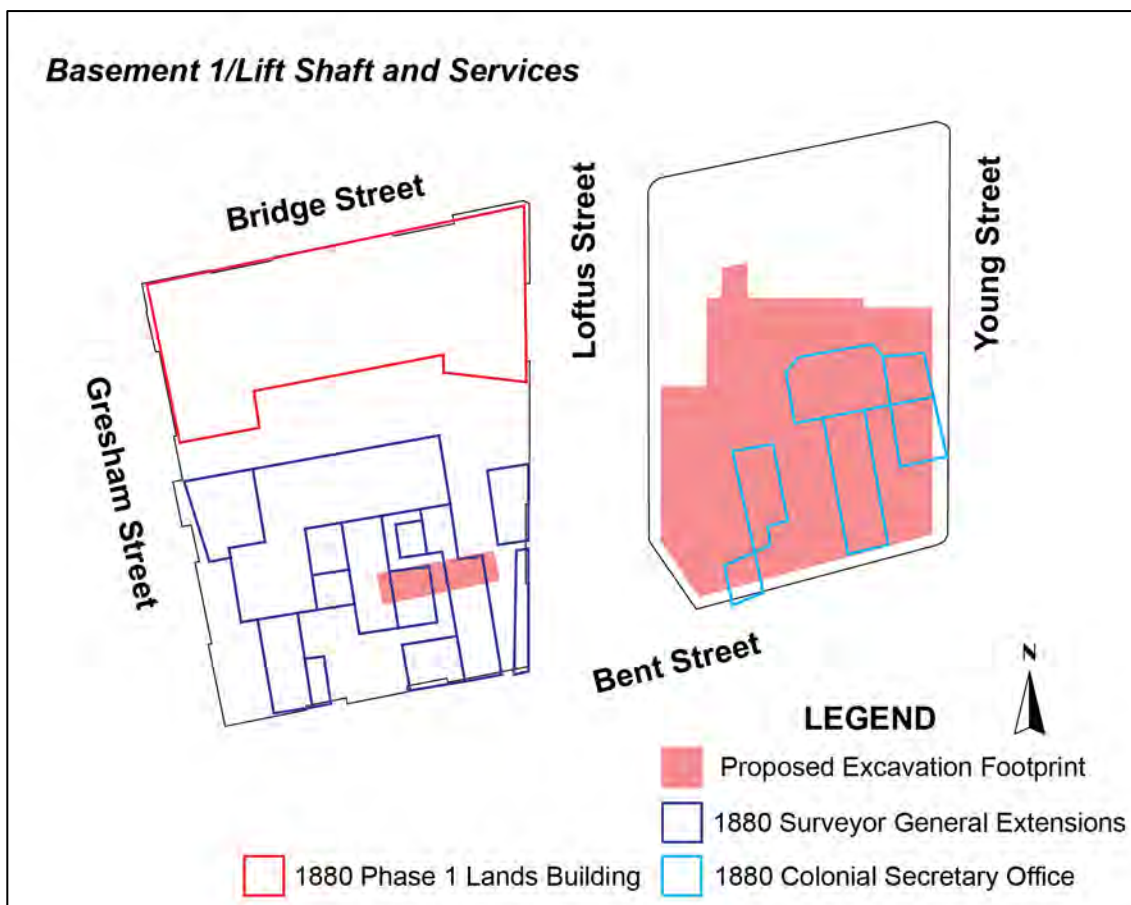


Figure 28: Basement 1/Lift Shafts and Services Excavation—Potential Impact: Phase 3 Historical Archaeology (Source: Curio 2016)

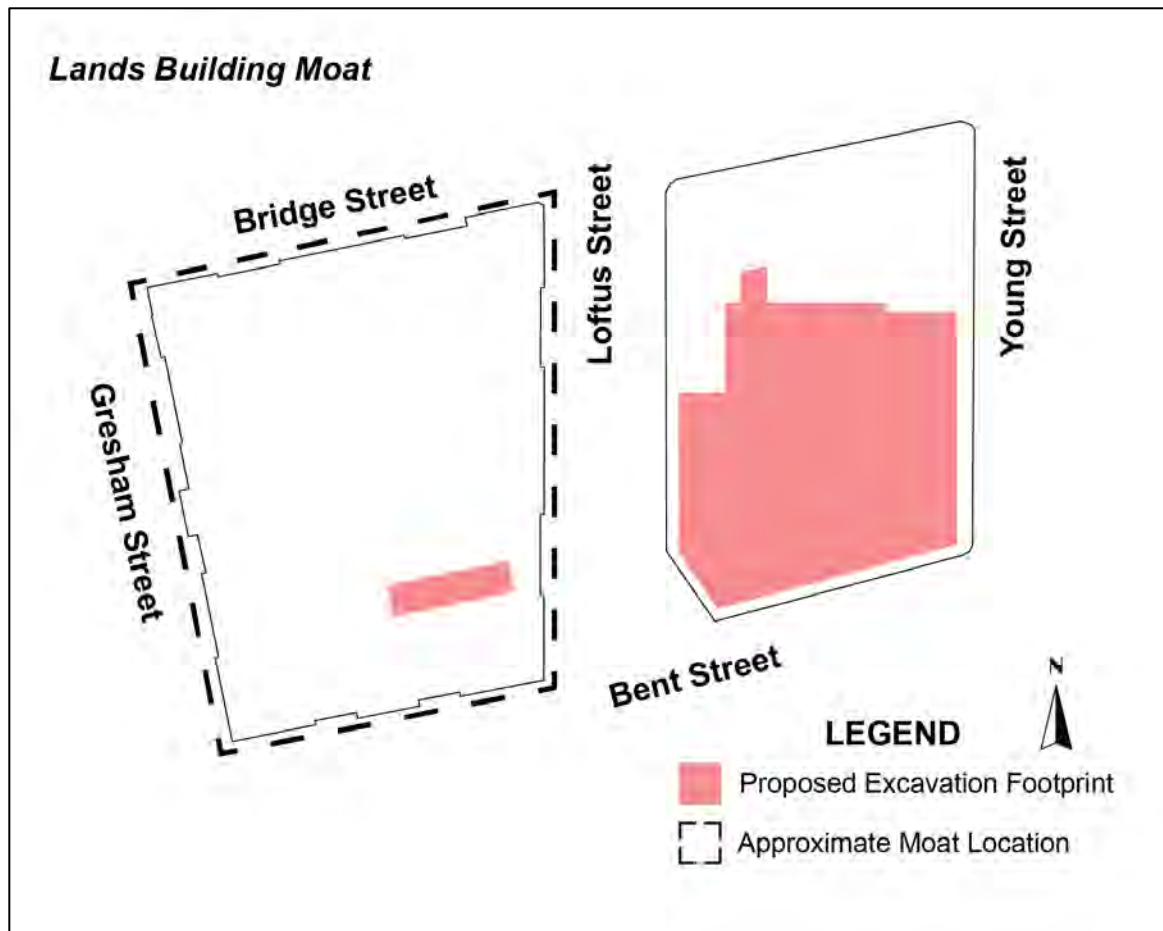


Figure 29: Potential Impact on Lands Building Moat (Source: Curio 2016)

Table 5: Phase 3 (1876–1893 and 1912-1930) Historical Archaeology Impact Summary

Potential Archaeological Evidence	Archaeological Potential	Potential for Excavation to Encounter	Impact (if found)
1880s extensions to the Surveyor General's Office under the Lands building (i.e. boundary walls, stables, offices, outbuildings etc)	High	Moderate	Partial
Features, relics, artefacts associated with the use of the Colonial Secretary's Office during Phase 3 occupation of the site	High	High	Likely Total
Moat and its construction	High	Nil	N/A
Former original carriageway and carriage loop (including paving and associated features) (Gresham St, Lands building)	High	Nil	N/A
Evidence of construction of, building footings, drainage features and other underground services associated with both the Lands and Education buildings	High	Moderate	Partial

Potential Archaeological Evidence	Archaeological Potential	Potential for Excavation to Encounter	Impact (if found)
Introduced land fill	High	Moderate	Low
Artefactual material contained within walls, fireplaces, floor space and other cavities within the existing buildings (not 'relics')	Moderate to High	<i>Ground Excavation will not encounter. Demolition of internal walls has a low-moderate potential to encounter.</i>	Low

9.0 Mitigation Measures

The potential archaeological impacts that are proposed to occur as part of the redevelopment of the 'Sandstone Precinct' have been carefully considered as part of the Stage 2 SSD process. The proposed redevelopment of the site has been designed to balance the need to conserve State significant, highly intact building fabric with the need to conserve as much of the potential State significant archaeological resource as possible.

Pontiac Land Group, MAKE Architects, GBA Heritage and Curio Projects have worked in very close collaboration since the commencement of the Stage 2 DA process to develop an outcome that will deliver an outstanding world class luxury hotel that respects the significance of the archaeological resource and as part of the Stage 2 process, has resulted in a greatly improved outcome for the archaeology, where it will now be conserved in part (throughout most of the Lands Building site), explored in part (Education Building) and interpreted within the final redevelopment of the site. The following sub-sections provide the detailed mitigative response to the proposed archaeological impacts.

9.1. Conservation of Built Heritage Fabric

The Stage 1 SSD consent for the site granted approval for the full excavation of land below the Lands Building and the Education Building, and across the rest of the entirety of the development site. The approval was granted on the understanding that any impacts on potential State significant archaeology, as a result of the full site excavation, would be fully and adequately mitigated as part of the Stage 2 SSD process.

The excavation was approved to provide flexibility within the below-ground levels of the site for a variety of key uses, which include the:

- redistribution of services and plant from the building roofscapes to below-ground;
- provision of new space for the back of house facilities;
- Provision of new spaces for guest facilities such as conference spaces, a ballroom and meeting rooms;
- provision of carparking (if required); and
- provision of a subterranean pedestrian link between the Lands Building and the Education Building, below Loftus Street.

In particular, the excavation for the subterranean link was approved to allow for a pedestrian linkage between the two buildings, below Loftus Street, to minimise and/or avoid the need for major new entries through the highly significant street facades of the two buildings.

The relocation of the plant to below-ground was approved in order to achieve a far superior aesthetic outcome for the external fabric and appearance of both buildings than the visual impact of the existing rooftop plant rooms and services. Without the basement excavation proposed, it would not be possible to remove the plant from the roofscapes, as approved in the Stage 1 SSD. The removal of the rooftop plant and services allows for significant views to and from the buildings to be fully appreciated and provides for public access to spaces that have never been previously accessible.

There is the need to provide a new space for the ballroom within the redevelopment of the site that does not have a severe impact on known fabric of State heritage significance. The below-ground excavation will allow for the construction of the ballroom without requiring any major, irreversible intervention into exceptionally significant built fabric and spaces within either the Lands Building or the Education Building. This is an extremely positive heritage outcome that can only be achieved through the excavation proposed below the Education Building.

In conclusion, the basement excavation is considered to be necessary component of the development because it facilitates the minimization of the physical and visual intervention into heritage fabric of both the Lands and Education Buildings. Without the basement levels proposed for the Education Building, alternate, direct impacts to existing built heritage fabric of exceptional and high significance would be required in order to accommodate the removal of the plant and services from the roofscapes of both buildings, new guest facilities and back of house functions.

9.2. Conservation of Archaeological Resources (Insitu)

The bid to reduce the proposed excavation impacts, from that which was approved as part of the Stage 1 SSD, has been part of a very, detailed and deliberate ongoing design process throughout the whole of the Stage 2 SSD development program.

One of the primary drivers for the reduction in excavation has been to enable the conservation of as much of the potential archaeological resource as possible for future research and interpretative opportunities. This approach has resulted in the excavation impacts generally being limited to one major area of deep excavation within the Education Building, and only minor, discrete excavation impacts proposed within the Lands Building. This limited excavation leaves more than half of the site undisturbed and unexcavated whilst still allowing for the key objectives of the Stage 1 SSD to be met – which is to provide below-ground facilities in order to conserve more building fabric.

As a result, potential archaeological resources will be conserved insitu (undisturbed) across more than half of the ‘Sandstone Precinct’, which is a major archaeological conservation outcome, especially when the allowable excavation approved as part of the Stage 1 SSD was for the whole of the site. This outcome shows the intent of the team involved in the delivery of the project to ensure that the conservation outcomes for potential archaeological resources will be maximised as much as possible, throughout the duration of the project.

It was considered most appropriate to consolidate the key impacts associated with the reallocation of the plant and services; construction of a new ballroom; back of house facilities, etc., into one location (below the Education Building), where possible, in order to minimise the level of disturbance required to archaeological resources within the ‘Sandstone Precinct’.

The key area of impact is generally within the central and southern zone of the Education Building. This location was initially chosen because it is within an area that is most likely to have been subject to some historic cutting down (if any historic cutting down of the site has occurred) and is the most functional location and/or access point for the new grand ballroom space, subterranean pedestrian link, back of house facilities; and new plant room and services.

Another key determining factor in the decision to locate the basement excavation below the Education Building rather than the Lands Building, related to the ability of either building to sustain excavation for a three-level basement. The age and structural system of the Lands Building was determined, by the project’s structural engineers to be at a much higher risk of damage, and less able to cope with deep excavation, than the Education Building. Therefore, it was determined that there was far less risk to excavate below the Education Building, in terms of fabric protection.

In order to allow for some flexibility within the site works program, the proposed excavation footprint within the Education Building has been expanded, slightly, compared to that which is required, so that there is the possibility to explore the partial insitu retention of archaeological remains, if found. Due to the extent of excavation required, it will not allow for full, insitu retention of significant archaeological features (most likely associated with the former Colonial Secretary’s Building), if found, but there may be some opportunity, where practical, to retain a small sample, or partial section of significant archaeology, if exposed. This would be determined in consultation with

key stakeholders, including the client, the archaeological team, DPE and the NSW Heritage Division, should the opportunity arise.

9.3. Archaeological Research Potential

The proposed adaptive reuse of the 'Sandstone Precinct' has been designed to have the least impact possible on significant built heritage fabric, as well as the least impact possible on potentially significant archaeological resources, if found.

As previously discussed, whilst the Stage 2 SSD has successfully reduced the proposed impacts, there is still an unavoidable requirement for excavation within the central and southern zone of the Education Building; and in small, discrete locations within the Lands Building in order to facilitate the redevelopment of the whole of the site and in order to reduce potential impacts to intact, built heritage fabric of exceptional significance (at a State level).

The resultant excavation impacts to potential archaeological fabric of State significance can, however, be positively offset through archaeological investigation and interpretation of significant archaeology, if found. The potential archaeological resource meets with all of the key research-related criteria, as defined in the *Assessing Significance for Historical Archaeological Sites and 'Relics'*⁶⁹ guidelines issued by the NSW Heritage Division, and as discussed in Section 7.0 of this report. As a result, it has been demonstrated, that the overall significance of the place can be enhanced through the targeted archaeological excavation proposed in the Education Building, as well as the more discrete, minor areas of excavation in the Lands Building.

The excavation provides a rare opportunity for archaeologists to undertake a thorough archaeological investigation of one consolidated area of the site, as well as other smaller, discrete areas (whilst leaving the bulk of the remaining site area undisturbed), in a highly significant area of the city that has the potential to contain rare, State significant historical archaeological remains associated with three key phases of occupation, dating back to at least 1788.

The three phases of historical use of the study area have been identified as:

- Phase 1—Establishment of the Colony (1788-1810);
- Phase 2—Macquarie Era Buildings and road/sewer development (1810-1876); and
- Phase 3—Lands and Education Buildings (1876-Present).

Careful, focused archaeological investigation of the locations proposed to be excavated has the potential to provide tangible physical evidence related to significant, undocumented colonial structures, as well as significant cultural deposits that have not previously been investigated. This type of evidence and information is unable to be obtained through any other resource and would contribute significantly to our understanding of the use of the site over time.

Such evidence, if found, has the ability to demonstrate and interpret the daily lives of early convicts, colonial officers and their families; the day to day workings of the administration of the early Sydney colony; as well as its progression through the history of the Sydney colony.

This type of archaeological site is not routinely documented or well-represented in contemporary heritage interpretations, as the opportunity to examine such a rare site type is uncommon. Therefore, the need to undertake the partial excavation of a site such as this, provides an extremely rare opportunity to investigate and then interpret a small 'snapshot' of the evidence that exists within a cultural landscape that was irreversibly changed as a result of the arrival of non-Aboriginal people and the establishment of the first colony in Australia.

⁶⁹ NSW Heritage Branch 2009, *Assessing Significance for Historical Archaeological Site and 'Relics'*: p11

Archaeological research at the site has the potential to contribute significant new information to the datasets and knowledge that only exist as a result of archaeological investigations that were previously carried out at closely associated sites, such as the Young Street excavations and the First Government House Site. As these sites have demonstrated, tangible evidence pertaining to early colonial life, when adequately researched, recorded and interpreted can provide an invaluable resource, for current and future generations, that is unable to be acquired in any other way.

It is considered that the limited excavation program, if undertaken in accordance with an approved Research Design and Excavation Methodology (to be prepared prior to construction on site) will contribute significantly to our understanding Sydney's earliest colonial development, and possibly, pre-European environment, in a way that no other resource can.

9.3.1. Interpretation of Archaeological Resources

The potential archaeological structural remains, and cultural deposits from all three phases of occupation may provide excellent opportunities for public interpretation that can provide a rare tangible link between the current city of Sydney and its occupants, continuously back through to the original colonial settlement which was founded on the back of convict labour.

The proposal to use interpretative elements within the new development to represent the significant history and archaeological resource of the site (if found) will ensure that the historical, archaeological and social significance of the site is captured for current audiences, and future generations within a contemporary interpretative context.

There are a variety of options to consider with respect to the interpretation of archaeological relics, ranging from insitu retention and possible display (as discussion in subsection 9.2) through to 3d scanning (such as at the Opera House site – Lime Kilns and Fort Denison), artefact displays within public areas of the new hotel, digital apps, art installations and references within landscaping and paving treatments, where relevant. The contemporary opportunities, including the digital media options now available for the interpretation of archaeological resources, will allow for a multitude of interpretative options to be considered before being tailored specifically to the type of archaeology found, within the context of the broader heritage interpretation strategy proposed for the hotel and its surrounds.

The interpretation plans prepared for the 'Sandstone Precinct' as part of the Stage 2 SSD application and CMPs for the sites include specific guidelines and policies for the development of suitable interpretation of archaeological resources, if found. In particular, the CMP Archaeological Policies for the Lands Building and the Education Building state that:

Where an archaeological investigation yields significant evidence either in the form of new information and/or the discovery of significant relics, onsite interpretation of the archaeological program is to be undertaken within suitable publicly accessible locations on site. Consideration should be given to in situ retention of significant structural remains, where practical, as part of the interpretative options for the site.⁷⁰

⁷⁰ GBA Heritage, October 2016. *Conservation Management Plan, The Education Building, 35-39 Bridge Street, Sydney*. Report prepared for Pontiac Land Group and GBA Heritage, October 2016. *Conservation Management Plan, The Lands Building, 23-33 Bridge Street, Sydney*. Report prepared for Pontiac Land Group.

The Interpretation Strategies also state that:

*The site has the potential to contain archaeological resources (such as personal items, domestic wares, building remains, palaeobotanical evidence), that if discovered would form the basis of a more detailed archaeological interpretation strategy that would be prepared upon conclusion of the archaeological program.*⁷¹

The final interpretative outcomes for the site would be determined in consultation with the key stakeholders, including the RAPs, relevant consent authorities and other relevant agencies, such as the Museum of Sydney, as required.

9.4. Unexpected Archaeological Resources

While the discovery of an Aboriginal archaeological deposit is not expected within the subject site, 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*' (Appendix C) has been prepared in consultation with the Registered Aboriginal Parties (RAPs) for the project and would be implemented. It includes the need to stop work and notify OEH of the discovery of an unexpected Aboriginal object or place.

Whilst, this report has considered the potential for a broad range of undocumented archaeological relics to be discovered on site, should any unexpected historical archaeological relics be discovered during the works program, then works will cease in the immediate area within close vicinity of the potential archaeological find, and the area will be cordoned off. The project historical archaeologist will be contacted for advice, prior to the removal of any potential relics. The methodology for recording and/or removal of any unexpected archaeological relics will be discussed with the NSW Heritage Division and the client, prior to works recommencing in the immediate vicinity of the discovery.

⁷¹ GBA Heritage, 2016 *Interpretation Strategy: The Lands Building, 23-33 Bridge Street, Sydney* and GBA Heritage, 2016 *Interpretation Strategy: The Education Building, 35-39 Bridge Street, Sydney*.

10.0 Conclusions and Recommendations

10.1. Aboriginal Archaeology Conclusions

Based on the above assessment of environmental and archaeological context, as well as in consideration of the historical background for the site, previous land use and disturbance, and in the current statutory context (SSD development) for the entire development envelope, the following conclusions and recommendations are made regarding the management of Aboriginal archaeology within the Sandstone Precinct.

- The study area does not contain any previously registered Aboriginal sites.
- The study area is located in close proximity to the original foreshore of Sydney Cove, and the Tank stream.
- The study area would have been a focus for Aboriginal occupation prior to the establishment of the Sydney colony in 1788.
- The study area was a focus for the earliest government of Sydney colony, and was in close proximity to known sites of early contact and interaction between Aboriginal people and the first European colonists.
- There is a low potential for intact Aboriginal archaeological deposits to be present within the study area.
- There is a low to moderate potential for disturbed Aboriginal archaeological deposits to be present within the study area.
- Should intact Aboriginal archaeology be present within the study area, it would be of high significance.
- Should Aboriginal objects be present in a disturbed context within the study area, they would likely be of moderate scientific significance, but possibly of higher social or cultural significance to the local Aboriginal community.

Therefore, the study area has been assessed to have a **low level of potential** for Aboriginal archaeological deposits that would be of **high scientific significance**.

10.2. Aboriginal Archaeological Recommendations

1. Aboriginal community consultation has been undertaken in accordance with OEH guidelines for this project, in order to seek information regarding the social and cultural values of the study area. Full details of the Aboriginal community consultation process are provided in Appendix B.
2. While the development is exempt from the requirement to seek an AHIP in accordance with the NPW Act due to its status as an SSD project, an Aboriginal Archaeological Impact Assessment (contained within this report) has been prepared, and methodology for unexpected Aboriginal archaeology has been developed, specific to the Stage 2 DA physical impacts, in order to guide the management and possible investigation (where required) of potential Aboriginal heritage within the study area.
3. While the discovery of an Aboriginal archaeological deposit is not expected within the subject site, 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*' (Appendix C) should be referred to for subsequent management and excavation methodologies.
4. In order to maintain best practice methodologies for any subsequent Aboriginal cultural heritage investigation and assessment within the study area, the following guidelines should continue to be adhered to:

- o *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974* (April 2010);
- o *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010); and
- o *Guide to Investigating, Assessing, and Reporting on Aboriginal cultural heritage in NSW* (April 2011).

10.3. Historical Archaeology Conclusions

The reassessment of the potential for significant historical archaeological resources to be present within the subject site is based on a thorough reassessment of the history of the site since 1788, including a reconsideration of how the patterns of previous land use, including land clearance, several phases of construction, demolition and redevelopment are likely to have influenced the archaeological record. A comparative analysis of similar site types located within close vicinity of the subject site has also provided an invaluable context for understanding the potential survival of historical archaeological resources at the subject site.

The following conclusions and recommendations are made regarding the management of historical archaeology within the Sandstone Precinct.

It is concluded that:

- Whilst the provisions of the Heritage Act are no longer strictly applicable (due to the project being designated SSD) there is still a need to archaeologically investigate, record and remove 'relics' of local and State significance in accordance with an approved historical archaeological research design and excavation methodology that complies with NSW State Government heritage policies and guidelines. The actual requirement to obtain a Section 60 permit is the only stage in the process that does not need to be adhered to, but the overall archaeological requirements and expectations for management of archaeological resources remain the same.
- The subject site has the potential to contain **State significant archaeological relics** associated with all phases of development at the site, including archaeological relics associated with Phase 1- Establishment of the Colony (1788 – 1810), Phase 2 – Macquarie Era (1810-1876) and Phase 3 – Lands and Education Buildings (1876 – 1893).
- It is likely that the historical archaeological resource will have been subjected to various levels of disturbances across many areas of the site, with the more intact archaeological resources likely to remain in the northern sections of the site fronting Bridge Street.
- The Bennelong Stormwater Channel no. 29 runs below Loftus Street, and along Gresham and Young Street. It is of State significance and will need to be protected during any works program.
- The Lands Building is surrounded by a subterranean moat that is located around the exterior of the building. This moat forms part of the state significant fabric of the building and will need to be protected during the works program.
- Cutting down of the site in the southern sections of the site is likely to have impacted on the archaeological resource. However, deep features, such as wells are still likely to remain in situ.
- Should previously undisturbed relics associated with Phase 1 of the site's history – the establishment of the colony be found during the redevelopment of the site, they would likely be considered to be rare -depending on their extent, nature and level of intactness.
- Should intact archaeological resources associated with any of the three key phases of the site's history be found, they would contribute to our understanding of the site and should form the basis of a comprehensive interpretation strategy to be implemented on site.

10.4. Historical Archaeological Recommendations

The development impacts should aim to minimise ground disturbance and excavation impacts to ensure that potential State Significant archaeological resource are preserved, where possible, as part of the redevelopment of the site.

1. 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.
2. An Archaeological Interpretation Strategy that provides detailed interpretative options for significant archaeological resources, once found, will be required to be prepared prior to the issuance of the occupation certificate. (NB. An overarching Heritage Interpretation Strategy, which includes provisions for archaeology, has been prepared for the Sandstone Precinct by GBA. Following archaeological investigation, an Interpretation Strategy specific to the archaeological resource (if found) for the site would be prepared).
3. Due to the potential significance of the site, the archaeological investigation in areas proposed to be excavated, should be managed by an Excavation Director that meets the State Significant Excavation Director Criteria issued by the NSW Heritage Division.
4. Should unexpected, potential historical archaeological 'relics', skeletal remains or Aboriginal objects be discovered during the works program, then works must cease in the immediate area and the project archaeologist contacted for advice.
5. Depending on the nature, extent and significance of the find, further consultation with the NSW Heritage Division and/or OEH and archaeological investigation may be required, prior to works recommencing on site.

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APPENDIX A: AHIMS SEARCH RESULTS

APPENDIX B: DETAILS OF ABORIGINAL COMMUNITY CONSULTATION

APPENDIX C: ABORIGINAL CULTURAL HERITAGE METHODOLOGY AND METHODOLOGY FOR UNEXPECTED ABORIGINAL ARCHAEOLOGY