

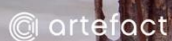
# Cockle Bay Park Redevelopment

## Appendix A: Aboriginal Cultural Heritage Assessment Report

State Significant Development, Development  
Application (SSD DA)

Prepared for DPT Operator Pty Ltd and  
DPPT Operator Pty Ltd

8 October 2021  
Revision [A]



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## EXECUTIVE SUMMARY

This report has been prepared to accompany a detailed State Significant Development (SSD) Development Application (DA) (Stage 2) for a commercial mixed use development, Cockle Bay Park, which is submitted to the Minister for Planning and Public Spaces pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The development is being conducted in stages comprising the following planning applications:

- **Stage 1** – Concept Proposal setting the overall ‘vision’ for the redevelopment of the site including the building envelope and land uses, as well as development consent for the carrying out of early works including demolition of the existing buildings and structures. This stage was determined on 13 May 2019, and is proposed to be modified to align with the Stage 2.
- **Stage 2** – Detailed design, construction, and operation of Cockle Bay Park pursuant to the Concept Proposal.

DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent) have engaged Artefact Heritage Services Pty Ltd (Artefact Heritage) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the study area located in Darling Harbour, in the City of Sydney Local Government Area (LGA) as part of the SSD DA Stage 2 (SSD-9978934).

The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development, and also the construction of a land bridge across part of the Western Distributor between Darling Harbour and Darling Park.

### Findings

It was found that:

- The study area is in a location once abundant with resources for Aboriginal utilisation. The archaeological record may reflect this utilisation
- Prior to Holocene inundation, the study area comprised a shallow valley supplied with fresh water. The potential exists for the archaeological record to contain evidence of this now submerged landscape
- Natural soils surrounding Cockle Bay are Gympsea Soil - a shallow loose sandy loam
- Intensive colonial utilisation of the study area commenced in the 1830's
- The study area served as a maritime and industrial hub for over century. During this time:
  - Significant levels of land reclamation took place to extend the coastline at the study area
  - Large and frequently changed infrastructure was constructed in the study area
  - An extensive program of demolition took place across the study area in the 1970's after it fell into disuse
- The effects of repeat construction and demolition, particularly that in the late twentieth century, are almost certain to have significantly disturbed soils in the majority of the study area
- Geotechnical borehole results however indicate the presence of buried potentially natural sands along the eastern perimeter of the bulk excavation area
- Archaeological potential is modelled as:
  - Low archaeological potential – submerged land

- Low to moderate archaeological potential – reclaimed land
- Moderate archaeological potential – original landform.

## Summary of mitigation measures

Ref.	Mitigation measure	Description
AH1	Heritage Management Plan (HMP)	<p>A HMP must be prepared for the project to provide heritage guidance for the project during the construction phase. The HMP should be incorporated into the project Construction Environmental Management Plan (CEMP) and/or prepared as a standalone Construction Heritage Management Plan (CHMP). The objectives of the HMP would include:</p> <ul style="list-style-type: none"> <li>• To identify the heritage constraints and requirements of the project, including the Conditions of Approval</li> <li>• Provide details on management and mitigation measures, such as those outlined in this Technical Paper, to be implanted to prevent or minimise impacts on heritage items</li> <li>• To outline the required archaeological management strategies.</li> </ul>
AH2	Heritage induction	<p>All relevant construction staff, contractors and subcontractors must be made aware of their statutory obligations for heritage under the <i>NSW Heritage Act 1977</i> and best practice as outlined in <i>The Burra Charter</i> (Australia ICOMOS 2013) to ensure no archaeological remains or heritage fabric are impacted during the proposed works without appropriate mitigation measures in place. This will be implemented through a heritage induction carried out prior to works commencing and continued throughout the works program as staff are inducted to the work place</p>
AH3	General archaeological management	<p>This Technical Paper, which has been informed by the results of archaeological background investigations, has determined that the project may result in impacts to Aboriginal archaeological objects at locations where projected depths of excavation or piling will impact identified natural soils.</p> <p><b>Monitoring, test excavation and salvage</b></p> <p>Where it is considered likely that proposed excavation will impact natural soil surfaces, removal of overburden and excavation to final grade must be archaeologically monitored for the presence of natural soils.</p> <p>If natural soils are identified, a program of archaeological test excavation must be undertaken to investigate the potential presence of archaeological objects.</p> <p>If Aboriginal archaeological objects are identified during test excavation, a process of archaeological salvage may be required.</p> <p>This process of archaeological investigation would be guided by a Archaeological Excavation Methodology (AEM) that would be prepared for the project (discussed below) and would be managed by a suitably qualified Excavation Director.</p> <p>Test and salvage excavation and piling spoil monitoring (below) will be carried out in conjunction with the Metropolitan LALC and RAPs. If Aboriginal objects are identified as a result of the archaeological management process, the long-term management of these artefacts will be negotiated among Aboriginal stakeholders</p>



Ref.	Mitigation measure	Description
AH4	Archaeological management: Piling	The AEM would also contain provisions for piling location management on the following principles: In locations where piling is considered likely to impact buried natural soils that may contain Aboriginal objects, methodologies must be developed for piling to be carried out in a manner that allows for the retention and archaeological sieving of piling spoil from individual piles where reasonably practicable
AH5	Archaeological Excavation Methodology	An Archaeological Excavation Methodology would be prepared prior to the commencement of the construction phase to outline the required Aboriginal archaeological management within the construction boundaries. The AEM would confirm the areas requiring archaeological management (following the detailed design), outline the archaeological methodology to be implemented during archaeological investigations, and outline research questions that the archaeological investigations would aim to answer. The AEM may be supported by additional Archaeological Work Method Statements to be prepared during the construction phase as required
AH6	Heritage Interpretation	<p>The project design should incorporate appropriate heritage interpretation in accordance with the NSW <i>Heritage Manual</i>, the NSW Heritage Office's <i>Interpreting Heritage Places and Items: Guidelines</i> (August 2005), the NSW Heritage Council's <i>Heritage Interpretation Policy</i>.</p> <p>The Aboriginal history of Cockle Bay / Darling Harbour is thought to reach back through thousands of years and is likely of considerable significance to Aboriginal people. Little archaeological research has been conducted within it to provide archaeological insight to this relationship.</p> <p>A Heritage Interpretation (HIS) has been prepared for the project EIS by Weir Phillips (2021, Appendix T) in accordance with CoA C11 and SEARs no. 13. The HIS has been prepared to guide the incorporation of heritage interpretation, such as displays and panels, into the project design.</p> <p>The heritage interpretation should consider the results of archaeological investigations undertaken as part of the project. Where appropriate, opportunities should be considered for visually or virtually representing archaeological remains and incorporating them into the visual landscape. Heritage interpretation implemented as part of the project should be informed by detailed and in depth consultation with Aboriginal communities</p>
NAH7	Consultation with relevant stakeholders	Management of Aboriginal cultural heritage values must be carried out in compliance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (Consultation Requirements) (Department of Environment, Climate Change and Water (DECCW 2010b). Assessment of Aboriginal cultural values of the study area must be based on statements of value and assessments by members of Aboriginal communities

# CONTENTS

<b>1.0</b>	<b>Introduction.....</b>	<b>1</b>
1.1	Project background.....	1
1.2	The site .....	1
1.2.1	Local context of the project.....	2
1.3	Overview of the project.....	4
1.3.1	Stage 1 concept proposal.....	4
1.3.2	Stage 2 Detailed Design proposal .....	5
1.4	Purpose and scope of the report .....	6
1.5	Approval framework.....	7
1.5.1	Conditional of Approval (SSD 7684).....	7
1.5.2	Secretary's Environmental Assessment Requirements (SSD 997834) .....	7
1.6	Authorship.....	8
<b>2.0</b>	<b>Legislative context .....</b>	<b>9</b>
2.1	Introduction .....	9
2.2	State legislation .....	9
2.2.1	NSW <i>National Parks and Wildlife Act 1974</i> .....	9
2.2.2	National Parks and Wildlife Regulation 2019 .....	9
2.2.3	NSW <i>Environmental Planning and Assessment Act 1979</i> .....	10
2.2.4	NSW <i>Aboriginal Land Rights Act 1983</i> .....	10
2.2.5	NSW <i>Native Title Act 1994</i> .....	11
2.3	Commonwealth legislation.....	11
2.3.1	<i>Environment Protection and Biodiversity Conservation Act 1999</i> .....	11
2.3.2	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> .....	12
<b>3.0</b>	<b>Aboriginal community participation.....</b>	<b>13</b>
3.1	Aboriginal consultation .....	13
3.2	Identification of stakeholders and registrations of interest .....	13
3.3	Review of assessment methodology .....	14
3.4	Review of ACHAR .....	14
<b>4.0</b>	<b>Archaeological and ethnographic context.....</b>	<b>16</b>
4.1	Ethnographic and historical evidence.....	16
4.2	Archaeological evidence.....	17
4.3	Registered Aboriginal sites.....	18
4.4	Previous archaeological investigations .....	22
4.4.1	M MacPhail & T Owen (2018) What was growing along the Tank Stream Valley, Sydney Cove in 1788? <i>Australasian Historical Archaeology</i> . No. 36 pp 16-28 .....	22
4.4.2	GML Heritage (2017) Cockle Bay Park. Aboriginal Heritage Due Diligence Report prepared for DPT and DPPT.....	23

4.4.3	J Comber (2012) Darling Quarter (Formerly Darling Walk), Darling Harbour Aboriginal Archaeological Excavation Report. Report to Casey + Lowe On Behalf of Lend Lease .....	23
4.4.4	D Steele (2006) Aboriginal Archaeological Excavation Report. The KENS Site.....	25
4.4.5	Godden Mackay (1998) Angel Place Project Final Excavation Report—Volume Three—Prehistory Report, prepared for AMP Asset Management Australia Ltd and the NSW Heritage Council, .....	25
4.5	Thematically relevant recent reporting .....	25
4.5.1	B O'Leary et al (2020) Aboriginal artefacts on the continental shelf reveal ancient drowned cultural landscapes in northwest Australia. PLoS ONE 15(7) .....	25
4.5.2	Summary .....	25
<b>5.0</b>	<b>Environmental context .....</b>	<b>27</b>
5.1	Geology and soils .....	27
5.2	Geomorphology .....	27
5.2.1	Deep time and submerged landscapes .....	27
5.2.2	Cockle Bay as dryland .....	28
5.2.3	Inundation .....	28
5.2.4	Current landform .....	29
5.3	Hydrology and vegetation .....	29
5.4	European history and land use.....	30
5.5	Evidence from geotechnical bore logs .....	44
5.6	Conclusions .....	49
5.7	Predictive model .....	49
<b>6.0</b>	<b>Archaeological potential .....</b>	<b>50</b>
6.1	Aboriginal site definition.....	50
6.2	Overview of study area.....	50
6.3	Areas of archaeological potential .....	50
6.3.1	Low archaeological potential: submerged land .....	51
6.3.2	Low -moderate archaeological potential: area of reclaimed land .....	51
6.3.3	Moderate archaeological potential: original landform .....	51
<b>7.0</b>	<b>Significance assessment .....</b>	<b>53</b>
7.1	Significance assessment methodology .....	53
7.2	Social significance .....	54
7.2.1	Cultural landscape .....	54
7.2.2	Identified Aboriginal cultural heritage values .....	54
7.3	Historic significance .....	54
7.4	Indicative archaeological (scientific) significance .....	54
7.5	Aesthetic significance .....	55
7.6	Statement of significance .....	55
<b>8.0</b>	<b>Archaeological impact assessment .....</b>	<b>56</b>

8.1	Impact assessment methodology .....	56
8.2	Proposed works .....	56
8.2.1	Bulk excavation .....	56
8.2.2	Minor excavation .....	57
8.2.3	Piling .....	57
8.3	Excavation works detail .....	64
8.3.1	Overall scope .....	64
8.3.2	Bulk excavation scope .....	64
8.3.3	Impacts associated with piling .....	66
8.4	Aboriginal heritage impact assessment .....	66
8.5	Consideration of alternatives and justification for impacts .....	67
8.6	Ecologically Sustainable Development principles .....	67
8.6.1	The integration principle .....	67
8.6.2	The precautionary principle .....	67
8.6.3	The principle of intergenerational equity .....	67
8.6.4	Cumulative Impact .....	68
<b>9.0</b>	<b>Archaeological management measures .....</b>	<b>69</b>
9.1	Guiding principles .....	69
9.2	Archaeological staged test and salvage excavation program .....	70
9.2.1	Excavation justification .....	70
9.2.2	Research questions .....	70
9.3	Aboriginal Archaeological Excavation Methodology .....	71
9.4	Participation in archaeological investigations .....	71
9.5	Consideration for non-Aboriginal archaeological investigations .....	71
9.6	Geomorphology and soil sampling .....	71
9.7	General excavation methodology .....	71
9.7.1	Stage 1 .....	71
9.7.2	Stage 2 .....	72
9.8	Specific methodological considerations .....	72
9.8.1	Piling soils .....	72
9.8.2	Contaminated soils and deposits .....	73
9.8.3	Historical archaeology contexts .....	73
9.8.4	Aboriginal artefacts retrieved from fill .....	73
9.8.5	Protection of the archaeological resource during excavation .....	73
9.8.6	Sieving .....	73
9.8.7	Identification of rare site types .....	73
9.9	Unexpected finds .....	74
9.10	Heritage induction and clearance to commence works onsite .....	74

9.11	Geomorphological investigations.....	74
9.12	Reporting and analysis .....	74
9.13	Temporary and long-term care and management of retrieved Aboriginal objects .....	75
9.14	Interpretation and educational outcomes .....	75
9.15	Ongoing consultation with registered Aboriginal parties .....	75
<b>10.0</b>	<b>Conclusions and recommendations .....</b>	<b>76</b>
10.1	Conclusions .....	76
10.2	Summary of mitigation measures .....	76
<b>11.0</b>	<b>References .....</b>	<b>79</b>
<b>12.0</b>	<b>Appendices .....</b>	<b>82</b>
12.1	Appendix One: Unexpected Finds Policy .....	82
12.2	Appendix Two: Consultation log and register .....	84
12.3	Appendix Three: Consultation documents .....	85

## FIGURES

Figure 1: Map of the study area .....	2
Figure 2: Cadastral lot boundaries within the study area .....	3
Figure 3: Stage 1 Concept Proposal - approved building envelope (Ethos Urban 2020) .....	5
Figure 4: Stage 1 Concept Proposal - approved building envelope (Ethos Urban 2020) .....	5
Figure 5: AHIMS sites within 1km of the study area .....	19
Figure 6: AHIMS sites near the study area .....	20
Figure 7: Testing in Area 5 at Darling Quarter .....	24
Figure 8: Shell deposit in Area 5 .....	24
Figure 9: Plan of Sydney in 1802 – Lesurier. Approximate location of study area shown in red (State Library NSW) .....	31
Figure 10: Map of Sydney showing in contrast the town of 1802 with the city of 1873. Approximate location of study area shown in red [cartographic material]: supplement to The Sydney Mail (Trove NLA).....	32
Figure 11: Topographic model of the Sydney CBD showing the study area and modelled swamp land (Aplin 2013) .....	33
Figure 12. Plan of the town of Sydney 1822 (NLA Trove).....	35
Figure 13: City of Sydney Shields 1845 (NLA Trove) .....	36
Figure 14: Doves Map of Sydney 1880 (NLA Trove) .....	37
Figure 15: The study area in 1917 (NLA Trove).....	38
Figure 16. The study area in 1961 (NSW Historical Image Viewer) .....	39
Figure 17: Study area in 1978 (NSW Historical Image Viewer) .....	40
Figure 18: The study area in 1986 (NSW Historical Image Viewer) .....	41
Figure 19: The study area in 1994 (NSW Historical Image Viewer) .....	42
Figure 20: Study area in 2002 NSW Historical Image Viewer.....	43
Figure 21: Location of geotechnical bore holes.....	48
Figure 22: Aboriginal archaeological potential in the study area.....	52
Figure 23: Plan drawing of bulk excavation within the study area .....	58
Figure 24: Section drawing of proposed bulk excavation.....	59
Figure 25: Proposed piling, footing and subsurface utility locations .....	60
Figure 26: Bulk excavation area relative to study area .....	61
Figure 27: Bulk excavation relative to the areas of archaeological potential .....	62
Figure 28: Indicative piling locations within the bulk excavation area relative to the areas of archaeological potential.....	63
Figure 29: Aboriginal stone tools .....	83
Figure 30: Historical artefacts.....	83
Figure 31: Historical footings .....	83



Figure 32: Historical footings .....	83
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## TABLES

Table 1: Conditions of Approval for Stage 1 Concept Design (SSD-7684).....	7
Table 2: SEARs requirements for Stage 2 Detailed Design (SSD-997834) .....	8
Table 3: Qualifications .....	8
Table 4: Summary of Aboriginal stakeholder methodology review comments .....	14
Table 5: Summary of Aboriginal stakeholder ACHAR review comments .....	15
Table 6: Frequency and percentage of site types in the extensive AHIMS search.....	21
Table 7: Results of geotechnical boreholes .....	46
Table 8 Burra Charter Heritage significance criteria .....	53
Table 9: Scientific significance rating projection .....	54
Table 10: Impact assessment .....	67
Table 11: Management measures.....	69

## GLOSSARY OF TERMS

ACHAR	Aboriginal Cultural Heritage Assessment Report
AEM	Archaeological Excavation Methodology
AHD	Australian Height Datum
AHIP	Aboriginal Heritage Impact Permit
AHIMS	Aboriginal Heritage Information Management Systems
ALR Act	<i>Aboriginal Land Rights Act 1983</i>
Artefact Heritage	Artefact Heritage Services Pty Ltd
CBD	Central Business District
CoA	Conditions of Approval
Code of Practice	Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010a)
CHL	Commonwealth Heritage List
Consultation Requirements	Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010b)
DECCW	Former NSW Department of Environment, Climate Change and Water (now NSW Department of Premier and Cabinet – Heritage)
DA	Development Application
DPIE	Department of Planning, Industry and Environment
ESD	Ecologically Sustainable Development
EIS	Environmental Impact Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
gm	grams
the Guide	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)
km	kilometre
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
m	metre
mm	millimetres

NHL	National Heritage List
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPW Regulation	National Parks and Wildlife Regulation 2019
OEH	Office of Environment and Heritage (now NSW Department of Premier and Cabinet – Heritage)
PAD	Potential Archaeological Deposit
the Proponent	DPT Operator Pty Ltd and DPPT Operator Pty Ltd (
RAP	Registered Aboriginal Party
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
sqm	Square metres
SSD	State Significant Development

## 1.0 INTRODUCTION

### 1.1 Project background

This report has been prepared to accompany a detailed State Significant Development (SSD) Development Application (DA) (Stage 2) for a commercial mixed use development, Cockle Bay Park, which is submitted to the Minister for Planning and Public Spaces pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The development is being conducted in stages comprising the following planning applications:

- **Stage 1** – Concept Proposal setting the overall ‘vision’ for the redevelopment of the site including the building envelope and land uses, as well as development consent for the carrying out of early works including demolition of the existing buildings and structures. This stage was determined on 13 May 2019, and is proposed to be modified to align with the Stage 2.
- **Stage 2** – Detailed design, construction, and operation of Cockle Bay Park pursuant to the Concept Proposal.

DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the Proponent) have engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the study area located in Darling Harbour, in the City of Sydney Local Government Area (LGA), as part of the SSD DA Stage 2 (SSD-9978934). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development, and also the construction of a land bridge across part of the Western Distributor between Darling Harbour and Darling Park.

The SSD DA Stage 2 proposal will require approval from the Minister for Planning and will be based on the assessment of an Environment Impact Statement (EIS). The NSW Department of Planning, Industry and Environment (DPIE) issued the Secretary’s Environmental Assessment Requirements (SEARs) for the Cockle Bay Wharf mixed use development (SSD-9978934) on 12 November 2020. This ACHAR has been prepared to meet the requirements of the SEARs.

The aim of this ACHAR is to identify Aboriginal cultural heritage values within the study area, conduct consultation with Aboriginal stakeholder groups and to assess impacts to Aboriginal heritage cultural heritage that may result from the proposal.

### 1.2 The site

The site is located at 241-249 Wheat Road, Sydney, to the immediate south of Pyrmont Bridge. It is located on the eastern side of the Darling Harbour precinct within the Sydney Central Business District (CBD). The site encompasses the Cockle Bay Wharf development, parts of the Eastern Distributor and Wheat Road, Darling Park and Pyrmont Bridge.

The Darling Harbour Precinct is undergoing significant redevelopment as part of the Sydney International Convention, Exhibition and Entertainment Precinct, including Darling Square and the IMAX renewal and W Hotel (The Ribbon) projects. More broadly, the western edge of the Sydney CBD has been subject to significant change following the development of the Barangaroo precinct.

The study area is owned by the NSW Government and administered by Property NSW (formerly the Sydney Harbour Foreshore Authority), with the majority of the site currently subject to a long-term lease to the proponent. The study area is within the boundaries of the Metropolitan Local Aboriginal Land Council.

The location of the study area is shown on Figure 1.

The study area consists of multiple cadastral lots (shown in Figure 2):

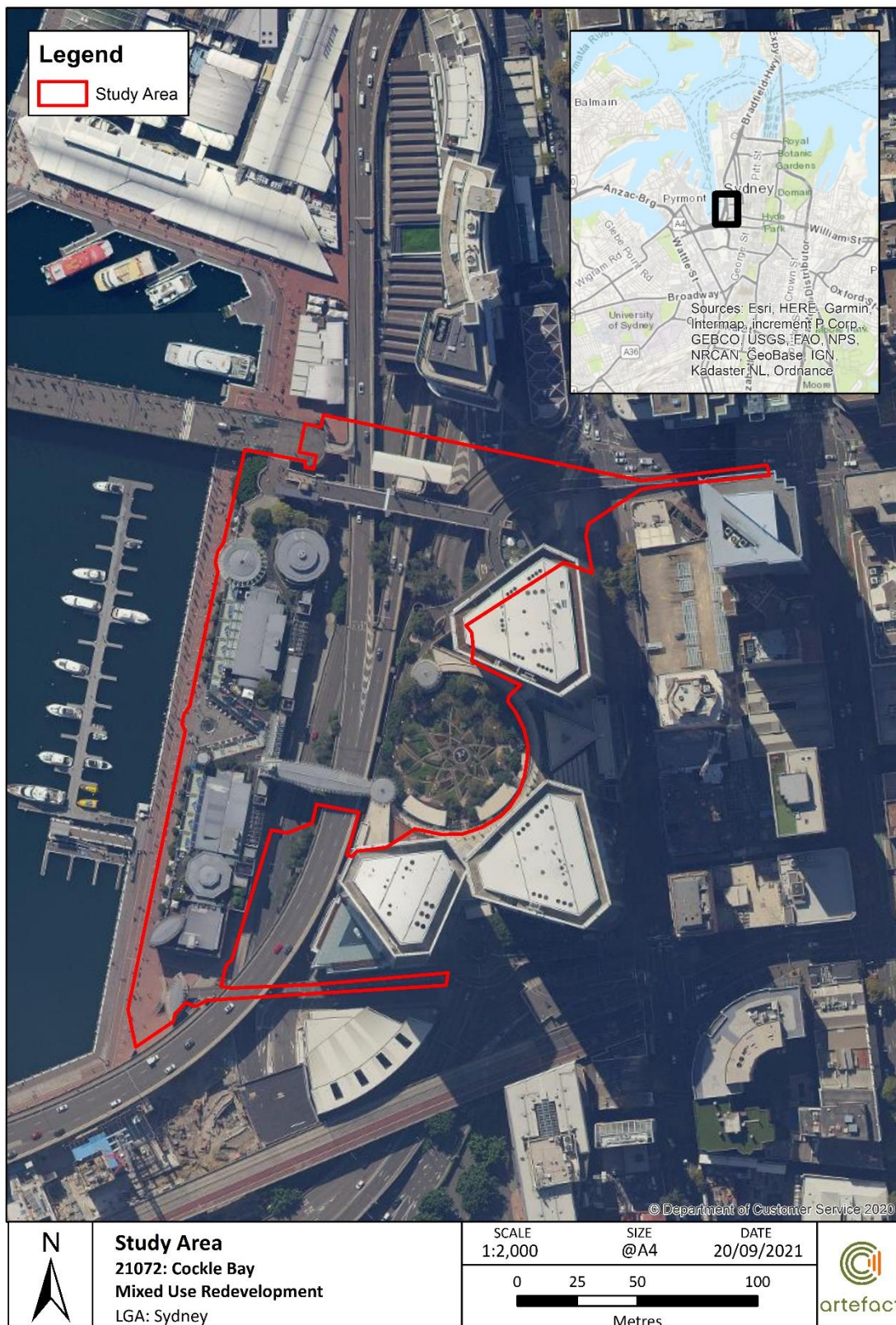
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- Lot 17 DP801770
- Lot 19 DP801770
- Lot 42 DP864696
- Lot 50 DP1009561
- Lot 60 DP1009964
- Lot 65 DP1009964
- Lot 30 DP1007434
- Lot 32 DP1007434
- Lot 33 DP1007434
- Lot 34 DP1007434
- Lot 35 DP1007434
- Lot 37 DP1007434
- Lot 56 DP1009561
- Lot 61 DP1009964
- Lot 63 DP1009964
- Lot 64 DP1009964
- Lot 11 DP1125890
- Lot 2 DP1048307
- Lot 2015 DP1234971
- Lot 1 DP1199026
- Lot 2 DP1199026

### 1.2.1 Local context of the project

The study area is situated on the eastern shore of Cockle Bay. Existing development on the site comprises the Cockle Bay Wharf entertainment precinct, which includes a range of tourism oriented restaurants, cafés, function spaces and entertainment venues. The existing three-storey building in the study area extends from the edge of Pyrmont Bridge in the north down to the Druitt Street Bridge connection in the south and is bounded by the Darling Harbour promenade to the west and the Western Distributor to the east. Completed in 1988 the current three storey building in the study area coincided with Australia's Bicentenary and the urban renewal of Darling Harbour. Like other projects completed within Darling Harbour in this era, such as the former Convention Centre, Exhibition Centre, Entertainment Centre and the IMAX, the existing building is due for renewal and serves as a significant opportunity to reconnect Darling Harbour with the Sydney CBD (Ethos Urban, 2020).

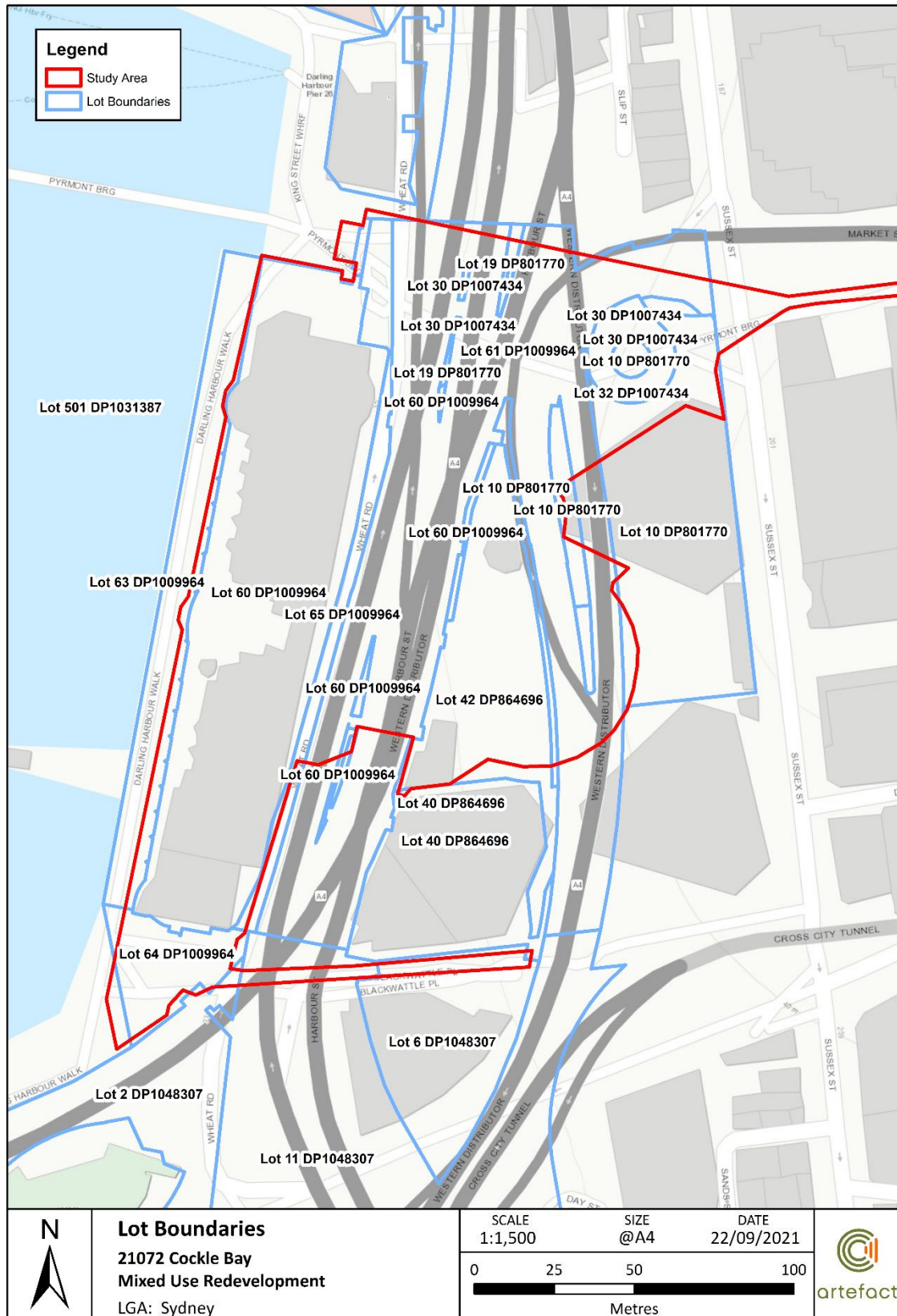


Figure 1: Map of the study area



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Figure 2: Cadastral lot boundaries within the study area





## 1.3 Overview of the project

### 1.3.1 Stage 1 concept proposal

The SSD DA (SSD-7684) Stage 1 Concept Proposal includes the following approved works and designs:

- Concept proposal for a commercial building envelope, comprising:
  - A maximum height of RL 183.0 Australian Height Datum (AHD)
  - A maximum GFA of 89,000 square metres (sqm) including
    - 75,000sqm commercial office GFA
    - 14,000sqm retail GFA
    - Minimum publicly accessible open space of 6,500 sqm
    - Building controls and design guidelines
- Works for the demolition of:
  - Existing Cockle Bay Wharf buildings and structures
  - The Crescent Garden to Cockle Bay Wharf enclosed pedestrian bridge and associated structure.
  - The former monorail station and associated structure.

Approval of the SSD DA (SSD-7684) followed an extensive planning assessment process undertaken by DPIE and the Proponent between 2016 and 2019. This process included a thorough process of technical studies and assessments. These assessments included a first phase Aboriginal cultural heritage Due Diligence study by GML (GML Heritage, 2017), which identified the presence of Aboriginal archaeological potential in the study area. Multiple rounds of community consultation and public exhibition of the proposal were also undertaken, and an independent urban design review commissioned by DPIE which resulted in the Proponent making substantive changes to the project to improve its environmental impacts.

The building envelope approved under the Stage 1 Concept Proposal (Figure 3 and Figure 4) comprises a podium form addressing the Darling Harbour promenade, a large expanse of public open space spanning across the Western Distributor to Sussex Street, and a tower form comprising a mid-podium with the tower above chamfered at the top to minimise overshadowing of surrounding public places.

Stage 1 Concept Proposal is proposed to be modified to align with the Stage 2.

Figure 3: Stage 1 Concept Proposal - approved building envelope (Ethos Urban 2020)

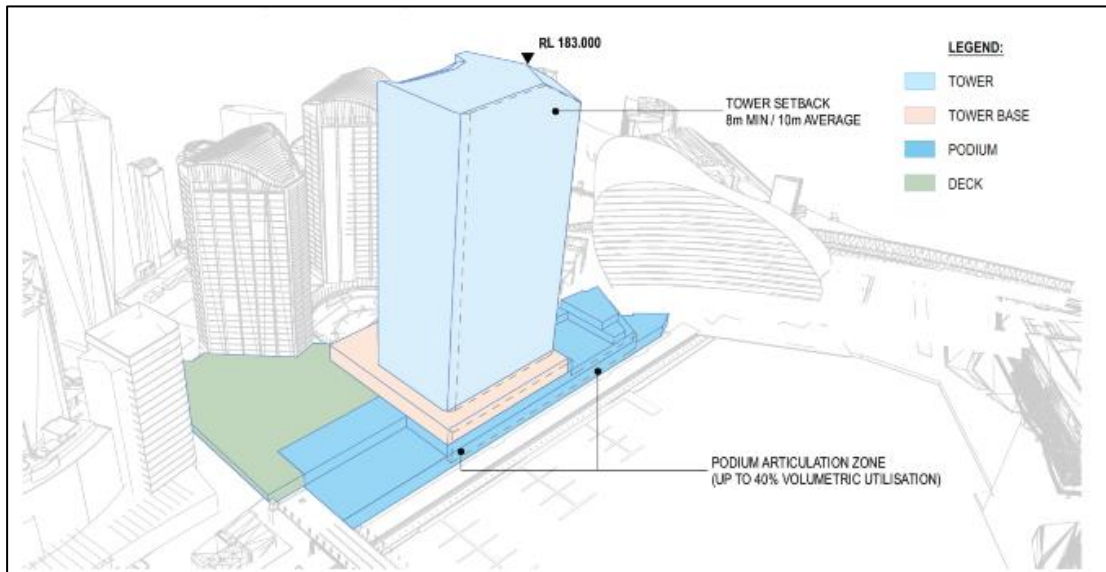
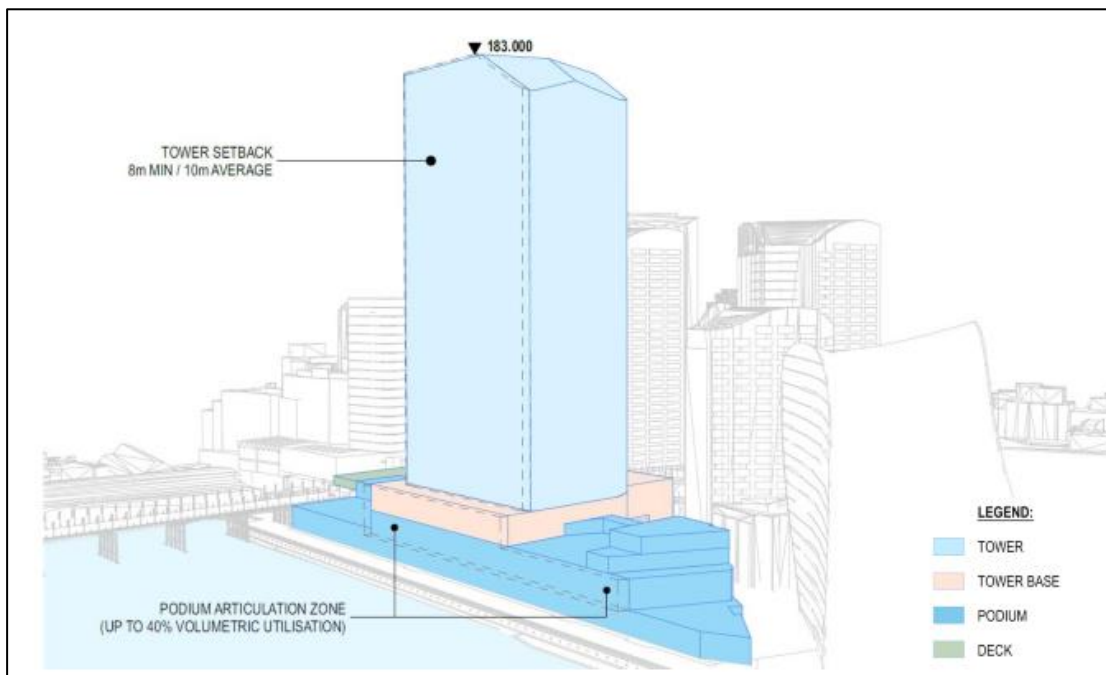


Figure 4: Stage 1 Concept Proposal - approved building envelope (Ethos Urban 2020)



### 1.3.2 Stage 2 Detailed Design proposal

The SSD DA (SSD-9978934) Stage 2 Detailed Design will seek consent for the detailed design development, based on the competition-winning scheme by Henning Larsen, comprising:

- Construction of a land bridge across part of the Western Distributor between Darling Harbour and Darling Park
- The design, construction and use of the new 43 storey mixed-use development, including:
  - Up to 89,000sqm of retail and commercial GFA
  - At least 6,500sqm of publicly accessible open space.

- Site interface works to ensure the provision of appropriate interfaces and connectivity between the new development and the Pyrmont Bridge and Darling Park towers.
- Subdivision of current cadastral lots to facilitate development

## Construction

The prime feature of the development will be the construction of a 43 level structure rising to 183m above sea level, and resting on a multistorey retail and mixed purpose platform that will lead from the Cockle Bay waterfront to existing frontages at Sussex and Market Street. Early plans (CBP-SK-HEN-ARC-DRW-10-0030 27/8/2020) indicate that there are four proposed levels of retail, from ground floor upwards. At the fourth floor building use transitions to a mixed retail and lobby setting, with floors above being commercial in nature.

## Demolition and Excavation:

The primary location of bulk excavations for the proposal will take place along the waterfront of Cockle Bay Wharf, to the west of Harbour Street with maximum proposed excavations reaching RL - 3.100 at locations where ground surface is currently RL 2.441 (Drawings No A-DA-0301, A-DA-0310). Existing approval has been obtained for the demolition of (Drawings A-D-A-0901, A-D-A-0903):

- The Cockle Bay Wharf main structure
- The footbridge between the Cockle Bay Wharf main structure and the Crescent Garden, including the escalator to and from this footbridge
- The existing Monorail Station
- Walkways and pedestrian access between the Crescent Garden and the Pyrmont Bridge Overpass
- The current alignment of Wheat Road and all joining kerbs, sidewalks and driveways.

New approval is to be sought for the demolition of the following items of (Drawings A-D-A-0901, A-D-A-0903):

- The existing interface with the Crescent Garden
- The Crescent Garden central feature
- The existing interface between the Cockle Bay Wharf main structure and the Pyrmont Bridge.
- Part of the existing footbridge leading north from the terminus of the Pyrmont Bridge
- The existing Pyrmont Footbridge which adjoins the Pyrmont Bridge and crosses Sussex Street.
- Multiple minor works associated with removal of the above items.

## 1.4 Purpose and scope of the report

Artefact Heritage has been engaged to prepare this ACHAR for inclusion in the project EIS. This technical paper considers the construction impacts on Aboriginal cultural heritage and potential archaeological resources within the study area and includes:

- Assessment of the Aboriginal cultural heritage values of the study area and identification of any specific areas of cultural significance
- Assessment of archaeological potential for the study area

- Assessment of likely impacts by the project on potential Aboriginal archaeology
- Aboriginal stakeholder consultation
- Preparation of a methodology for archaeological management including test excavation and salvage where required.

## 1.5 Approval framework

This ACHAR is prepared in accordance with the following approval framework:

- Stage 1 Concept Design (SSD-7684) Conditions of Approval (CoA)
- Stage 2 Detailed Design (SSD-997834) SEARs.

### 1.5.1 Conditional of Approval (SSD 7684)

The Stage 1 Concept Design (SSD-7684) was approved on 13 May 2019. The following conditions were issued for Aboriginal heritage investigation for future works for the project.

**Table 1: Conditions of Approval for Stage 1 Concept Design (SSD-7684)**

Item	Condition	Section reference (this report)
	Future Development Application(s) shall include an Aboriginal Cultural Heritage Assessment Report (ACHAR) to assess the impacts of the development on the Aboriginal archaeological and cultural heritage values of the site	Section 8.0 outlines the impacts of the proposed development on Aboriginal archaeological and cultural heritage values.
C13	The ACHAR shall be prepared in consultation with the Office of Environment and Heritage, Regional Operations and Aboriginal Community	<p>The ACHAR would be issued to Heritage NSW (formerly Office of Environment and Heritage) as part of the EIS submission.</p> <p>Per Section 3.0 of this report Aboriginal community consultation has been undertaken in accordance with the Consultation Requirements (DECCW 2010b).</p>

### 1.5.2 Secretary's Environmental Assessment Requirements (SSD 997834)

The SEARs were issued for the proposal (SSD-9978934) on 12 November 2020. Section 13 of the SEARs relates to Aboriginal heritage. The following requirements were issued for Aboriginal heritage investigation for the project.



**Table 2: SEARs requirements for Stage 2 Detailed Design (SSD-997834)**

Item	Requirement	Section Reference (this report)
13	An Aboriginal Archaeology Report, prepared in accordance with relevant guidelines, describing any Aboriginal cultural heritage values on the site.	<p>This report is an Aboriginal Cultural Heritage Assessment Report (ACHAR) which has been prepared in accordance with:</p> <ul style="list-style-type: none"> <li>• The Guide (OEH 2011)</li> <li>• Code of Practice (DECCW 2010a)</li> <li>• Consultation Requirements (DECCW 2010b)</li> </ul> <p>Section 7.0 outlines the Aboriginal cultural heritage values on the site.</p>
	Should any aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be prepared in consultation with local Aboriginal people	Per Section 3.0 of this report Aboriginal community consultation has been undertaken in accordance with the Consultation Requirements (DECCW 2010b).

## 1.6 Authorship

This report was prepared by Michael Lever (Heritage Consultant) and Julia McLachlan (Senior Associate). Management input and review was provided by Jayden van Beek (Senior Associate) and Sandra Wallace (Director).

The qualifications of the archaeologists involved in the production of this report are included in Table 3.

**Table 3: Qualifications**

Name	Qualification	Years' experience
Sandra Wallace	PhD (Archaeology) BA (Hons 1) Archaeology	18 years
Jayden van Beek	Bachelor of Arts, Major: Archaeology Master of Professional Archaeology	6 years
Julia McLachlan	Bachelor of Arts, Major: Archaeology (Hons 1)	5 years
Michael Lever	Bachelor of Arts (Hons 1), Major: Archaeology	10 years

## 2.0 LEGISLATIVE CONTEXT

### 2.1 Introduction

There are several pieces of legislation that are relevant to the assessment of Aboriginal cultural heritage for the project. This chapter provides a summary of these Acts and the potential implications for the project.

### 2.2 State legislation

#### 2.2.1 NSW National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) provides statutory protection to all Aboriginal places and objects. An Aboriginal Place is declared by the Minister, under Section 84 of the NPW Act in recognition of its special significance with respect to Aboriginal culture. Under Section 86 of the NPW Act Aboriginal objects and Aboriginal Places are protected. An Aboriginal object is defined as:

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*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.*

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The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture.

**There are no gazetted Aboriginal places in the study area. All Aboriginal objects, whether recorded or not are protected under the NPW Act.**

As the project is subject to assessment under Section 4.12(8) of the EP&A ACT, Schedule 2 of the Environmental Planning and Assessment Regulation 2000, permits issued under the NPW Act are not required.

#### 2.2.2 National Parks and Wildlife Regulation 2019

Under the authority of the NPW Act, the National Parks and Wildlife Regulation 2019 (NPW Regulation 2019) provides regulations for Aboriginal heritage assessment and consultation with Registered Aboriginal parties (RAPs).

Part 5 (Division 2) of the NPW Regulation 2019 sets out the requirements of a due diligence assessment process and provides requirements for more detailed assessment and consultation with RAPs for activities that may result in harm to Aboriginal objects. This includes:

- Clause 60 – consultation process to be carried out before application for Aboriginal heritage impact permit
- Clause 61 – application for Aboriginal heritage impact permit to be accompanied by cultural heritage assessment report.

In order to comply with Clause 60 and 61 of the NPW Regulation 2019, preparation of an ACHAR and consultation with RAPs must be in accordance with the following guidelines:

- The Guide (OEH 2011)
- Code of Practice (DECCW 2010a)
- Consultation Requirements (DECCW 2010b)

The current assessment has been carried out in accordance with the above guidelines and requirements in order to meet the CoA (SSD-7684) and the SEARs (SSD-997834).

### 2.2.3 NSW Environmental Planning and Assessment Act 1979

The *Environmental Planning & Assessment Act* (EP&A Act) provides planning controls and requirements for environmental assessment in the development approval process. The EP&A Act consists of three main parts of direct relevance to Aboriginal cultural heritage; Part 3 which governs the preparation of planning instruments, Part 4 which relates to development requiring consent, and Part 5 which relates to activity that does not require consent.

The project is subject to assessment and approval by the NSW Minister for Planning and Public Spaces under Part 5, Division 5.2 of the EP&A Act, which establishes an assessment and approval regime for State Significant Infrastructure.

An EIS supported by the current assessment will be prepared to assess the impacts of the project, in accordance with SEARs.

Section 4.12(8) of the EP&A Act provides that environmental planning instruments (such as local environmental plans and State Environmental Planning Policy [SEPP]) do not, with some exceptions, apply to State significance development projects. Notwithstanding, the environmental planning instruments that are relevant to the project have been considered for consistency, as described below.

#### 2.2.3.1 Local Environmental Plan

Local Environmental Plans (LEPs) are prepared by councils in accordance with the EP&A Act to guide planning divisions for LGAs. The aim of LEPs in relation to heritage is to conserve the heritage significance are also listed within this schedule.

**The study area falls within the boundaries of The City of Sydney LEP 2012. There are no Aboriginal objects or places listed on the City of Sydney LEP 2012 within the study area.**

### 2.2.4 NSW Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* is administered by the NSW Department of Human Services - Aboriginal Affairs. This Act established Aboriginal Land Councils (at State and local levels). These bodies have a statutory obligation under the Act to:

- Take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law
- Promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

**The study area is located within the Metropolitan Local Aboriginal Land Council (LALC) boundaries.**

### 2.2.5 NSW Native Title Act 1994

The *Native Title Act 1994* was introduced to work in conjunction with the Commonwealth Native Title Act. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act.

**No Native Title Claims or determinations within the study area were identified on the National Native Title Tribunal Native Title Vision mapping service.**

## 2.3 Commonwealth legislation

### 2.3.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment and Heritage Legislation Amendment Act (No. 1) 2003* amends the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to include 'national heritage' as a matter of national environmental significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List and the Commonwealth Heritage List.

The *Australian Heritage Council Act 2003* establishes a new heritage advisory body – the Australian Heritage Council – to the Minister for the Environment and Energy and retains the Register of the National Estate.

The *Australian Heritage Council (Consequential and Transitional Provisions) Act 2003* repeals the *Australian Heritage Commission Act 1975*, amends various Acts as a consequence of this repeal and allows the transition to the current heritage system.

Together the above three Acts provide protect for Australia's natural, Indigenous and non-Indigenous heritage. The new framework includes:

- A new National Heritage List of places of national heritage significance
- A new Commonwealth Heritage List of heritage places owned or managed by the Commonwealth
- The creation of the Australian Heritage Council, an independent expert body to advise the Minister on the listing and protection of heritage places
- Continued management of the non-statutory Register of the National Estate.

#### 2.3.1.1 National Heritage List

The National Heritage List (NHL) is a list of places with outstanding heritage value to our nation, including places overseas. So important are the heritage values of these places that they are protected under the EPBC Act. This means that a person cannot take an action that has will have, or is likely to have, a significant impact on the national heritage values of a national heritage place without the approval of the Australian Government Minister for the Environment.

**There are no items listed on the NHL located within the study area for this assessment.**

#### 2.3.1.2 Commonwealth Heritage List

The Commonwealth Heritage List (CHL) is a list of places managed or owned by the Australian Government.

**There are no items listed on the CHL located within the study area for this assessment.**

### 2.3.1.3 Register of the National Estate

The RNE is an evolving record of Australia's natural, cultural and Aboriginal heritage places that are worth keeping for the future. The AHC compiles and maintains the RNE under the *Australian Heritage Council Act 2003*. Places on the RNE that are in Commonwealth areas, or subject to actions by the Australian Government, are protected under the EPBC Act by the same provisions that protect Commonwealth heritage places (see above).

Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, meaning no new places can be added, or removed. From 2012 all references to the RNE were removed from the EPBC Act and the AHC Act. The RNE is now maintained on a non-statutory basis as a publicly available archive.

**There are no items listed on the RNE located within the study area for this assessment.**

### 2.3.2 Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (ATSIHP Act), deals with Aboriginal cultural property (intangible heritage) in a wider sense. Such intangible heritage includes any places, objects and folklore that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'. These values are not currently protected under the NPW Act.

There is no cut-off date and the ATSIHP Act may apply to contemporary Aboriginal cultural property as well as ancient sites. The ATSIHP Act takes precedence over state cultural heritage legislation where there is conflict. The Commonwealth Minister who is responsible for administering the ATSIHP Act can make declarations to protect these areas and objects from specific threats of injury or desecration. The responsible Minister may make a declaration under Section 10 of the Commonwealth Act in situations where state or territory laws do not provide adequate protection of intangible heritage.

Where an Aboriginal individual or organisation is concerned that intangible values within the proposal are not being adequately protected, they can apply to the Minister for a declaration over a place. No intangible places were identified during the survey.

## 3.0 ABORIGINAL COMMUNITY PARTICIPATION

### 3.1 Aboriginal consultation

Aboriginal community consultation has been conducted in accordance with the Consultation Requirements. A consultation log has been maintained which details all correspondence with the RAPs for the project. All documentation associated with the consultation process is reproduced in Appendix Two and Appendix Three.

### 3.2 Identification of stakeholders and registrations of interest

In accordance with Stage 4.1.2 of the Consultation Requirements (DECCW 2010b), correspondence was sent by Artefact Heritage to the following organisations on 7 May 2021 requesting details of Aboriginal people who may hold cultural knowledge relevant to determining the Aboriginal significance of Aboriginal objects and/or places within the study area.

- Heritage NSW, Department of Premier and Cabinet (formerly the Office of Environment and Heritage [OEH])
- Metropolitan LALC
- City of Sydney Council
- Greater Sydney Local Land Services
- National Native Title Tribunal Geospatial Search
- NTSCORP
- Office of the Registrar. Aboriginal Lands Right Act.

In accordance with Stage 4.1.3 of the Aboriginal cultural heritage consultation requirements for proponents 2010, Artefact Heritage placed an advertisement in a local newspaper, the *City Hub* on Thursday 13 May 2021. The advertisement invited all Aboriginal persons and organisations who hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the study area to register their interest. In order to increase awareness of the project among potential RAPs, a second advertisement was placed in the *Koori Mail* on 19 May 2021.

In accordance with Stage 4.1.3, letters and/or emails were sent on 31 May 2021 to all Aboriginal persons and organisations identified through responses from the agencies contacted during Stage 4.1.2. The letters provided details on the location and nature of the project, as well as an invitation to register as an Aboriginal stakeholder. Fourteen days were allowed for registrations.

Following the completion of Stages 4.1.2 and 4.1.3, a total of ten stakeholder groups had registered their interest in the consultation process. These groups include one entity that requested its details not be disclosed:

- Metropolitan LALC
- Didge Ngunawal Clan
- *Identity withheld*
- Wori Woilywa
- Kamilaroi Yankuntjatjara Working Group
- Gulaga



- Darug Custodian Aboriginal Corporation
- Murrabidgee Mullangari
- A1 Indigenous Services
- Clive Freeman.

In accordance with Stage 4.1.6 of the Consultation Requirements (DECCW 2010b) a letter was sent on 29 June 2021 to Heritage NSW and the Metropolitan LALC providing a list of RAPs for the project.

### 3.3 Review of assessment methodology

A copy of the proposed ACHAR methodology was distributed to Aboriginal stakeholders on 25 June 2021 with a 28-day period for review and comment. The document included project details and a summary of the proposed ACHAR assessment methodology. A copy of the proposed ACHAR methodology was provided to Heritage NSW on 29 June 2021.

Comments received from stakeholder groups are provided in Table 4 below. As of 28 July 2021 four stakeholder groups provided comments to the proposed investigation methodology. These comments are summarised in Table 4 and are provided in full as part of the consultation documentation in Appendix Two and Appendix Three.

**Table 4: Summary of Aboriginal stakeholder methodology review comments**

Person/ RAP group	Summary of comment
A1 Indigenous Services	I have reviewed the document and support the Information and Methodology.
Murrabidgee Mullangari	I have read the project information and ACHAR methodology for the above project, I endorse the recommendations made.
Kamilaroi Yankuntjatjara Working Group	Thank you for your ACHA methodology for Cockle Bay Wharf mixed use development ....We would like to agree ACHA and support your methodology, we look forward to working with you on this project.
Undisclosed RAP	Sorry for late reply. We agree with methodology

### 3.4 Review of ACHAR

A copy of the draft ACHAR was distributed to Aboriginal stakeholders on 8 October 2021 with a 28-day period for review and comment. This review period will continue into the public exhibition stage of the EIS and will be updated following public exhibition.

Comments received from stakeholder groups during this review period will be provided in Table 5 below.

[PLACEHOLDER: This section will be updated following RAP review]

**Table 5: Summary of Aboriginal stakeholder ACHAR review comments**

Person/ RAP group	Comment

## 4.0 ARCHAEOLOGICAL AND ETHNOGRAPHIC CONTEXT

### 4.1 Ethnographic and historical evidence

The study area is within country of the Gadigal people, and is close to the tribal boundary with the country of the Wangal people to the west. The Gadigal and Wangal people are both speakers of the Darug language, which has been described as predominant from the Georges River and Botany Bay in the south, to Port Jackson, north to Pittwater at the mouth of the Hawkesbury River, and west along the river to Parramatta (Attenbrow, 2010).

Many Aboriginal tribal boundaries in Australia have been determined from linguistic evidence. They are therefore only approximations. Social interaction, tribal boundaries and linguistic evidence may not always correlate. Further, a western understanding of the nature of borders and boundaries appears at times to be incompatible with Aboriginal behaviours described by anthropological authors including W. Stanner (1905-1981). Stanner provided an analytic framework for understanding the often-fluid Aboriginal concepts of place and belonging, and practices of land use (Stanner, 1965). These were: Estate, Range, Domain and Regime.

The Estate comprised core lands associated with an immediate patrilineal family group – the family lands. The Range generally included the estate, but also included wider ranging hunting and foraging areas. Domain was constituted of the combined estate and range. Regime describes the location of an Aboriginal group with respect to an over-arching land pattern or environment, (which may correlate to divisions in language group). Thus, Aboriginal groups may define themselves with reference to their Regime as River People, Woods People, or Saltwater People, in addition to identity aspects derived from language, moiety, kinship and totem.

The Gadigal, and other nearby clan groups would have been among the first Aboriginal people to experience the effects of physical and social dislocation as a result of the arrival settlement of the First Fleet at Sydney Cove. Furthermore, epidemics of smallpox dramatically affected the Aboriginal population in Sydney. In 1790, Bennelong estimated to Governor Phillip that over half of Sydney's original Aboriginal population had died as a result of the smallpox epidemic that broke out in 1789 (Karskens, 2010). The true impact of European disease over the next decade is likely to have been far larger (Butlin, 1983). As a result of this depopulation the Aboriginal lifeways witnessed in the Sydney area even by early European observers are likely to have differed considerably from those practiced prior to European contact. Many traditional Aboriginal practices and daily lifeways are now understood to have been built upon deeply reinforced rules and norms of interactions between family and clan members, often gender-specific and including rules which are not evident to the casual observer. (Dudgeon & Bray, 2019) (Berndt & Berndt, 1996). This rapid and drastic depopulation and resulting deep fracture of Aboriginal lifeways needs to be taken into account when considering whether early European accounts are accurate reflections of pre-colonisation Aboriginal life.

A likely example of this misconception of traditional Aboriginal life is that historically Aboriginal people have often been depicted wholly nomadic and living in ephemeral huts or shelters. In the past decade research has indicated that these descriptions may be both inaccurate and also written to serve a colonialist imperative. They may be inaccurate as they probably depict displaced Aboriginal people living in temporary camps rather than in their previous homes (Memmott, 2007).

The narrative of nomadism also likely served colonialist narratives by depicting Aboriginal people as transient and without established settlements or villages. In this way, historical authors may have sought to strengthen notions of European ownership of Australia, and to diminish Aboriginal territorial claims. The tenuous legal basis for the British occupation and claim to ownership of the Australian continent only heightened the colonial imperative to depict Aboriginal people as landless nomads (Reynolds, 2021). Re-examination of works by early white explorers such as Mitchell, and also recent

archaeological investigations, support the proposal that at first encounter with Europeans, some Australian Aboriginal groups lived in what explorers described as 'villages' of relatively robust huts, including structures in stone (Pascoe, 2014) (Memmott, 2007).

Ethnographic and historical accounts written by European explorers and settlers in the late 18th century emphasise the maritime way of life of the Aboriginal people around Sydney Harbour. Bark canoes were regularly used for line fishing and spear fishing. Collecting shellfish on the tidal banks of the bay was also recorded by Europeans. The Port Jackson area provided a wide range of natural resources, including terrestrial and marine flora and fauna. Watkin Tench, a military officer on the First Fleet, suggests fishing was their primary subsistence activity:

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*... [they] wholly depend for food on the few fruits they gather, the roots they dig up in the swamps, and the fish they pick up along shore or contrive to strike from their canoes with spears. Fishing, indeed, seems to engross nearly the whole of their time, probably from its forming the chief part of a subsistence ... (Tench, 1788) Terrestrial animals such as kangaroos, possums, and various birds were also hunted and eaten regularly.*

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A further effect of the tendency, common through the nineteenth and twentieth century, to erase the Aboriginal past, is that Aboriginal people in Sydney have only been seen as worthy subjects of study during the immediate period of contact with Europeans. As is explicit in the title of his work *Hidden in Plain View: The Aboriginal People of Coastal Sydney*, Paul Irish (Irish, 2017) powerfully illustrates the manner in which Aboriginal people of coastal Sydney continued their residence on country, albeit frequently displaced, and often incorporating traditional activities such as fishing into their new settings. Of particular relevance to the study area is Irish's description of Aboriginal residence in a defunct Government boat shed at Bennelong Point approximately 1.8km north east of the study area. Between approximately 1860 and 1881 a fluctuating population of between 10 and 30 Aboriginal people resided at this boat shed, including members of the Timbery family - longstanding and current prominent members of the La Perouse Aboriginal community (Irish, 2017, pp. 109-116). Given this it must be born in mind that Aboriginal connections to the study area and activity within it did not cease at colonisation.

## 4.2 Archaeological evidence

Aboriginal people have lived in the Sydney area for more than 36,000 years. The oldest dated site in the greater Sydney region is Cranebrook Terrace which was dated at approximately 41,700 years Before Present (BP) with an error range of 5,000 years (Attenbrow 2010: 18; Karskens 2020; Williams et al 2017). Evidence of Aboriginal occupation has been found dated to 50-60,000 BP at Lake Mungo in NSW, so it is likely that Aboriginal people have lived in the Sydney region for even longer than indicated by the oldest recorded dates we have at present. The archaeological material record provides evidence of this long occupation, but also provides evidence of a dynamic culture that has changed through time.

The existing archaeological record is limited to certain materials and objects that were able to withstand degradation and decay. As a result, the most common type of Aboriginal objects remaining in the archaeological record are stone artefacts. Archaeological analyses of these artefacts in their contexts have provided the basis for the interpretation of change in material culture over time. Technologies used for making tools changed, along with preference of raw material. Different types of tools appeared at certain times, for example ground stone hatchets are first observed in the archaeological record around 4,000 BP in the Sydney region (Attenbrow 2010). It is argued that these changes in material culture were an indication of changes in social organisation and behaviour.

After 8,500 BP silcrete was more dominant as a raw material, and bifacial flaking became the most common technique for tool manufacture. From about 4,000 BP to 1,000 BP backed artefacts appear more frequently. Tool manufacture techniques become more varied and bipolar flaking increases (McDonald 2006). It has been argued that from 1,400 to 1,000 years before contact there is evidence of a decline in tool manufacture. This reduction may be the result of decreased tool making, an increase in the use of organic materials, changes in the way tools were made, or changes in what types of tools were preferred (McDonald 2006). The reduction in evidence coincides with the reduction in frequency of backed blades as a percentage of the assemblage.

Further detail on the archaeological record in the surrounds of the study area will be provided in the sections below:

As will be reiterated in Section 5.7, the predictive modelling for potential Aboriginal archaeological remains in the study area will largely rest on identifying the likelihood for the presence of natural soils beneath current constructed surfaces and buildings, and on determining whether current ground surfaces are on natural or reclaimed land.

### 4.3 Registered Aboriginal sites

**The location and details of Aboriginal sites are considered culturally sensitive information. Culturally sensitive information will be removed prior to this report being made public.**

An extensive search of the Aboriginal Heritage Information System (AHIMS) database was conducted on 14 May 2021 by Michael Lever of Artefact Heritage (Client ID 591006). The search was run for the same spatial coordinates in Longitude and Latitude that was undertaken by GML Heritage (2017) with the same buffer of 1000 meters. These coordinates are:

<b>GDA 1994</b>	<b>Lat, Long from: -33.8807, 151.1839</b>
	<b>Lat, Long to: -33.8598, 151.217</b>
<b>Buffer</b>	<b>1000m</b>
<b>Number of sites</b>	<b>53</b>
<b>AHIMS Search ID</b>	<b>591006</b>

The results of this search are mapped in Figure 5 below. AHIMS sites near the study area are mapped in Figure 6 below.



Figure 5: AHIMS sites within 1km of the study area





Figure 6: AHIMS sites near the study area



The frequency of recorded site types is summarised in Table 6 below, which combines similar site types from their AHIMS listing. A total of 53 sites are within the search area. There are no sites within the study area.

**Table 6: Frequency and percentage of site types in the extensive AHIMS search**

Site feature	Frequency	Percentage
PAD	26	49%
Midden	3	5.5%
Shelter & Midden	2	3.7%
Artefact	13	25%
Artefact, Aboriginal Ceremony & Dreaming	1	1.8%
Art	4	7.5%
Gathering place & resource	1	1.8%
Burial, Aboriginal Ceremony and Dreaming	1	1.8%
Burial, Shell	1	1.8%
Shell	1	1.8%
Total	53	100%

The distribution of Aboriginal sites in the search area is strongly dominated by areas of potential archaeological deposit (PADs) at 49% (n=26), followed by artefact sites at 25% (n=13). The number of PAD sites in the search area has increased by 100% from the 13 PADs identified in the same search area by GML (2017). This almost certainly results from the ongoing processes of urban regeneration and government infrastructure spending. Despite the degree to which they statistically dominate site types in the search area, placing an emphasis on PADs as a representation of cultural value that is on an even footing with sites of known artefactual values is likely misleading. As is explicit in their name, PADs are not locations of known Aboriginal archaeological sites but are locations of archaeological potential. This archaeological potential is frequently assessed based on the evaluation that the PAD has likely undergone lower rates of soil disturbance and that intact soil deposits may therefore be contained within them. It is likely not statistically valid to attribute to PAD the same weighting that is attributed to sites that have been firmly documented to contain artefactual material that occur within the search area. In sites such as the study area where there has been significant early historical development, in particular landfill, it is possible that historical development may have capped and preserved Aboriginal archaeological deposits in situ.

The nature of sites in the search area also reflects the unique historical significance of this area in which Aboriginal people and European colonists first interacted, and in which Aboriginal people have continued to struggle with the implications of colonisation. A clear example of this is encapsulated in the two sites AHIMS ID 45-6-2299 (First Government House), which is listed as a Burial, Aboriginal Ceremony and Dreaming site, and AHIMS ID 45-6-2767 (Tent Embassy), which is listed as an Aboriginal Gathering and resource place.



The Burial place (AHIMS ID 45-6-2299) at First Government House refers to the burial there of 'Arabadoo', a captive local Aboriginal man who died in 1789 of smallpox that he contracted from his captors (Dark, 2021). In contrast and situated some 2km from the site of First Government House, AHIMS ID 45-6-2767 (Tent Embassy) is the location at which in 2014 Aboriginal people protested (unsuccessfully) against the gentrification of the area (Barani, 2021).

The marine nature of the area is reflected in at least five midden sites. The characteristics of the local Hawkesbury Sandstone are evident in the presence of shelter sites and art sites. These art sites tend to be very poorly recorded reflecting the early date of their recording and often their subsequent destruction.

### Art sites in the search area

Four recorded art sites are present in the search area. Two of these sites have been destroyed, and two are likely to survive. All of these sites are either engravings or paintings on rock surfaces, and have been summarised below from their AHIMS site cards. The implication of the presence of such sites is that it is possible that art sites may be present wherever sandstone outcroppings, ledges or shelters are found in the study area. These sites may have been buried beneath fill and care would be required in clearing or excavation in locations where sandstone may be present.

Dawes Point-Tabagulla Rock engraving 45-6-0030, was a very poorly recorded site, recording of which had been based on historical documentary evidence of a site that once held a variety of figures including a human figure and one figure variously described as a whale or a shark. The site was considered destroyed during formation of the Sydney Harbour Bridge.

A similarly poorly documented site is 45-6-1939 which was reported to the recorder in casual conversation with an individual who claimed to have seen multiple engravings at Merriman Street Millers Point. The site was subsequently destroyed in 1970 during construction of the Harbour Control Tower. No description of the engraved figures is provided.

Site Johnstons Creek 45-6-2676 is a large rock shelter facing east and Johnston's Creek, across buildings and a car park. It contains earth deposits and at least one white stencil hand print.

Site Yurong Cave 45-6-2934 is located near the Sydney CBD, to the east of Mrs Macquarie's chair. At the rear of the cave are two white stencil hand prints. This site is about 2m long and high enough for an individual to sit in.

## 4.4 Previous archaeological investigations

### 4.4.1 M MacPhail & T Owen (2018) What was growing along the Tank Stream Valley, Sydney Cove in 1788? *Australasian Historical Archaeology*. No. 36 pp 16-28

This study did not directly report on archaeological excavations. Rather, the authors attempted to determine the natural vegetation that would have been present along the Tank Stream Valley prior to European colonisation, through a study of pollen and spores in historical soils. The Tank Stream flowed south-north into Sydney Cove, roughly parallel with the study area at Cockle Bay at a distance of approximately 1km. The authors were only able to make tentative and general conclusions regarding likely vegetation (MacPhail & Owen, 2018). The soil samples studied by MacPhail and Owen were retrieved during excavation by W. Thorp in 2014 at 190-200 George Street, Sydney (Thorp, 2014), approximately 800m east of the study area at Cockle Bay. The site excavated by Thorp had previously been the location of two modern towers constructed in 1971 (Thorp, 2014, p. 8). Despite this significant level of twentieth century development in addition to archaeological evidence of previous historical structures, excavation also revealed evidence of the pre-settlement environment in a preserved landscape of sandstone outcrops and benches (Thorp, 2014, p. 1). Soil samples that

were considered to have been likely undisturbed since early colonisation were taken from ten locations, including crevices between outcrops (MacPhail & Owen, 2018, p. 21). Six of these soil samples lacked pollen of exotic plants that appear to have become naturalised within the first few years after the arrival of the British in 1788 (MacPhail & Owen, 2018, p. 22). This absence of European pollen would indicate that these soils had been sealed within a short time following colonisation. The evidence from MacPhail and Owen would strongly indicate the possibility for preserved and undisturbed soils to be present below even significant built structures.

#### 4.4.2 GML Heritage (2017) Cockle Bay Park. Aboriginal Heritage Due Diligence Report prepared for DPT and DPPT.

GML Heritage (2017) provided initial archaeological assessment for the Concept and Stage 1 applications for the proposal (Concept DA SSD 7684). This was a desktop and visual survey report and did not include archaeological testing. AHIMS results for GML Heritage (2017) indicated no sites had been recorded within the study area, and 39 sites were recorded within 1km of the study area. These were predominantly areas of PAD (n=13) and artefact sites (n=4). GML Heritage (2017: 21-22) found that locations within the study area that had been below the high water mark at the time of European settlement and which had subsequently been subject to land reclamation would be of no Aboriginal archaeological potential (GML Heritage 2017: 11) or of low Aboriginal archaeological potential (GML Heritage 2017: 32). Areas further east from the Cockle Bay shoreline within locations known to have been dry land were modelled by GML Heritage to be of moderate Aboriginal archaeological potential (GML Heritage 2017: 32). Locations at the highest point of the study area, located to the west of the Pyrmont Bridge and at Sussex and Market Streets were rated as of high Aboriginal archaeological potential (GML Heritage 2017: 32).

#### 4.4.3 J Comber (2012) Darling Quarter (Formerly Darling Walk), Darling Harbour Aboriginal Archaeological Excavation Report. Report to Casey + Lowe On Behalf of Lend Lease

Darling Quarter is located 150m south of the study area at Cockle Bay and immediately north of the Chinese Garden of Friendship. It comprised a largely open area of approximately 33,000sqm. The majority of the Darling Quarter is situated on land reclaimed from Cockle Bay. A total of 46 Aboriginal archaeological 1m x 1m test trenches were excavated. This resulted in retrieval of a total 10 Aboriginal artefacts identified within a shell midden. The shell midden and artefacts were recovered from Area 5 which was situated along the natural intertidal zone. The shell midden was determined to have been redeposited by wave action and disturbed by later reclamation works. A characteristic example of exposed natural rock ledge in Area 5 is shown in Figure 7, the shell deposit is shown in Figure 8. Excavation of test trenches was carried out through lenses of overlying crushed sandstone which appears to have been placed prior to nineteenth century industrial activities. This crushed sandstone had sealed underlying soils from contamination. These underlying soils demonstrated chemical similarities to soils known to have been used over time for cooking by Aboriginal people (Comber, 2012, p. 32).

Figure 7: Testing in Area 5 at Darling Quarter



Figure 8: Shell deposit in Area 5





#### 4.4.4 D Steele (2006) Aboriginal Archaeological Excavation Report. The KENS Site

In 2003 Steele carried out test excavations at the city block measuring 1 hectare (ha) bounded by Kent, Erskine, Napoleon and Sussex Streets (KENS), located 275m north east of the study area at Cockle Bay. Steele's study area had been significantly developed for over 150 years. The excavation identified a number of preserved (pre-1788) soil profiles that had been subject to a range of levels of truncation and historical disturbance. Excavation resulted in the retrieval of 952 Aboriginal artefacts including some flaked glass from deposits that were largely redeposited in-situ but which had been capped by overlying early historical construction. Processes of trampling and damage to artefacts in addition to the flaked glass artefacts reflected the rapidly changing cultural environment during the early years of colonisation (Steele, 2006). Steele's results demonstrate the capacity for even highly disturbed soil profiles to contain significant numbers of Aboriginal artefacts.

#### 4.4.5 Godden Mackay (1998) Angel Place Project Final Excavation Report—Volume Three—Prehistory Report, prepared for AMP Asset Management Australia Ltd and the NSW Heritage Council,

The Angel Place site was located 600m north east of the study area at Cockle Bay and runs along the alignment of the south-north running Tank Stream alignment (Godden Mackay, 1998). Monitoring of machine removal of overburden indicated that all natural soils had been removed down to natural clay other than soils located along a strip immediately adjacent to the Tank Stream. Subsequent manual excavation identified a section of remaining natural soil profile measuring 4m x 4m. This comprised natural although redeposited charcoal-rich topsoil and alluvial sand. Aboriginal artefacts were identified in this deposit. A total of 54 artefacts were recovered including flakes, cores and flaked fragments in a range of materials, including silicified tuff, indurated mudstone, silcrete and quartz. Initial interpretation of the assemblage was that it represented repeat phases of core reduction and tool maintenance, although primary reduction was thought unlikely to have occurred onsite (Godden Mackay, 1998, p. 44).

### 4.5 Thematically relevant recent reporting

#### 4.5.1 B O'Leary et al (2020) Aboriginal artefacts on the continental shelf reveal ancient drowned cultural landscapes in northwest Australia. PLoS ONE 15(7)

The results of the study by O'Leary et al (2020) derive from an environmental setting that is distant and very distinct from that at the study area in Cockle Bay. Nevertheless, O'Leary et al (2020) represents the first occasion on which an Aboriginal offshore stone artefact submerged site has been successfully identified. Detection of potential site locations was multi phased and included use of LiDAR, Vessel survey, diver survey and modelling of pre-inundation landform including the presence of previous freshwater resources. O'Leary et al (2020) demonstrates that the possible presence of submerged Aboriginal sites must be taken into account when formulating measures for management of proposed development that may impact locations beyond the waterline.

#### 4.5.2 Summary

The studies and reports summarised above illustrate the difficulty in accurately modelling the likely occurrence of Aboriginal archaeological artefacts in the study area. The highest number of artefacts retrieved in the wider surrounds of the study area is 952 by Steele (2006), from what was apparently a highly disturbed setting in which soils appeared to have been redeposited in-situ. Thorpe (2014) identified 10 areas of natural soil but retrieved no Aboriginal artefacts, while Comber (2012) examined buried foreshore and identified 10 artefacts in shallow soils above and between rock outcrops. GML Heritage (2017) has provided Aboriginal archaeological potential modelling based largely on the

presence or absence of reclaimed land, in which reclaimed land is rated as of low Aboriginal archaeological potential.



## 5.0 ENVIRONMENTAL CONTEXT

### 5.1 Geology and soils

The local underlying geology is Hawkesbury Sandstone, which is characterised here by a landscape of undulating to rolling rises and low hills, however steep outcrops, scarps and cliffs may be present where waterbodies have eroded substrate particularly along the shores of Port Jackson. Overlying soils are GyMEA Soils typified by their low soil fertility, high permeability and susceptibility to erosion. On crests and benches such as would have constituted the rocky foreshore and surrounds at the study area the upper unit (gy1) of these soils generally directly overlies bedrock with a soil depth of less than 300mm. Where bedrock is at greater depths, clayey sand (gy2) may be present to approximately one metre. (E-Spade, 2021). The eastern portion of the study area is mapped as almost entirely disturbed land, with natural GyMEA Soils shown only in the west and northern portions.

### 5.2 Geomorphology

#### 5.2.1 Deep time and submerged landscapes

The earliest known archaeological date for Aboriginal habitation in the Greater Sydney region, is over 30,000 years old, derived through carbon dating of archaeological material from Cranebrook Terrace near Penrith (Attenbrow, 2010, p. 18; Williams, et al., 2017). The lack of identified older archaeological dates may well result from the fact that the local coastline including at Cockle Bay has varied considerably over tens of thousands of years. This will have resulted in the submergence of older archaeological sites, as will be explained below. The oldest dates currently available for Aboriginal archaeological sites along the Port Jackson catchment is 4,500-5,000 years BP (Attenbrow, 2010). It is not unfeasible however, that older Aboriginal sites dating to earlier than the current sea levels may be present in locations immediately offshore. Such submerged Aboriginal sites are starting to be identified in Australian archaeology (O'Leary, et al., 2020), and the following section explores the potential for their presence in submerged parts of the study area.

The tens of thousands of years during which Aboriginal people are known to have lived in Australia largely occurred within the climatic epoch referred to as the Pleistocene which lasted from approximately 1.6 million to 11,500 years ago. The Pleistocene was generally considerably cooler than the current Holocene period, and it included periods of climatic variation with average temperatures in Australia at times up to 10 degrees lower than current for many thousands of years. During these colder periods large amounts of water were trapped in polar and land-glacier ice sheets. This resulted in significantly lower sea levels around the Australian coast. The precise level of sea water around Port Jackson during these climate oscillations has not been determined, however conservative estimates for the east coast of NSW are that between 60,000 and 30,000 years ago sea levels were 70 metres (m) to 90m lower than current, and that between 15,000 and 12,000 years ago they were 70m to 80m lower than current (Brooke, Nichol, Huang, & Beaman, 2017).

The surrounds of Cockle Bay during these colder periods would have differed significantly from current conditions. Port Jackson was then not a port but a river valley through which the Parramatta and Lane Cove Rivers flowed. The greater fall that was required for the Parramatta River and Lane Cove Rivers to reach their outlet at considerably lower sea levels resulted in faster water flow which in turn sharply incised the sandstone sides of the river. At 17,000 years ago the coastline off the Port Jackson heads was about 25km to 30km east of its current location, by 10,000 years ago the coastline was only 3-5km east of its current location, reaching its current location around 6,000 years ago (Brooke, Nichol, Huang, & Beaman, Palaeoshorelines on the Australian continental shelf: Morphology, sea-level relationship and applications to environmental management and archaeology., 2017). The flooding of Port Jackson would have occurred somewhere between 10,000 and 6,000

years ago. Through much of the period that Aboriginal people were present in the surrounds of the study area, flora and fauna would have differed significantly from those currently adapted to the warm temperate climate of Sydney. There is also fair evidence that Megafauna including the Diprotodon (weighing 2,800 kilograms (kg) and nearly 4m in length) survived in the Greater Sydney area through to 6,000 years ago (Fethney, Roman, & Wright, 1987).

In contrast to the current climate, there is evidence that the predominant wind pattern through the later parts of the Pleistocene blew from the west, rather than from the east as is currently the case. The switch to a predominantly easterly wind is thought to have occurred around 19,000 years ago (Thom & Oliver, 2018). Such a change would have had significant implications for Aboriginal lifeways including the selection of shelters, hunting tactics, fishing and fire management and the strategic use of fire in managing landscape.

### 5.2.2 Cockle Bay as dryland

Cockle Bay is an inlet that was formed by the flow of at least one tributary freshwater stream, running northwards towards the Parramatta and Lane Cove Rivers. Given mapping and the historical soundings of the Cockle Bay sea bed (Figure 12), it is likely that before inundation it once comprised a shallow valley, surrounded to the south and east by relatively steep protective bluffs and rocky outcrops which would have provided shelter from the south easterly winds that have prevailed for the past 19,000 years. Through this shallow valley ran freshwater. Little other information is to hand so far to inform the modelling of Cockle Bay prior to inundation. Nevertheless, based on the information to hand, one can allocate a certain degree of archaeological potential to the study area prior to its inundation between 10,000 and 6,000 years ago. This potential is based on its proximity to freshwater and shelter – even though more substantial fresh water bodies were nearby in the Parramatta and Lane Cove Rivers.

### 5.2.3 Inundation

The process by which Cockle Bay became inundated will not have been sudden or within the lifespan of a single observer. Starting from the north, where sea water first transgressed, freshwater will have backed up and spread into a delta and alluvial fan of far wider extent than the previous stream course. The slowed rate of waterflow resulting from freshwater encountering and being blocked by salt water (rather than running on to drain) will have resulted in the sorting and deposition of alluvial sands and silts within the newly forming bay. These sands and silts would once have been carried away, but now settled and formed swampy surrounds and a wide intertidal zone, that likely supported a riparian and mangrove ecology. Aboriginal artefacts left on the previously dry surface of the stream valley would become progressively buried. The effects of periodic flooding and bank collapse could be expected to result in an influx of Aboriginal artefactual material from the immediate surrounds of the bay into its bedding. The formation of the Cockle Bay alluvial deposits over a period of only the last 6,000 to 10,000 years also has implications for the potential preservation of organic Aboriginal artefactual material. The anaerobic conditions provided by burial in fine inundated silts and sands may provide good conditions for the survival of wood and plant objects.

By 4,000 years ago climatic conditions and local flora almost certainly resembled those that were present up to the time of the arrival of the First Fleet in 1788. Analysis of pollen from archaeological sites along the Tank Stream valley that runs north-south through the northern central section of the Sydney CBD indicates that in 1788 the location was predominantly vegetated by she-oak (*Allocasuarina* / *Casuarina*), with a ground cover of ferns, particularly in damper locations (MacPhail & Owen, 2018). Tim Flannery proposes that the higher ground such as towards the eastern shores of Cockle Bay would have been dominated by fire-resistant local species including Port Jackson Fig (*Ficus rubiginosa*), Cheese Tree (*Glochidion ferdinandi*), and Red Ash / Soap Tree (*Alphitonia*

*excelsa*). From early British records we know that the Cabbage Tree Palm (*Livistonia australis*) was endemic to the surrounds of Sydney Cove too (Tench, 1788).

#### 5.2.4 Current landform

The study area is situated on the eastern shores of Cockle Bay and prior to colonisation was characterised by sandy soils over rocky outcrops and ledges. These outcrops and ledges trended around from the south and extended north and north eastwards. The study area would therefore have offered Aboriginal people protection from the predominant local easterly winds, and from the more intense 'southerly busters' that frequently carry heavy rainfall to Sydney from the south east. In her doctoral thesis, Sullivan (1982) analysed over 800 Aboriginal shell middens along the NSW coast. Among her conclusions was that the primary factors in determining likely locations of Aboriginal shell middens was the presence of the combination of factors listed above as present at Cockle Bay – rocky foreshore, sandy soils, access to fresh water and shelter from prevailing winds.

### 5.3 Hydrology and vegetation

The study area was once well supplied with freshwater. The image reproduced in Figure 9 below shows the study area in 1802 fed by one stream flowing beneath a bridge at current George Street in the vicinity of Haymarket. This stream divided into three before entering Cockle Bay in the south. A second stream is evident flowing into the south of Cockle Bay, to the east of the Pyrmont peninsula. The Tank Stream is visible as what seems a far shorter and less substantial waterway than those which feed into Cockle Bay.

The study area is near a historical swampland that once extended from Darling Harbour to the present location of Central Railway Station. This area would once have been vegetated by a swampy woodland dominated by swamp oak (*Casuarina glauca*), ti-tree (*Melaleuca sp.*) and swamp mahogany (*Eucalyptus robusta*) (Benson & Howell, 1990). This swampy woodland was noted for supporting a wide variety of waterbirds that likely represented a rich resource for Aboriginal people (Godden Mackay & Wendy Thorp, 1993). The low slopes of the Cockle Bay foreshore and surrounding mudflats gave way to sandstone ridgelines immediately to the east. To the south and south east, aeolian dune formations rose southwards from the location of Central Railway Station. Specific modelling or records of native fauna at Cockle Bay are not to hand however early colonists described the fauna at the current Sydney CBD in some detail and these descriptions can be taken as a proxy for fauna in the study area. These included kangaroo, wallaby, wombat, echidna, flying fox, emus, quolls, various native rats and mice, snakes and lizards (Tench, 1788). Marine resources such as fish and shellfish would have been plentiful, although Watkin Tench described the fish at Port Jackson less plentiful than at Botany Bay. Tench mentions fish species including bass, mullet, skate, sole, leather-jackets and shark (Tench, 1788). The same map (by Lesueur) shown in Figure 9 was reproduced in 1873 with rough red-pen mark up showing the extent of reclamation that had taken place over the previous 71 years, including the reclamation of nearly 50% of Cockle Bay.

A topographic map of the Sydney CBD created in 2013 is of particular interest for evidence that it indicates regarding the interrelationship between intertidal zones and vegetation at Cockle Bay prior to the widespread land reclamation there. Graeme Aplin (Aplin, 2013) shown in Figure 11 models that much of the eastern shore of Cockle Bay included intertidal and vegetated swamp. Such vegetated swamp areas may have been of greater utility to Aboriginal people in the past than open water. They could be utilised for hunting as hunting blinds as plant resource extraction locations, and locations for the placement of fish traps. All these activities have the potential to result in deposition of organic and inorganic artefactual material in anaerobic swamp conditions favourable to their preservation. Such locations may be of higher archaeological potential than intertidal areas that were not vegetated. The

presence of such swamp remains may be detectable by geotechnical investigation and may be evidenced in the presence of darker silts and buried roots and rootlets.

## 5.4 European history and land use

The study area has been subject to three broad types of land use and formation. These are described in detail in the Non-Aboriginal Heritage Technical Paper Historical Archaeological Assessment (Artefact Heritage, 2021). These areas can be broadly summarised from Artefact Heritage (2021):

- Locations beyond the historical mapped high tide mark
  - These locations have been subject to significant and repeat phases of reclamation and associated land fill. The current land surface within them is wholly artificial.
- Locations that have been subject to moderate levels of development
  - These range from the construction of brick and sandstone to footed buildings of considerable size, to timber and iron sheds and industrial infrastructure. A significant proportion of this landform has often been used as open yard.
- Locations where no significant development is known to have occurred beyond the sealing of ground surfaces through historical and modern paving and roadways.

Historical mapping of the study area examined in Artefact Heritage (2021) provides a detailed outline of the development of the study area. At first Cockle Bay remained relatively unutilised other than for gathering of shells from the extensive Aboriginal middens located there. This shell was essential to the production of mortar for building the new colony. In 1811 The Market Wharf was constructed to the north of the study area, thus focussing the chief produce trade in the study area and in the new produce Market established at the current site of the Queen Victoria Building. These features are visible in mapping dated to 1822 (Figure 12), which also provides a basis for estimation of natural tide levels and harbour depths.

Despite this development, the study area remained relatively underutilised. The nearest focuses of industry to it were a slaughterhouse in Darling Harbour North and a steam grain mill in the vicinity of the Chinese Garden of Friendship. By 1833 very large scale land reclamation had taken place in the study area and it commenced its trajectory as part of the first industrial precinct in the colony. Infrastructure here included wharves, chandleries, a large flour mill a timber mill and at least one timber yard. This trend of reclamation and flourishing maritime industry continued through to the end of the nineteenth century. The extent of land reclamation and those parts of the study area subject to differing levels of impact are shown in

Figure 13 dating to 1833 and Figure 14 dating to 1880 below. In these figures the natural high tide mark of Cockle Bay is shown in yellow and the low tide level is shown in blue. It is evident that not only piers and jetties have been constructed over water, but significant wharf and built structures have been constructed on reclaimed land, including structures built in brick / stone.



Figure 9: Plan of Sydney in 1802 – Lesurier. Approximate location of study area shown in red (State Library NSW)



**Figure 10: Map of Sydney showing in contrast the town of 1802 with the city of 1873. Approximate location of study area shown in red [cartographic material]: supplement to The Sydney Mail (Trove NLA)**

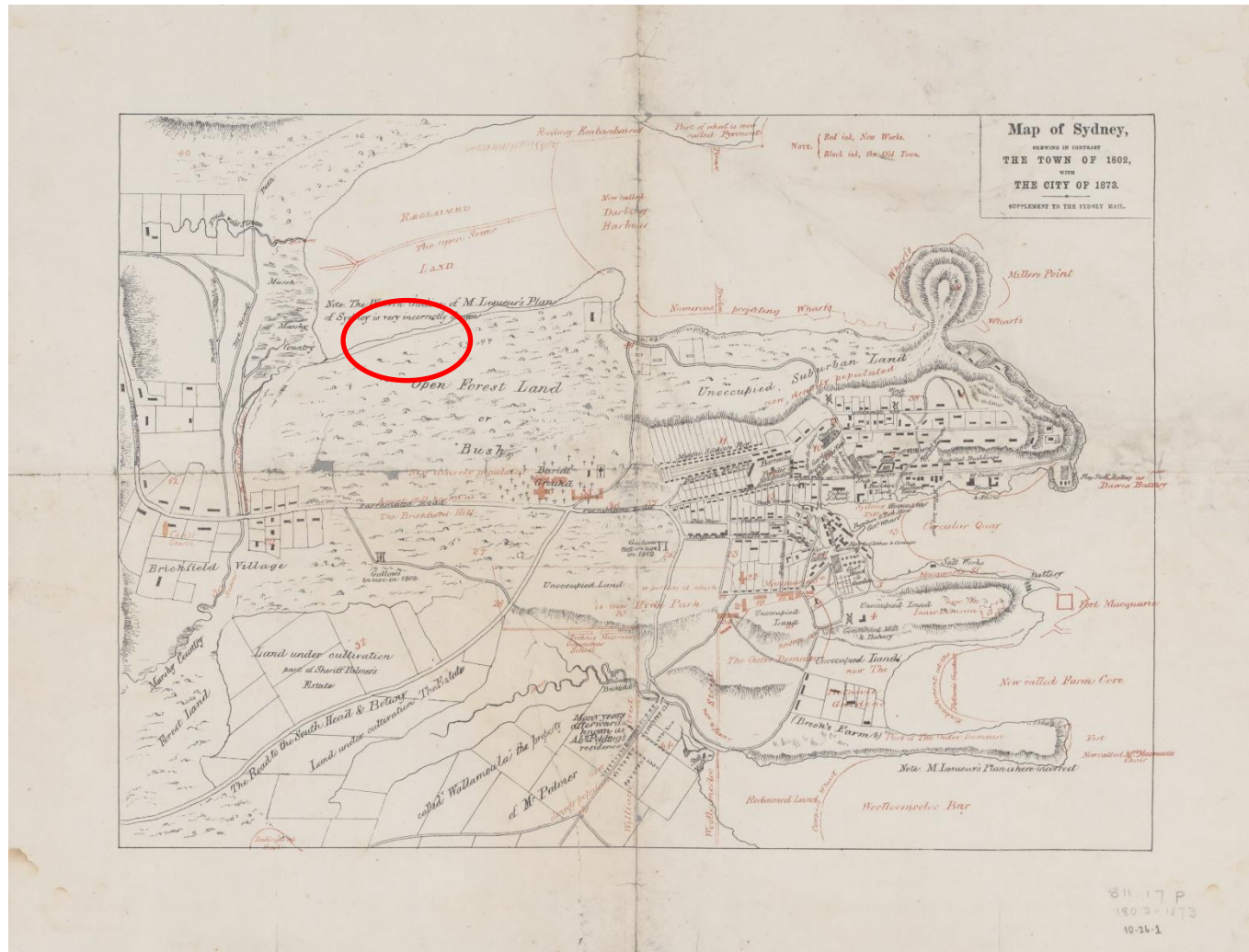




Figure 11: Topographic model of the Sydney CBD showing the study area and modelled swampland (Aplin 2013)





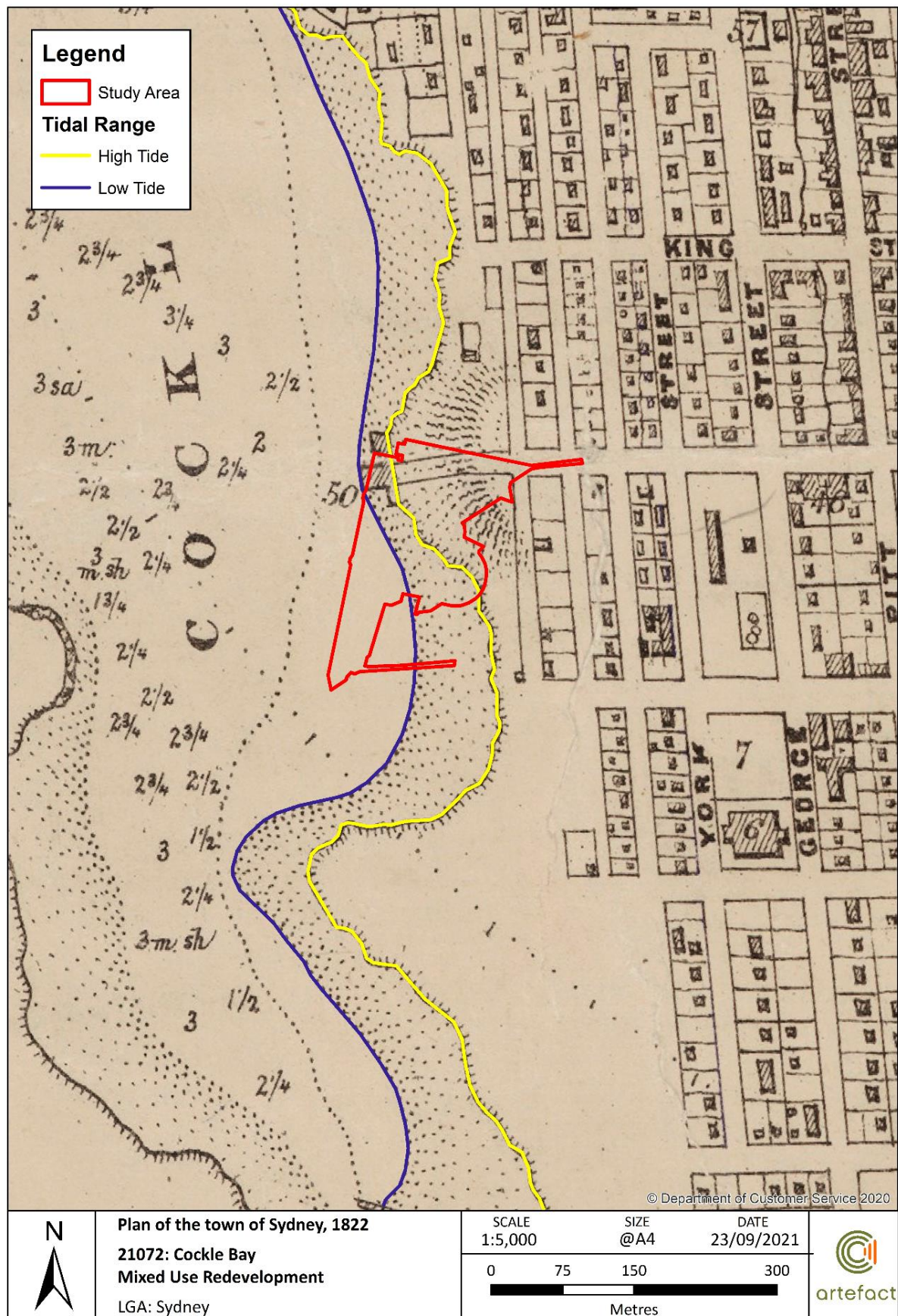
In 1901 in response to an outbreak of Bubonic plague the Sydney Harbour Trust resumed all wharves and approximately 645 properties adjacent to or near the waterfront. Large scale demolitions and changes to the nature of wharves in order to 'rat-proof' them were carried out. Behind the waterfront, smaller stores and dealerships grew up along Sussex and Market Streets. The built structure in the study area was highly dynamic. Wharves were in a frequent process of upgrading, the shore was often extended outwards, and the iron, timber and even brick structures mapped as behind the wharves also appear to have frequently been demolished. The study area is shown in Figure 15 as increasingly specialised with fewer small-scale business operations other than the ongoing presence of produce merchants and chandleries in the north east extremity within properties 187-193 Sussex Street, at the corner of Market Street.

From the early twentieth century the location functioned as an increasingly specialised shipping precinct in which the smaller vessels of the nineteenth century were replaced by far larger vessels and the equipment required to offload and load them. Starting from the mid 1950's the increasing trend towards containerisation of freight and the subsequent emergence of Port Botany as a purpose-built container handling facility saw the study area fall into considerable disuse. In Figure 16 below much of the previous warehouse facilities have been demolished to make way for increased road access to the waterfront. The two northernmost wharves have been demolished and land fronting them appears to have been in use as a lay down or freight handling area.

By the late 1970's much of the study area was significantly altered. From the presence of small jetties adjoining the visible wharves it can be presumed that these wharves no longer served as shipping facilities. The vast majority of warehouses have been demolished, including those located at the corner of Market and Sussex Streets. New construction is visible underway for the Western Distributor and feeder roads. This construction is visible as near complete and some estimation of impacts to surrounding soils can be discerned from Figure 18, dated to 1986. The study area remained a largely peripheral zone to the city through to the late 1990's. Aerial imaging from 1994 shows no evidence of development within it other than the red paving that was then characteristic of the Darling Harbour Precinct (Figure 19). It was only in the late 1990's leading to the 2000 Sydney Olympics that the study area became redeveloped as a tourism-oriented destination (Figure 20).

It has not been in the remit of this report to establish the precise methods by which the current buildings in the study area were constructed. It is assumed that to a large extent poured concrete construction was utilised for footings and ground slab. This will have resulted in some disturbance to pre-existing soils, but may also have functioned to cap and protect these soils from the effects of subsequent development.

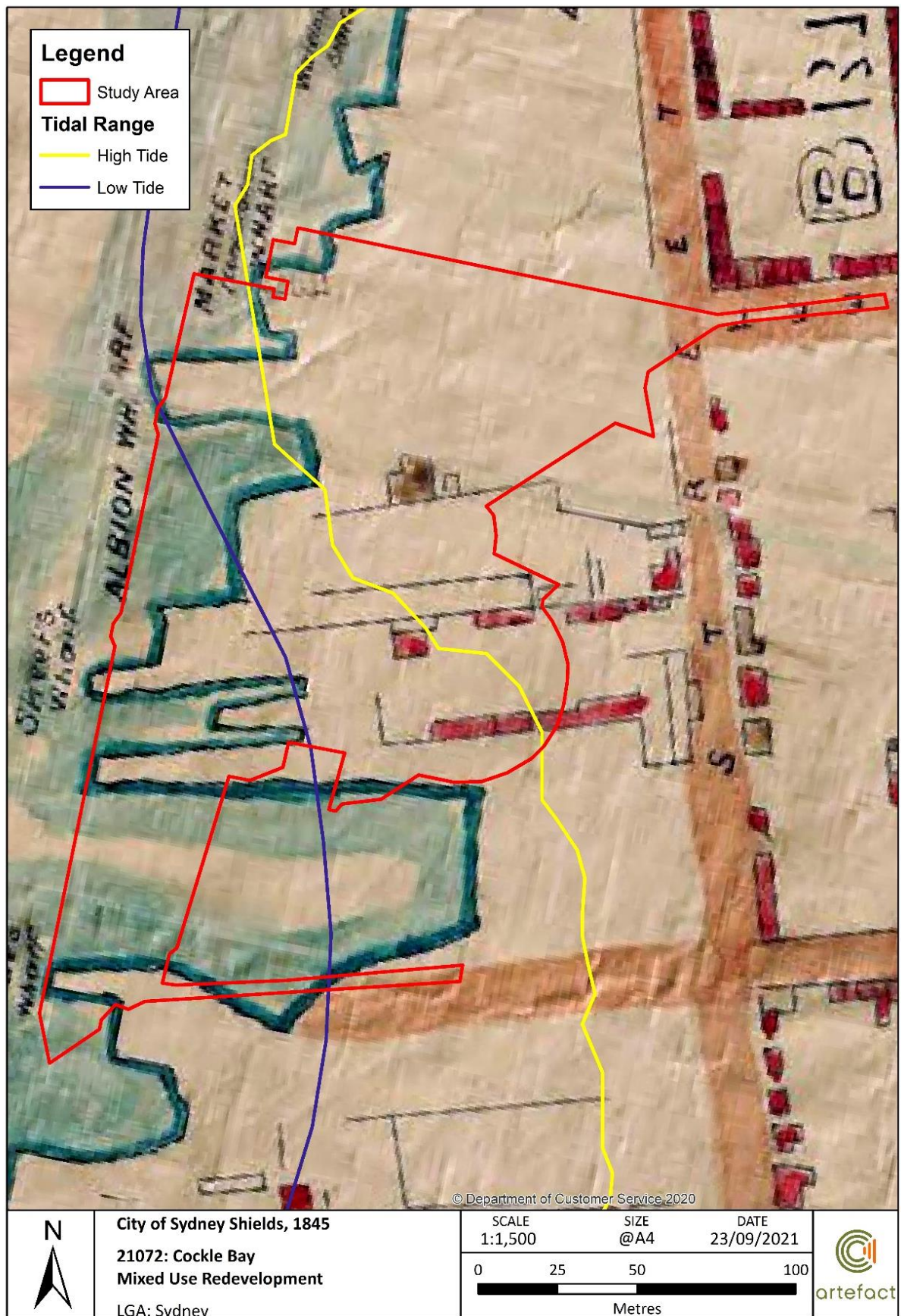
Figure 12. Plan of the town of Sydney 1822 (NLA Trove)



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Figure 13: City of Sydney Shields 1845 (NLA Trove)



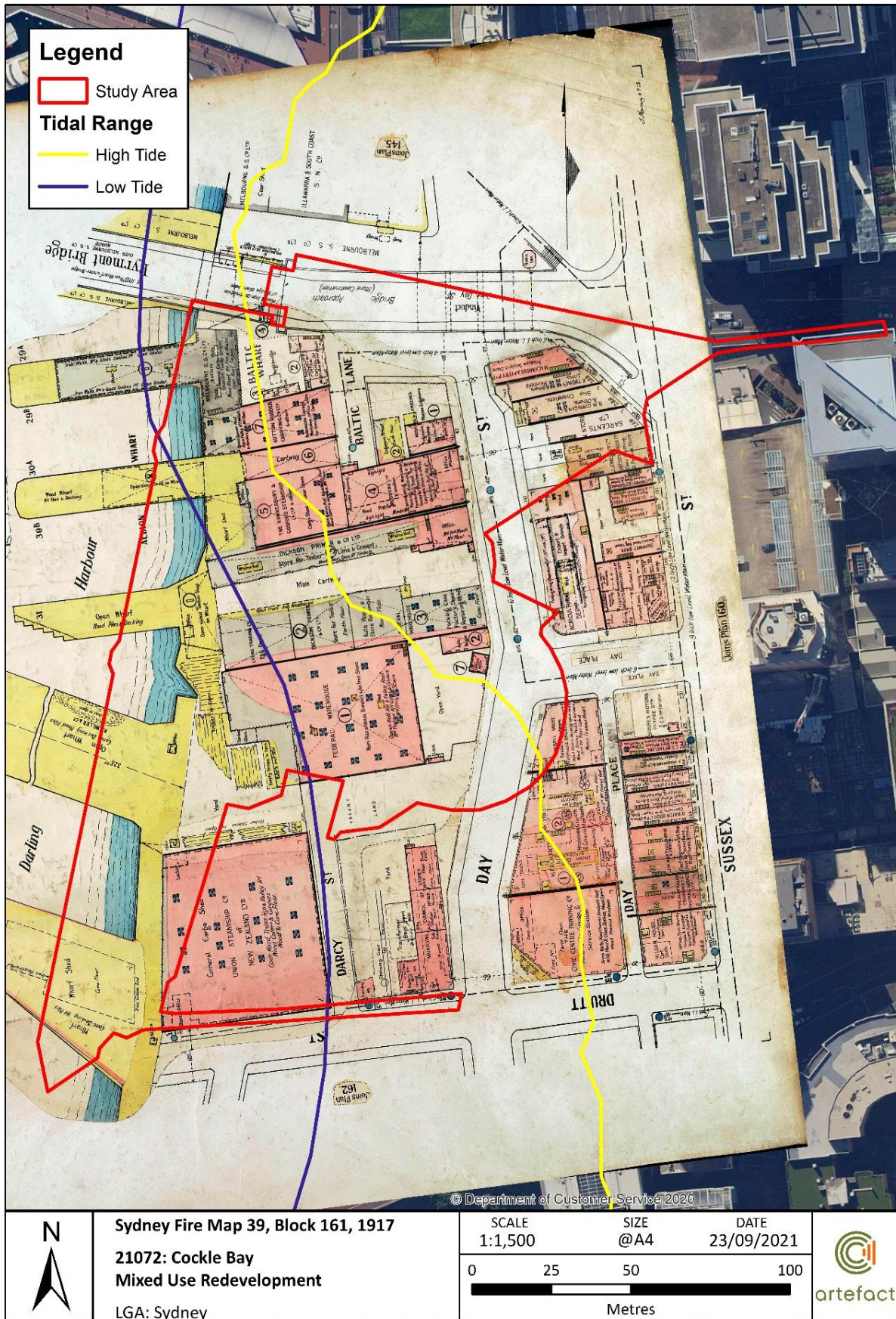
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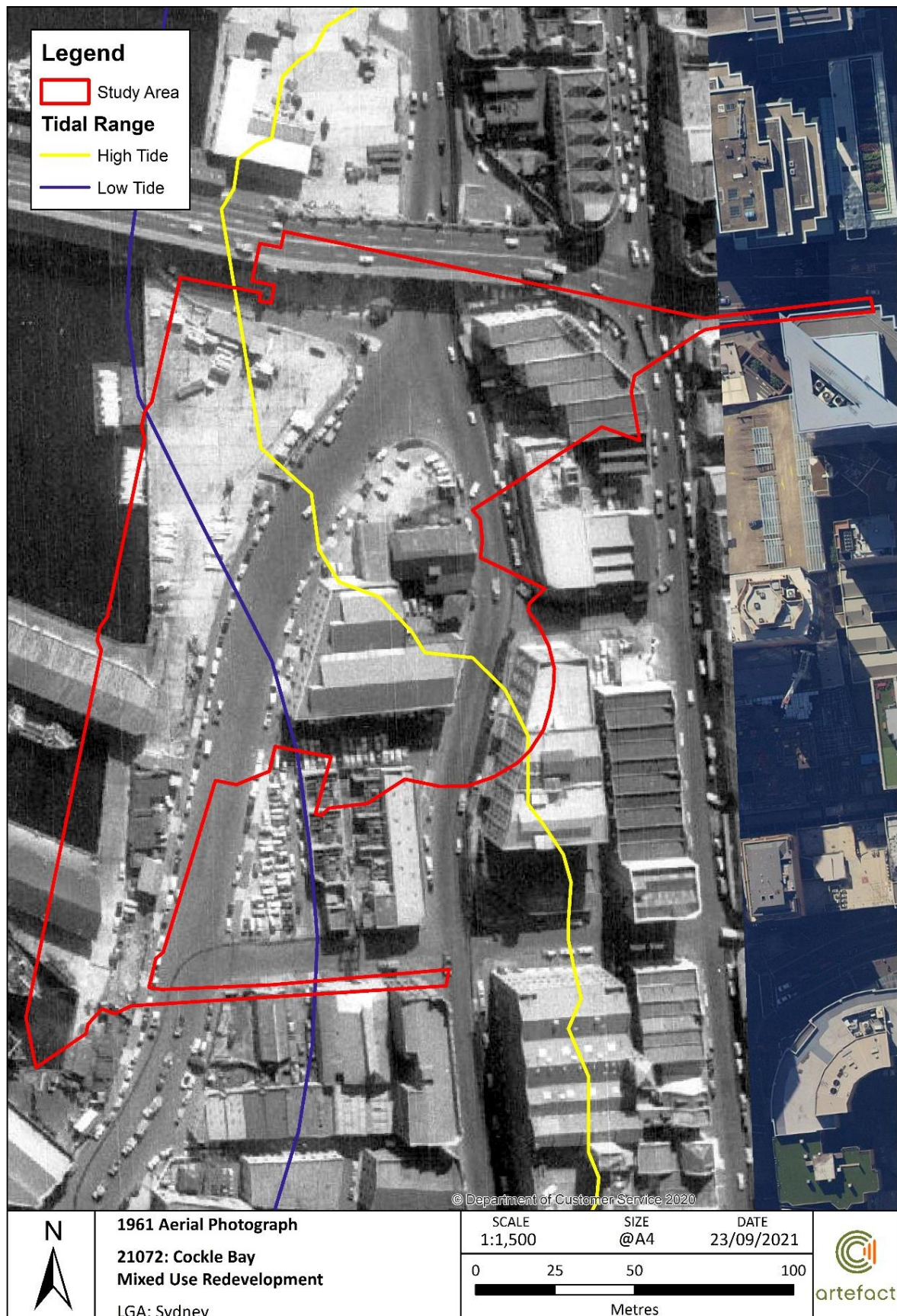
Figure 15: The study area in 1917 (NLA Trove)



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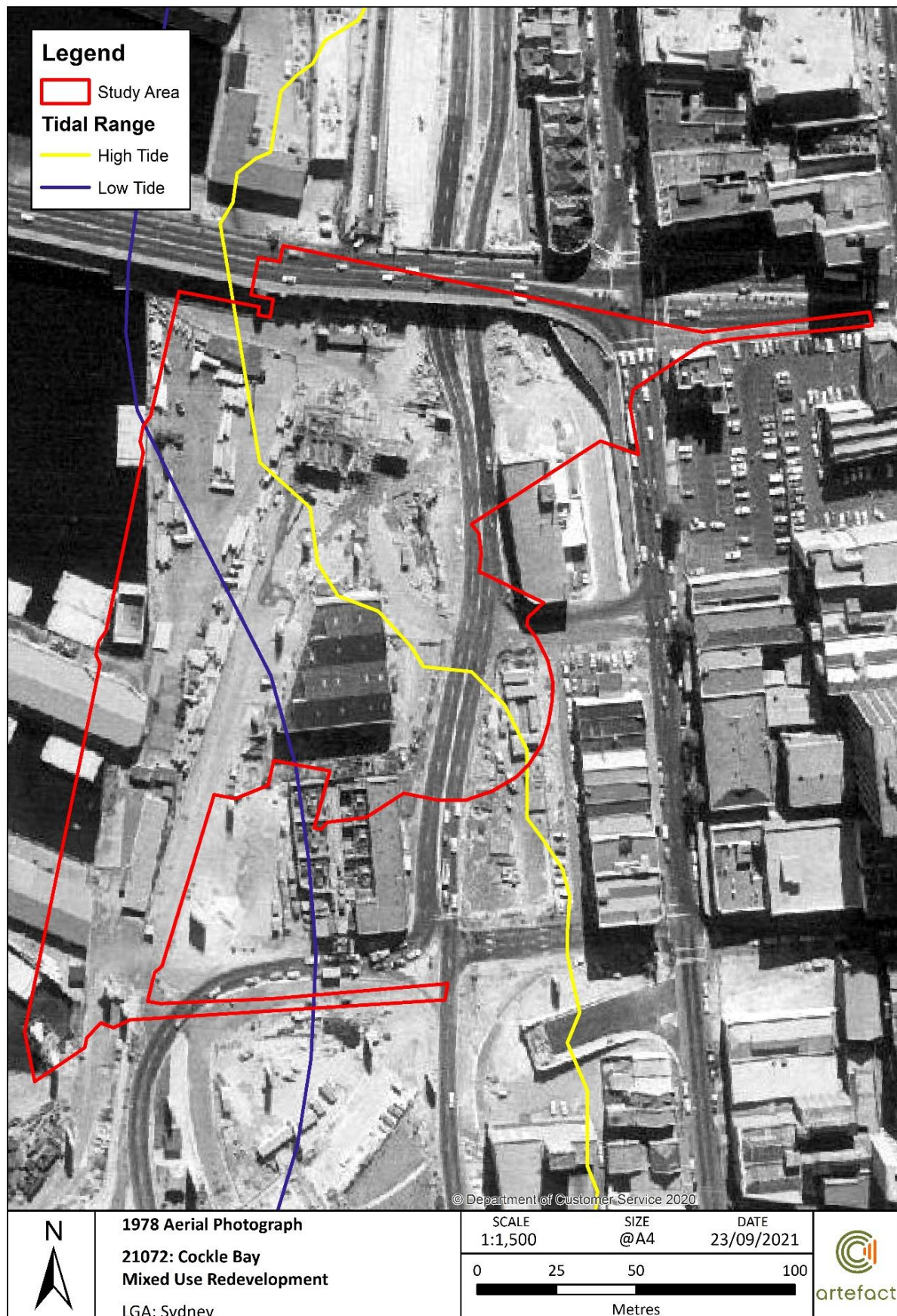
Figure 16. The study area in 1961 (NSW Historical Image Viewer)



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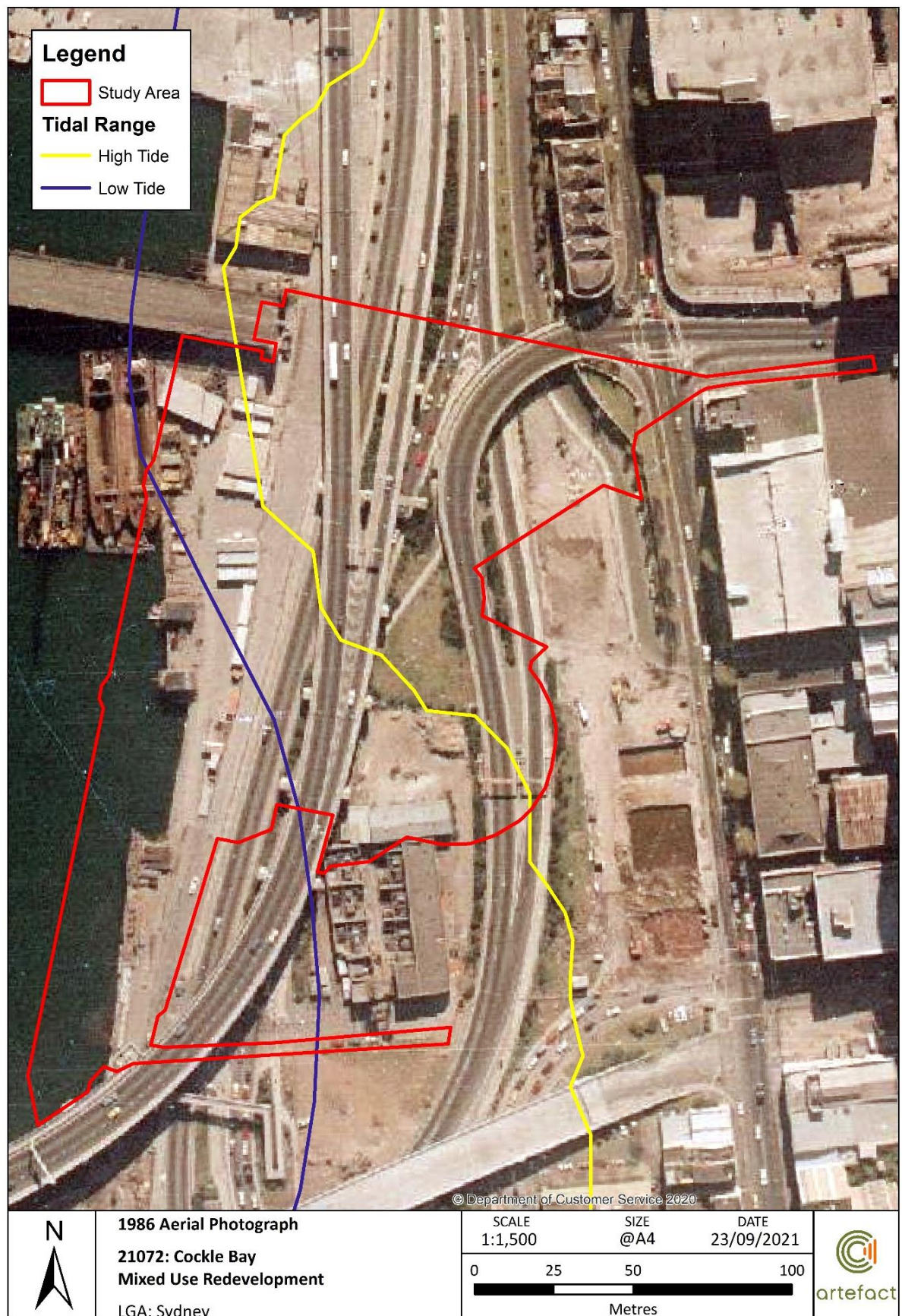
Figure 17: Study area in 1978 (NSW Historical Image Viewer)



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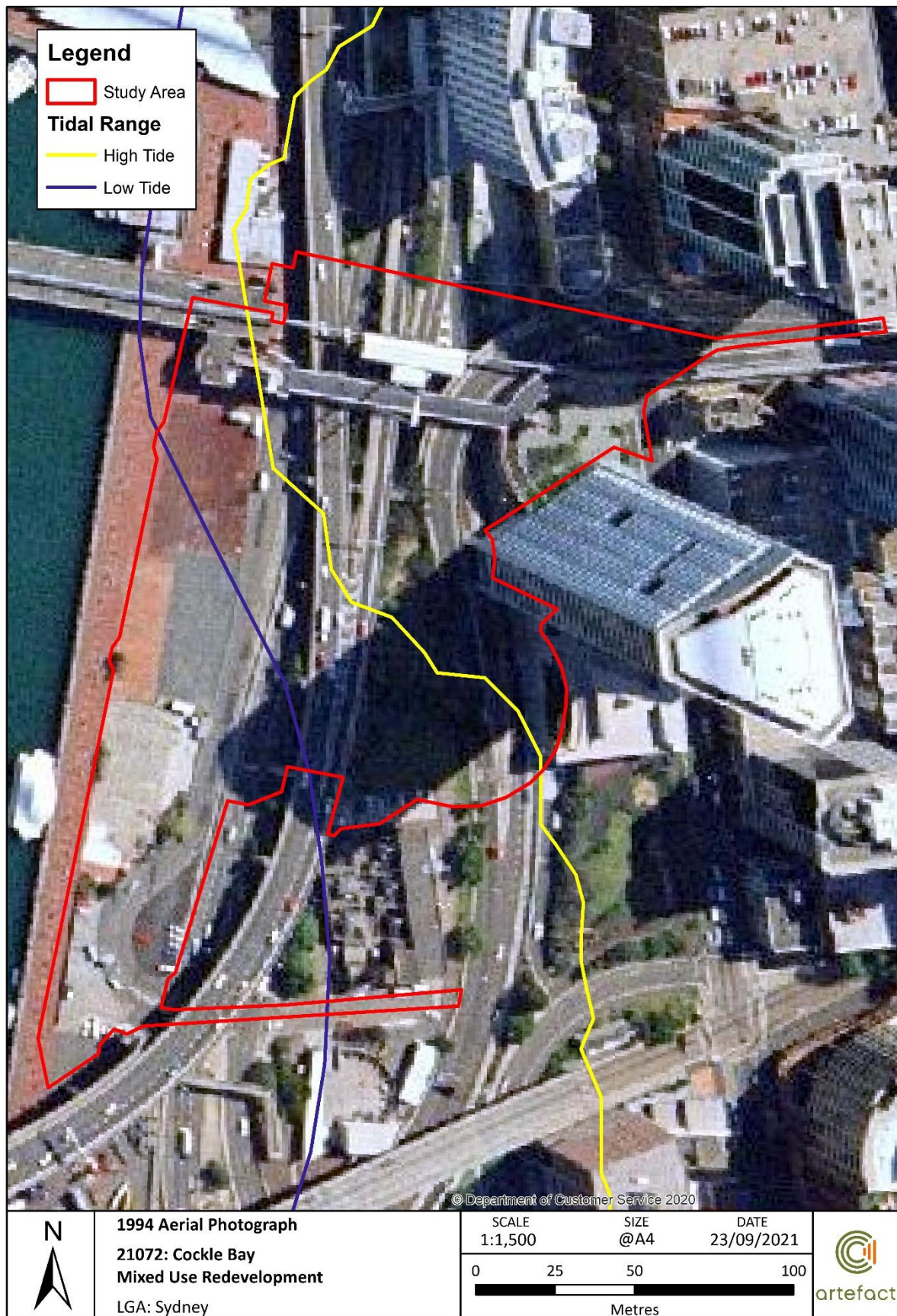
Figure 18: The study area in 1986 (NSW Historical Image Viewer)



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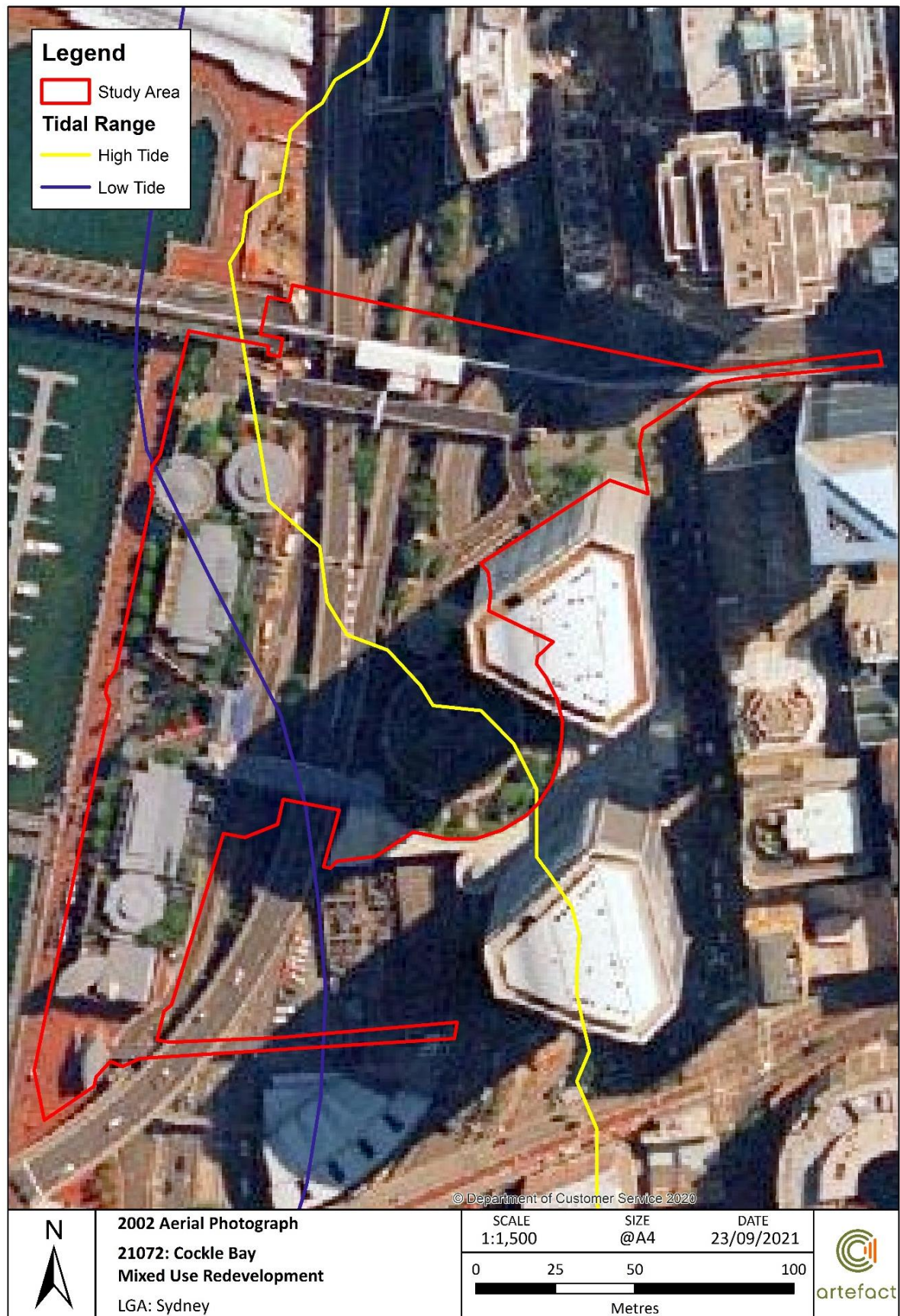
Figure 19: The study area in 1994 (NSW Historical Image Viewer)



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Figure 20: Study area in 2002 NSW Historical Image Viewer



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## 5.5 Evidence from geotechnical bore logs

A program of geotechnical testing has been carried out in the study area, consisting of 15 boreholes. The locations of geotechnical boreholes are shown in Figure 21. The results of this testing program are summarised in Table 7 below. Indications from these tests for the presence of potential archaeological material are included in Section 5.6. and are more fully elaborated below. It is noted that while the boreholes may identify potential soil profiles that could be associated with archaeological deposits, due to the limited extent of the boreholes they are unable to conclusively demonstrate the presence of artefact bearing soil deposits.

Boreholes CW1, W1, W2, W3 and W4 were located on concrete slab jetty, beyond the current and historical waterline. Borehole CW1 and W1 recorded the presence of historical material, including sandy fill containing sandstone and brick fragments, above natural alluvial material.

Of interest here are boreholes CW2, CW3, CW5, CW6 and CW7 which were all situated in locations that have been provisionally mapped here as once located in or near to the natural intertidal zone. These boreholes all contain material near their base which may be evidence of former land surfaces:

- Borehole CW2 contained silty dark grey clay, with roots and rootlets with a trace of charcoal, in a strata located between 9.5m-11.2m below current ground level
- Borehole CW3 contained silty clay and sand including shell fragments and rootlets with the deposit described as estuarine, located between 5 and 16m below current ground level
- Borehole CW5 contained silty dark grey clay with rootlets and a trace of shells in a layer situated between 5m-6.5m depth below current ground level
- Borehole CW6 contained dark grey sandy clay with shell fragments, described as estuarine between 5m and 6.85m below current ground level
- Borehole CW7 contained dark grey sandy clay, silt, rootlets, shell fragments, estuarine between 4.9m and 7.3m below current ground level
- It could be argued that these silty soil formations and rootlets described at times in bore logs as estuarine may represent remnant mangrove or other riparian intertidal growth. The presence of charcoal in borehole CW2 could indicate that the location was subject to uses more comparable to dryland than would be the case for an intertidal mud-flat. As mentioned above in 5.3, the potential presence of vegetated swampland within the natural ecology of the study area may indicate elevated archaeological potential for areas that otherwise would be classified as submerged.

Borehole CP2 was located on the east side of the study area on the east side of Wheat Road. CP2 also contained dark grey sandy clay, silt, and shell fragments, which was interpreted as being estuarine in nature. However, in comparison to the boreholes described above this estuarine soil was found at a much shallower depth of about 2m below the ground surface. As CP2 is located further to the east than most of the other boreholes, where the natural landscape rises and less land reclamation has occurred, this shallower depth is to be expected.

Boreholes SS1 and SS2 were also located towards the east side of the study area, between the Western Distributor and Sussex Street. These locations are well above the historical high tide mark, where the presence for artefact bearing soil deposits is expected to be higher given the greater historical access to the area (compared to areas that would have been submerged). However, no undisturbed or natural soils were recorded in these boreholes. Both boreholes identified approximately 2m of concrete and fill immediately overlying sandstone. This is not evidence though

that undisturbed soils are not present in the area. As has been noted from archaeological excavations in the CBD and surrounds on thin Gympie soils, archaeological preservation of soils can often be highly localised and historically contingent (Steele, 2006; Comber, 2012; Casey & Lowe, 2012).

The indications from the geotechnical boreholes indicate that the potential presence of preserved and archaeologically sensitive soils may not strictly correlate to modelling based on historical land use. Further, that modelled historical foreshore and intertidal locations are likely less than exact and caution needs to be exercised in defining areas as having no archaeological sensitivity based on such historical mapping.

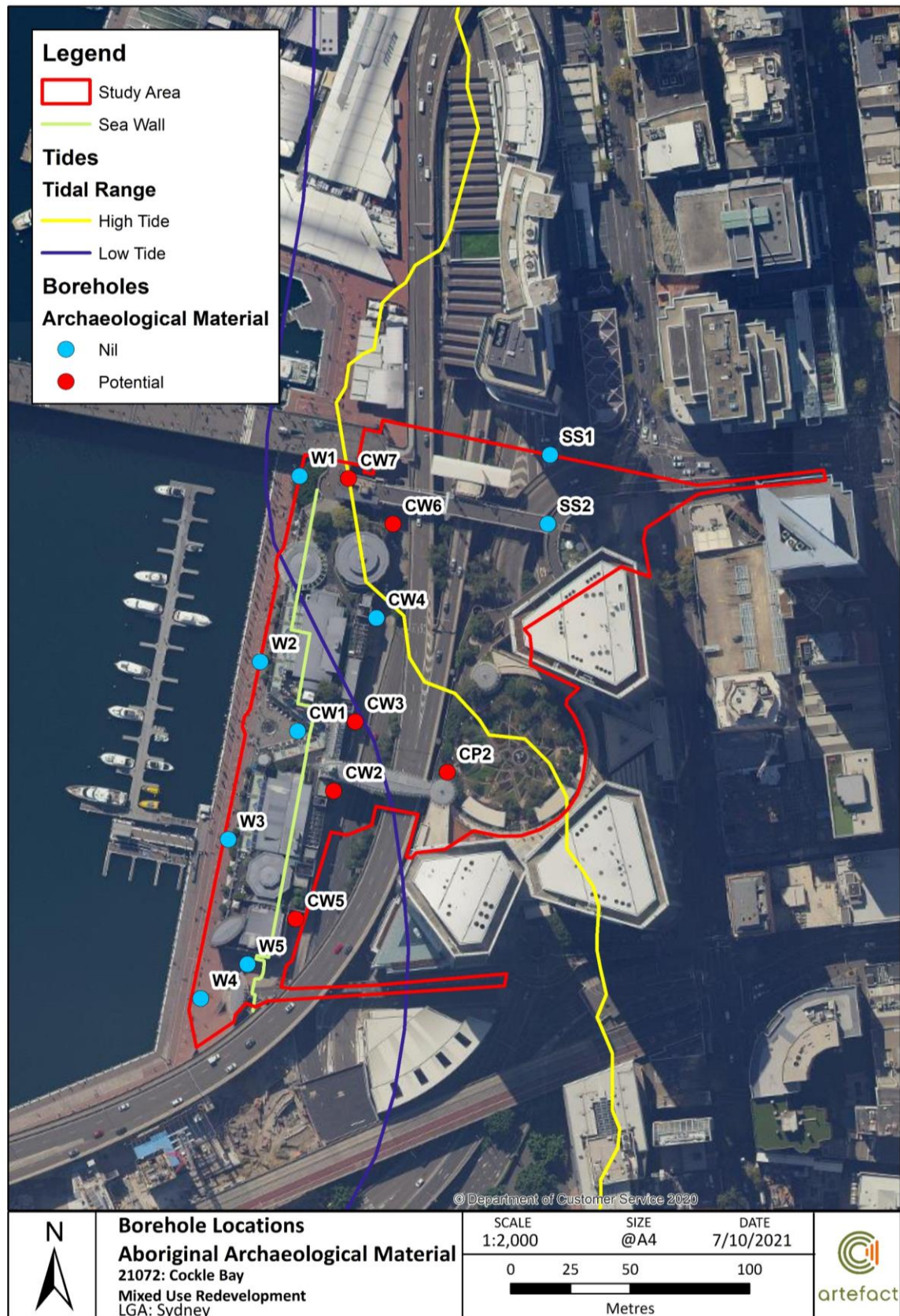
**Table 7: Results of geotechnical boreholes**

Borehole #	Unit 1	Unit 2	Unit 3	Unit 4	Potential archaeological material
CW1	Concrete 0m-1.3m	Water 3.4m-6.8m	Sandy fill incl. sandstone & brick 6.8m-10.5m	Sandy clay to sandstone at 20m	Nil
CW2	Layered sandy gravel fill incl. bricks, concrete rubble & glass fragments 0m-2.6m	Sandy fill incl. sandstone, brick & a possible timber sleeper 2.6m-9.5m	Silty clay dark grey, with roots and rootlets, trace charcoal, 9.5m-11.2m	Silty sand medium to coarse, pale grey, with sandy clay beds, trace shells, wet, loose, alluvial, 11.2m-12.5m (on sandy clay to sandstone at 18m)	Unit 3 & Unit 4
CW3	Layered concrete and fill to 5.0m	Silty brown & grey clay & sand, shell fragments, rootlets to 6.5m	Silty sand and clay grey, fine sand, shell fragments, estuarine to 16m	Clayey sand & sandstone at 18.25m	Unit 2 & Unit 3
CW4	Layered gravelly sand fill incl. brick & ceramic fragments 0m-1.7m	Building rubble fill (brick and concrete) 1.7m-5.2m	Silty clay – 7.3m	Sandy clay – 8.5m (on sandstone at 9.2m)	Nil
CW5	Layered sandy gravel & sandy clay fill, incl. brick, sandstone & concrete building rubble 0m-5m	Silty clay dark grey, with rootlets, trace shells very soft, alluvium 5m-6.5m	Silty sand with shells, wet 6.5m-12m	Clayey sand to sandstone at 13.8m	Unit 2 & Unit 3
CW6	Layered fill & concrete incl. brick rubble & glass 0m-5m	Sandy clay dark grey, shell fragments, estuarine to 6.85m	Sand, shell fragments, estuarine to 6.85m	Sandstone	Unit 2 & Unit 3
CW7	Fill, sand & rubble incl. brick and ceramic fragments and a possible concrete at base at 4.9m	Sandy clay, dark grey, silt, rootlets, shell fragments, estuarine to 7.3	Sandstone		Unit 2
CP2	Layered fill & concrete to 2m	Sandy clay, dark grey, silt, rootlets, shell fragments, estuarine to 14m	Sandstone		Unit 2



Borehole #	Unit 1	Unit 2	Unit 3	Unit 4	Potential archaeological material
SS1	Layered concrete & fill direct on sandstone at 2.16m				Nil
SS2	Concrete & fill direct onto sandstone at 2.79m				Nil
W1	Layered concrete, fill & water 0m-5.2m	Building fill incl. sandstone, timber, and brick fragments 5.2m-9.5m	Loose sand 9.5m-11.75m	Sandstone	Nil
W2	Fill above concrete & water 0m-9.2m	Clayey sands 9.2m- 20.4m	Sandstone		Nil
W3	Fill above concrete & water 0m-8.9m	Clayey sands 8.9m-15.6m	Sandstone		Nil
W4	Fill above concrete & water 0m-7.9m	Clayey sands 7.9m-12.5	Sandstone		Nil
W5	Fill above concrete and water 0m-6.7m	Clayey sands 6.7m-12.9m	Sandstone		Nil

Figure 21: Location of geotechnical bore holes



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## 5.6 Conclusions

The study area is within what was once an ecologically diverse environment, containing freshwater, mud flats, salt water, rocky foreshore and was near swampy woodland and marsh. Such areas where ecological zones intersect are characteristically locations of great diversity of flora and fauna and represent optimal locations for resource gathering and environmental control (Butzer, 1972). In noting the relatively sparse archaeological evidence for Aboriginal habitation around Sydney Cove, Flannery hypothesised that the Sydney Cove area may have been a sacred location and was not generally inhabited (Flannery, 1999). An alternative perspective may be that Sydney Cove was not as well-resourced as other locations nearby – including Cockle Bay. If this is the case, it is plausible that Cockle Bay is of greater Aboriginal archaeological potential than Sydney Cove and the CBD.

Large parts of the study area are situated on reclaimed lands that occupy what was once part of the waters of Cockle Bay. These locations may not be of high Aboriginal archaeological potential, however, identification of the location of historical shorelines is less than exact and allowance must be made for inaccuracy in mapping. The land immediately fronting the natural high tide mark of Cockle Bay, through the effective totality of the study area, has been subject to multiple phases of construction and redevelopment. The nature of structures in the study area included very robust brick and stone structures from the 1830's onwards. The Albion Mill is one such example, and numerous warehouses and facilities of brick and stone have occupied the study area at different points in time. Surrounding these brick and stone items, were structures in iron and timber used for a variety of industrial and heavy maritime purposes. Between the early 1960's and late 1970's the study area was effectively razed of previous built structures. All these processes of construction and demolition are likely to have disturbed soils within the study area, nevertheless the potential still exists for preserved archaeological deposits, particularly beneath capping layers of historical fill or demolition rubble.

The current standing structures were built in the late 1990's.

## 5.7 Predictive model

Based on the results of the AHIMS extensive search, historical research on the European land use of the study area, and an understanding of previous archaeological investigations near the study area, the following predictive statements for identifying Aboriginal sites have been developed:

- Site preservation is likely to be highly historically contingent, depending on the timing and nature of overlying historical development, such as:
  - Areas within roadway that have been built over historical road surface (such as Telford Road) will have an elevated potential for preserved natural soils and in-situ archaeological deposits
  - Sites in which successive historical developments have sealed ground surfaces will have an elevated potential for preserved natural soils and in-situ archaeological deposits
- Sites are likely to be associated with subsurface sandstone outcroppings and ledges in which soils may be preserved
- Art sites may be present on sandstone ledges and outcroppings
- Sites may be preserved in submerged settings
- Most sites are likely to be lithic artefacts
- Midden sites may be present
- Preservation of wood or organics (including pollen) may be present.

## 6.0 ARCHAEOLOGICAL POTENTIAL

### 6.1 Aboriginal site definition

An Aboriginal site is generally defined as an Aboriginal object or place. An Aboriginal object refers to any deposit, object or material evidence (not being a handicraft) relating to Aboriginal habitation of the area that comprises New South Wales (DECCW 2010a). Aboriginal objects may include stone tools, scarred trees or rock art. Some sites, or Aboriginal places can also be intangible and although they might not be visible, these places have cultural significance to Aboriginal people.

The Code of Practice (DECCW 2010a) states in regard to the definition of a site and its boundary that one or more of the following criteria must be used when recording material traces of Aboriginal land use:

- The spatial extent of any visible Aboriginal objects, or direct evidence of their location
- Obvious physical boundaries where present, for example mound site and middens (if visibility is good), a ceremonial ground
- Identification by the Aboriginal community on the basis of cultural information. For the purposes of this study an Aboriginal site, or potential Aboriginal site, was defined by recording the spatial extent of visible traces or the direct evidence of their location within the study area.

No Aboriginal places are recorded within the study area. As identified by (GML Heritage, 2017), all ground surfaces in the study area are currently beneath built structures or road or paved surfaces. Therefore, no site survey was carried out for this report. The assessment of archaeological potential provided below relies on an understanding of local soil profiles, the impact on these soils of identified historical disturbances, and the implications of both these factors for preservation of in-situ archaeological remains.

### 6.2 Overview of study area

The natural soils of the study area are GyMEA Soils typified by their low soil fertility, high permeability and susceptibility to erosion. On crests and benches such as would have constituted the rocky foreshore and surrounds at the study area the upper unit (gy1) of these soils generally directly overlies bedrock with a soil depth of less than 300mm. Where bedrock is at greater depths, clayey sand (gy2) may be present to approximately one metre.

Examination of historical mapping and aerial imaging indicates that the vast majority of the study area has been subject to multiple phases of historical construction and demolition with a main phase of demolition occurring between the late 1970's and 1980's. Such demolition would have certainly been undertaken mechanically at this time and the effects of demolition, removal of overburden and subsequent grading to provide level substrate will almost certainly have removed or significantly disturbed any artefact bearing shallow GyMEA Soils in the study area.

### 6.3 Areas of archaeological potential

The study area is in a highly constructed location, and has been developed in various manners since approximately the mid-nineteenth century. Assessing the likely aboriginal archaeological potential of the study area will almost entirely rely on estimation of the degree of disturbance to which local soils have been subject, and whether local landform is natural land or reclaimed land. Figure 22 demonstrates that a large proportion of the study area is situated on reclaimed land. The high water



mark of Cockle Bay as mapped in the *Plan of the town and suburbs of Sydney, August, 1822* (NLA Trove) and has been reproduced in yellow, with the low water mark in navy. From this it is evident that over 50% of the study area is reclaimed land, and a large proportion of it is located beyond the natural low tide mark of Cockle Bay, reclaimed from deeper waters.

Based on the environmental context, historical processes, and the results of the geotechnical boreholes, the study area has been divided into three areas of archaeological potential. These areas are described below and are shown in Figure 22.

#### 6.3.1 Low archaeological potential: submerged land

Areas that are currently submerged are considered to have low archaeological potential. This is limited to the portion of the study area to the east of the sea wall. This area has undergone disturbance from industrial and maritime construction as indicated by the historical plans and aerial photography, and has likely been subject to some disturbance as a result of its environmental context. It is possible that the area may include archaeological evidence in fill layers or deposits buried beneath the marine sediment that pre-date the submergence of Cockle Bay. However, as no archaeologically sensitive soils were identified in the geotechnical bore logs from this area, it is assessed that the potential for surviving archaeological remains is low.

#### 6.3.2 Low -moderate archaeological potential: area of reclaimed land

Areas of reclaimed land are considered to have low to moderate archaeological potential. This consists of the portion of the study area between the sea wall and the historical high tide mark. This area may contain Aboriginal archaeological artefacts. This area has the potential to contain Aboriginal artefacts dating from prior to inundation of Cockle Bay. In addition, archaeological resources may be present within fill or disturbed deposits. The majority of remaining land that is on natural landform has been subject to repeated phases of historical development since the mid nineteenth century, including extensive land reclamation events. However, bore logs from geotechnical investigations in this area identified soils and materials which could be considered archaeologically sensitive. This could indicate that although the historical activities may have disturbed the natural soils, they may not have entirely removed them, and they could be capped by the fill from the land reclamation events. As a result, there is low-moderate potential for intact soil profiles beneath the levels of disturbance that may contain intact stratified archaeological deposits. The geotechnical investigations indicate that the potential sensitive soils would typically be located at least 5m below the ground surface in this area.

#### 6.3.3 Moderate archaeological potential: original landform

The remaining area above the high tide mark is considered to have moderate archaeological potential. This includes the area from the historical high tide mark to Market Street at its corner with Sussex Street. This is land located within 200m of the natural coastline at Cockle Bay. Land within 200m of water is considered to be of elevated Aboriginal archaeological sensitivity (DECCW, 2010). This area has been subject to several phases of historical construction and demolition, with less development in Market Street other than road formation. However, some of the bore logs from the geotechnical investigations in this area identified soils and materials which could be considered archaeologically sensitive. It is possible that natural soils there may have been capped by historical and modern road surfaces and any archaeological deposits may have been preserved as a result. In Market Street, if additive road formation methods were used in early road building, then these and later modern road surfaces that may have been constructed above the natural soils and could function to cap and seal archaeological deposits. This consideration must be offset against the shallow nature of natural soils and that these may have been disturbed during road formation. As a result, the archaeological potential is considered to be moderate. The geotechnical investigations



indicate that the potential sensitive soils in this area would typically be located at least 5m below the ground surface in the western portion of the study area, but would be shallower to the east, being about 2m below the ground surface at the location of CP2.

**Figure 22: Aboriginal archaeological potential in the study area**



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## 7.0 SIGNIFICANCE ASSESSMENT

### 7.1 Significance assessment methodology

An assessment of the cultural heritage significance of an item or place is required in order to form the basis of its management. The Guide (OEH 2011) provides guidelines for heritage assessment with reference to the *Burra Charter* (Australia ICOMOS 2013). The assessment is made in relation to four values or criteria (Table 8). In relation to each of the criteria, the significance of the subject area should be ranked as high, moderate, or low.

Cultural heritage consists of places or objects, that are of significance to Aboriginal people. Cultural heritage values are the attributes of these places or objects that allow the assessment of levels of cultural significance.

Assessing the cultural significance of a place or object means defining why a place or object is culturally important. It is only when these reasons are defined that measures can be taken to appropriately manage possible impacts on this significance. Assessing cultural significance involves two main steps, identifying the range of values present across the study area and assessing why they are important.

Social/cultural heritage significance should be addressed by the Aboriginal people who have a connection to, or interest in, the site. As part of the consultation process the Aboriginal stakeholders were asked to provide information on the cultural significance of the study area. Information on consultation with Aboriginal stakeholders for the project is provided in Section 2.0.

**Table 8 Burra Charter Heritage significance criteria**

Criterion	Description
<b>Social</b>	The spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them. Does the subject area have strong or special association with the Aboriginal community for social, cultural or spiritual reasons?
<b>Historic</b>	Historic value refers to the associations of a place with a historically important person, event, phase or activity in an Aboriginal community. Is the subject area important to the cultural or natural history of the local area and/or region and/or state?
<b>Scientific</b>	This refers to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information. Information about scientific values will be gathered through any archaeological investigation carried out. Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state?
<b>Aesthetic</b>	This refers to the sensory, scenic, architectural and creative aspects of the place. It is often linked with the social values. It may consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use. Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state?

In addition to the four criteria, Heritage NSW (OEH 2011;10) requires consideration of the following:

- Research potential: does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?
- Representativeness: how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?
- Rarity: is the subject area important in demonstrating a distinctive way of life, custom, process, land use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential: does the subject area contain teaching sites or sites that might have teaching potential?

## 7.2 Social significance

### 7.2.1 Cultural landscape

[Placeholder: A discussion of the cultural significance of the landscape will be provided following RAP review of the draft ACHAR. The assessment will be informed by input provided by the RAPs]

### 7.2.2 Identified Aboriginal cultural heritage values

[Placeholder: A discussion of the identified Aboriginal cultural values will be provided following RAP review of the draft ACHAR. The discussion will be informed by input provided by the RAPs]

## 7.3 Historic significance

No specific Aboriginal historical connection to the study area has been identified. The study area had a specific name – Tumbalong, denoting it as a place of plentiful sea food. This is also evidenced by the large shell middens once present there that led to its English name Cockle Bay. As such the study area will certainly have occupied a special place in Aboriginal lifeways of the past.

## 7.4 Indicative archaeological (scientific) significance

No Aboriginal sites or areas of high archaeological potential have been identified within the study area. This study has rated archaeological significance primarily on levels of apparent disturbance to local soils, including large proportions of the study area that are reclaimed land. One small area of moderate to high archaeological potential is present. This location has the potential to contain archaeological evidence relating to Aboriginal usage of the Cockle Bay foreshore. Submerged land is likely to have been subject to significant processes of disturbance associated with land reclamation and fill.

**Table 9: Scientific significance rating projection**

Location	Research value	Scientific value	Representative value	Rarity	Overall archaeological significance
Submerged land	Low	Low-Moderate	Low	High	Moderate-High
Reclaimed land	Low-Moderate	Low-Moderate	Low-Moderate	High	High

Location	Research value	Scientific value	Representative value	Rarity	Overall archaeological significance
Original landform	Moderate	Moderate	Moderate	High	High

## 7.5 Aesthetic significance

The assessment of aesthetic values inherent to a location is a fraught exercise. Not only are aesthetic values strongly culturally and socially determined, but they are also subject to significant change through time. The same untamed Australian landscape that was described by early colonisers as a wild wasteland was only some 50 years later depicted by colonisers in enthusiastic terms as a preserved natural eden (Karskens 2009). These difficulties become only greater where non-Aboriginal people attempt to estimate the aesthetic values of a location to Aboriginal people of the past or present.

[Placeholder: This assessment of aesthetic significance will be updated following RAP review of the draft ACHAR. The assessment of site specific aesthetic values will be informed by input provided by the RAPs]

## 7.6 Statement of significance

[Placeholder: An overall statement of significance will be provided following RAP review of the draft ACHAR. The statement of significance will be informed by input provided by the RAPs on the values discussed above]



## 8.0 ARCHAEOLOGICAL IMPACT ASSESSMENT

### 8.1 Impact assessment methodology

The definition of harm to an object or place under s5 the NPW Act includes any act or omission that 'destroys, defaces or damages the object or place or in relation to an object –moves the object from land on which it had been situated.'

Direct harm may occur as a result of activities which disturb the ground surface including site preparation activities, earthworks and ground excavation, and the installation of services and infrastructure. The direct impact associated with the project is discussed in Section 8.0.

Indirect harm for Aboriginal heritage refers to impacts that may affect sites or features located immediately beyond or within the area of the proposed works. Indirect harm may include impacts from vibration, increased visitation or increased erosion, including ancillary project activities (construction and/or operation) that are not located within the study area. Registered Aboriginal sites in the surrounding area are comprised of artefact sites or areas of potential archaeological deposit. These previously registered sites are 120m or further from the study area and therefore would not be affected by indirect impacts from the proposed works.

### 8.2 Proposed works

A broad outline of the proposed works in the study area has been received. This section assesses the likely impacts to archaeological potential as a result of these proposed works.

#### 8.2.1 Bulk excavation

The location of proposed bulk excavation (client drawing DA 301) is shown in plan in Figure 23, and in section in Figure 24 (client drawing DA 301). The footprint of the proposed bulk excavation relative to the project study area is shown in Figure 26, and the indicative location of proposed piling works are shown in Figure 25. The locations of these works relative to the areas of archaeological potential are shown in Figure 28 and Figure 27. These excavations are to be chiefly associated with bulk excavation for foundations, footings, subsurface voids and tanks. Excavation of a piling core that will provide the main foundations for the multistorey tower will involve excavation of a large area in the south-central portion of the study area to a depth of RL -1.4, or an effective reduction of 3.75m below current ground level. To the south of the piling core a one million litre deluge tank is proposed to be formed, through excavation to RL -3.95, or an effective reduction of 6.3m below current ground level. Excavation will also be carried out for the demolition and ground restitution of the following infrastructure:

- The Cockle Bay Wharf main structure
- The footbridge between the Cockle Bay Wharf main structure and the Crescent Garden, including the escalator to and from this footbridge
- The existing Monorail Station
- Walkways and pedestrian access between the Crescent Garden and the Pyrmont Bridge Overpass
- The current alignment of Wheat Road and all joining kerbs, sidewalks and driveways
- Proposed realignment of a major Sydney Water sewer / watermain pipeline, to run east-west through the project area.



### 8.2.2 Minor excavation

Locations of lesser excavation are not yet fully defined. These will include but are not limited to excavation not yet available on plans, and the demolition and ground restitution of the following items:

- Road regrading and reforming
- The existing interface with the Crescent Garden
- The Crescent Garden central feature
- The existing interface between the Cockle Bay Wharf main structure and the Pyrmont Bridge.
- Part of the existing footbridge leading north from the terminus of the Pyrmont Bridge
- The existing Pyrmont Footbridge which adjoins the Pyrmont Bridge and crosses Sussex Street.

### 8.2.3 Piling

A piling core float is proposed for the footprint of the multistorey tower, entailing some 34 closely spaced driven piles (client drawing DA-1000U, Figure 25). The remainder of the proposed development will be supported on a combination of footings and close to 200 driven piles at varying spacing. The current drawings are indicative only. The exact location, extent and depth of the piling may be subject to change during detailed design and during construction in response to factors such as local constraints on the ground (including service and utility restrictions). It is assumed that piles will reach and penetrate bedrock, except where shallower piles/cores are specifically noted.

**Figure 23: Plan drawing of bulk excavation within the study area**

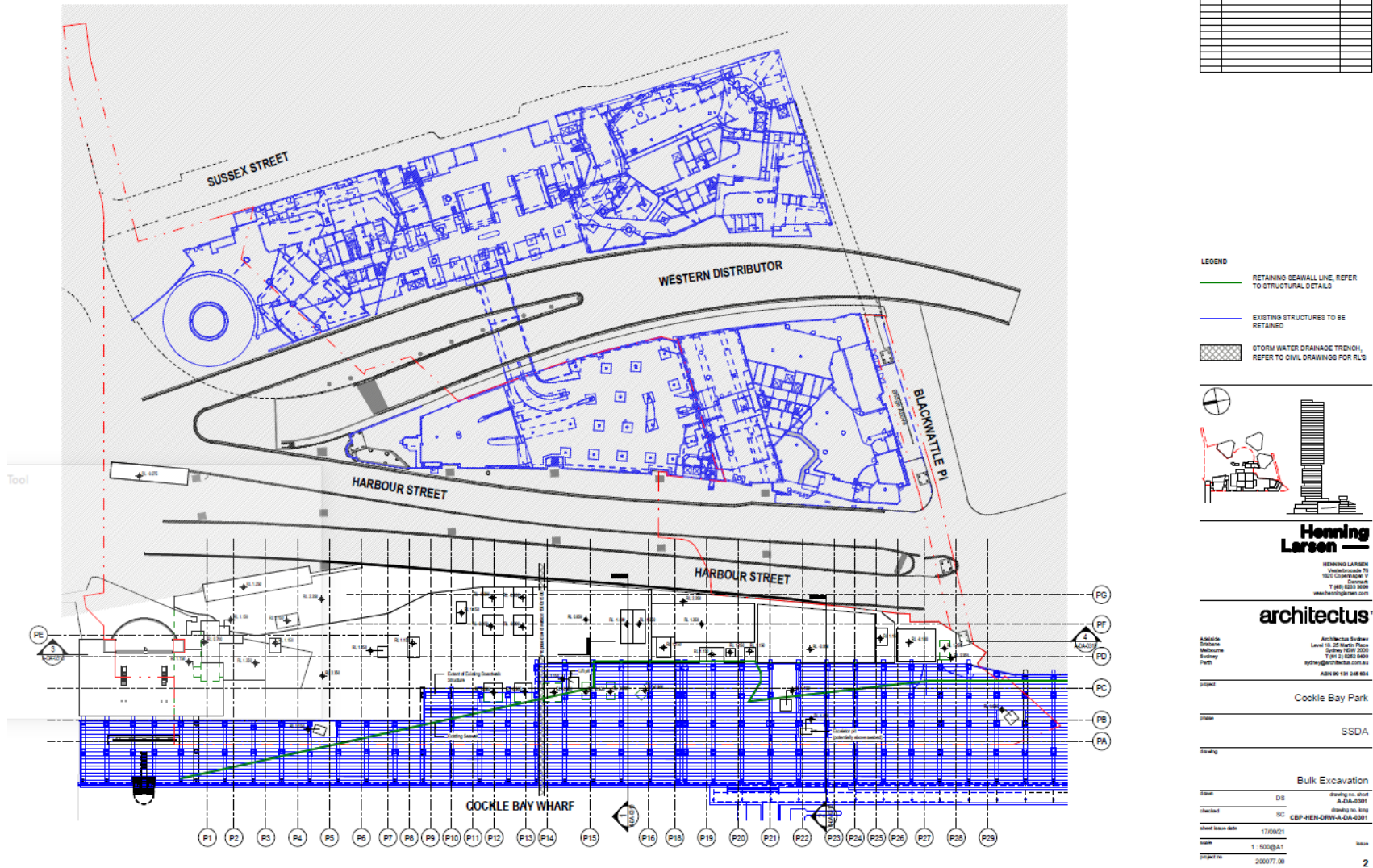
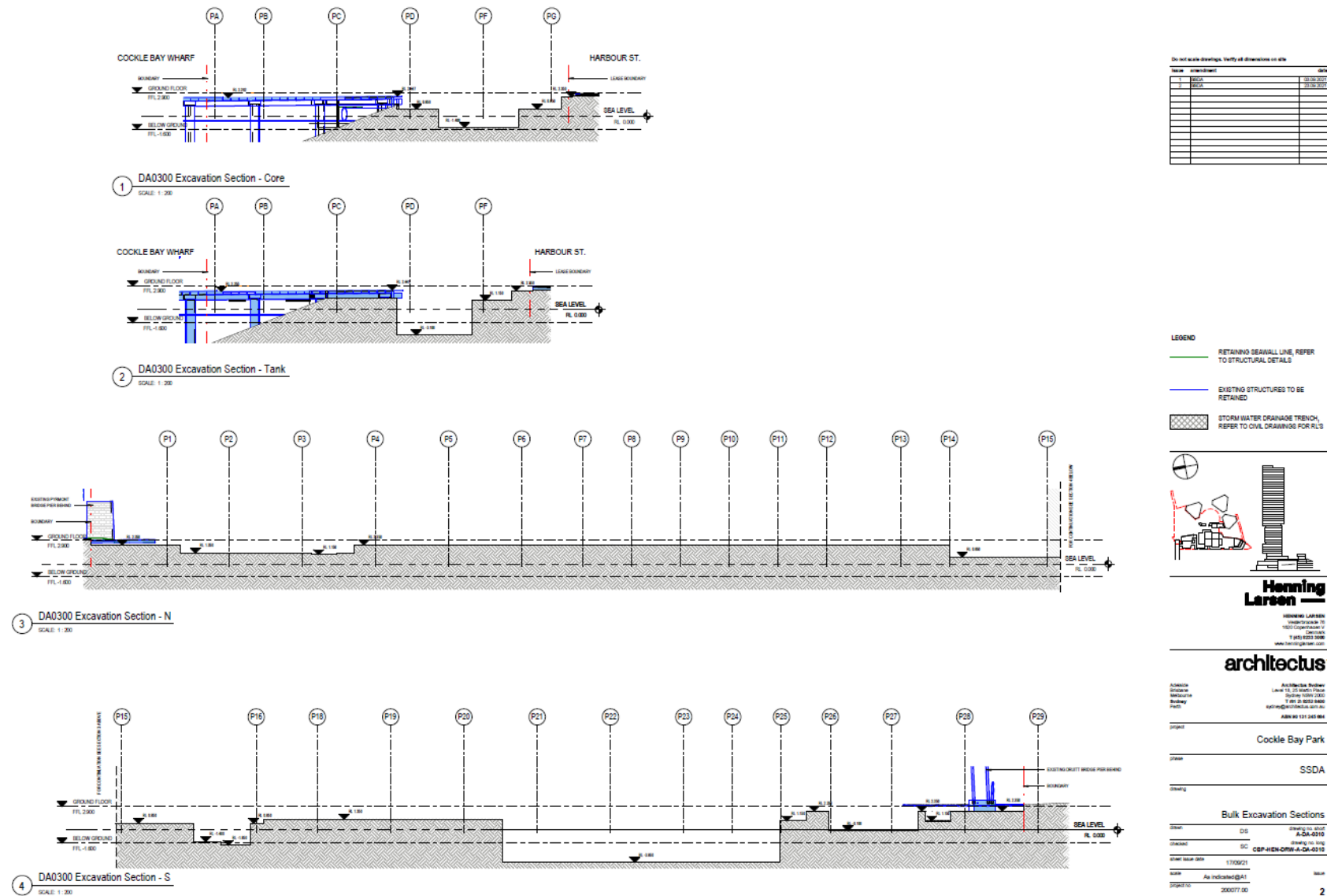


Figure 24: Section drawing of proposed bulk excavation





**Figure 25: Proposed piling, footing and subsurface utility locations**

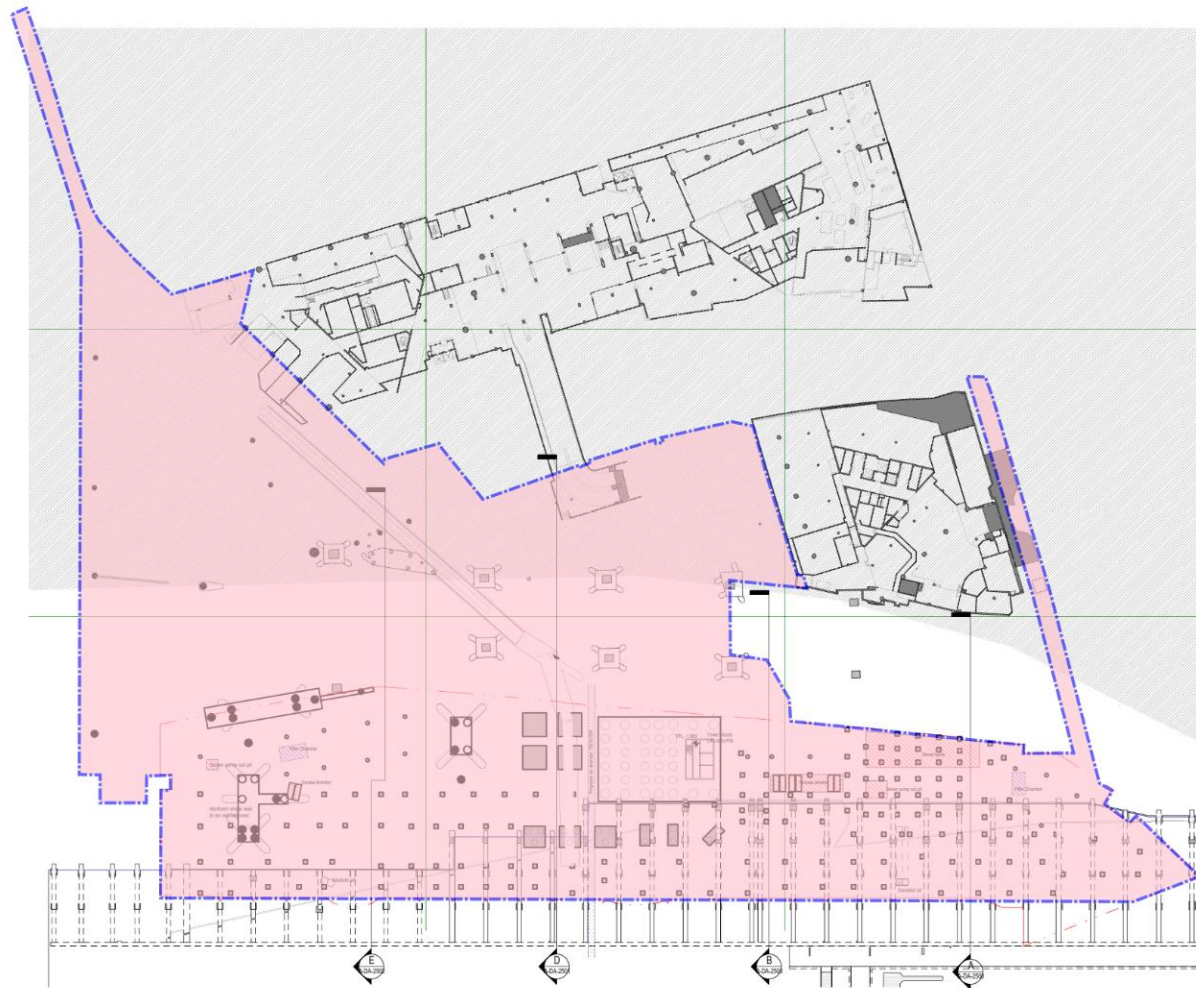
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Figure 26: Bulk excavation area relative to study area

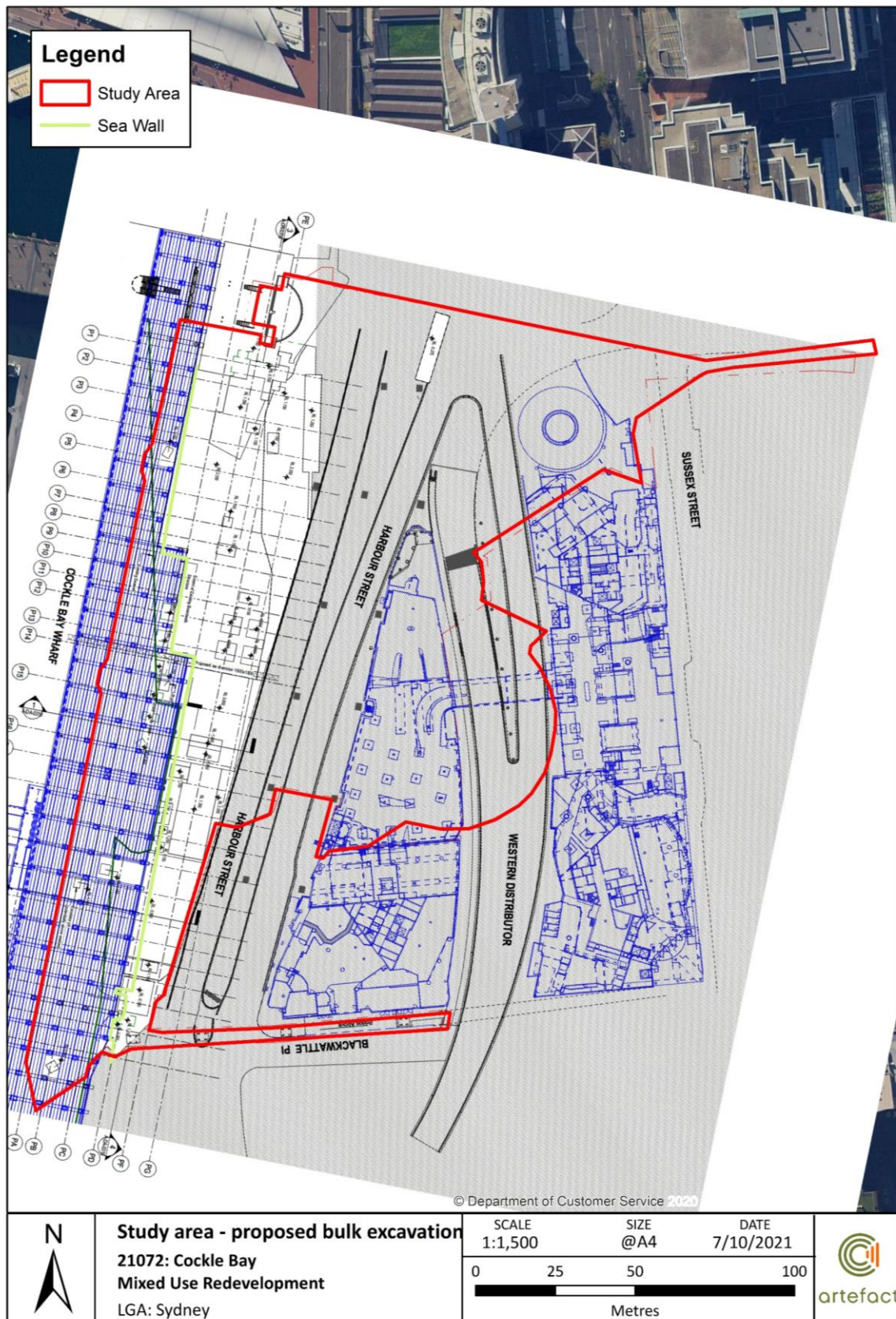




Figure 27: Bulk excavation relative to the areas of archaeological potential

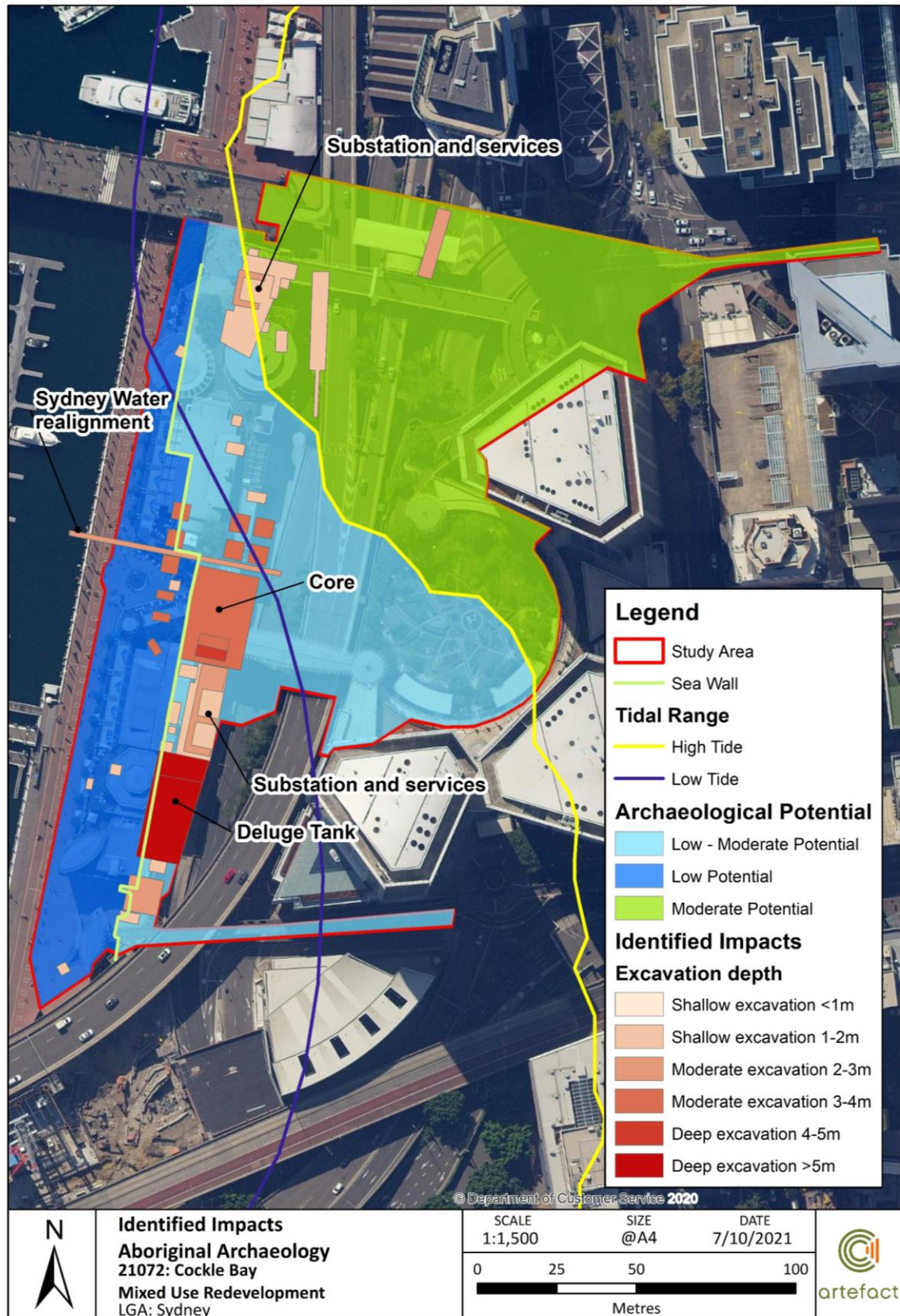
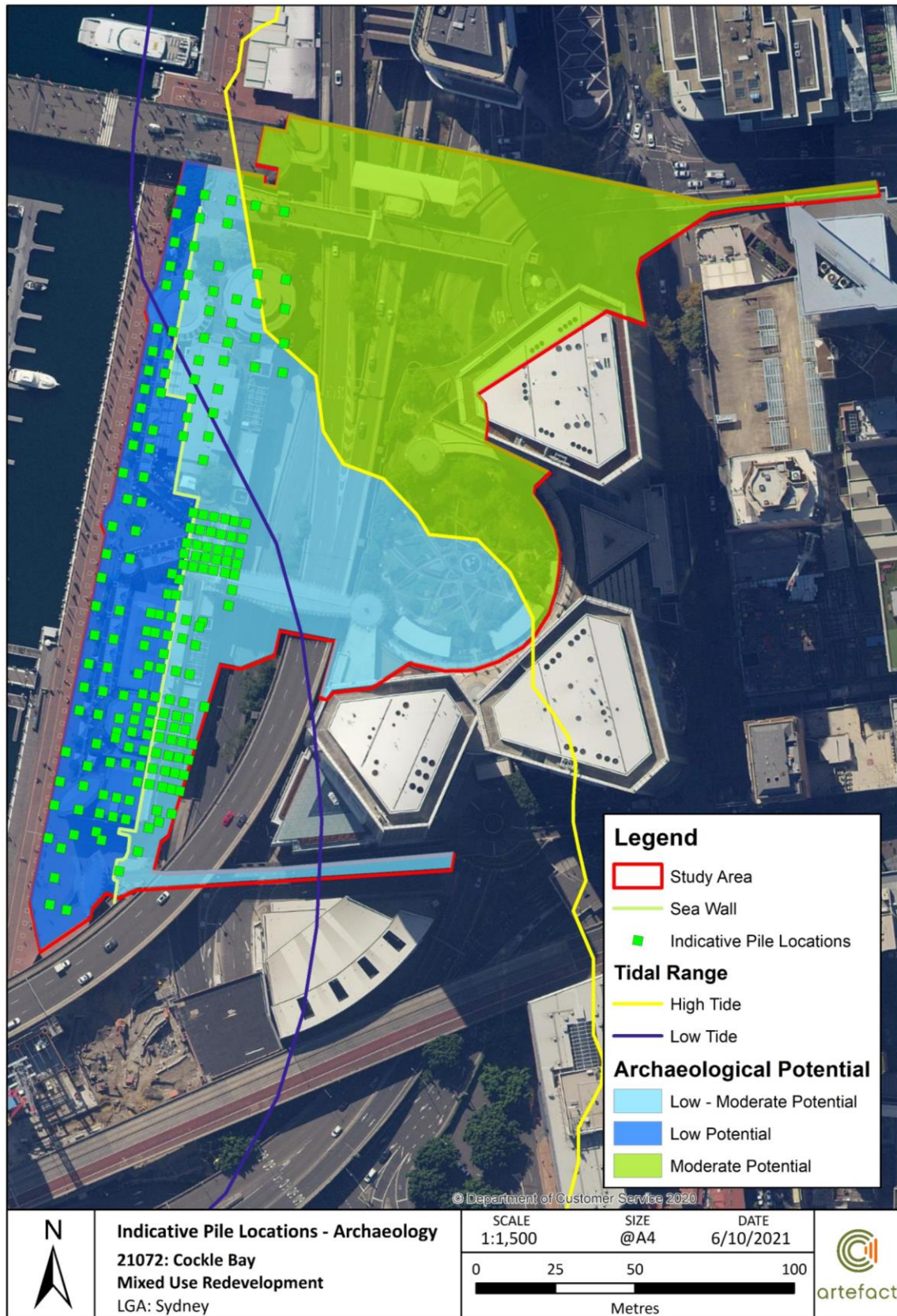




Figure 28: Indicative piling locations within the bulk excavation area relative to the areas of archaeological potential



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## 8.3 Excavation works detail

### 8.3.1 Overall scope

Bulk excavation for the project is at present proposed to be almost wholly constrained to an area within the red line shown on Figure 23. This area is located between (inland / east of) the current seawall and west of Harbour Street. Eleven smaller excavation locations are proposed westwards of the current sea wall. The area westwards of the current sea wall is indicated in blue. The location of excavation for installation of High Voltage (HV) electricity mains has not yet been finally determined, however it is understood these would be placed along Harbour Street. Further excavations would be undertaken for the where Sydney Water require the current sewer main and water main in Wheat Road to be diverted. Although the depth of excavation for this utility diversion has not been confirmed, it is assumed that excavations of about 2m below the ground surface would be required.

Works outside of the bulk excavation area are expected to primarily consist of piling and column installation works. The exact location of the piles and would be subject to change as a result of detailed design and local constraints on the ground (including service and utility restrictions). However, it is expected that impacts associated with these activities would generally be limited to localised areas.

### 8.3.2 Bulk excavation scope

This section examines proposed bulk excavation locations, progressing from the north of the study area southwards and utilising the 'P' series locational identifiers provided in client mapping (Figure 23). Based on the site plans provided within the bulk excavation area, it is assumed that the ground surface elevation is generally RL +2.35m across the area (being the most frequently noted RL on the plans).

#### 8.3.2.1 Locations P1-P5

Bulk excavation in this area is constrained to average depths of between RL 1.15 and RL 1.35, representing a reduction of 1.2m and 1m in depth. Excavation here will serve purposes of construction of items including grease traps, substation slabs, a switch room, lift pits and a filter chamber, and the installation of cables below the substation. The main impacts in this location would result from the installation of the substation earth rods that would need to be driven or bored to 6m depth (discussed separately as part of the piling works). One location along the northern extent off the study area and approaching Pyrmont Bridge will be reduced to RL 0.7, being a reduction of 1.65m below current ground levels. Borehole C7 was drilled near this area and identified what appeared to be historical fill and rubble to a depth of about 5m, followed by potential natural soils to a depth of 7.3m. Based on the results of the geotechnical investigations, it is unlikely that the bulk excavations in this location would be deep enough to reach the natural soils.

**Conclusion:** Proposed bulk excavations to the assessed depths between locations P1-P5 are not likely to impact potential artefact bearing soils.

#### 8.3.2.2 Locations P5-P11

Excavation in this area consists of three footings, all reaching RL 1.15m depth, or a reduction of 1.2m. No boreholes are located immediately in this location which is situated between boreholes CW4 and W2. Borehole CW4 recorded rubble fill to a depth of 5.8m, and did not identify any soils that are considered to be sensitive. Therefore, it is unlikely that the bulk excavations in this location would be deep enough to reach the natural soils.

**Conclusion:** Proposed bulk excavations to the assessed depths between locations P5-P11 are not likely to impact potential artefact bearing soils.

#### 8.3.2.3 Locations P11-P14

Six footings are located in this area, all to be excavated to RL 0.9, or a reduction of 1.45m. To the immediate south of these footings is the proposed location of the sewer / watermain relocation with an assumed excavation depth of about 2m. Potential depths for excavation of this sewer relocation have not yet been provided. Boreholes CW2 and CW3 were drilled near this location. The shallowest depth at which any of these boreholes encountered natural soils was at 5m in borehole CW3. Therefore, it is unlikely that the bulk excavations in this location would be deep enough to reach the natural soils.

**Conclusion:** Proposed bulk excavations to the assessed depths between locations P11-P14 are not likely to impact potential artefact bearing soils.

#### 8.3.2.4 Locations P14-P20

This location will be almost completely excavated to provide the piling core for the main tower structure. Impacts in this location would include an intensive process of piling, however this is discussed separately as part of the piling works. The majority of this area will be excavated to depths of between RL 0.85 and RL 1.35 prior to piling. The location of the lift shafts to the south of the main tower will be excavated deeper to RL -1.4 and RL -1.85. This represents a total reduction of 4.2m below current ground surface. To the south of the main tower are proposed excavations for goods lifts, substation, sewer and grease pits which are proposed to be excavated to RL 1.15, or a reduction of 1.2m. Boreholes CW2 and CW3 were drilled near these locations. The shallowest depth at which these boreholes encountered natural soils was at 5m in borehole CW3. Based on this it is unlikely that the shallower excavation in this location would be deep enough to reach the natural soils. The deeper excavations for the lift shafts however would be closer to the identified depth of the natural soils. The depth of the natural soils may vary through this area, and if the natural soil profile is slightly shallower in this location, then the bulk excavations for the lift shafts may be deep enough to reach natural soils.

**Conclusion:** Proposed shallow excavations to the assessed depths of RL 0.85 and RL 1.35 between locations P14-P20 are not likely to impact potential artefact bearing soils. However, deeper excavations to RL -1.4 and RL -1.85 have the potential to impact possible artefact bearing natural soils.

#### 8.3.2.5 Locations P20-25

The deepest excavation proposed for the project area is proposed in this location. This is a large area intended for a one million litre deluge tank and pumping station. Depths here will extend to RL -3.95, or a real reduction of 6.35m below ground surface. Borehole CW5 was drilled in this location. Borehole CW5 encountered potentially natural sands at 5m below ground surface. As a result, the proposed bulk excavations would be deep enough to impact natural soils.

**Conclusion:** Proposed bulk excavations for the tank to the assessed depth of 6.35m below current ground surface have the potential to impact possible artefact bearing natural soils.

#### 8.3.2.6 Locations P25-29

Footings for a lift pit, a diesel tank and a storm water filter chamber are proposed for this location. Maximum excavated depths are proposed to be RL 1.15, being a reduction of 1.2m, and RL -0.1, a reduction of 2.45m. CW5 was drilled near this location and encountered potentially natural soils at 5m below the ground surface. Therefore, it is unlikely that the bulk excavations in this location would be deep enough to reach the natural soils.

**Conclusion:** Proposed bulk excavations to the assessed depths between locations P25-P29 are not likely to impact potential artefact bearing soils.



#### 8.3.2.7 Bulk excavation conclusions

Bulk excavation at the study area is primarily limited to the western portion of the study area, with most of the works being within the area assessed as having low to moderate archaeological potential. In the tested locations geotechnical boreholes have indicated the presence of estuarine sands that may represent buried foreshore or intertidal surfaces with the potential to contain Aboriginal archaeological artefacts. Although the geotechnical data can only be used to guide estimation of archaeological impacts in the study area, the results indicated that the shallowest depth of these sands was typically about 5m below the surface. Based on this data, the majority of the proposed bulk excavation works do not appear to be deep enough to reach the level of the natural soil underneath the historical reclamation fill. Impacts would primarily be associated with the deeper excavations for the main tower structure lifts and pits (Locations P14-P20), and with the substantial excavations for the deluge tank (Locations P20-P25). Excavations in these areas would have the potential to impact such soils and potential Aboriginal archaeological artefacts they may contain. The size of the excavation footprints associated with these activities are also larger than most of the other proposed bulk excavation activities.

#### 8.3.3 Impacts associated with piling

The proposed piling locations are shown on Figure 25. A significant program of piling would be carried out in the bulk excavation area, with particularly dense groups of piling proposed in the core raft of the multistorey development and underneath the deluge tank. A number of substation earth rods that would also need to be driven or bored to a depth of 6m in the location of the substations. In these areas the piling would be more closely clustered together, however, additional piles would also be undertaken across most of the bulk excavation area and also outside of the bulk excavation area (where the proposed works are expected to primarily consist of piling and column installations). Although the exact number, location, and extent of the piles are subject to change in response to detailed design and site constraints during the construction program, it is expected that most of the piles would extend to the bedrock. Therefore, the piles would be deep enough to truncate natural soils that may contain Aboriginal archaeological objects. Although each pile is expected to be a relatively localised impact, given the large number of piles planned across the study area this would result in a more substantial cumulative impact to the natural soils.

Impacts associated with the piling activities would primarily be situated within the area assessed as having low to moderate archaeological potential. A smaller number of piles would be located within the areas of moderate and nil to low potential.

### 8.4 Aboriginal heritage impact assessment

No identified Aboriginal archaeological sites would be impacted by the proposal. This report identifies that the study area contains three distinct zones of archaeological potential. These are:

- Low archaeological potential – submerged land
- Low to moderate archaeological potential – reclaimed land
- Moderate archaeological potential – original landform beneath paving and roadways.

Locations assessed here as being of above low archaeological potential within the study area will be impacted by the proposed works and therefore management strategies should be implemented to mitigate the effects of such impacts. These are set out in Section 9.0.

**Table 10: Impact assessment**

Location	Type of harm	Degree of harm	Consequence of harm
Low archaeological potential	Direct	Minor	Permanent
Low-Moderate archaeological potential	Direct	Major	Permanent
Moderate archaeological potential	Direct	Minor	Permanent

## 8.5 Consideration of alternatives and justification for impacts

The scale of the proposed development is such that it is unlikely that the proposed construction could be reconfigured to avoid impacts. The project would not impact any existing AHIMS registered sites. This ACHAR has been compiled in part to propose mitigation measures to manage the impacts to areas of archaeological potential where these impacts are considered to be unavoidable. Aboriginal objects encountered throughout the project will be impacted, either through archaeological excavation or works and the impact is likely to be very low.

## 8.6 Ecologically Sustainable Development principles

In accordance with The Guide (OEH 2011), Ecologically Sustainable Development (ESD) principles have been considered in the preparation of this ACHAR, including options to avoid impacts to Aboriginal cultural heritage, assessment of unavoidable impacts, identification of mitigation and management measures, and taking into account Aboriginal community views.

The principles of ESD are detailed in the NSW *Protection of the Environment Administration Act 1991*. Chapter 29 of the EIS discusses the ESD principles in regard to the project as a whole. The ESD principles relevant to the assessment of the project as it relates to Aboriginal cultural heritage are considered below.

### 8.6.1 The integration principle

Decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle'). The preparation of this ACHAR demonstrates regard for the integration principle by considering Aboriginal heritage values and impacts to these from the project during the planning phase of the project. The nature of the proposed project is in itself one that contributes to the long term economic and social needs of current and future residents of the area.

### 8.6.2 The precautionary principle

If there are threats of serious or irreversible environmental damage, lack of full scientific confidence should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle'). This report provides recommendations for the scientific assessment of values within the study area and mitigation measures to minimise harm to these values as far is practically possible.

### 8.6.3 The principle of intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'principle of intergenerational

equity'). In its design the current proposal takes into consideration multiple factors of long term public amenity.

#### 8.6.4 Cumulative Impact

The study area is not known to contain any Aboriginal archaeological sites and contains one area of moderate to high Aboriginal archaeological potential. The study area is within a location that has been subject to various levels of historical development over the past 200 years including at times the construction of significant maritime infrastructure and the current standing three storey Cockle Bay Wharf entertainment precinct. These historical processes are likely to have diminished the Aboriginal archaeological potential of the study area. The archaeological values of the locations of low to moderate archaeological potential within the study area cannot be determined at this stage and therefore cumulative impact cannot be determined until further archaeological investigations are completed in accordance with management and mitigation measures set out in Section 9.0.



## 9.0 ARCHAEOLOGICAL MANAGEMENT MEASURES

### 9.1 Guiding principles

The overall guiding principle for cultural heritage management is that Aboriginal heritage should be conserved. If conservation is not practical, measures should be taken to mitigate against negative impacts to Aboriginal sites. The nature of the mitigation measures recommended in this instance is primarily based on an assessment of archaeological potential and significance.

Mitigation measures vary depending on the assessment of archaeological significance of a particular Aboriginal site and are based on its research potential, rarity, representative and educational value. In general, the significance of a site would influence the choice of preferred conservation outcomes and appropriate mitigation measures, usually on the following basis:

- **Low archaeological significance** - Conservation where possible, but usually no mitigation required if impacts are unavoidable
- **Low to Moderate archaeological significance** - Conservation where possible. If conservation is not practicable, excavations or similar mechanisms determined in consultation with the Aboriginal community may be necessary
- **Moderate archaeological significance** - Conservation as a priority. Only if all practicable alternatives have been exhausted would impacts be considered justified. Comprehensive excavations may be necessary.

**Table 11: Management measures**

Area potential	Mitigation measure	Portion of the study area
<b>Low</b>	<p>An Aboriginal cultural heritage assessment report (this document) would be prepared in accordance with The Guide (OEH 2011). The Aboriginal cultural heritage assessment report would include:</p> <ul style="list-style-type: none"> <li>• Details of Aboriginal stakeholder consultation conducted in accordance with the Consultation Requirements (OEH 2010b)</li> <li>• An assessment of cultural significance for the project area and identification of any specific areas of cultural significance based on consultation with Aboriginal stakeholders</li> <li>• Sample assessment of soils from piling and other excavation</li> <li>• Management measures in response to sample assessment determination</li> </ul>	Submerged land, located to the east of the sea wall
<b>Low-Moderate</b>	<p>An Aboriginal cultural heritage assessment report (this document) would be prepared in accordance The Guide (OEH 2011). The Aboriginal cultural heritage assessment report would include:</p> <ul style="list-style-type: none"> <li>• Details of Aboriginal stakeholder consultation conducted in accordance with the Consultation Requirements (OEH 2010b)</li> <li>• An assessment of cultural significance for the project area and identification of any specific areas of cultural significance based on consultation with Aboriginal stakeholders</li> </ul>	Reclaimed and developed land, central section

Area potential	Mitigation measure	Portion of the study area
	<ul style="list-style-type: none"> <li>Archaeological test excavation (and salvage if required) would be carried out. Excavations would be conducted in accordance with the methodology outlined in the ACHAR methodology.</li> <li>Implementation of an Unexpected Finds Policy if test excavation is negative</li> </ul>	
<b>Moderate</b>	<p>An Aboriginal cultural heritage assessment report (this document) would be prepared in accordance The Guide (OEH 2011). The Aboriginal cultural heritage assessment report would include:</p> <ul style="list-style-type: none"> <li>Details of Aboriginal stakeholder consultation conducted in accordance with Consultation Requirements (OEH 2010b)</li> <li>An assessment of cultural significance for the project area and identification of any specific areas of cultural significance based on consultation with Aboriginal stakeholders</li> <li>Archaeological test excavation (and salvage if required) would be carried out. Excavations would be conducted in accordance with the methodology outlined in the ACHAR methodology.</li> </ul>	Natural land above historical high tide mark

## 9.2 Archaeological staged test and salvage excavation program

### 9.2.1 Excavation justification

The proposed works will impact the location of identified low-moderate and moderate archaeological potential. These locations are rare in their potential level of preservation in the study area.

### 9.2.2 Research questions

Key research questions for the proposed excavation are:

- Comparative landform use** – can the archaeological record at the study area increase our understanding of how the location may have been used differently in the past to other nearby locations including Sydney Cove and Farm Cove.
- Comparative tool assemblage** – if Aboriginal tools are retrieved from the study area, are particular types of sets of tools predominant and how might these trends compare to tool assemblages from elsewhere in the Sydney region.
- Intactness** – investigate the potential for intactness of an identified area of archaeological potential in an urban context, within specific parameters for soil preservation (sub-road deposits).
- Significance** – assess the archaeological and cultural significance of the location in consultation with RAPs.
- Comparative** – compare the results and significance of any potentially identified Aboriginal sites with previous archaeological investigations in the region.

### 9.3 Aboriginal Archaeological Excavation Methodology

An Archaeological Excavation Methodology (AEM) would be prepared in response to the practical realities of test / salvage under the site specific constraints. These constraints include the potentially deeply buried nature of archaeologically sensitive soils and the location of much of the study area within a highly developed portion of central Sydney. The AEM will therefore need to be adapted to the conditions under which testing / salvage is possible, and will also need to be adaptable to what may be frequently redefined understandings of subsurface conditions. The AEM would adhere to the general excavation methodology outlined below and will provide detailed information on site-specific and/ or activity specific archaeological management requirements.

The AEM would be prepared once more detailed design has been provided and it is anticipated that site inspections would be conducted, where required.

### 9.4 Participation in archaeological investigations

RAP representatives would participate in all Aboriginal archaeological excavations. The AEM would be provided to RAPs prior to archaeological work commencing.

### 9.5 Consideration for non-Aboriginal archaeological investigations

The methodology outlined below should take into considerations the non-Aboriginal (historical) archaeological excavation methodology. Both historical and Aboriginal investigations should coordinate and prioritise investigations.

### 9.6 Geomorphology and soil sampling

It is anticipated that a geomorphology specialist would be involved in the investigative process, where required as per the AEM. Soil samples will be retained from locations subject to archaeological test excavation, and also from locations where archaeological test excavation may not be possible but where archaeological information may be derived from soil analysis.

### 9.7 General excavation methodology

#### 9.7.1 Stage 1

The methodology of Stage one test excavation would be influenced by:

- The extent of the potential archaeological resource available to test. The extent of Stage one excavation would depend upon worksite constructability, potential depth of the archaeological resource, and the area extent of any remaining potential archaeological resource.
- Proposed impacts. Excavation should not extend outside the proposed impact area unless required for safety reasons or where the impacts are less than one square metre (such as piles).

Stage 1 would require mechanical removal of overburden. Archaeological testing would then proceed through hand excavation of test pits in controlled Excavation Units. Excavation Units would comprise of one square metre test pits excavated in either arbitrary 100mm spits or stratigraphic units where applicable. Excavation Units could be joined together to form a two square metre test pit, where appropriate. In some instances, where the available area to test is small, the Excavation Unit size would be smaller than one square metre.



Excavation Units would be excavated to a depth where archaeologically sterile deposit has been reached, enough information has been retrieved to trigger Stage 2 salvage excavation, or a depth of 1.5 metres (or safe working depth) has been reached, whichever is the shallowest. Although not anticipated in the residual GyMEA soil landscape, if archaeological deposit extends below a safe depth (1.5 metres) deeper archaeological excavation should be considered which may require shoring or stepping.

A grid of Stage 1 test pits would be established across the portion of to be tested. The AEM would outline the number of Excavation Units to be excavated, the grid layout, and spacing of test pits. Where there are constraints on the grid layout, such as disturbed areas or services, test pits may be offset to an adjacent location within the area of proposed impact.

### 9.7.2 Stage 2

Triggers for Stage two excavation would include:

- Identification of more than 5 artefacts per Excavation Unit during Stage one excavation
- Identification of preserved soil units adjacent to Stage 1 test pits
- Identification of rare artefacts, features or site types including middens or potential rock ledges and shelters
- Identification by the Aboriginal archaeological Excavation Director (ED) and/or the geomorphologist of Aboriginal artefacts in contexts that may provide significant information on site formation, including identification of contexts and/ or materials suitable for dating.

The Aboriginal archaeological ED would then assess the need for Stage 2 excavations given the nature and context of the find and the extent of proposed impacts. Stage 2 excavation would proceed under the methodology discussed in the AEM and in adherence to the core methodology presented in the ACHAR.

Stage 2 excavation would involve the continuation of hand excavation in one square metre Excavation Units to form open area excavation. Stage 2 will cease once the excavation has retrieved a sufficient sample to describe the intactness, nature, extent, significance and is a statistically comparable quantity. The number of Stage 2 open area excavations to be excavated, the extent of open area excavation, and the cessation of Stage two excavation, would be determined by the Aboriginal archaeological ED in accordance with the ACHAR, and the AEM and in consultation with the RAPs on site.

## 9.8 Specific methodological considerations

### 9.8.1 Piling soils

A large proportion of the proposal will rest on piles rather than poured foundations. Due to the depth of such piles and the inability to safely access sands that such piles may expose, standard archaeological excavation is not likely to be appropriate or possible for all piling locations. In such locations it is proposed that piling methods should be used, where reasonably practicable, which would capture and recover the impacted soils for archaeological sieving. Specific methodologies for the handling of piling soils will be provided in the project AEM.

### 9.8.2 Contaminated soils and deposits

Where unexpected soils or deposits are encountered that pose a health risk to archaeological excavation, all archaeological work in that location must pause until assessment of the likely health hazard is made by suitably qualified environmental professionals. If safe work methods for continuation of archaeological testing can be developed, then this archaeological testing may proceed under the supervision and management of appropriately trained environmental professionals provided by the client. Expected hazardous materials such as asbestos and coal-tar must be handled under project management and mitigation procedures and policies defined by the client. Archaeological staff are not trained in the management or disposal of hazardous material and must not be called upon to assess, handle or dispose of it.

### 9.8.3 Historical archaeology contexts

Where historical archaeological contexts are encountered during controlled Stage 1 or Stage 2 excavation, the Aboriginal archaeological ED will consult with the historical ED for the project. on any requirements for an alteration to methodology to account for impacts to historical archaeological remains.

### 9.8.4 Aboriginal artefacts retrieved from fill

Where Aboriginal artefacts are identified in fill that is not considered to be a secure historical archaeological context, the Aboriginal archaeological ED would first establish whether further investigation of the find is required. Further investigation may include sample excavation by machine and sieving of fill material. Where no further investigation is required, the find will be recorded and stored in the nominated temporary locked storage area.

### 9.8.5 Protection of the archaeological resource during excavation

Where there is a halt in excavation such as a cessation of excavation due to inclement weather, or for other reasons outside the control of the Aboriginal archaeological ED, suitable measures should be put in place to protect open Excavation Units until archaeological excavation re-commences.

Protective measures may include back-filling open Excavation Units under the guidance of an archaeologist and include protection of any remaining archaeological resource using geofab material or similar and clean back-fill. Other protective measures may include the site contractor deploying sand bags and sediment fencing to divert surface water away from open Excavation Units.

### 9.8.6 Sieving

All retrieved material from hand excavation would be sieved through a sieve of no more than 5mm aperture mesh. It is likely that most material would be wet sieved, however dry sieving may be more appropriate in certain contexts.

### 9.8.7 Identification of rare site types

These site types will be identified at greater length in the project test salvage methodology. Where these site types are encountered, a more detailed approach to excavation, sampling and recording will be required for.

- Hearths
- Middens

- Sites associated with outcropping sandstone, such as engravings or grinding grooves
- Contact archaeology such as the presence of European material that has been worked through Aboriginal methods.

## 9.9 Unexpected finds

If a known or suspected Aboriginal object(s) or suspected human remains are identified, in the first instance all works should cease, the area should be cordoned off and the site supervisor should be notified immediately. Works should not recommence until the area has been assessed by a suitably qualified archaeologist and written approval has been issued to recommence works.

The Construction Heritage Management Plan (CHMP) prepared for the project by the main contractor, would include a detailed unexpected finds policy for the project.

An Unexpected Finds Policy is included as Appendix One of this document.

## 9.10 Heritage induction and clearance to commence works onsite

All staff involved with ground disturbing works must receive a heritage induction as part of their general site induction. This heritage induction must make clear the responsibilities of the client and workers under the NPW Act 1974 and the Heritage Act 1977. The heritage induction must provide workers with a basic understanding of the nature and appearance of Aboriginal and historical sites and artefacts and provide them with a clear understanding of the Unexpected Finds Policy. Site clearance would be required from the Aboriginal ED prior to construction commencing. This clearance would be in the form of a written memo, report or email.

## 9.11 Geomorphological investigations

It is anticipated that intrusive geomorphological investigations of different types will be conducted if required. These investigations may retrieve samples for dating, or for providing more data for site formation analysis. The potential scope and outline of geomorphological investigation at would be outlined in the AEM.

## 9.12 Reporting and analysis

All Aboriginal objects retrieved during the course of archaeological excavation would be washed and placed in re-sealable bags for further analysis and recording. Once test excavation has been completed, the artefact assemblage would be recorded and stored as stipulated in the Code of practice (OEH 2010a) code of practice. This includes recording key attributes of material, artefact type, platform type, termination type and dimensions, as well as photographic and drawn records of representative artefacts. All recorded information would be entered into a Microsoft Excel (or similar) table with detail linked to the provenance of each artefact. Once entered into the Excel table, the data can be readily supplied with associated reporting to RAPs and the proponent in either electronic or hard-copy form. An archaeologist experienced in stone artefact recording will conduct the attribute recording and analysis.

All artefacts would be given a unique number and stored in double re-sealable snap lock bags. A permanent marker will be used to record the provenance and unique number of artefacts in each bag in writing on the outside of the bag and on an archival grade tag such as Dupont™ Tyvek® paper.



### 9.13 Temporary and long-term care and management of retrieved Aboriginal objects

The temporary repository of any retrieved artefacts will be a locked cupboard on the premises of the archaeological consultant.

Further consultation with RAPs will be required during the project to determine the preferred long-term care and management of any retrieved Aboriginal artefacts once the nature, location, significance and size of the assemblage is known.

### 9.14 Interpretation and educational outcomes

Aboriginal heritage should be included in the Heritage Interpretation Strategy for the project, in consultation with the RAPs.

### 9.15 Ongoing consultation with registered Aboriginal parties

Consultation with the RAPs would continue throughout the life of the project, as necessary. Ongoing consultation with RAPs will take place throughout all facets of the project, including during any archaeological excavation investigation program and in the event of any unexpected Aboriginal objects being identified during works. In accordance with the Guidelines (OEH 2010b), in order to remain active, consultation with RAPs must include communication with RAPs at no more than six monthly intervals. Where more than six months has lapsed between project communication with RAPs, a new consultation process will need to be initiated.

## 10.0 CONCLUSIONS AND RECOMMENDATIONS

### 10.1 Conclusions

- The study area is in a location once abundant with resources for Aboriginal utilisation. The archaeological record may reflect this utilisation.
- Prior to Holocene inundation, the study area comprised a shallow valley supplied with fresh water. The potential exists for the archaeological record to reflect evidence of this now submerged landscape.
- Natural soils surrounding Cockle Bay are Gynea Soil - a shallow loose sandy loam.
- Intensive colonial utilisation of the study area commenced in the 1830's
- The study area served as a maritime and industrial hub for over century. During this time:
  - Significant levels of land reclamation took place to extend the coastline at the study area.
  - Large and frequently changed infrastructure was constructed in the study area.
  - An extensive program of demolition took place across the study area in the 1970's after it fell into disuse.
- The effects of repeat construction and demolition, particularly that in the late twentieth century are almost certain to have significantly disturbed soils in the majority of the study area.
- Geotechnical borehole results indicate the presence of buried potentially natural sands along the eastern perimeter of the bulk excavation area
- Archaeological potential is modelled as:
  - Low archaeological potential – submerged land
  - Low to moderate archaeological potential – reclaimed land
  - Moderate archaeological potential – original landform.

### 10.2 Summary of mitigation measures

Ref.	Mitigation measure	Description
AH1	Design	Impacts to identified areas of potential archaeological remains should be kept to a minimum where possible. Options for avoiding impacts to archaeological remains should continue to be investigated during the detailed design and construction phases of the project. Options for redesigns to avoid impacts to significant archaeological remains that may potentially be encountered during archaeological testing should be considered if significant archaeological remains are uncovered
AH2	Heritage Management Plan (HMP)	<p>A HMP must be prepared for the project to provide heritage guidance for the project during the construction phase. The HMP should be incorporated into the project Construction Environmental Management Plan (CEMP) and/or prepared as a standalone Construction Heritage Management Plan (CHMP). The objectives of the HMP would include:</p> <ul style="list-style-type: none"> <li>• To identify the heritage constraints and requirements of the project</li> <li>• Provide details on management and mitigation measures, such as those outlined in this Technical Paper, to be implanted to prevent or minimise impacts on heritage items</li> </ul>

Ref.	Mitigation measure	Description
		<ul style="list-style-type: none"> <li>To outline the required archaeological management strategies.</li> </ul>
AH3	Heritage induction	<p>All relevant construction staff, contractors and subcontractors must be made aware of their statutory obligations for heritage under the <i>NSW Heritage Act 1977</i> and best practice as outlined in <i>The Burra Charter</i> (Australia ICOMOS 2013) to ensure no archaeological remains or heritage fabric are impacted during the proposed works without appropriate mitigation measures in place. This will be implemented through a heritage induction carried out prior to works commencing and continued throughout the works program as staff are inducted to the work place.</p>
AH4	General archaeological management	<p>This Technical Paper, which has been informed by the results of archaeological background investigations, has determined that the project may result in impacts to Aboriginal archaeological objects at locations where projected depths of excavation or piling will impact identified natural soils.</p> <p><b>Monitoring, test excavation and salvage</b></p> <p>Where it is considered likely that proposed excavation will impact natural soil surfaces, removal of overburden and excavation to final grade must be archaeologically monitored for the presence of natural soils.</p> <p>If natural soils are identified, a program of archaeological test excavation must be undertaken to investigate the potential presence of archaeological objects.</p> <p>If Aboriginal archaeological objects are identified during test excavation, a process of archaeological salvage may be required.</p> <p>This process of archaeological investigation would be guided by a Archaeological Excavation Methodology (AEM) that would be prepared for the project (discussed below) and would be managed by a suitably qualified Excavation Director.</p> <p>Test and salvage excavation and piling spoil monitoring (below) will be carried out in conjunction with the Metropolitan LALC and RAPs. If Aboriginal objects are identified as a result of the archaeological management process, the long-term management of these artefacts will be negotiated among Aboriginal stakeholders</p>
AH5	Archaeological management: Piling	<p>The AEM would also contain provisions for piling location management on the following principles: In locations where piling is considered likely to impact buried natural soils that may contain Aboriginal objects methodologies must be developed for piling to be carried out in a manner that allows for the retention and archaeological sieving of piling spoil from individual piles</p>
AH6	Archaeological Excavation Methodology	<p>An AEM would be prepared prior to the commencement of the construction phase to outline the required Aboriginal archaeological management within the construction boundaries. The AEM would confirm the areas requiring archaeological management (following the detailed design), outline the archaeological methodology to be implemented during archaeological investigations, and outline research questions that the archaeological investigations would aim to answer. The AEM may be supported by additional Archaeological Work Method Statements to be prepared during the construction phase as required</p>
AH7	Heritage Interpretation	<p>The project design should incorporate appropriate heritage interpretation in accordance with the <i>NSW Heritage Manual</i>, the NSW Heritage Office's <i>Interpreting Heritage Places and Items: Guidelines</i></p>



Ref.	Mitigation measure	Description
		<p>(August 2005), the NSW Heritage Council's <i>Heritage Interpretation Policy</i>.</p> <p>The Aboriginal history of Cockle Bay / Darling Harbour is thought to reach back through thousands of years and is likely of considerable significance to Aboriginal people. Little archaeological research has been conducted within it to provide archaeological insight to this relationship.</p> <p>A Heritage Interpretation (HIS) has been prepared for the project EIS by Weir Phillips (2021, Appendix T) in accordance with CoA C11 and SEARs no. 13. The HIS has been prepared to guide the incorporation of heritage interpretation, such as displays and panels, into the project design.</p> <p>The heritage interpretation should consider the results of archaeological investigations undertaken as part of the project. Where appropriate, opportunities should be considered for visually or virtually representing archaeological remains and incorporating them into the visual landscape. Heritage interpretation implemented as part of the project should be informed by detailed and in depth consultation with Aboriginal communities</p>
NAH8	Consultation with relevant stakeholders	<p>Management of Aboriginal cultural heritage values must be carried out in compliance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (Consultation Requirements) (Department of Environment, Climate Change and Water (DECCW 2010b). Assessment of Aboriginal cultural values of the study area must be based on statements of value and assessments by members of Aboriginal communities.</p>

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## 12.0 APPENDICES

### 12.1 Appendix One: Unexpected Finds Policy

#### Unexpected Finds Procedure

Staff involved with ground disturbing works must be made aware of the potential for archaeological remains to be present. Clear lines of communication must be established for the reporting of any such finds and for procedures to be rapidly implemented. The Unexpected Finds Policy must be made clear to all staff. Images to assist with the identification of potential finds are provided at the end of this document.

#### Human Remains

In the event that skeletal remains are encountered which may be human remains, the following steps must be followed:

- NSW Police must be informed immediately
- A qualified heritage consultant must be engaged to assist in assessment of the find
- The remains must not be moved at all
- The remains may not be left unattended prior to the arrival of NSW Police
- All ground disturbing work within 20m of the remains must cease
- The remains must be screened from view and must be enclosed in fencing or bollards
- No access to the enclosed area of the remains is to be permitted other than to those staff who are required for essential management or as directed by NSW Police
- If it emerges that the remains are ancestral Aboriginal remains, then the Local Aboriginal Lands Council must be notified.

#### Aboriginal archaeological material

In the event that suspected Aboriginal archaeological material is identified, the following steps must be followed:

- All ground disturbing work within 20m of the remains must cease
- The find must not be moved
- The find must be appropriately protected from potential damage
- A qualified heritage consultant must be engaged to assist in assessment of the find to:
  - Assist in assessment of the find
  - Provide management recommendations, which may include the need for further assessment and archaeological testing.

#### Historical archaeological material

This is likely to take the form of historical footings or infrastructure and associated historical relics. In the event that such items are identified the following steps must be followed:

- All ground disturbing work within 20m of the remains must cease
- The finds must not be moved
- The find must be appropriately protected from potential damage
- A qualified heritage consultant must be engaged to:
  - Assist in assessment of the find
  - Provide management recommendations, which may include the need for further assessment and archaeological testing.

Artefact Heritage contact

Artefact Heritage, 02 9518 8411, admin@artefact.net.au

Figure 29: Aboriginal stone tools



Figure 30: Historical artefacts



Figure 31: Historical footings



Figure 32: Historical footings



## 12.2 Appendix Two: Consultation log and register

[Placeholder: The consultation log will be updated following RAP review of the draft ACHAR]

CONTACT	ORGANISATION	CONTACTED BY	ORGANISATION	METHOD	DATE	COMMENT/RESPONSE
<b>4.1.2 – AGENCY LETTERS</b>						
<b>City of Sydney</b>	City of Sydney	Michael Lever	Artefact	Email	7/5/2021	
<b>Nathan Moran</b>	Metropolitan LALC	Michael Lever	Artefact	Email	7/5/2021	
<b>Greater Sydney Local Land Services</b>	Greater Sydney Local Land Services	Michael Lever	Artefact	Email	7/5/2021	
<b>Heritage NSW</b>	Heritage NSW	Michael Lever	Artefact	Email	7/5/2021	
<b>National Native Title Tribunal</b>	National Native Title Tribunal	Michael Lever	Artefact	Email	7/5/2021	
<b>NTSCORP</b>	Office of the Registrar-	Michael Lever	Artefact	Email	7/5/2021	
<b>Office of the Registrar-</b>	Office of the Registrar-	Michael Lever	Artefact	Email	7/5/2021	
<b>Michael Lever</b>	Artefact	Barry Gunther	Heritage NSW	Email	7/05/2021	Provided RAP list
<b>Michael Lever</b>	Artefact	Geospatial Services	Geospatial Services	Email	10 May 2021	Search Results - all nil
<b>4.1.3 - ADVERT</b>						
<b>City Hub</b>	City Hub	Advert		Print	13 May 2021	
<b>Koori Mail</b>	Koori Mail	Advert		Print	19 May 2021	
<b>4.1.3 – Invitation to Register Interest as Aboriginal Parties</b>						
Nathan Moran	Metropolitan Local Aboriginal Land Council	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Chris Ingrey	La Perouse Local Aboriginal Land Council	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Gordon Morton	Darug Aboriginal Cultural Heritage Assessments	Michael Lever	Artefact Heritage	Mail	31 May 2021	Invitation to register
Jamie Workman and Anna Workman	Darug Land Observations	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Carolyn Hickey	A1 Indigenous Services	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register



CONTACT	ORGANISATION	CONTACTED BY	ORGANISATION	METHOD	DATE	COMMENT/RESPONSE
Eric Keidge	Eric Keidge	Michael Lever	Artefact Heritage	Mail	31 May 2021	Invitation to register
Phil Khan	Kamilaroi Yankuntjatjara Working Group	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Scott Franks	Tocomwall	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Amanda Hickey	Amanda Hickey Cultural Services	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Kylie Ann Bell	Gunyu	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Hika Te Kowhai	Walbunja	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Karia Lea Bond	Badu	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Basil Smith	Goobah Developments	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Lee-Roy James Boota	Wullung	Michael Lever	Artefact Heritage	Mail	31 May 2021	Invitation to register
Robert Parson	Yerramurra	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Newton Carriage	Nundagurri	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Mark Henry	Murrumbul	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Joanne Anne Stewart	Jerringong	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Pemulwuy Johnson	Pemulwuy CHTS	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Simalene Carriage	Bilinga	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Kaya Dawn Bell	Munyunga	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Hayley Bell	Wingikara	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Aaron Broad	Minnamunning	Michael Lever	Artefact Heritage	Mail	31 May 2021	Invitation to register
Ronald Stewart	Walgau	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Shane Carriage	Thauaira	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Andrew Bond	Dharug	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register

CONTACT	ORGANISATION	CONTACTED BY	ORGANISATION	METHOD	DATE	COMMENT/RESPONSE
Wendy Smith	Gulaga	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Seli Storer	Biamanga	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Corey Smith	Callendulla	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Roxanne Smith	Murramarang	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Darren Duncan	DJMD Consultancy	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Jennifer Beale	Butucarbin Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Lillie Carroll Paul Boyd	Didge Ngunawal Clan	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Steven Johnson and Krystle Carroll	Ginninderra Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Philip Boney	Wailwan Aboriginal Group	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Mrs Jody Kulakowski (Director)	Barking Owl Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
John Carriage	Thoorga Nura	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Nola Hampton	B H Heritage Consultants	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Ralph Hampton	B H Heritage Consultants	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Paul Hand (chairperson)	Darug Boorooberongal Elders Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Caine Carroll	Goodradigbee Cultural & Heritage Aboriginal Corporation,	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Phillip Carroll	Mura Indigenous Corporation,	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Jamie Eastwood	Aragung Aboriginal Cultural Heritage Site Assessments	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Rodney Gunther & Barry Gunther	Waawaar Awaa Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Clive Freeman	Clive Freeman	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register

CONTACT	ORGANISATION	CONTACTED BY	ORGANISATION	METHOD	DATE	COMMENT/RESPONSE
Robert Slater	Galamaay Cultural Consultants (GCC)	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Kerrie Slater and Vicky Slater	Wurrumay Pty Ltd	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Kaarina Slater	Ngambaa Cultural Connections	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Daniel Chalker	Wori Woilywa	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
Justine Coplin	Darug Custodian Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	31 May 2021	Invitation to register
<b>Registration of Interest as Aboriginal Parties</b>						
<b>Michael Lever</b>	Artefact Heritage	Paul Boyd & Lilly Carroll	Didge Ngunawal Clan	Email	20 May 2021	Registered interest
<b>Michael Lever</b>	Artefact Heritage	Marilyn Carroll-Johnson	Corroboree Aboriginal Corporation	Email	31 May 2021	Registered Interest – DO NOT DISCLOSE
<b>Michael Lever</b>	Artefact Heritage	Daniel Chalker	Wori Woilya	Email	31 May 2021	Registered interest
<b>Michael Lever</b>	Artefact Heritage	Phil Khan	Kamilaroi Yankuntjatjara Working Group	Email	31 May 2021	Registered interest
<b>Michael Lever</b>	Artefact Heritage	Bigpond server	Mura Indigenous	Email	31 May 2021	Multiple email bounce
<b>Michael Lever</b>	Artefact Heritage	Paul Boyd & Lilly Carroll	Didge Ngunawal Clan	Email	31 May 2021	Repeated Registered interest
<b>Michael Lever</b>	Artefact Heritage	Gmail server	<a href="mailto:kinghampton@77gmail.com">kinghampton@77gmail.com</a>	Email	1 June 2021	Undeliverable
<b>Michael Lever</b>	Artefact Heritage	Wendy Smith	Gulaga	Email	1 June 2021	Registered interest
<b>Michael Lever</b>	Artefact Heritage	Justine Coplin	Darug Custodian Aboriginal Corporation	Email	2 June 2021	Registered interest
<b>Michael Lever</b>	Artefact Heritage	Ryan Johnson	Murrabidgee Mullangari	Email	3 June 2021	Registered Interest
<b>Michael Lever</b>	Artefact Heritage	Carolyn Hickey	A1 Indigenous Services	Email	6 June 2021	Registered Interest
<b>Michael Lever</b>	Artefact Heritage	Clive Freeman	Clive Freeman	Email	23 June 2016	Registered Interest

CONTACT	ORGANISATION	CONTACTED BY	ORGANISATION	METHOD	DATE	COMMENT/RESPONSE
<b>Proposed ACHAR methodology</b>						
<b>Nathan Moran</b>	Metropolitan Local Aboriginal Land Council	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Chris Ingrey</b>	La Perouse Local Aboriginal Land Council	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Paul Boyd &amp; Lilly Carroll</b>	Didge Ngunawal Clan	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Marilyn Carroll-Johnson</b>	Corroboree Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Daniel Chalker</b>	Wori Woilywa	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Phil Khan</b>	Kamilaroi Yankuntjatjara Working Group	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Wendy Smith</b>	Gulaga	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Justine Coplin</b>	Darug Custodian Aboriginal Corporation	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Ryan Johnson</b>	Murrabidgee Mullangari	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Carolyn Hickey</b>	A1 Indigenous Services	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Clive Freeman</b>	Clive Freeman	Michael Lever	Artefact Heritage	Email	25/6/2021	Provided Draft ACHAR methodology
<b>Heritage NSW</b>	HERITAGEMailbox@environment.nsw.gov.au	Michael Lever	Artefact Heritage	Email	29/6/2021	Provided Draft ACHAR methodology
<b>4.1.6- RAP list to HNSW &amp; Metro Lalc</b>						
<b>Heritage NSW</b>	HERITAGEMailbox@environment.nsw.gov.au	Michael Lever	Artefact Heritage	Email	28/6/2021	Provided RAP list



CONTACT	ORGANISATION	CONTACTED BY	ORGANISATION	METHOD	DATE	COMMENT/RESPONSE
Nathan Moran	Metropolitan Local Aboriginal Land Council	Michael Lever	Artefact Heritage	Email	28/6/2021	Provided RAP list
Heritage NSW	HERITAGEMailbox@environment.nsw.gov.au	Michael Lever	Artefact Heritage	Email	29/6/2021	Provided RAP list
Nathan Moran	Metropolitan Local Aboriginal Land Council	Michael Lever	Artefact Heritage	Email	29/6/2021	Provided RAP list
<b>Responses to proposed ACHAR methodology</b>						
Michael Lever	Artefact Heritage	Marilyn Carroll-Johnson	Corroboree Aboriginal Corporation	Email	27/6/2021	Agrees with proposed Methodology
Michael Lever	Artefact Heritage	Carolyn Hickey	A1 Indigenous Services	Email	4/7/2021	Agrees with proposed Methodology
Michael Lever	Artefact Heritage	Ryan Johnson	Murrabidgee Mullangari	Email	6/7/2021	Agrees with proposed Methodology
Michael Lever	Artefact Heritage	Phil Khan	Kamilaroi Yankuntjatjara Working Group	Email	2/7/2021	Agrees with proposed Methodology
<b>ACHAR review</b>						
<b>Responses to ACHAR review</b>						

## 12.3 Appendix Three: Consultation documents

### Letters to Agencies



artefact

7 May 2021

council@cityofsydney.nsw.gov.au

To whom it may concern

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality. Please forward any information available by **21 May 2021** to:

Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

Regards,

Michael Lever  
Heritage Consultant  
Artefact Heritage

Figure 1: Map of study area (Ethos Urban 2020)







artefact

7 May 2021

Greater Sydney Local Land Services

[gs.services@lls.nsw.gov.au](mailto:gs.services@lls.nsw.gov.au)

To whom it may concern,

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

Amanda Fisher

Project Manager

TSA Management

[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality. Please forward any information available by **21 May 2021** to:

Michael Lever

Artefact Heritage

Suite 56, Jones Bay Wharf, 26-32 Pirrama Road

Pymont NSW 2009

or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

Regards,

Michael Lever

Heritage Consultant

Artefact Heritage

Figure 1: Map of study area (Ethos Urban 2020)





artefact

7 May 2021

Heritage NSW

[heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

To whom it may concern,

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

Amanda Fisher

Project Manager

TSA Management

[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality. Please forward any information available by **21 May 2021** to:

Michael Lever

Artefact Heritage

Suite 56, Jones Bay Wharf, 26-32 Pirrama Road

Pymont NSW 2009

or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

Regards,

Michael Lever

Heritage Consultant

Artefact Heritage



Figure 1: Map of study area (Ethos Urban 2020)







artefact

7 May 2021

Mr Nathan Moran  
CEO Metropolitan Local Aboriginal Land Council  
[metrolalc@metrolalc.org.au](mailto:metrolalc@metrolalc.org.au)

Dear Mr Moran,

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality. Please forward any information available by **21 May 2021** to:

Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

Regards,

Michael Lever  
Heritage Consultant  
Artefact Heritage

Figure 1: Map of study area (Ethos Urban 2020)





artefact

7 May 2021

National Native Title Tribunal  
[GeoSpatialSearch@NNTT.gov.au](mailto:GeoSpatialSearch@NNTT.gov.au)

To whom it may concern,

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality. Please forward any information available by **21 May 2021** to:

Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

Regards,

Michael Lever  
Heritage Consultant  
Artefact Heritage



Figure 1: Map of study area (Ethos Urban 2020)







## Request for Spatial Search of Tribunal Registers

### 1: Your details

Your name:	<i>Michael Lever</i>		
Your company:	<i>Artefact Heritage Services</i>		
E-mail address:	<i>Michael.Lever@artefact.net.au</i>	Phone:	<i>0413564995</i>
Your reference:	<i>21072 Cockle Bay</i>	Your state:	<i>New South Wales</i>
<input checked="" type="checkbox"/>	<i>I have read and acknowledge the terms and conditions on the next page.</i>		

### 2: Areas to be searched

Jurisdiction to be searched:	<i>New South Wales</i>	Tenure to be searched:	<i>Non freehold parcel</i>
------------------------------	------------------------	------------------------	----------------------------

Parcel or tenement identifiers (add up to 20 separate identifiers). **Please see over for parcel identifiers.**

Parcel 1:	<i>Lot 60 DP 1009964</i>	Parcel 2:	<i>Lot 61 DP1009964</i>
Parcel 3:	<i>Lot 62 DP1009964</i>	Parcel 4:	<i>Lot 63 DP1009964</i>
Parcel 5:	<i>Lot 64 DP1009964</i>	Parcel 6:	<i>Lot 65 DP1009964</i>
Parcel 7:	<i>Lot 42 DP 864696</i>	Parcel 8:	<i>Lot 10 DP 801770</i>
Parcel 9:	<i>Lot 19 DP 801170</i>	Parcel 10:	<i>Lot 32 DP 1007434</i>
Parcel 11:	<i>Lot 32 DP 1007434</i>	Parcel 12:	<i>Lot 33 DP 1007434</i>
Parcel 13:	<i>Lot 2015 DP 1234971</i>	Parcel 14:	<i>Click or tap here to enter text.</i>
Parcel 15:	<i>Click or tap here to enter text.</i>	Parcel 16:	<i>Click or tap here to enter text.</i>
Parcel 17:	<i>Click or tap here to enter text.</i>	Parcel 18:	<i>Click or tap here to enter text.</i>
Parcel 19:	<i>Click or tap here to enter text.</i>	Parcel 20:	<i>Click or tap here to enter text.</i>

If your search area is not a parcel or mining or petroleum tenement, you can enter other tenure or administrative regions here (e.g. local government area, townsite or county). Please provide as much detail as you can.

*City of Sydney, Cockle Bay*

E-mail the completed form to [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

## Parcel Identifiers

In most jurisdictions please identify parcels using lot on plan, or lot/section/plan as appropriate. The NNTT is generally not able to identify parcels using land title information. Where possible, the NNTT uses the terminology and formatting of unique identifiers used in each state to uniquely identify a land parcel. More details are below:

1. **Lot on plan.** Use for Western Australia and Queensland.
2. **Lot/Section/Plan.** Use for New South Wales.
3. **LAISKEY.** Use for the Northern Territory. The laiskey is a unique identifier for each parcel comprised of the location code, LTO code (derived from the survey plan) where applicable and the parcel number.
4. **Parcel ID** – Use for South Australia. Concatenation of Parcel Type, Parcel, Plan Type and Plan.
5. **SPI** (Standard Parcel Identifier) – Use for Victoria.

## Terms and Conditions

1. Specify only one jurisdiction (e.g. Queensland) and one type of tenure (e.g. mining tenement) per form. You can add up to 20 separate tenements or parcels per search request. For more than 20 parcels or tenements please submit additional search requests or contact [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au) to discuss your requirements.

Note: if your area of interest cannot be clearly identified from the search form, or is not held in NNTT datasets, we may instead provide search results for a surrounding local government area, or other suitable regional area.

2. Freehold land.

Under the Native Title Act 1993 (Cth), the valid grant of a freehold estate (other than certain types of Aboriginal and Torres Strait Islander land) on or before 23 December 1996 is known as a 'previous exclusive possession act'. This means that native title has been extinguished over the area. Native title claimants are not allowed to include land and waters covered by previous exclusive possession acts in their applications; therefore they would normally exclude freehold areas. A native title application may, however, be made over freehold land on the basis that freehold was invalidly granted, but the chances of this happening are very low.

3. Cultural Heritage in NSW.

The National Native Title Tribunal has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

4. Spatial searches rely on data obtained from the relevant custodian. Whilst efforts are taken to update such datasets on a regular basis, the collection and interpretation of such datasets may be influenced by a number of factors that can impact of the completeness and accuracy of your search results.

## Disclaimer

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that neither the NNTT, the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise your own judgment and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used.

The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date.

The NNTT and Registrar expressly disclaim any liability arising from the use of this information.

This information should not be relied upon in relation to any matters associated with cultural heritage.



artefact

7 May 2021

NTSCORP

[information@ntscorp.com.au](mailto:information@ntscorp.com.au)

To whom it may concern,

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.2 Identification of potential interested parties**

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Project Manager  
TSA Management  
[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

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Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

Regards,

Michael Lever  
Heritage Consultant  
Artefact Heritage

Figure 1: Map of study area (Ethos Urban 2020)







artefact

7 May 2021

Office of the Registrar

[adminofficer@oralra.nsw.gov.au](mailto:adminofficer@oralra.nsw.gov.au)

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Regards,

Michael Lever  
Heritage Consultant  
Artefact Heritage

Figure 1: Map of study area (Ethos Urban 2020)



## **LIST OF ABORIGINAL STAKEHOLDERS FOR THE DEPARTMENT of PREMIER and CABINET (DPC) SOUTHERN REGION HELD BY DPC FOR THE PURPOSES OF THE OEH ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010**

These lists are provided to proponents in accordance with section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the "Consultation Requirements") which commenced on 12 April 2010.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

A copy of the Consultation Requirements can be found on the OEH website at:

<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>.

Under the Consultation Requirements; a proponent is required to provide Aboriginal people who may hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places as relevant to the proposed project area, with an opportunity to be involved in consultation. Section 3.3.1 of the Consultation Requirements states that Aboriginal people who can provide this information are, based on Aboriginal lore and custom, the traditional owners or custodians of the land that is the subject of the proposed project.

The Consultation Requirements also state that:

*Traditional owners or custodians with appropriate cultural heritage knowledge to inform decision making who seek to register their interest as an Aboriginal party are those people who:*

- *continue to maintain a deep respect for their ancestral belief system, traditional lore and custom*
- *recognise their responsibilities and obligations to protect and conserve their culture and heritage and care for their traditional lands or Country*
- *have the trust of their community, knowledge and understanding of their culture, and permission to speak about it.*

Please note: the placement of an organisation's name on any OEH Aboriginal stakeholder list for the Consultation Requirements does not override a proponent's requirement to also advertise in the local newspaper and to seek from other sources the names of any other Aboriginal people who may hold cultural knowledge as required under clause 60 of the National Parks and Wildlife Regulation 2019.

### **How to use this list**

- 1. Contact the organisations/individuals who have indicated an interest in the relevant LGA/s and invite them to register an interest in your project**

**Do not reproduce the attached list in publicly available reports and other documents. Your report should only contain the names of the organisations and individuals who you have invited to register an interest in your project and those who have registered as stakeholders for your project.**

***Last updated 5 May 2021***

### City of Sydney Local Government Area

Organisation/ Individual	Contact Name	Email Address/ Fax / Phone	Postal Address	Additional information
Metropolitan Local Aboriginal Land Council	Nathan Moran	(02) 83949666 <a href="mailto:officeadmin@metrolalc.org.au">officeadmin@metrolalc.org.au</a>	PO Box 1103 Strawberry Hills NSW 2016	
La Perouse Local Aboriginal Land Council	Chris Ingre	(02) 9311 4282 <a href="mailto:admin@laperouse.org.au">admin@laperouse.org.au</a>	PO Box 365 Matraville NSW 2036	
Darug Aboriginal Cultural Heritage Assessments	Gordon Morton	02 9410 3665 or 0422 865 831	Unit 9, 6 Chapman Avenue, Chatswood, NSW 2067	
Darug Land Observations	Jamie Workman and Anna Workman	<a href="mailto:daruglandobservations@gmail.com">daruglandobservations@gmail.com</a> 0418 494 951      0413 687 279	PO Box 173, Ulladulla, NSW 2539	
A1 Indigenous Services	Carolyn Hickey	<a href="mailto:cazadirect@live.com">cazadirect@live.com</a> 0411 650 057	10 Marie Pitt Place Glenmore Park 2745 NSW.	
Eric Keidge	Eric Keidge	04311 66423	11 Olsson Close Hornsby Heights NSW 2077	
Kamilaroi Yankuntjatjara Working Group	Phil Khan	<a href="mailto:philipkhan.acn@live.com.au">philipkhan.acn@live.com.au</a> 0434 545 982	78 Forbes Street, Emu Plains, NSW 2750	
Tocomwall	Scott Franks	0404 171 544	Po box 145, Miranda NSW 1490	
Amanda Hickey Cultural Services	Amanda Hickey	0434 480 588 <a href="mailto:amandahickey@live.com.au">amandahickey@live.com.au</a>	57 Gough st emu plains 2750	
Gunyu	Kylie Ann Bell	<a href="mailto:gunyuuchts@gmail.com">gunyuuchts@gmail.com</a>		
Walbunja	Hika Te Kowhai	0402 730 612 <a href="mailto:walbunja@gmail.com">walbunja@gmail.com</a>		
Badu	Karia Lea Bond	0476 381 207	11 Jeffery Place, Moruya, NSW 2537	



Goobah Developments	Basil Smith	0405 995 725 <a href="mailto:goobahchts@gmail.com">goobahchts@gmail.com</a>	66 Grantham Road, Batehaven NSW, 2536	
Wullung	Lee-Roy James Boota	0403 703 942	54 Blackwood Street, Gerringong, NSW, 2534	
Yerramurra	Robert Parson	<a href="mailto:yerramurra@gmail.com">yerramurra@gmail.com</a>		
Nundagurri	Newton Carriage	<a href="mailto:nundagurri@gmail.com">nundagurri@gmail.com</a>		
Murrumbul	Mark Henry	<a href="mailto:murrumbul@gmail.com">murrumbul@gmail.com</a>		
Jerringong	Joanne Anne Stewart	0422 800 184 <a href="mailto:jerringong@gmail.com">jerringong@gmail.com</a>		
Pemulwuy CHTS	Pemulwuy Johnson	0425 066 100 <a href="mailto:pemulwuyd@gmail.com">pemulwuyd@gmail.com</a>	14 Top Place, Mt Annan	
Bilinga	Simalene Carriage	<a href="mailto:bilingachts@gmail.com">bilingachts@gmail.com</a>		
Munyunga	Kaya Dawn Bell	<a href="mailto:munyungachts@gmail.com">munyungachts@gmail.com</a>		
Wingikara	Hayley Bell	<a href="mailto:wingikarachts@gmail.com">wingikarachts@gmail.com</a>		
Minnamunning	Aaron Broad	0402 526 888	1 Waratah Avenue, Albion Park Rail NSW 2527	
Walgalu	Ronald Stewart	<a href="mailto:walgaluchts@gmail.com">walgaluchts@gmail.com</a>		
Thauaira	Shane Carriage	<a href="mailto:thauairachts@gmail.com">thauairachts@gmail.com</a>		
Dharug	Andrew Bond	<a href="mailto:dharugchts@gmail.com">dharugchts@gmail.com</a>		
Gulaga	Wendy Smith	<a href="mailto:gulagachts@gmail.com">gulagachts@gmail.com</a>		
Biamanga	Seli Storer	<a href="mailto:biamangachts@gmail.com">biamangachts@gmail.com</a>		
Callendulla	Corey Smith	<a href="mailto:cullendullachts@gmail.com">cullendullachts@gmail.com</a>		
Murramarang	Roxanne Smith	<a href="mailto:murramarangchts@gmail.com">murramarangchts@gmail.com</a>		

DJMD Consultancy	Darren Duncan	0410 510 397 <a href="mailto:darrenjohnduncan@gmail.com">darrenjohnduncan@gmail.com</a>		
Butucarbin Aboriginal Corporation	Jennifer Beale	(02)9832 7167 <a href="mailto:butuheritage@gmail.com">butuheritage@gmail.com</a>	PO Box E18, Emerton, NSW 2770	
Didge Ngunawal Clan	Lillie Carroll Paul Boyd	0426 823 944 <a href="mailto:didgengunawalclan@yahoo.com.au">didgengunawalclan@yahoo.com.au</a>	33 Carlyle Crescent Cambridge Gardens NSW 2747	
Ginninderra Aboriginal Corporation	Steven Johnson and Krystle Carroll	0406991221 <a href="mailto:Ginninderra.corp@gmail.com">Ginninderra.corp@gmail.com</a>	PO BOX 3143 Grose Vale NSW 2754	
Wailwan Aboriginal Group	Philip Boney	0436 483 210 <a href="mailto:waarlan12@outlook.com">waarlan12@outlook.com</a>		
Barking Owl Aboriginal Corporation	Mrs Jody Kulakowski (Director)	<a href="mailto:barkingowlcorp@gmail.com">barkingowlcorp@gmail.com</a> 0426 242 015	2-65/69 Wehlow St. Mt Druitt	
Thoorga Nura	John Carriage (Chief Executive Officer)	0401 641 299 <a href="mailto:thoorganura@gmail.com">thoorganura@gmail.com</a>	50B Hilltop Crescent, Surf Beach, 2536, NSW	
B.H. Heritage Consultants	Ralph Hampton 0435 785 138 Nola Hampton 0401 662 531	<a href="mailto:hamptonralph46@gmail.com">hamptonralph46@gmail.com</a> <a href="mailto:kinghampton@77gmail.com">kinghampton@77gmail.com</a>	184 Captain Cook Drive Willmot 2770 NSW 95 Mount Ettalong Road Umina Beach 2257 NSW	Nola and Ralph would BOTH like to be notified of all projects
Darug Boorooberongal Elders Aboriginal Corporation	Paul Hand (chairperson)	<a href="mailto:paulhand1967@gmail.com">paulhand1967@gmail.com</a> 0456786738	PO.Box 14 Doonside NSW 2767	
Goodradigbee Cultural & Heritage Aboriginal Corporation,	Caine Carroll	0410974236 <a href="mailto:goodradigbee1@outlook.com">goodradigbee1@outlook.com</a>	<a href="#">1 Morilla Road, East Kurrajong NSW 2758</a>	
Mura Indigenous Corporation,	Phillip Carroll	0448824188 <a href="mailto:mura.indigenous@bigpond.com">mura.indigenous@bigpond.com</a>	<a href="#">11 Nargal Street Flinders NSW 2529</a>	
Aragung Aboriginal Cultural Heritage Site Assessments	Jamie Eastwood	0427793334 <a href="#">33 Bulolo Drive Whalan NSW 2770</a>		

		0298323732 <a href="mailto:James.eastwood@y7mail.com">James.eastwood@y7mail.com</a>		
Waawaar Awaa Aboriginal Corporation	Rodney Gunther Barry Gunther	Rodney Gunther – 0410580962 Barry Gunther – 0451 176 473 <a href="mailto:Waawaar.awaa@gmail.com">Waawaar.awaa@gmail.com</a>	15 Bungonia Street Prestons NSW 2170	
Clive Freeman	Clive Freeman	Mob:0437721481 Home: 02-44421117 <a href="mailto:clive.freeman@y7mail.com">clive.freeman@y7mail.com</a>	6 Dhugan Close Wreck Bay Aboriginal Community JBT 2540	
Galamaay Cultural Consultants (GCC)	Robert Slater	Mob:0401 871 526 <a href="mailto:galamaay@hotmail.com">galamaay@hotmail.com</a>	121 Robert Street, Tamworth NSW 2340	Auburn LGA only
Wurrumay Pty Ltd	Kerrie Slater and Vicky Slater	<a href="mailto:wurrumay@hotmail.com">wurrumay@hotmail.com</a> 0421077521	89 Pyramid street, Emu Plains NSW 2750	Auburn LGA only
Ngambaa Cultural Connections	Kaarina Slater	0422 729 117 <a href="mailto:ngambaaculturalconnections@hotmail.com">ngambaaculturalconnections@hotmail.com</a>	6 Natchez Crescent, Greenfield Park NSW 2176	
Wori Woilywa	Daniel Chalker	<a href="mailto:worivoilywa@gmail.com">worivoilywa@gmail.com</a> 0409006216	261 Mockingbird Rd Pheasants Nest NSW 2574	
Darug Custodian Aboriginal Corporation	Justine Coplin	0414 962 766 <a href="mailto:justinecoplin@optusnet.com.au">justinecoplin@optusnet.com.au</a>	PO Box 81, Windsor NSW 2756	

Advertisement



## ABORIGINAL CULTURAL HERITAGE ASSESSMENT

### INVITATION TO REGISTER AN INTEREST

#### **Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (**Error! Reference source not found.**). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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Pyrmont NSW 2009  
or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)

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Project Manager  
TSA Management  
**amanda.fisher@tsamgt.com**

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or **email michael.lever@artefact.net.au**

# From fashion to innovation

BY ALLISON HORE

Restoration works to transform the historic Boot Factory in Bondi Junction into a new civic innovation hub have begun.

The former shoemaking factory behind Norman Lee Place on 27-33 Spring Street in Bondi Junction, once left to fall into disrepair, is set to be transformed into a new civic innovation hub.

The three-storey factory was built in 1892 by William Sidaway and Son. It was eventually acquired by the Bardon family, and, after World War II, it primarily produced high end ladies' shoes for David Jones. The factory ended production in 1969 and in 1984 the Waverley Council acquired the building.

The Boot Factory is the last 19th century building in Bondi Junction, according to Graham Quint from the National Trust. But it has stood empty since 2007, and, despite heritage experts suggesting it held architectural, aesthetic and streetscape significance, it was allowed to fall into a state of disrepair.

From the years of neglect, the building was deemed "structurally unsound" and was set to be demolished in 2014. But the local community rallied to save

it and to ensure the structure of the building was stable until a new use for the building could be found, the council undertook urgent remedial works.

### FROM FACTORY TO FUTURE

Under the plan by Waverley Council, the building will find a new life as an "innovative space for business incubation and knowledge transfer."

**"For it to be transformed into a hub for innovation once more is exciting"**

The development application for the project was approved in May last year. Waverley Mayor, Paula Masselos, said the project was one of the council's key projects and part of her commitment to ensuring the area's heritage buildings are restored and retained "for innovative future uses for the community."

"Our intention is to return the Boot Factory to a community and Council building that will include a knowledge and innovation hub where we can nurture ideas to further transform Waverley into a 'smart city' of the future," she said.



Concept art for the restored Bondi Junction Boot Factory (insert: historic photo of the Boot Factory in operation). Photo: Waverley Council

"We are now one step closer to fulfilling this vision for the Boot Factory, which over the years, has served as a base for community services and organisations including the Inventors Association of Australia. For it to be transformed into a hub for innovation once more is exciting."

The first stage of the transformation will include restoration works to the building's roof and masonry perimeter

walls as well as new floors and a new interior fit-out. The building will also be connected to the neighbouring Mill Hill Community Centre to allow facilities to be shared. To make the most of the space, Waverley Council will also build a cafe and courtyard on the Spring Street entry to the precinct. Weather permitting, work on the project is expected to be completed in the summer of 2020 to 2021.

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT INVITATION TO REGISTER AN INTEREST

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or **email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)**

## FLU VACCINATIONS PROTECT OUR LOCAL COMMUNITY

Tanya Plibersek MP, Member for Sydney, stated on her visit to Chemistworks to receive her flu shot that "...a vaccination is one of the simplest ways of protecting our own health and the health of the people that we love."

One of the owners of Chemistworks Broadway, Catherine Bronger, also agrees that "...the flu vaccine is not just about protecting yourself, but the whole community."

Plibersek spoke about the ease of getting vaccinated against influenza, stating that "...it's most convenient." With the option to book ahead and walk-ins accepted at many local pharmacies, Plibersek mentioned that getting your flu shot at a pharmacy "...reduces stress on GPs."

With COVID-19 restrictions starting to relax and venues opening

again, Plibersek touched on how the flu shot will "...help things get back to normal much more quickly; we can go out and enjoy each other's company more."

Chemistworks Broadway operates 7 days a week. They offer a walk-in service for the flu shot (quadrivalent strain) for \$29.99. Alternatively, book ahead at [chemistworks.com.au](http://chemistworks.com.au). No prescription is required. Vaccinations

are subject to pharmacist and vaccine availability. Influenza vaccines are free to people from high risk groups identified in the National Immunisation Program. People from high risk groups should seek advice from their doctor and some patients may be advised not to have a flu vaccination. For more information, speak to your local pharmacist or visit [www.health.gov.au](http://www.health.gov.au).



Tanya Plibersek MP (Member for Sydney) to receive flu shot by a pharmacist in Chemistworks Broadway



# Orchestra is for everyone

By NICK PATON



KOMBUMERRI  
Ngugi (south-east  
Queensland)  
Yarrabilgingun  
(Songwoman)  
Candace Kruger (nee

Levinge) is inviting people to take part in the biggest virtual orchestra ever conducted in Australia.

This will be the third Australian Music Examinations Board (AMEB) Online Orchestra national music project.

And what makes this project special, is that the song chosen for the online performance, *Morning Star and Evening Star*, is based on a lullaby sung to Ms Kruger's Auntie Lottie Levinge, using words that have been passed down through more than seven generations of her family.

"Auntie Lottie's wish was to have *Morning Star and Evening Star* passed on and shared, so I am delighted that through the Yugambeh Youth Aboriginal Corporation's partnership with the Australian Music Examinations Board, we can fulfil this request," Ms Kruger told the *Koori Mail*.

"Alongside my cousin Lann Levinge, my daughter Isobella Kruger, and blessed by our Elders, we hope that through the *Morning Star and Evening Star* songline, people will enjoy learning the narrative of our people."



Candace Kruger is the director of the Yugambeh Youth Choir.

As the director of the Yugambeh Youth Choir, Candace is also an Indigenous ethnomusicologist – an expert in the research field of Yugambeh song and narrative.

A highly sought-after educator, Ms Kruger is currently head of department, Aboriginal and Torres Strait Islander Perspectives, at Beenleigh High School in Queensland.

She holds a Bachelor of Arts Music, Graduate Diploma of

Education and Master of Arts Research qualification, and is currently in the final stages of completing her PhD at Griffith University.

Ms Kruger has worked with Education Queensland teachers for their professional development, the Australian Society for Music Education, Musica Viva, and is currently working alongside AMEB to develop Aboriginal songlines to share with the nation.

"My research thesis looks at community protocols and permissions, and how information can be passed on from Elders and community members to educators, or anyone else who wants to sing Aboriginal songs," Ms Kruger said.

"On the AMEB online orchestra website, there is a whole Indigenous education resource section accompanying the song which outlines important cultural protocols, permissions and dreamtime stories, everything you need to understand what this song is actually about."

For more than 100 years AMEB has been the leading provider of examination services for music, speech and drama, and more recently dance and performance.

The first Online Orchestra in 2018 celebrated AMEB's centenary. *Waltzing Matilda* was performed with over 2000 participants, followed by the 2019 *I am Australian*, both featuring Ms Kruger and the Yugambeh Youth Choir.

During the COVID pandemic, AMEB used 2020 to prepare for a special online orchestra for 2021.

"AMEB said to me that for the 2021 online orchestra, they'd like to see an Indigenous piece of music," Ms Kruger said.

"And so I told AMEB to come up to Yugambeh country, and meet some of the Elders, and

that's what they did.

"The Elders turned around after the visit and said, 'Wow, this is an amazing opportunity for our community,' and so I set about obtaining all the right cultural permissions I needed from community to make this happen."

Ms Kruger said entries for the 2021 Online Orchestra are open until July 30, with the online performance to be revealed in October.

"Anyone can have a go and take part in the online orchestra," she said.

"Individuals, schools, choirs and community groups are encouraged to download the music arrangement, including parts for a wide range of instruments and various skill levels."

Once participants have rehearsed they are invited to record their performance, and finally upload it to the website. AMEB will then combine all the clips to create a massive virtual performance.

The AMEB website also contains teaching resources and learning plans that align with the national arts and language curriculum, giving teachers the opportunity to integrate the song and the project into their classrooms.

For more information on how to apply visit [onlineorchestra.ameb.edu.au/](https://onlineorchestra.ameb.edu.au/)

## SOUTH WEST NATIVE TITLE SETTLEMENT

# REGIONAL CORPORATIONS CALL FOR NOMINATIONS

## CALL FOR NOMINATIONS FOR INITIAL DIRECTORS

Nominations are open for initial directors for the six Noongar Regional Corporations as part of the South West Native Title Agreement:

BALLARDONG

GNAALA KARLA BOOJA

SOUTH WEST BOOJARAH

WAGYL KAIP AND SOUTHERN NOONGAR

WHADJUK

YUED

Nominations close: 4 June 2021

Go to [www.noongar.org.au/initial-directors](https://www.noongar.org.au/initial-directors) for a nomination form or call SWALSC on 9358 7400 for more information.

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT INVITATION TO REGISTER AN INTEREST

Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.2 Identification of potential interested parties

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1).

The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

AMANDA FISHER

Project Manager

TSA Management

[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

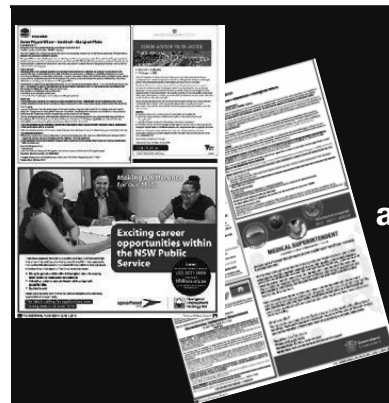
In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality.

Please forward any information available by 21 May 2021 to:

MICHAEL LEVER

Artefact Heritage

Suite 56, Jones Bay Wharf, 26-32 Pirrama Road Pyrmont NSW 2009 or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)



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Tel 08 9358 7400 Fax 08 9358 7499 Email [reception@noongar.org.au](mailto:reception@noongar.org.au)



## Registrations of interest



artefact

29/06/2021

**CORRECTION:**

*Yesterday I provided your organisation with a listing of Registered Aboriginal Parties (RAP) for this project. Please note that due to a clerical error this list included the La Perouse Local Aboriginal Land Council (LALC). La Perouse LALC have not registered for this project and the project is not within the La Perouse LALC boundaries. Please see a corrected RAP listing below:*

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.6 Notification of Registered Aboriginal Parties**

Dear Sir / Madam

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

In accordance with step 4.1.6 of the Consultation Guidelines I am providing you here with a list of the Registered Aboriginal Parties (RAPs) for this project. Please note that one party has requested their details not be disclosed. The list of RAPs for this project is in the table below. I have also attached to this document an example of the letters sent to potential RAPs and the advertisements placed in the *Sydney Hub* local newspaper and in the *Koori Mail*. Please note that due to a print error in both advertisements the response time was wrongly provided. This did not affect the time allocated for acceptance of registrations of interest.

If you have any queries regarding this, please contact me at the details below.

Regards,

Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411

Organisation

Contact name

Metropolitan Local Aboriginal Land Council Nathan Moran

Organisation	Contact name
Didge Ngunawal Clan	Paul Boyd & Lilly Carroll
Wori Woilywa	Daniel Chalker
Kamilaroi Yankuntjatjara Working Group	Phil Khan
Gulaga	Wendy Smith
Darug Custodian Aboriginal Corporation	Justine Coplin
Murrabidgee Mullangari	Ryan Johnson
A1 Indigenous Services	Carolyn Hickey
Clive Freeman	Clive Freeman



artefact

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
amanda.fisher@tsamgt.com

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, we are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality of the project. Please forward any information available by **end of day 14 June 2021 (14 days)** to:

Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
or email michael.lever@artefact.net.au

Please be advised that, in accordance with the consultation requirements, if you are registering an interest in the project your contact details will be forwarded to Heritage NSW, Department of Premier and Cabinet and Metropolitan Local Aboriginal Land Council, unless you specify that you do not wish your contact details to be released.

As part of your registration of interest, I would appreciate if you could address the following points:

- Name and contact details of the organisation registering
- An outline of the connection of the organisation to the area
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).



If you require any additional information, please do not hesitate to contact me.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Lever', is shown within a light blue rectangular border.

Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411



Document Path: D:\GIS\GIS\_Mapping\21072\_CockleBay\_MixedUseRedevelopment\MXD\StudyArea\_20210512.mxd

Figure 1: The study area



# From fashion to innovation

BY ALLISON HORE

Restoration works to transform the historic Boot Factory in Bondi Junction into a new civic innovation hub have begun.

The former shoemaking factory behind Norman Lee Place on 27-33 Spring Street in Bondi Junction, once left to fall into disrepair, is set to be transformed into a new civic innovation hub.

The three-storey factory was built in 1892 by William Sidaway and Son. It was eventually acquired by the Bardon family, and, after World War II, it primarily produced high end ladies' shoes for David Jones. The factory ended production in 1969 and in 1984 the Waverley Council acquired the building.

The Boot Factory is the last 19th century building in Bondi Junction, according to Graham Quint from the National Trust. But it has stood empty since 2007, and, despite heritage experts suggesting it held architectural, aesthetic and streetscape significance, it was allowed to fall into a state of disrepair.

From the years of neglect, the building was deemed "structurally unsound" and was set to be demolished in 2014. But the local community rallied to save

it and to ensure the structure of the building was stable until a new use for the building could be found, the council undertook urgent remedial works.

## FROM FACTORY TO FUTURE

Under the plan by Waverley Council, the building will find a new life as an "innovative space for business incubation and knowledge transfer."

**"For it to be transformed into a hub for innovation once more is exciting"**

The development application for the project was approved in May last year. Waverley Mayor, Paula Masselos, said the project was one of the council's key projects and part of her commitment to ensuring the area's heritage buildings are restored and retained "for innovative future uses for the community."

"Our intention is to return the Boot Factory to a community and Council building that will include a knowledge and innovation hub where we can nurture ideas to further transform Waverley into a 'smart city' of the future," she said.



Concept art for the restored Bondi Junction Boot Factory (insert: historic photo of the Boot Factory in operation). Photo: Waverley Council

"We are now one step closer to fulfilling this vision for the Boot Factory, which over the years, has served as a base for community services and organisations including the Inventors Association of Australia. For it to be transformed into a hub for innovation once more is exciting."

The first stage of the transformation will include restoration works to the building's roof and masonry perimeter

walls as well as new floors and a new interior fit-out. The building will also be connected to the neighbouring Mill Hill Community Centre to allow facilities to be shared. To make the most of the space, Waverley Council will also build a cafe and courtyard on the Spring Street entry to the precinct.

Weather permitting, work on the project is expected to be completed in the summer of 2020 to 2021.

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT INVITATION TO REGISTER AN INTEREST

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.2 Identification of potential interested parties**

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARS) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARS requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

**The contact details for the project on behalf of the proponent are:**

AMANDA FISHER  
Project Manager  
TSA Management  
[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, I am writing to you to request names and contact details that your organisation has for Aboriginal people or groups that hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the locality.

Please forward any information available **by 21 May 2021** to:

MICHAEL LEVER  
Artefact Heritage

**Suite 56, Jones Bay Wharf, 26-32 Pirrama Road Pyrmont NSW 2009**  
or **email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)**

## FLU VACCINATIONS PROTECT OUR LOCAL COMMUNITY

Tanya Plibersek MP, Member for Sydney, stated on her visit to Chemistworks to receive her flu shot that "...a vaccination is one of the simplest ways of protecting our own health and the health of the people that we love."

One of the owners of Chemistworks Broadway, Catherine Bronger, also agrees that "...the flu vaccine is not just about protecting yourself, but the whole community."

Plibersek spoke about the ease of getting vaccinated against influenza, stating that "...it's most convenient." With the option to book ahead and walk-ins accepted at many local pharmacies, Plibersek mentioned that getting your flu shot at a pharmacy "...reduces stress on GPs."

With COVID-19 restrictions starting to relax and venues opening

again, Plibersek touched on how the flu shot will "...help things get back to normal much more quickly; we can go out and enjoy each other's company more."

Chemistworks Broadway operates 7 days a week. They offer a walk-in service for the flu shot (quadrivalent strain) for \$29.99. Alternatively, book ahead at [chemistworks.com.au](http://chemistworks.com.au). No prescription is required. Vaccinations

are subject to pharmacist and vaccine availability.

Influenza vaccines are free to people from high risk groups identified in the National Immunisation Program. People from high risk groups should seek advice from their doctor and some patients may be advised not to have a flu vaccination.

For more information, speak to your local pharmacist or visit [www.health.gov.au](http://www.health.gov.au).



Tanya Plibersek MP (Member for Sydney) to receive flu shot by a pharmacist in Chemistworks Broadway



# Orchestra is for everyone

By NICK PATON



KOMBUMERRI  
Ngugi (south-east  
Queensland)  
Yarrabilgingun  
(Songwoman)  
Candace Kruger (nee

Levinge) is inviting people  
to take part in the biggest virtual  
orchestra ever conducted in  
Australia.

This will be the third Australian  
Music Examinations Board  
(AMEB) Online Orchestra national  
music project.

And what makes this project  
special, is that the song chosen  
for the online performance,  
*Morning Star and Evening Star*, is  
based on a lullaby sung to Ms  
Kruger's Auntie Lottie Levinge,  
using words that have been  
passed down through more than  
seven generations of her family.

"Auntie Lottie's wish was to  
have *Morning Star and Evening  
Star* passed on and shared, so I  
am delighted that through the  
Yugambeh Youth Aboriginal  
Corporation's partnership with the  
Australian Music Examinations  
Board, we can fulfil this request,"  
Ms Kruger told the *Koori Mail*.

"Alongside my cousin Lann  
Levinge, my daughter Isobella  
Kruger, and blessed by our Elders,  
we hope that through the *Morning  
Star and Evening Star* songline,  
people will enjoy learning the  
narrative of our people."



Candace Kruger is the director of the Yugambeh Youth Choir.

As the director of the  
Yugambeh Youth Choir, Candace  
is also an Indigenous  
ethnomusicologist – an expert in  
the research field of Yugambeh  
song and narrative.

A highly sought-after educator,  
Ms Kruger is currently head of  
department, Aboriginal and Torres  
Strait Islander Perspectives, at  
Beenleigh High School in  
Queensland.

She holds a Bachelor of Arts  
Music, Graduate Diploma of

Education and Master of Arts  
Research qualification, and is  
currently in the final stages of  
completing her PhD at Griffith  
University.

Ms Kruger has worked with  
Education Queensland teachers  
for their professional  
development, the Australian  
Society for Music Education,  
Musica Viva, and is currently  
working alongside AMEB to  
develop Aboriginal songlines to  
share with the nation.

"My research thesis looks at  
community protocols and  
permissions, and how information  
can be passed on from Elders and  
community members to  
educators, or anyone else who  
wants to sing Aboriginal songs,"  
Ms Kruger said.

"On the AMEB online orchestra  
website, there is a whole  
Indigenous education resource  
section accompanying the song  
which outlines important cultural  
protocols, permissions and  
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"And so I told AMEB to come  
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that's what they did.

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## SOUTH WEST NATIVE TITLE SETTLEMENT

# REGIONAL CORPORATIONS CALL FOR NOMINATIONS

## CALL FOR NOMINATIONS FOR INITIAL DIRECTORS

Nominations are open for initial directors for the six Noongar  
Regional Corporations as part of the South West Native Title  
Agreement:

BALLARDONG

GNAALA KARLA BOOJA

SOUTH WEST BOOJARAH

WAGYL KAIP AND SOUTHERN NOONGAR

WHADJUK

YUED

Nominations close: 4 June 2021

Go to [www.noongar.org.au/initial-directors](https://www.noongar.org.au/initial-directors) for a nomination  
form or call SWALSC on 9358 7400 for more information.

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT INVITATION TO REGISTER AN INTEREST

Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage  
Assessment – Section 4.1.2 Identification of potential interested parties

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent),  
TSA management has engaged Artefact Heritage Services to prepare an Aboriginal  
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The proposal consists of the multistorey redevelopment of the site as a mixed-use  
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address the SEARS requirements for Aboriginal heritage assessments that  
are to be included in the Environmental Impact Statement.

The contact details for the project on behalf of the proponent are:

AMANDA FISHER

Project Manager

TSA Management

[amanda.fisher@tsamgt.com](mailto:amanda.fisher@tsamgt.com)

The proponent wishes to consult with any Aboriginal persons or organisations  
that hold cultural knowledge relevant to determining the significance  
of Aboriginal objects and places in the locality.

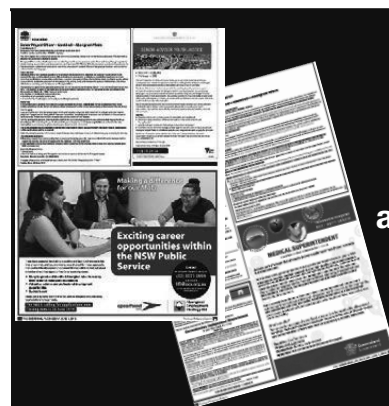
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groups that hold cultural knowledge relevant to determining the significance of  
Aboriginal objects or places within the locality.

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MICHAEL LEVER

Artefact Heritage

Suite 56, Jones Bay Wharf, 26-32 Pirrama Road Pyrmont NSW 2009  
or email [michael.lever@artefact.net.au](mailto:michael.lever@artefact.net.au)



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or call

02 6622 2666



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Tel 08 9358 7400 Fax 08 9358 7499 Email [reception@noongar.org.au](mailto:reception@noongar.org.au)




**From:** Michael Lever  
**Sent:** Monday, 28 June 2021 3:35 PM  
**To:** heritagemailbox@environment.nsw.gov.au  
**Cc:** Jayden van Beek  
**Subject:** Cockle Bay redevelopment - Notification of registered RAPs  
**Attachments:** Cockle Bay 4.1.6 Notification of RAPs.pdf

**Michael Lever MPHA MAACA**  
**Heritage Consultant**

**ARTEFACT**

**Telephone:** 61 2 9518 8411 **Mobile:** 0414 736 361  
**Address:** Suite 56, 26-32 Pirrama Road, Pyrmont NSW 2009  
**Web:** [www.artefact.net.au](http://www.artefact.net.au)

Cultural Heritage Management | Archaeology | Heritage Interpretation

 *We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and future*

**Notice:** This message contains privileged and confidential information intended only for the use of the addressee.  
If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it.  
If you received this in error, please notify us immediately.


**From:** Michael Lever  
**Sent:** Monday, 28 June 2021 3:37 PM  
**To:** admin@laperouse.org.au  
**Cc:** Jayden van Beek  
**Subject:** Cockle Bay Redevelopment. Notification of registered RAPs  
**Attachments:** Cockle Bay 4.1.6 Notification of RAPs.pdf

**Michael Lever MPHA MAACA**  
**Heritage Consultant**

**ARTEFACT**

**Telephone:** 61 2 9518 8411 **Mobile:** 0414 736 361  
**Address:** Suite 56, 26-32 Pirrama Road, Pyrmont NSW 2009  
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**From:** Michael Lever  
**Sent:** Monday, 28 June 2021 3:36 PM  
**To:** metrolalc@metrolalc.org.au  
**Cc:** Jayden van Beek  
**Subject:** Cockle Bay redevelopment. Notification of Registered RAPs  
**Attachments:** Cockle Bay 4.1.6 Notification of RAPs.pdf

**Michael Lever MPHA MAACA**  
**Heritage Consultant**

**ARTEFACT**

**Telephone:** 61 2 9518 8411 **Mobile:** 0414 736 361  
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artefact

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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Amanda Fisher  
Project Manager  
TSA Management  
amanda.fisher@tsamgt.com

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Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
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- Name and contact details of the organisation registering
- An outline of the connection of the organisation to the area
- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).



If you require any additional information, please do not hesitate to contact me.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Lever', enclosed within a faint rectangular border.

Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411



Document Path: D:\GIS\GIS\_Mapping\21072\_CockleBay\_MixedUseRedevelopment\MXD\StudyArea\_20210512.mxd

Figure 1: The study area



artefact

Nathan Moran Metropolitan Local Aboriginal Land Council

officeadmin@metrolalc.org.au

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Nathan Moran

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
amanda.fisher@tsamgt.com

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Michael Lever  
Artefact Heritage  
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Kind regards,

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Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411



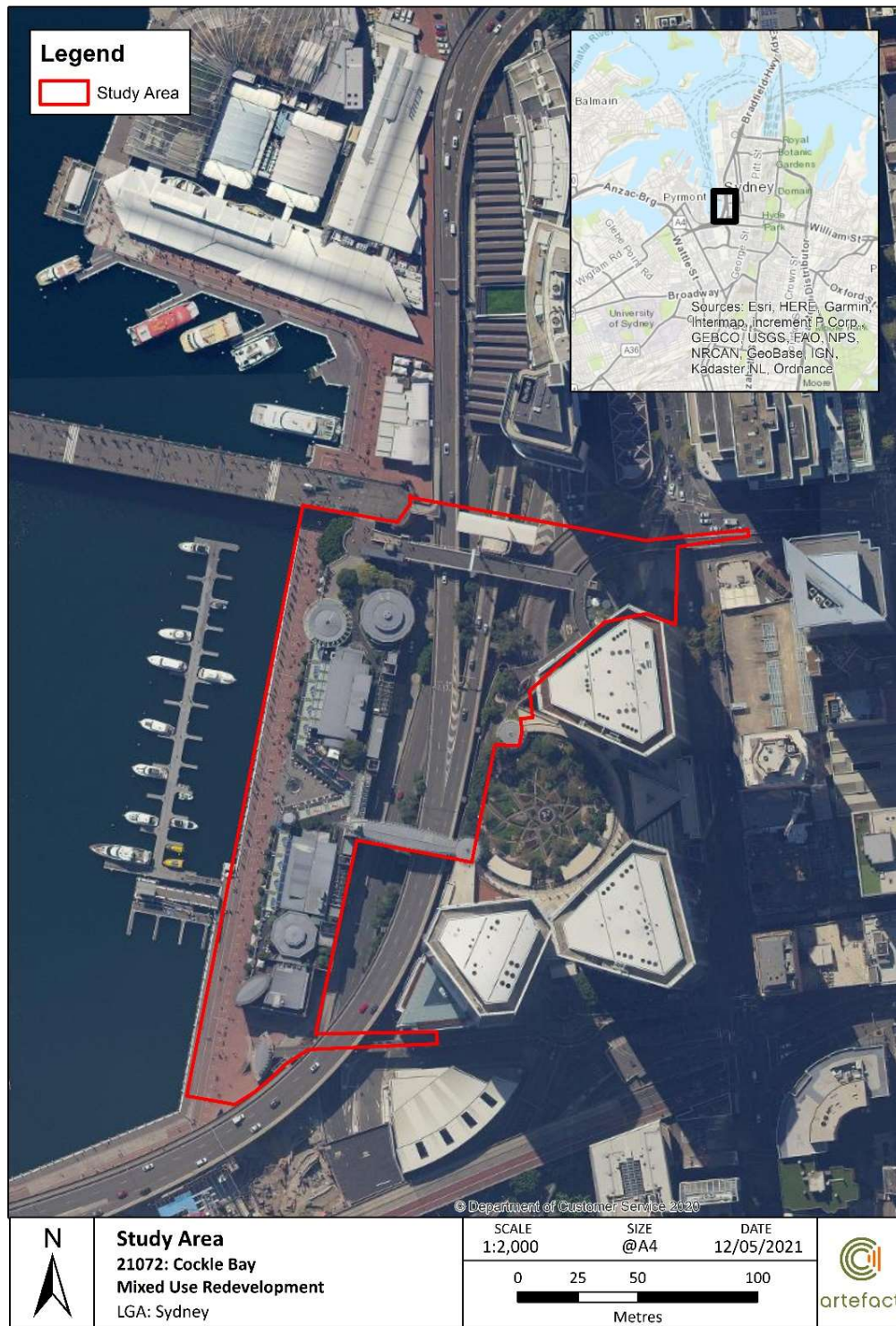


Figure 1: The study area



artefact

Chris Ingrey La Perouse Local Aboriginal Land Council

admin@laperouse.org.au

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Chris Ingrey

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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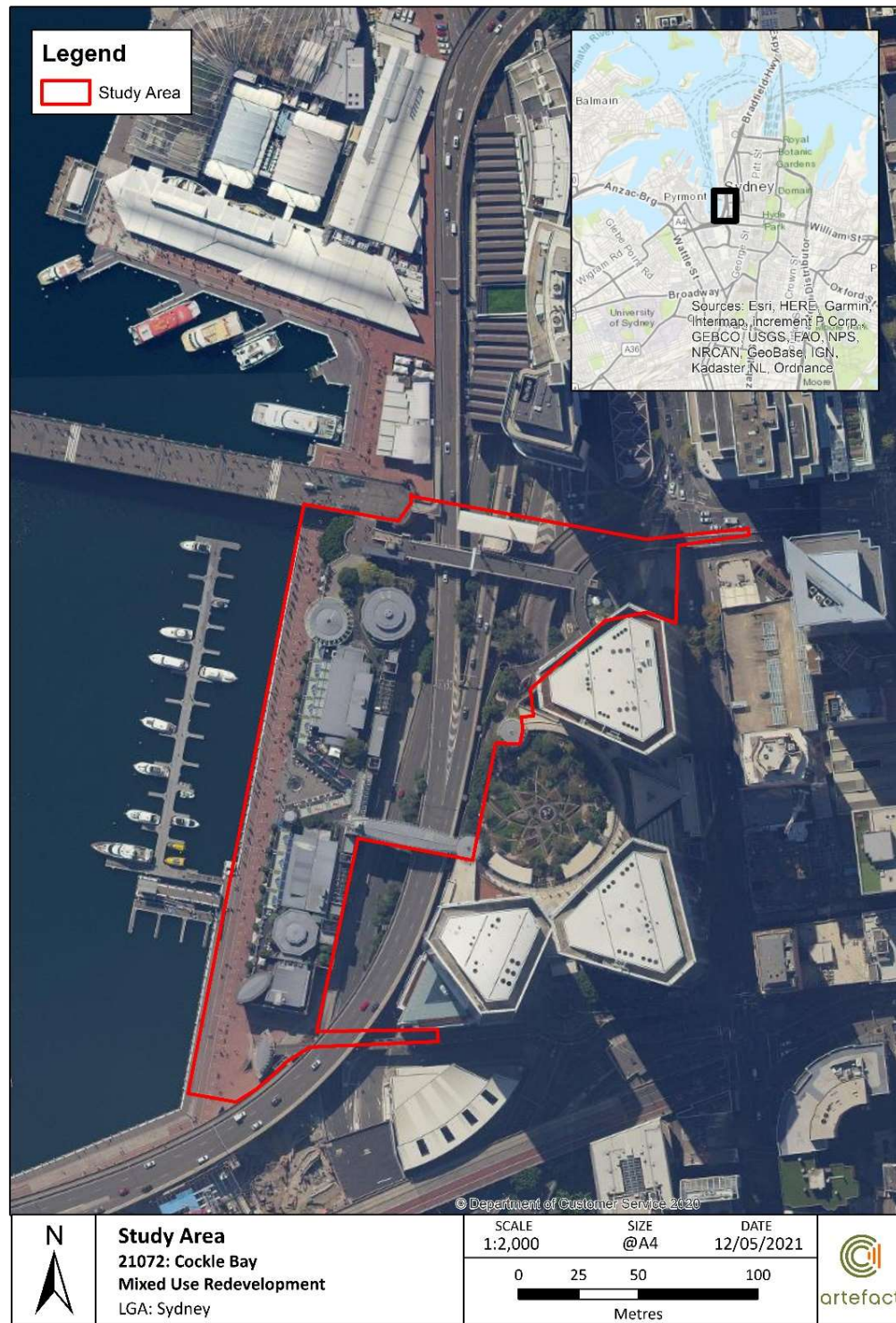


Figure 1: The study area





artefact

Gordon Morton Darug Aboriginal Cultural Heritage Assessments

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Gordon Morton

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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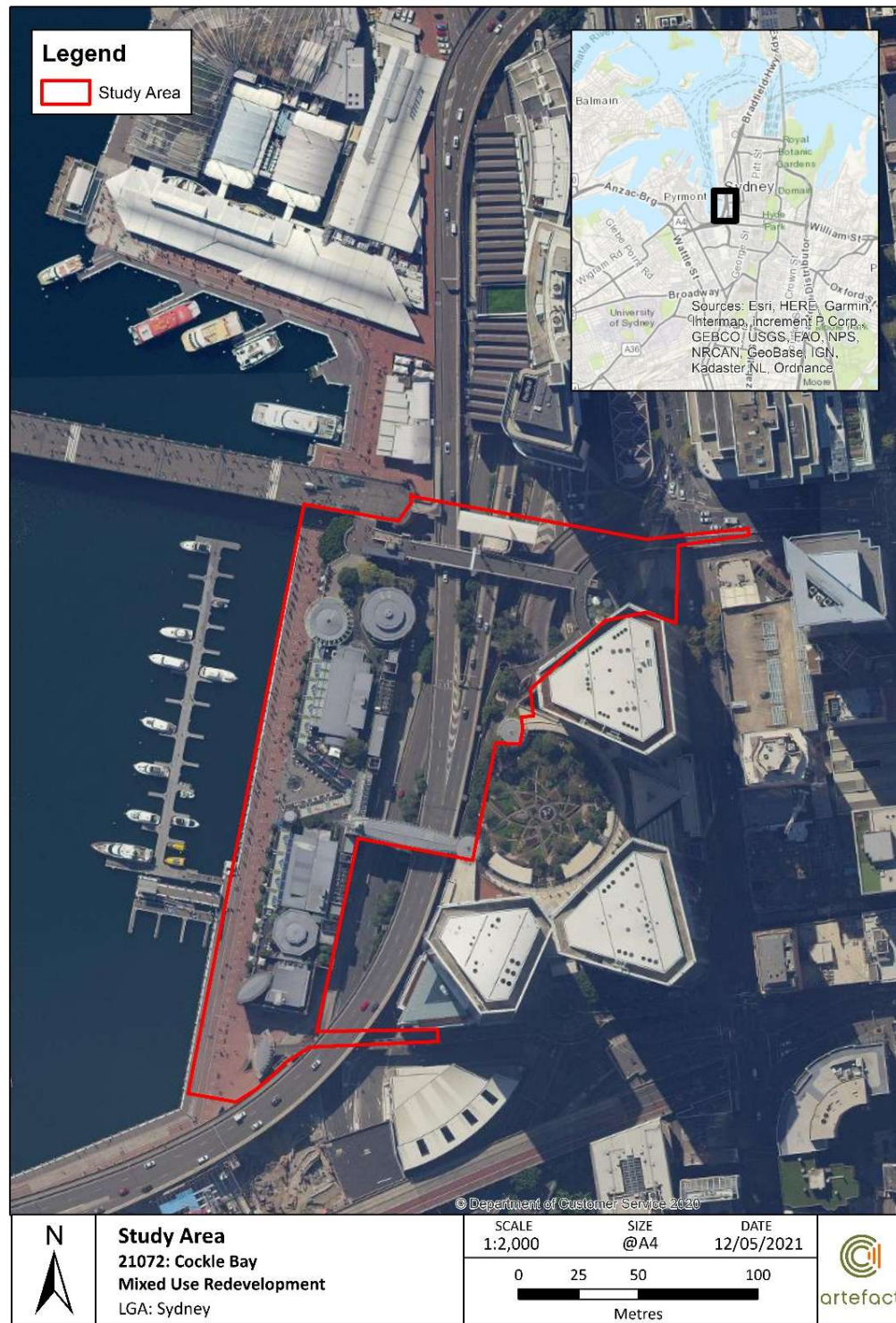


Figure 1: The study area



artefact

Jamie Workman and Anna Workman Darug Land Observations

daruglandobservations@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Jamie Workman and Anna Workman

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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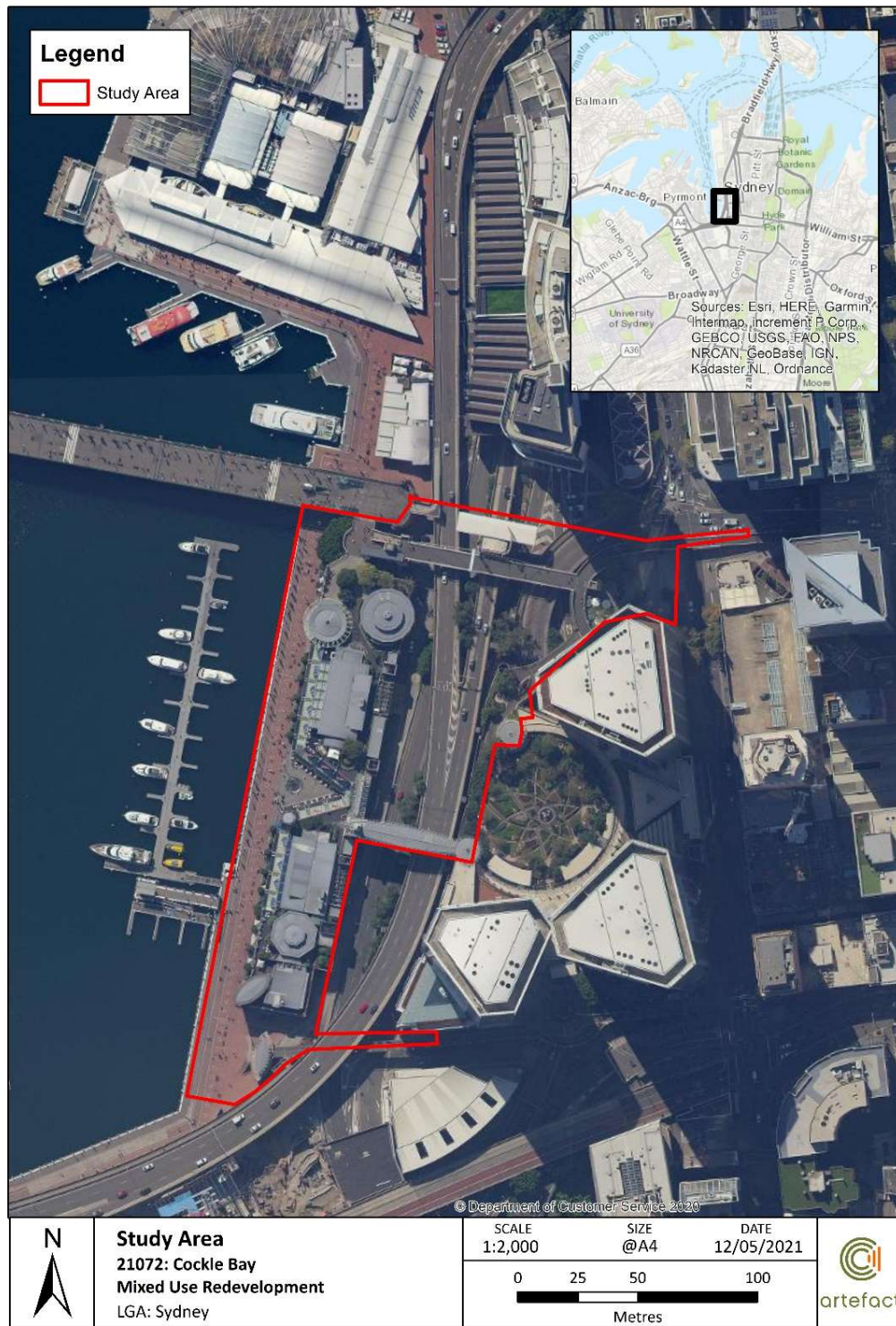


Figure 1: The study area



artefact

Carolyn Hickey A1 Indigenous Services

cazadirect@live.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Carolyn Hickey

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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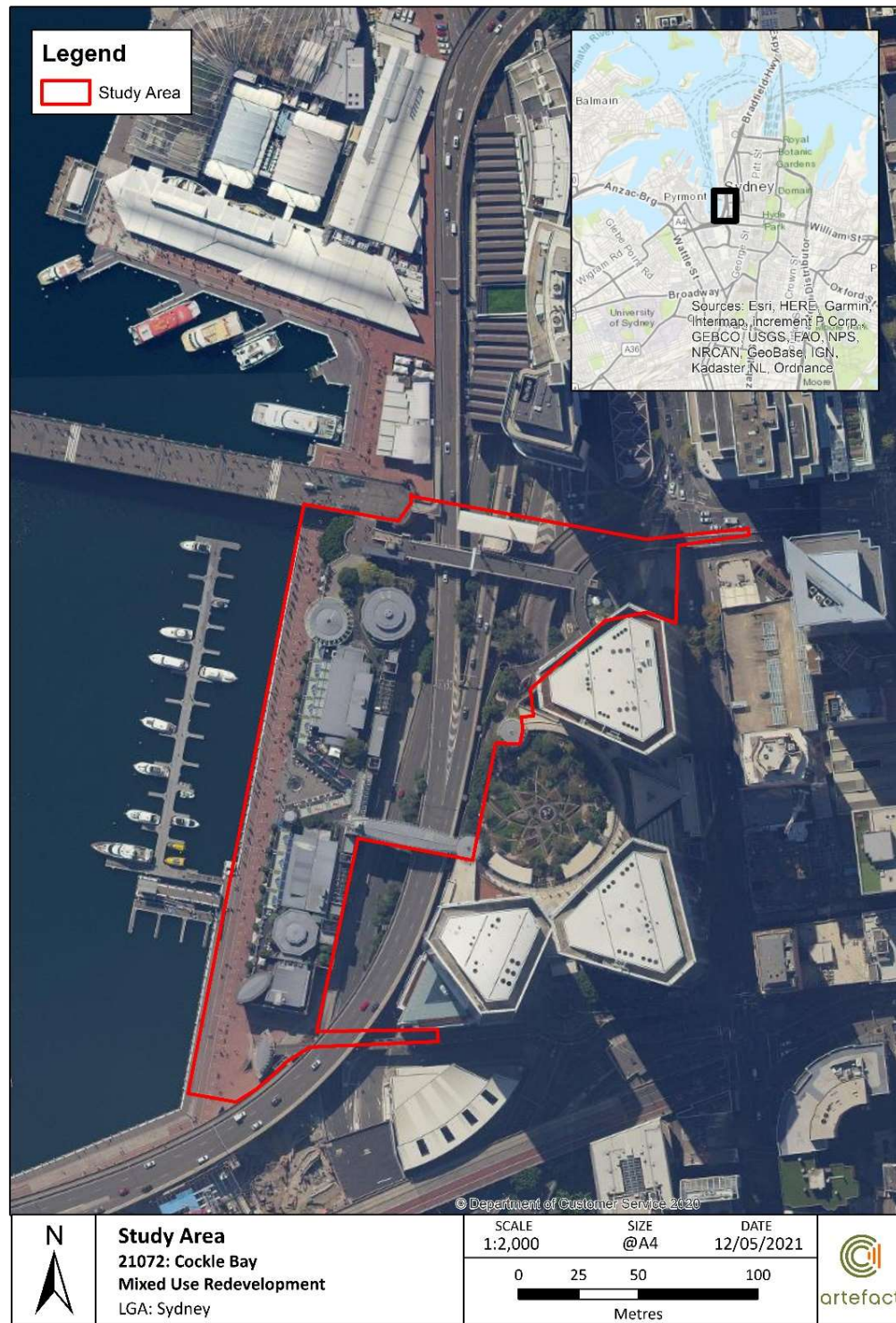


Figure 1: The study area



artefact

Eric Keidge Eric Keidge

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Eric Keidge

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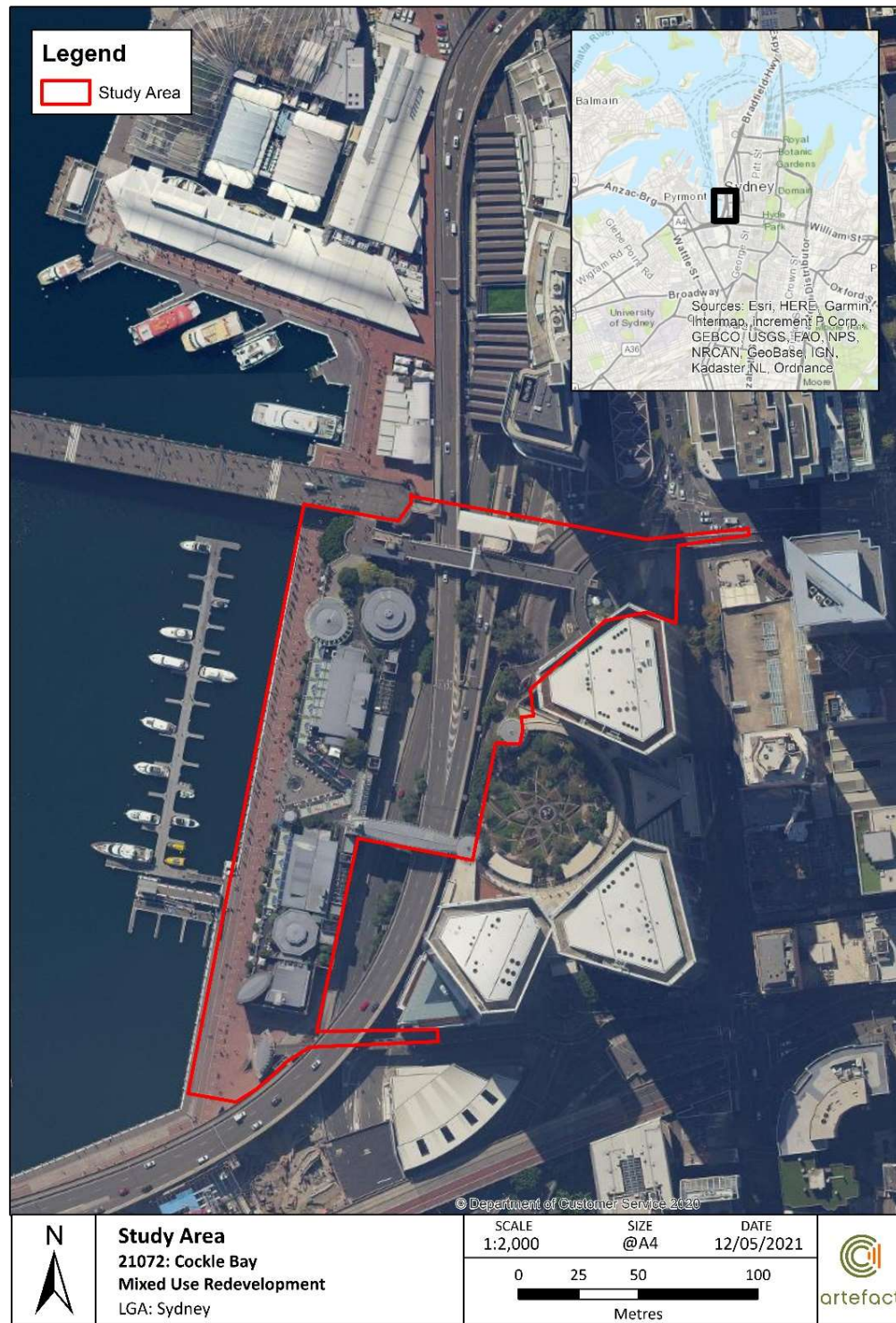


Figure 1: The study area





artefact

Phil Khan Kamilaroi Yankuntjatjara Working Group

philipkhan.acn@live.com.au

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Phil Khan

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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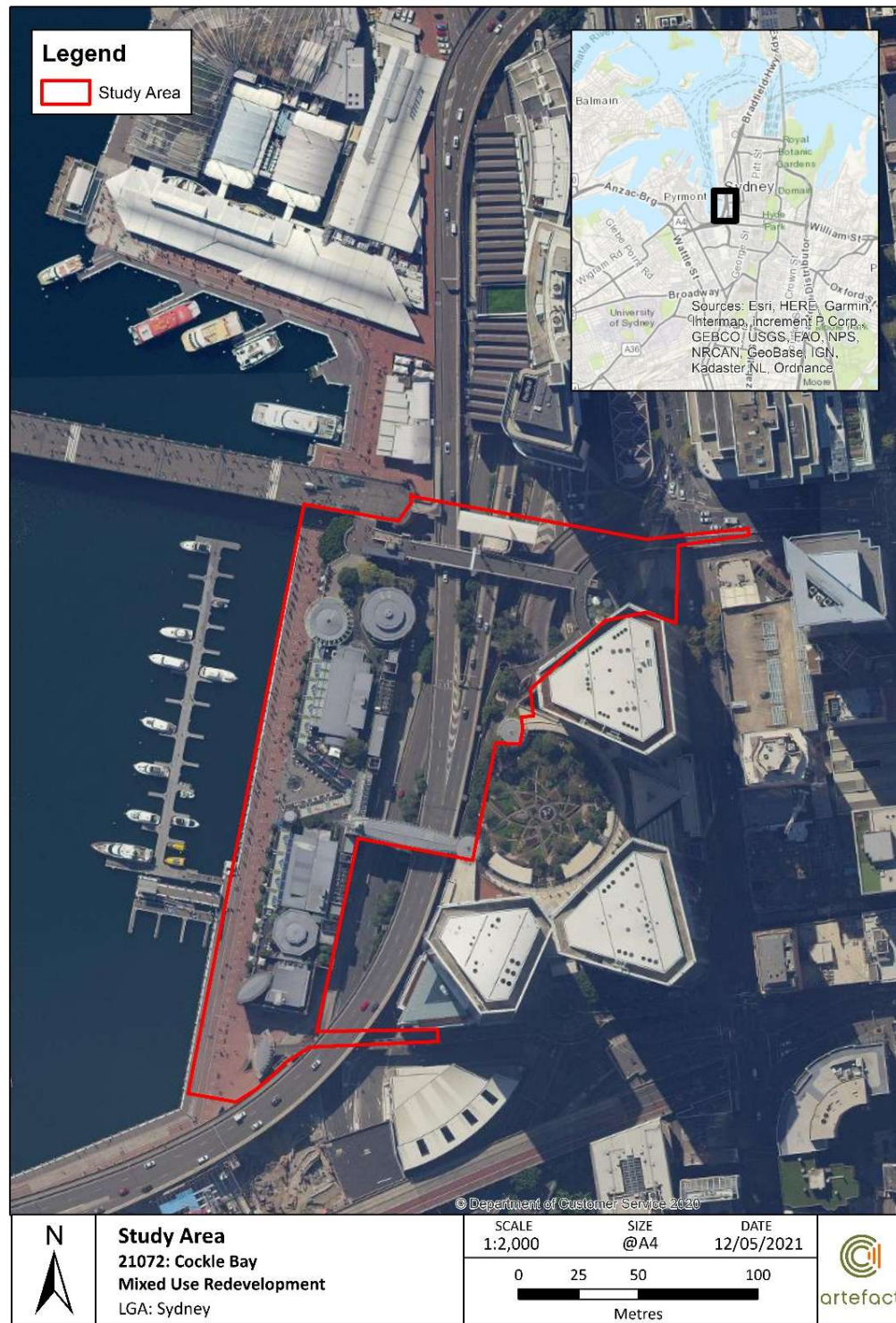


Figure 1: The study area



artefact

Scott Franks Tocomwall

scott@tocomwall.com.au

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Scott Franks

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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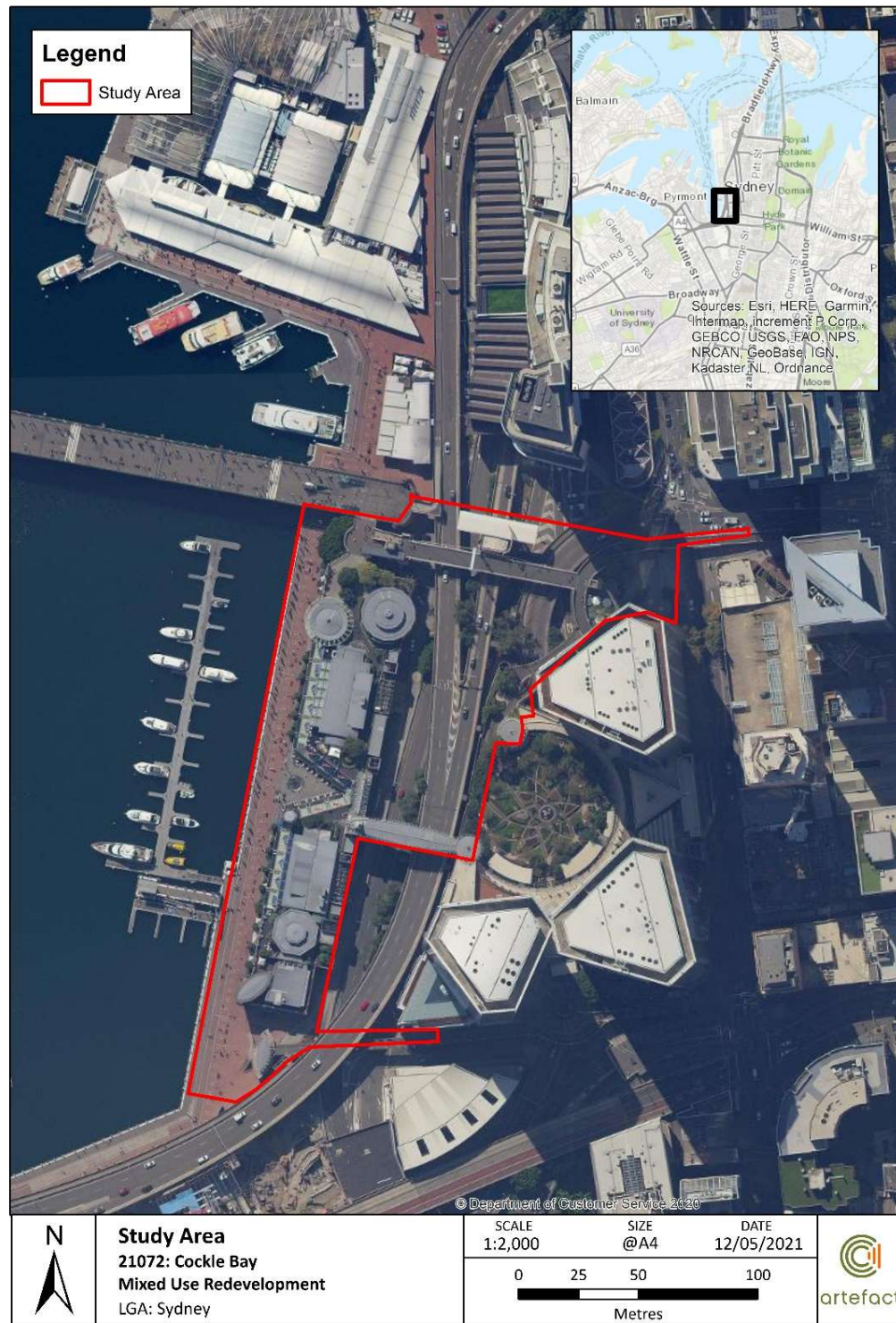


Figure 1: The study area



artefact

Amanda Hickey Amanda Hickey Cultural Services

amandahickey@live.com.au

31 May 2021

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Dear Amanda Hickey

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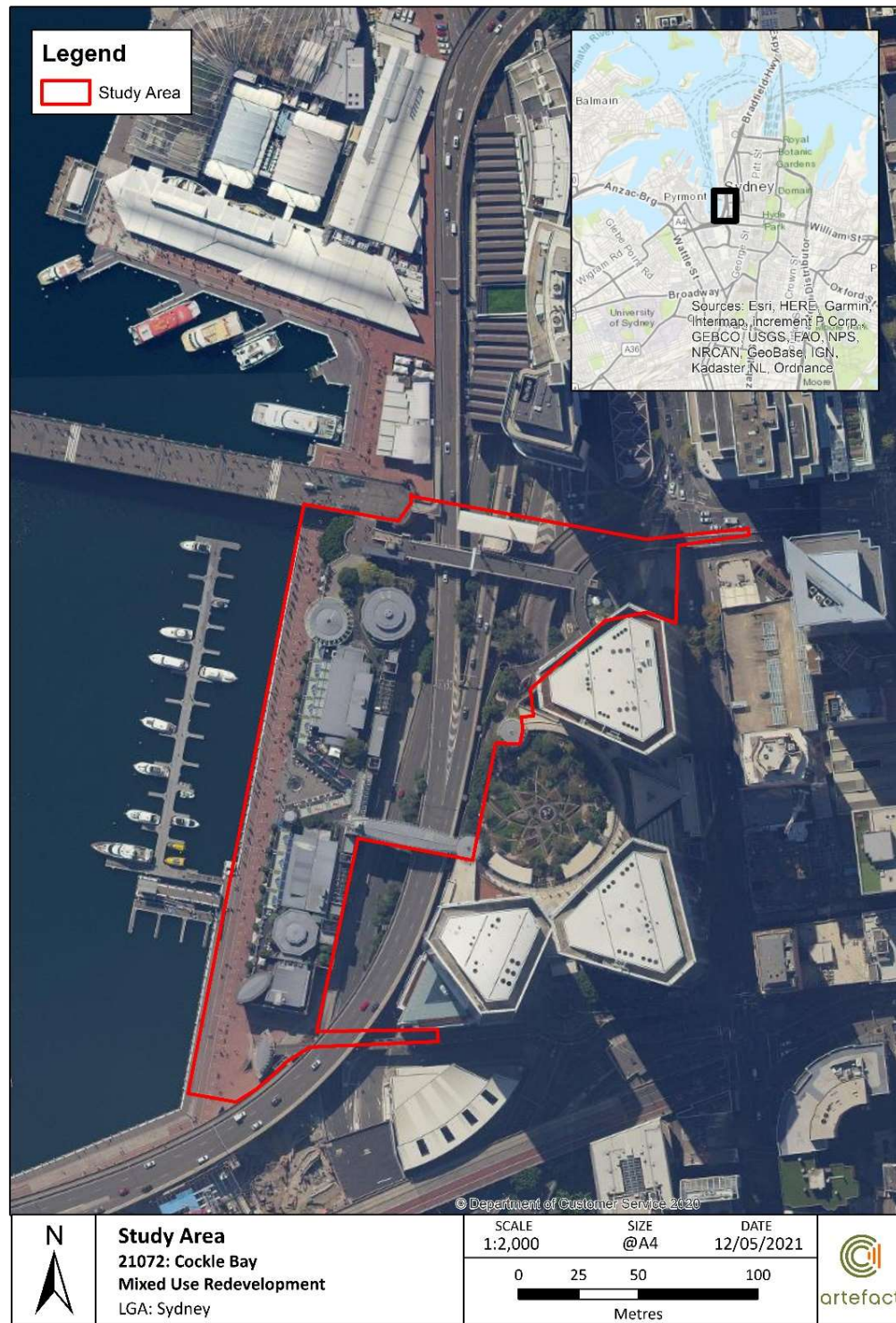


Figure 1: The study area



artefact

Kylie Ann Bell Gunyuu

gunyuuchts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Kylie Ann Bell

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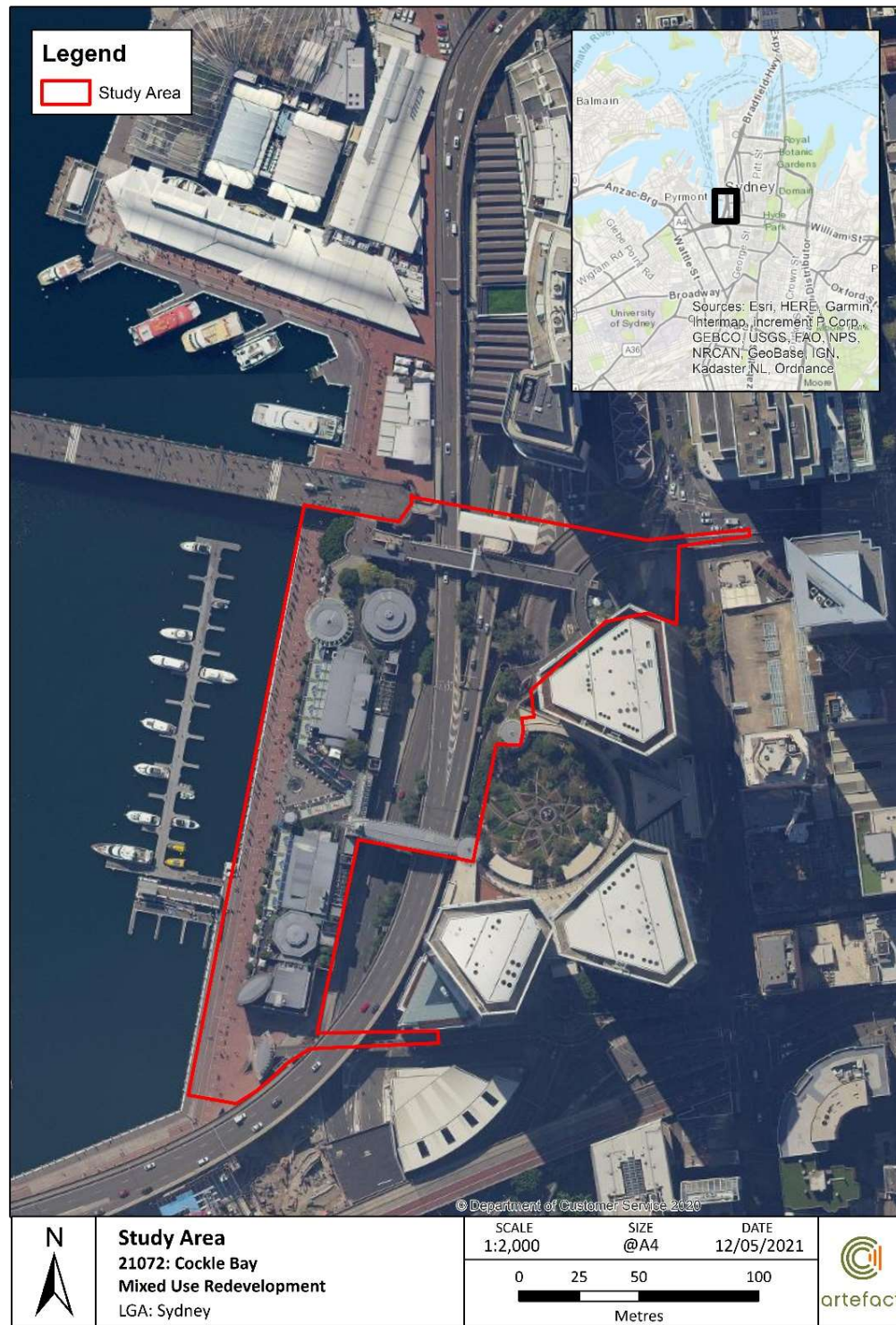


Figure 1: The study area





artefact

Hika Te Kowhai Walbunja

walbunja@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Hika Te Kowhai

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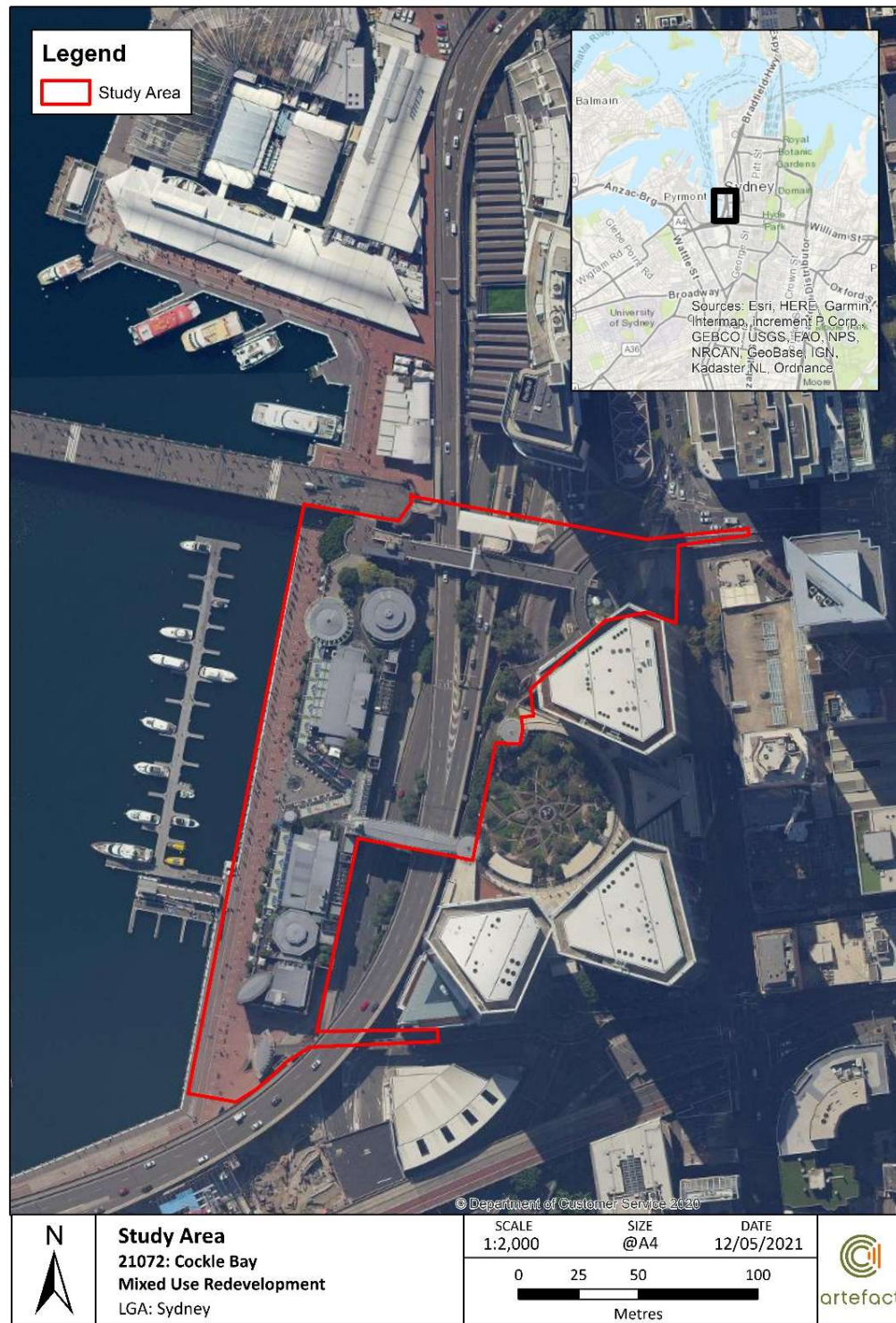


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artefact

Karia Lea Bond Badu

baduchts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Karia Lea Bond

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
amanda.fisher@tsamgt.com

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Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
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or email michael.lever@artefact.net.au

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- An outline of the connection of the organisation to the area



- If you would like to be involved in any fieldwork (if required), details of rates and insurances (Public Liability and Workers Compensation or equivalent).

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Kind regards,

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Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411

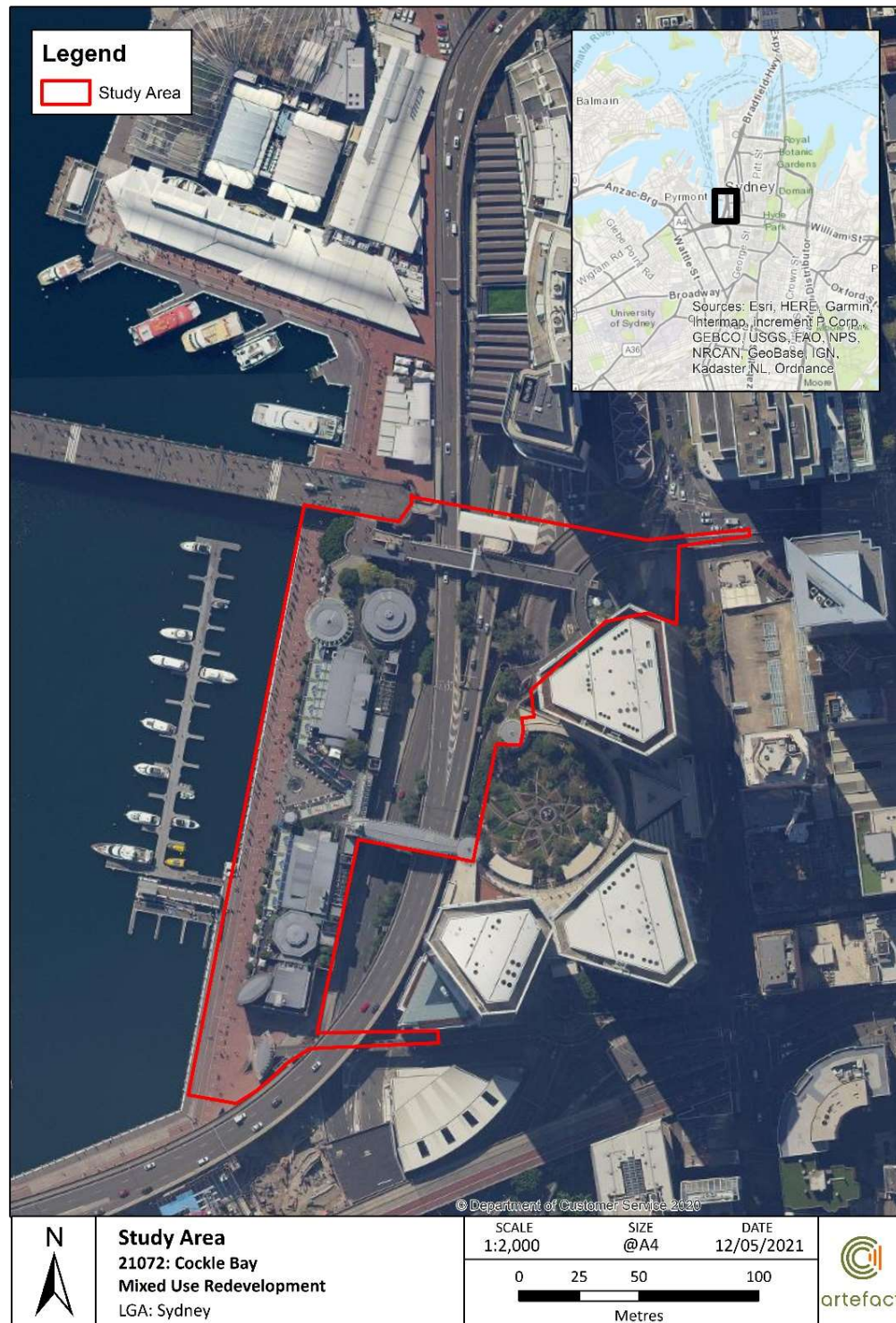


Figure 1: The study area



artefact

Basil Smith Goobah Developments

goobahchts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Basil Smith

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411



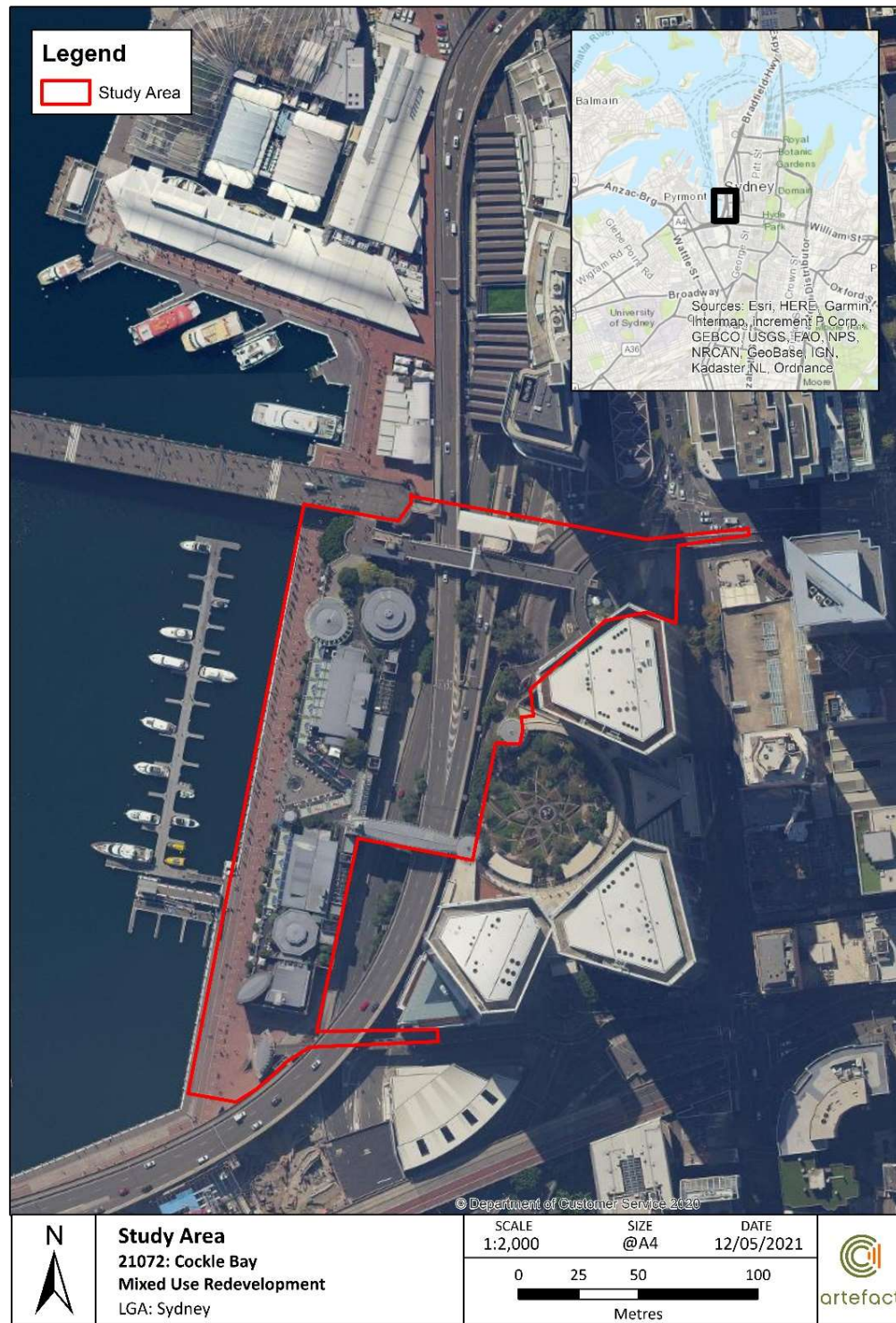


Figure 1: The study area



artefact

Lee-Roy James Boota Wullung

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Lee-Roy James Boota

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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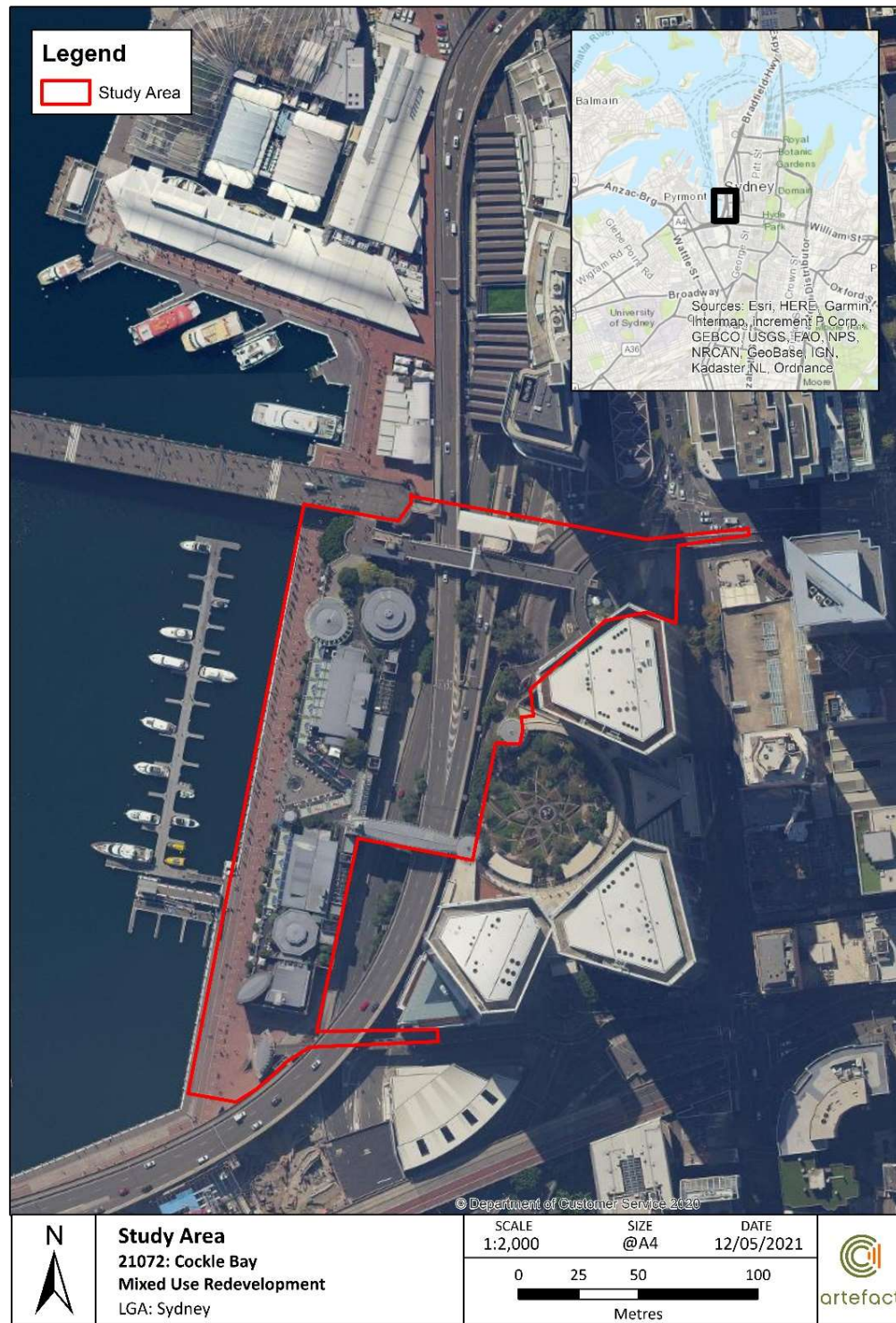


Figure 1: The study area





artefact

Robert Parson Yerramurra

yerramurra@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Robert Parson

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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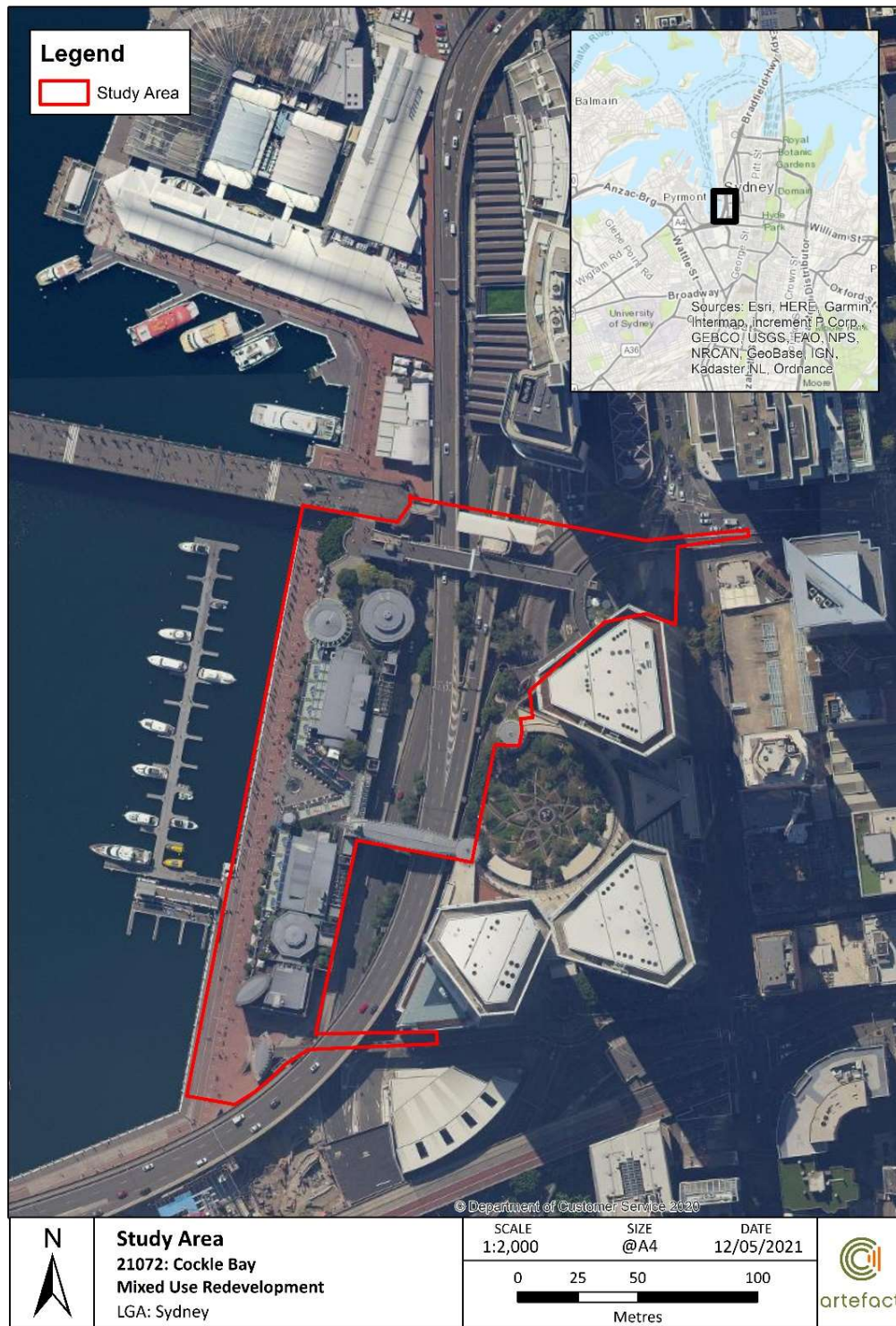


Figure 1: The study area



artefact

Newton Carriage Nundagurri

nundagurri@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Newton Carriage

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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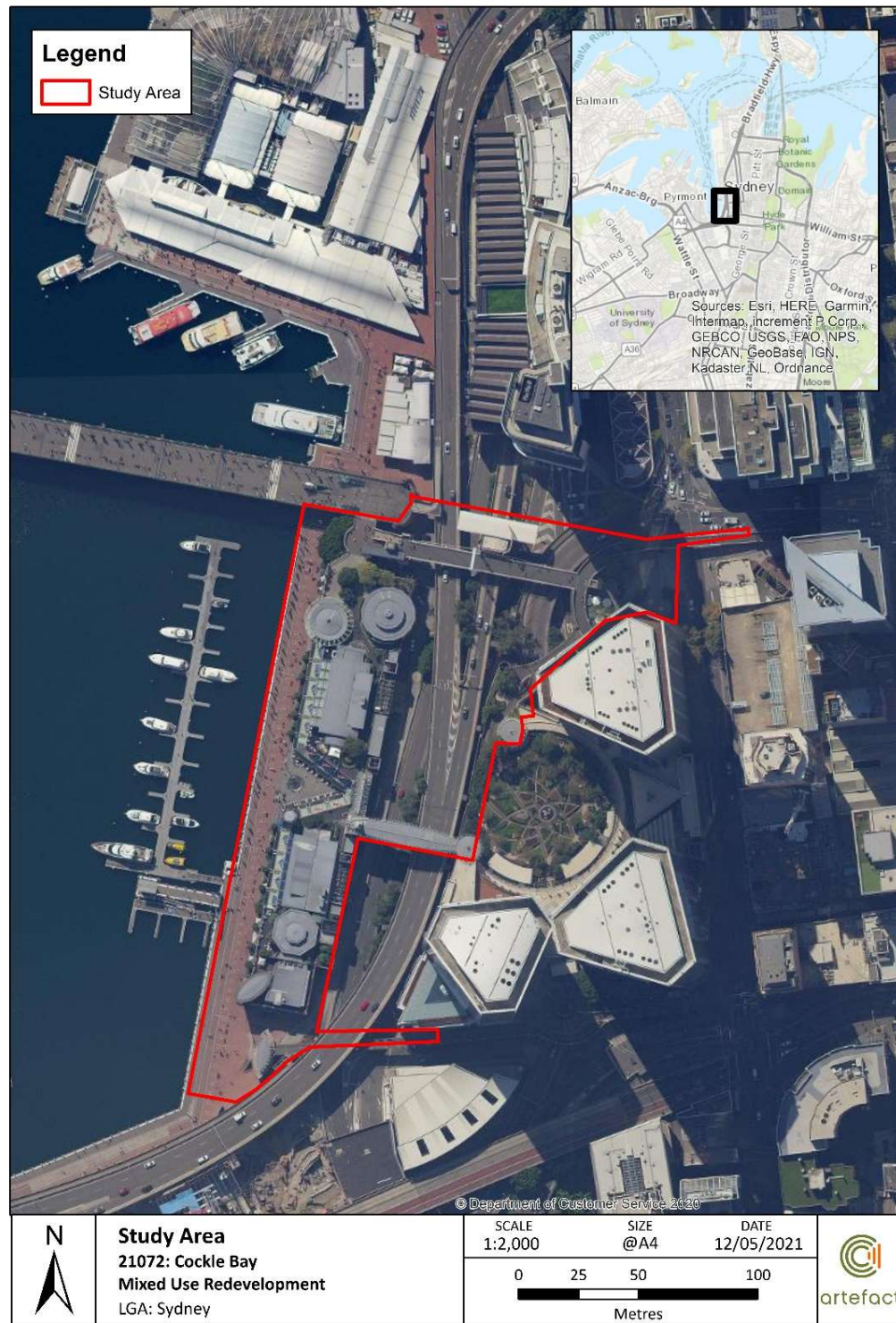


Figure 1: The study area



artefact

Mark Henry Murrumbul

murrumbul@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Mark Henry

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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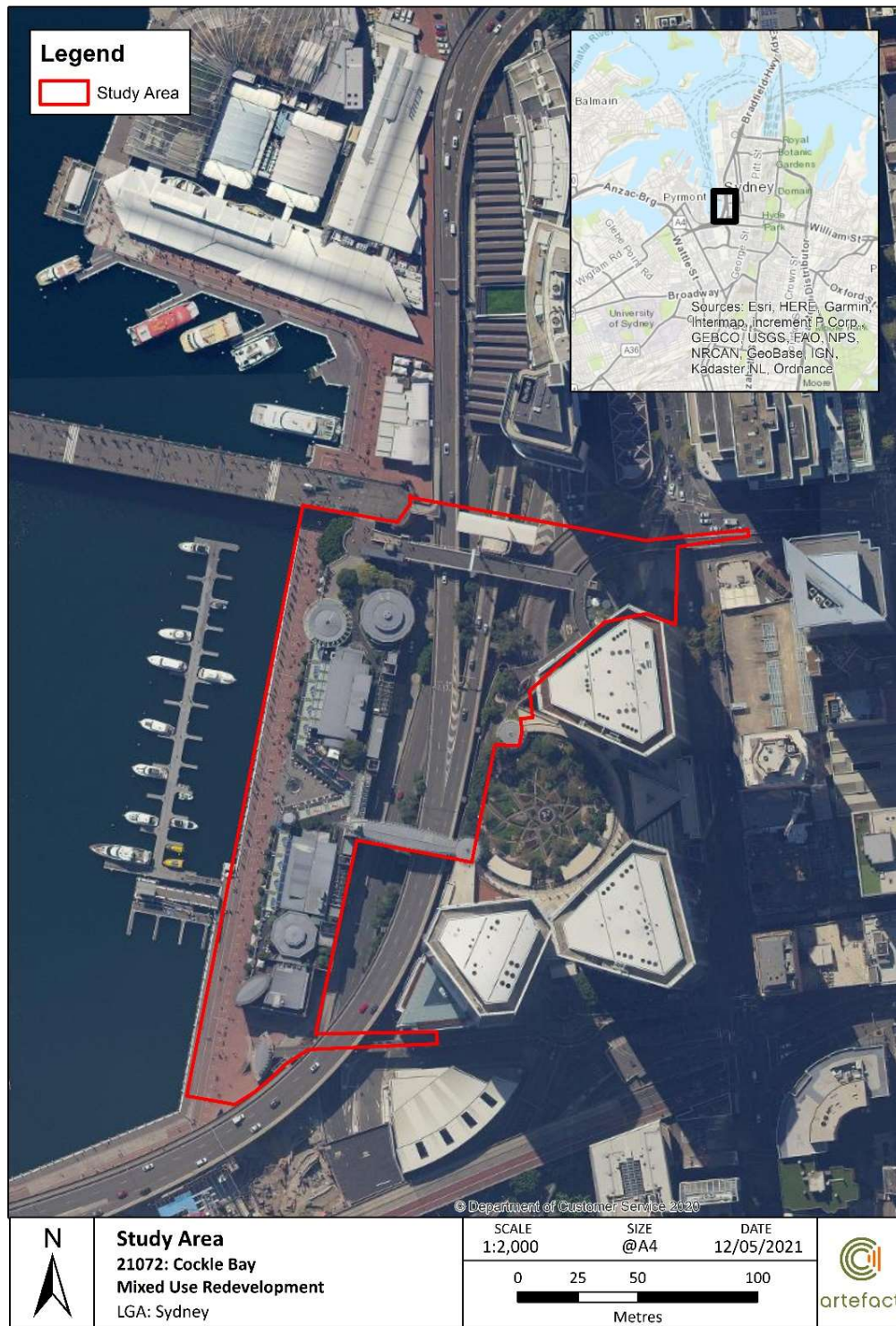


Figure 1: The study area



artefact

Joanne Anne Stewart Jerringong

jerringong@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Joanne Anne Stewart

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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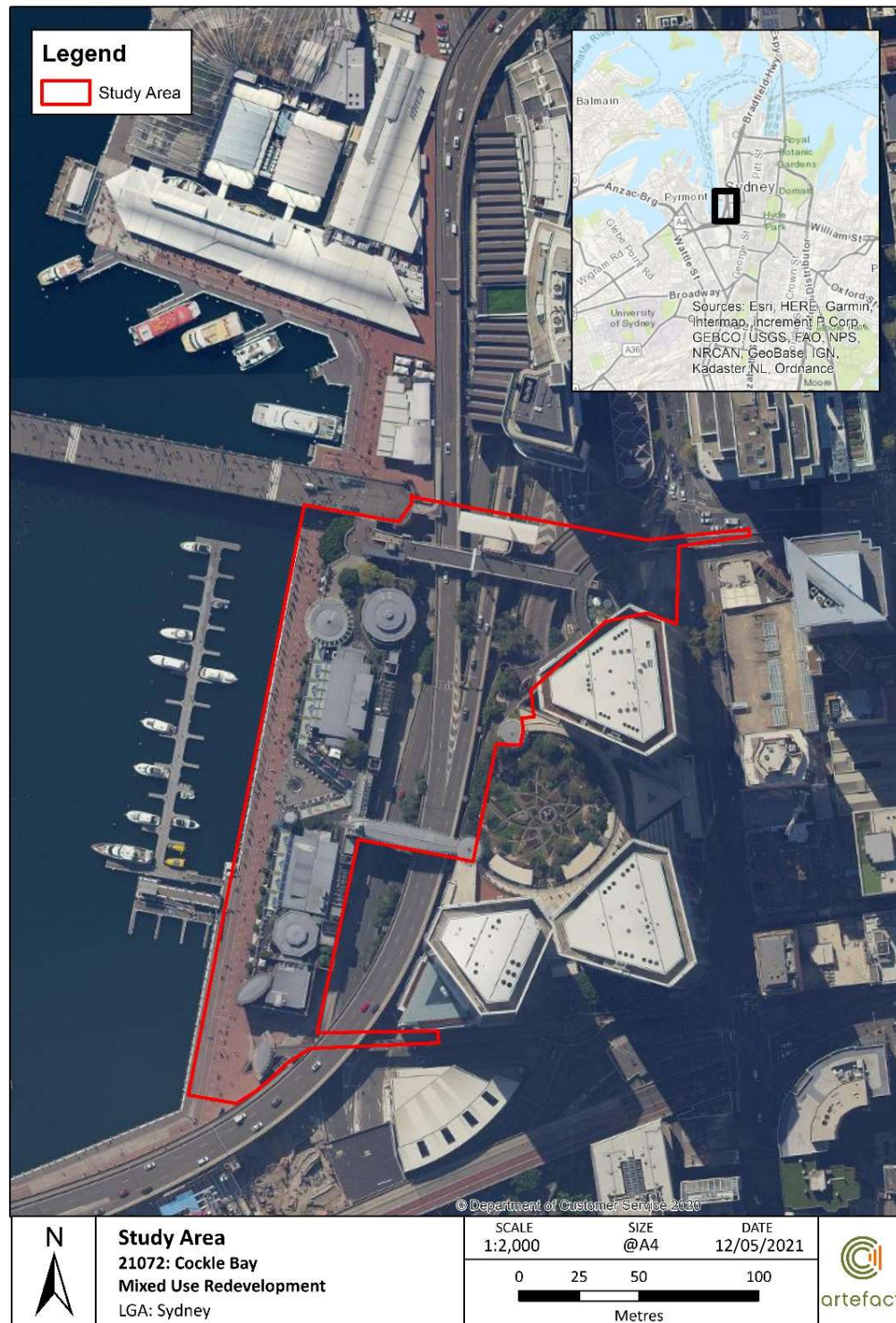


Figure 1: The study area





artefact

Pemulwuy Johnson Pemulwuy CHTS

pemulwuyd@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Pemulwuy Johnson

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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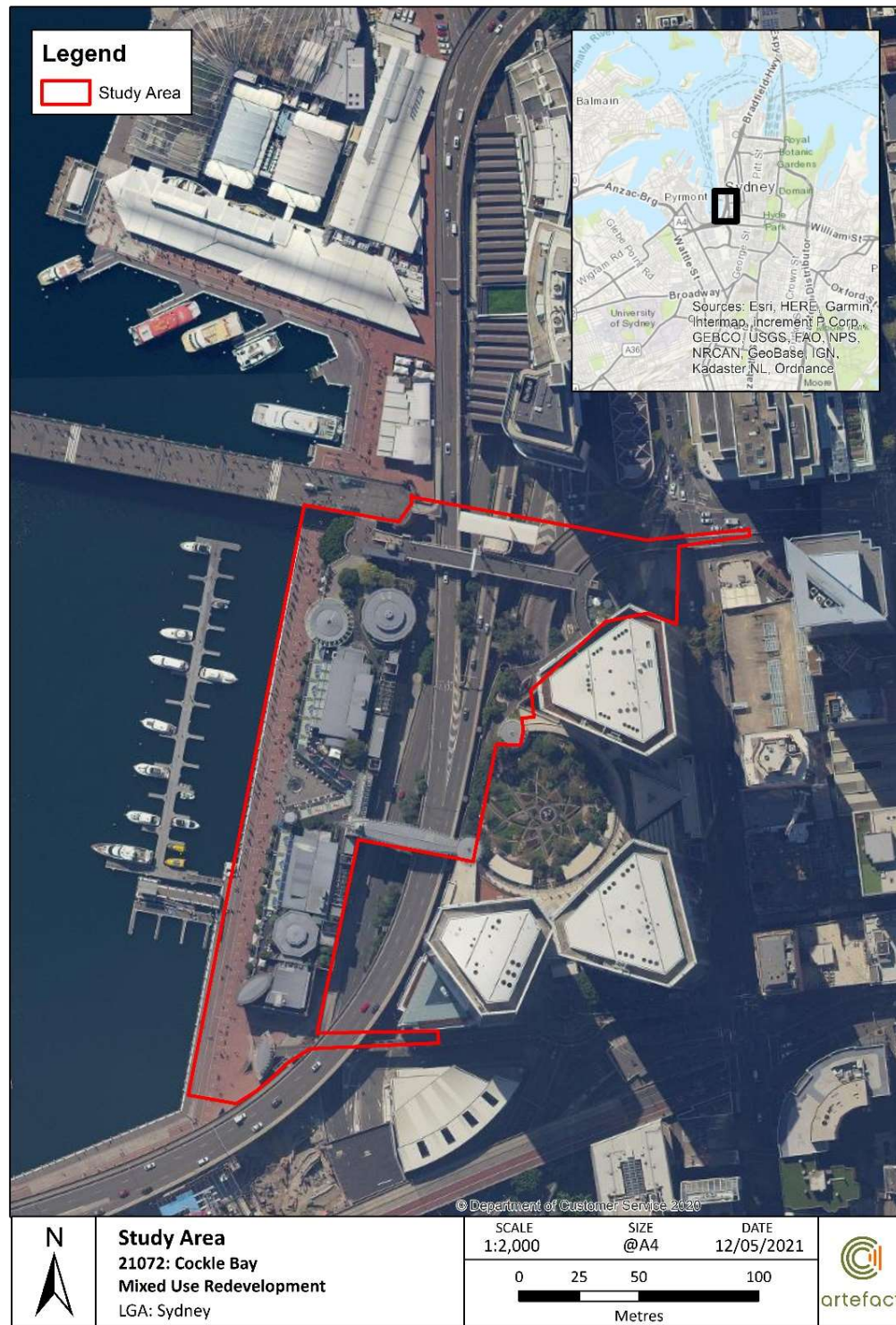


Figure 1: The study area



artefact

Simalene Carriage Bilinga

bilingachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Simalene Carriage

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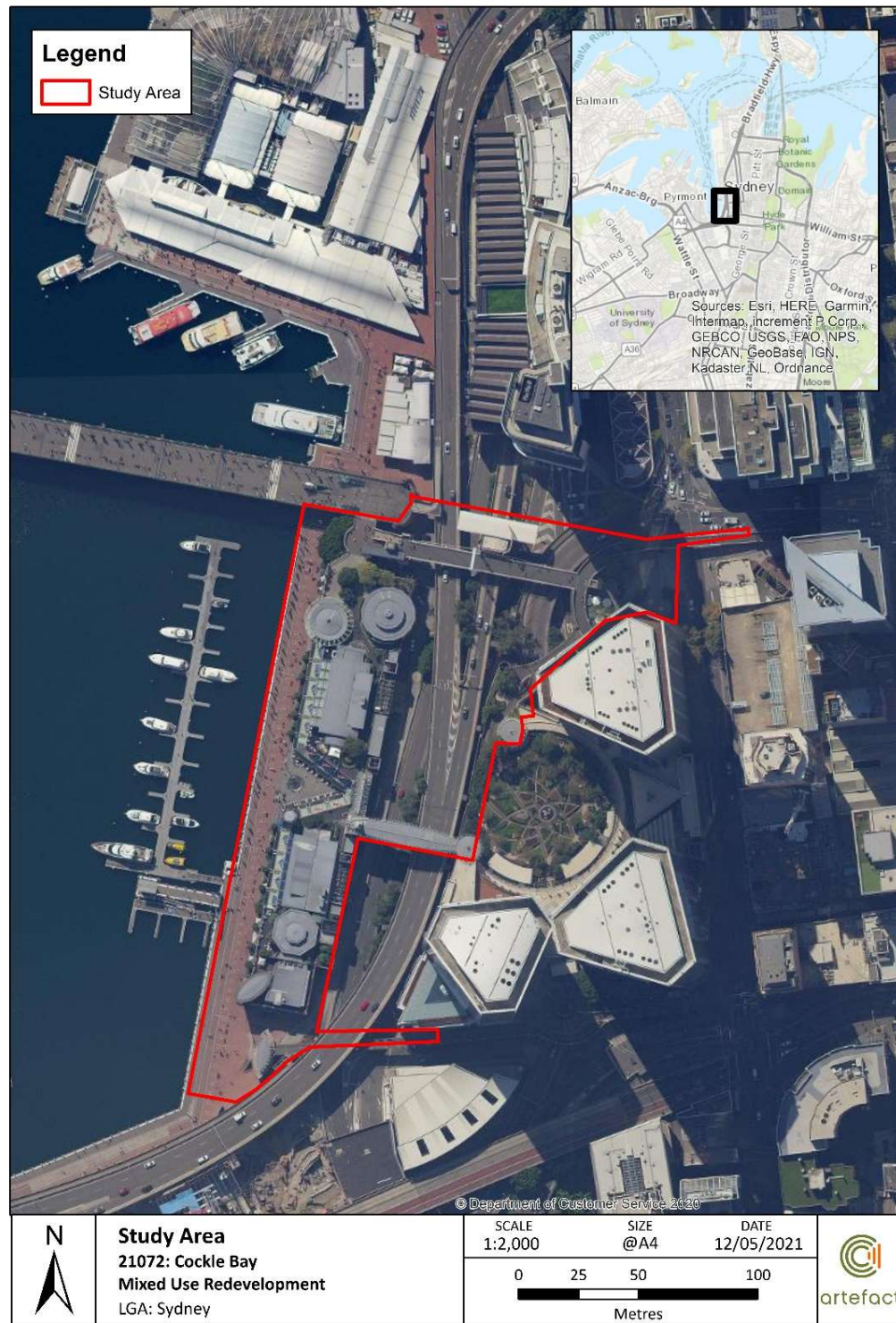


Figure 1: The study area



artefact

Kaya Dawn Bell Munyunga

munyungachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Kaya Dawn Bell

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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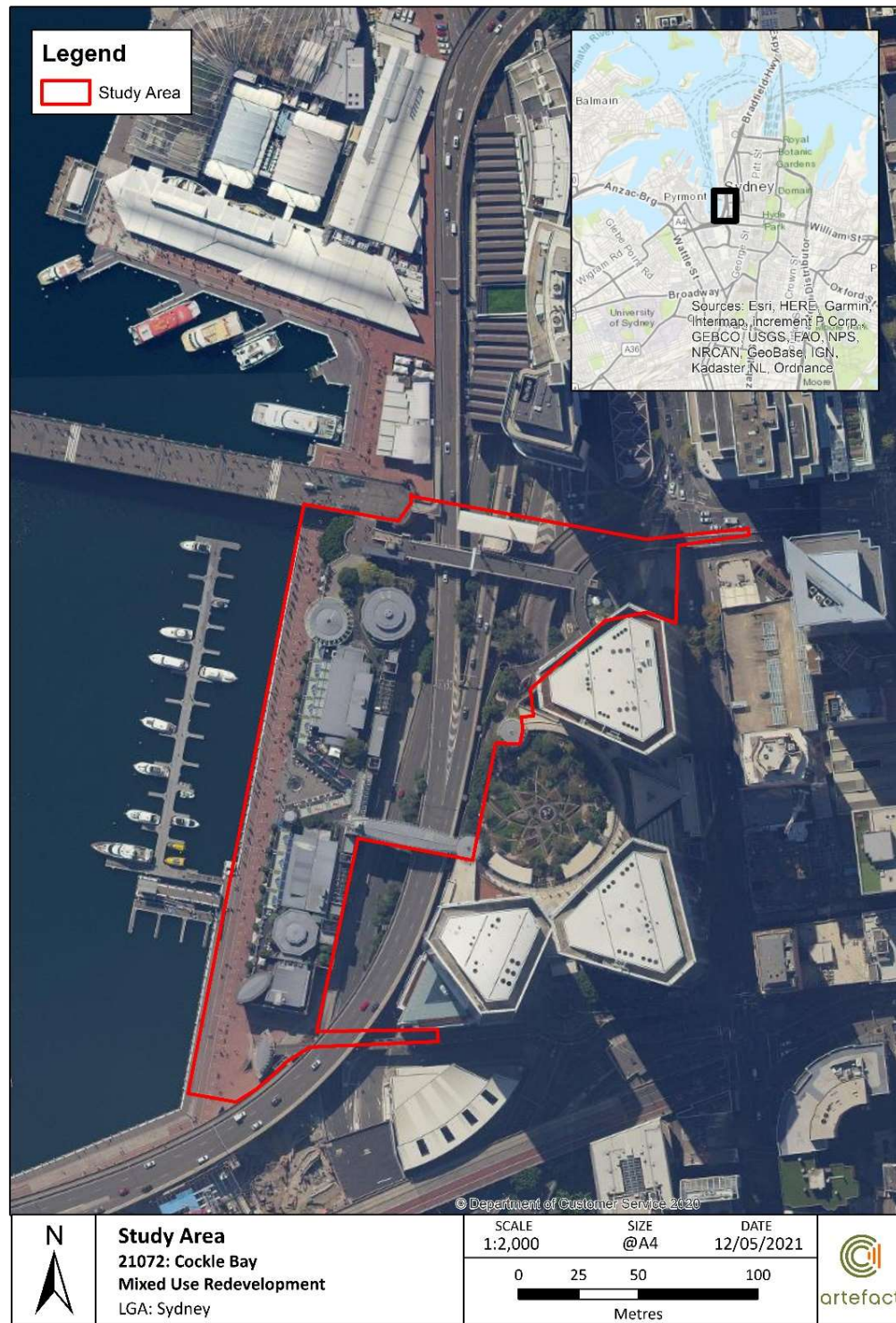


Figure 1: The study area



artefact

Hayley Bell Wingikara

wingikarachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Hayley Bell

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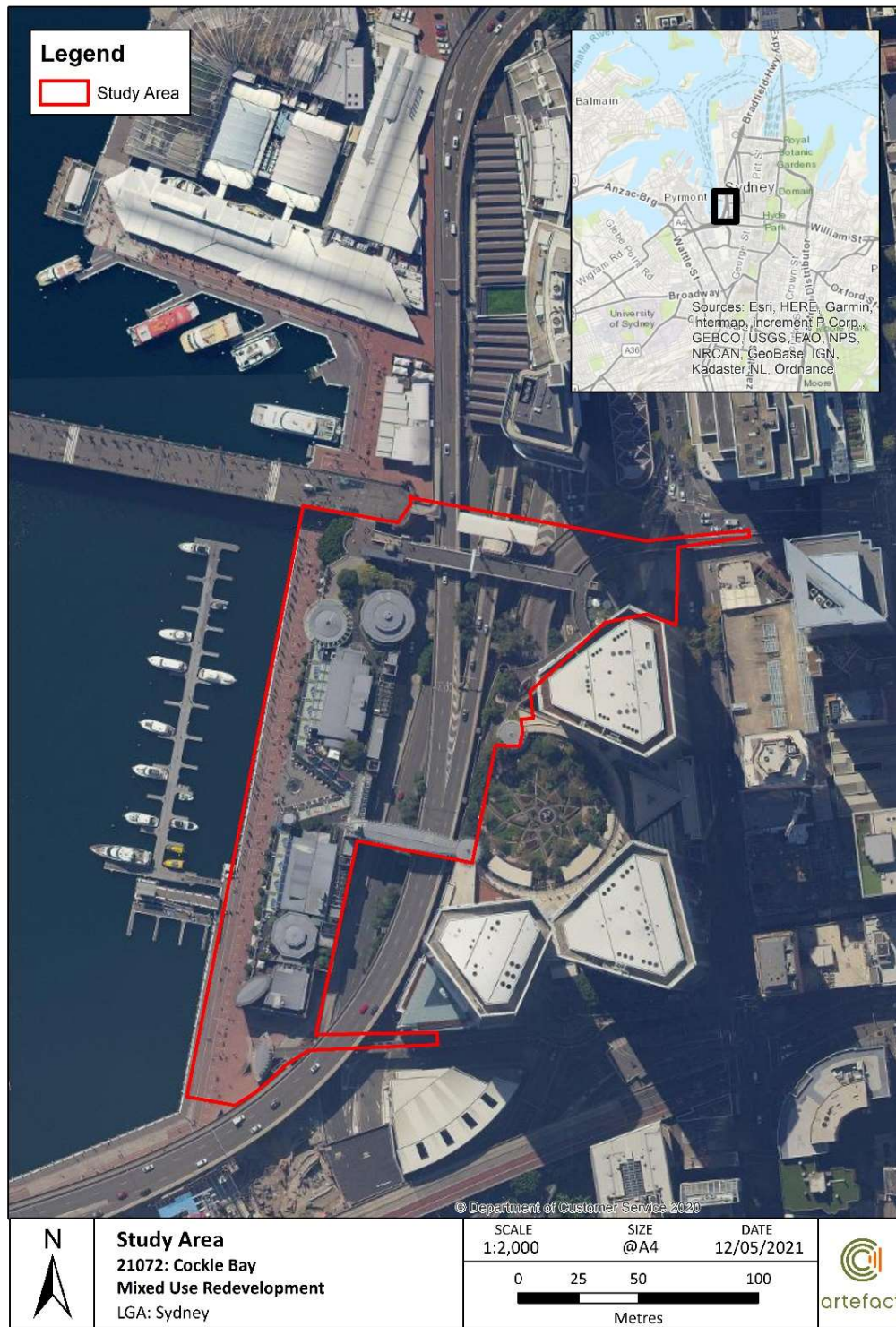


Figure 1: The study area





artefact

Aaron Broad Minnamunnung

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Aaron Broad

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
amanda.fisher@tsamgt.com

The proponent wishes to consult with any Aboriginal persons or organisations that hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the locality.

In line with the relevant consultation guidelines, we are inviting registrations of interest in the project from Aboriginal groups and individuals who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the locality of the project. Please forward any information available by **end of day 14 June 2021 (14 days)** to:

Michael Lever  
Artefact Heritage  
Suite 56, Jones Bay Wharf, 26-32 Pirrama Road  
Pyrmont NSW 2009  
or email michael.lever@artefact.net.au

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Kind regards,

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Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411

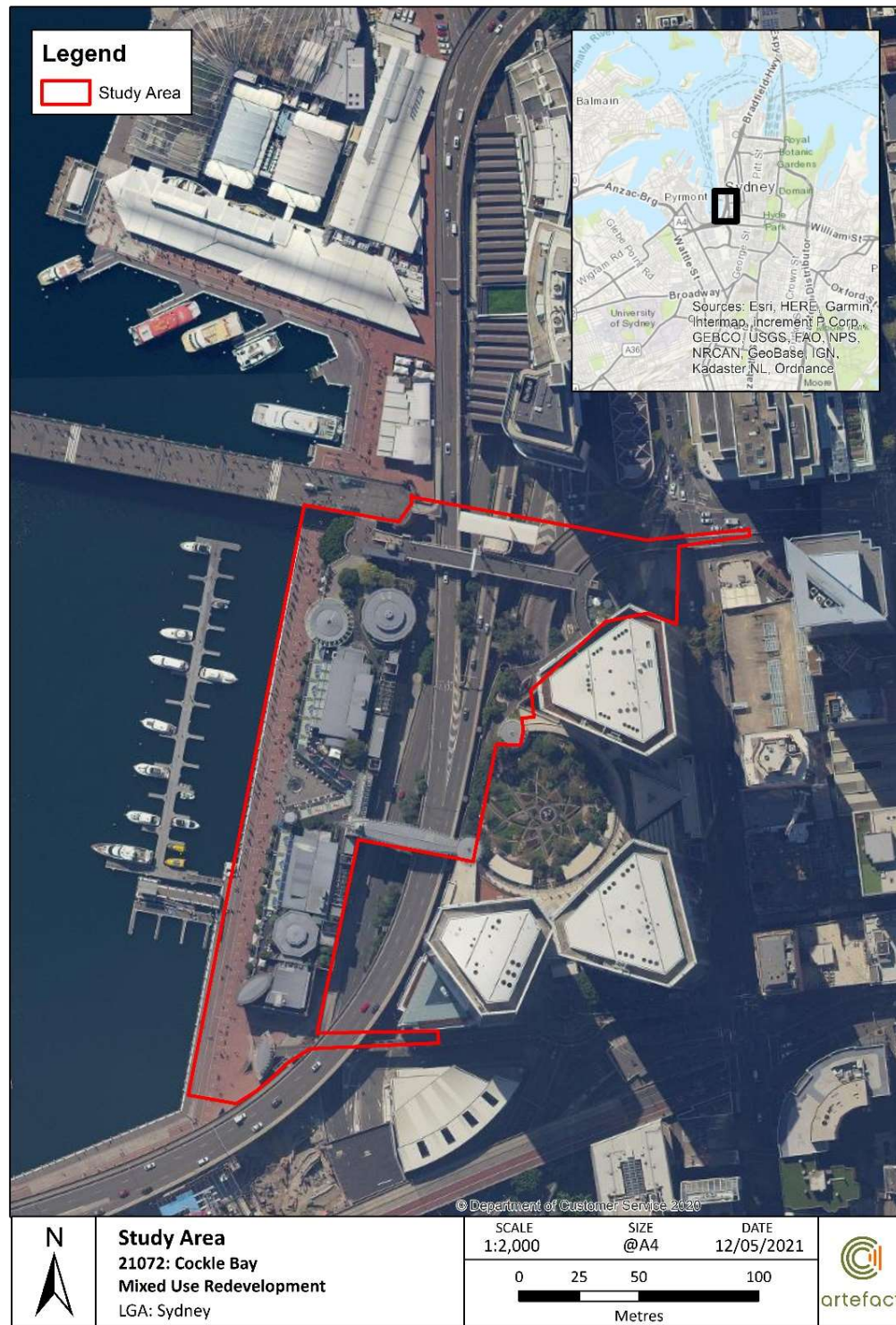


Figure 1: The study area



artefact

Ronald Stewart Walgalu

walgaluchts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Ronald Stewart

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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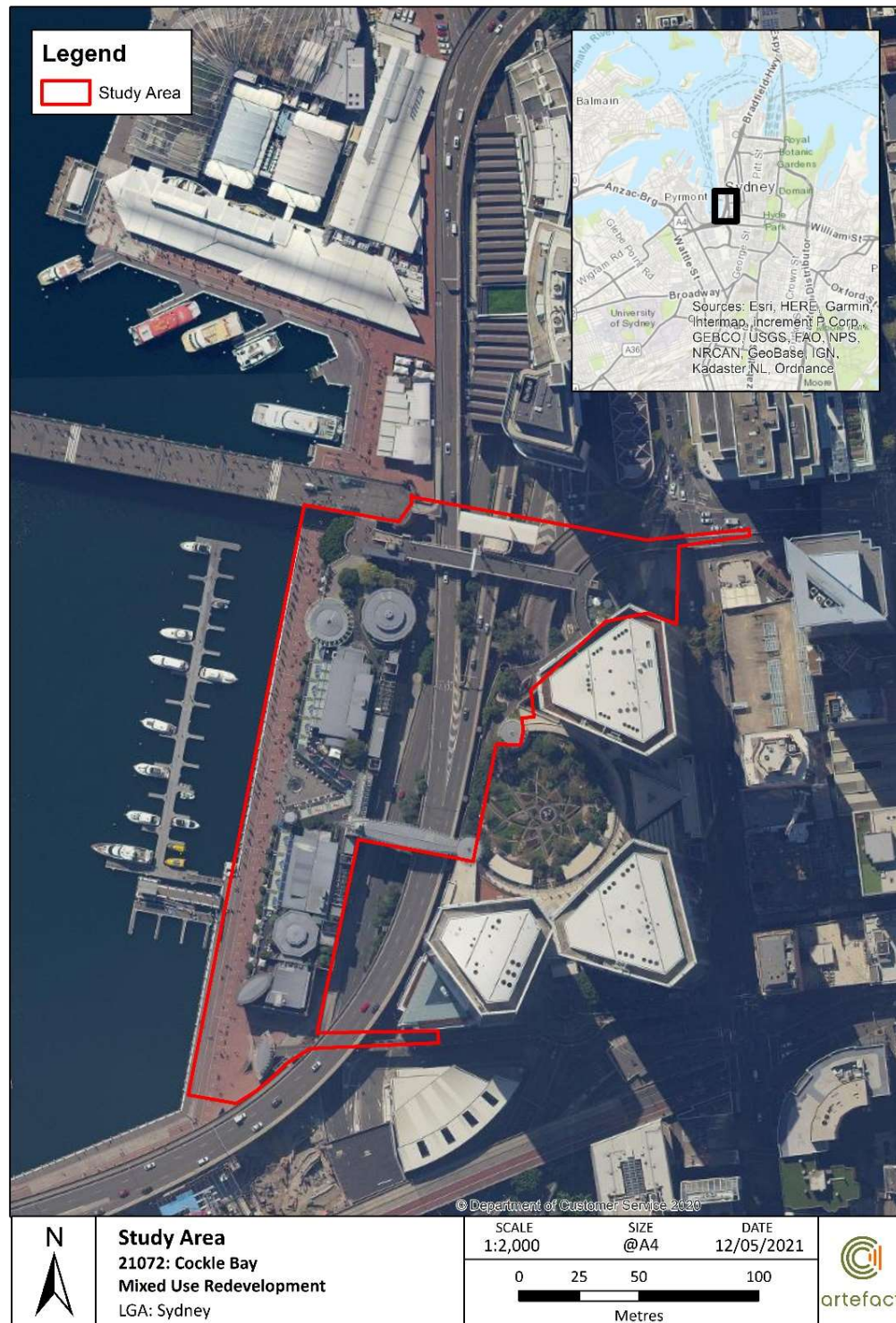


Figure 1: The study area



artefact

Shane Carriage Thauaira

thauairachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Shane Carriage

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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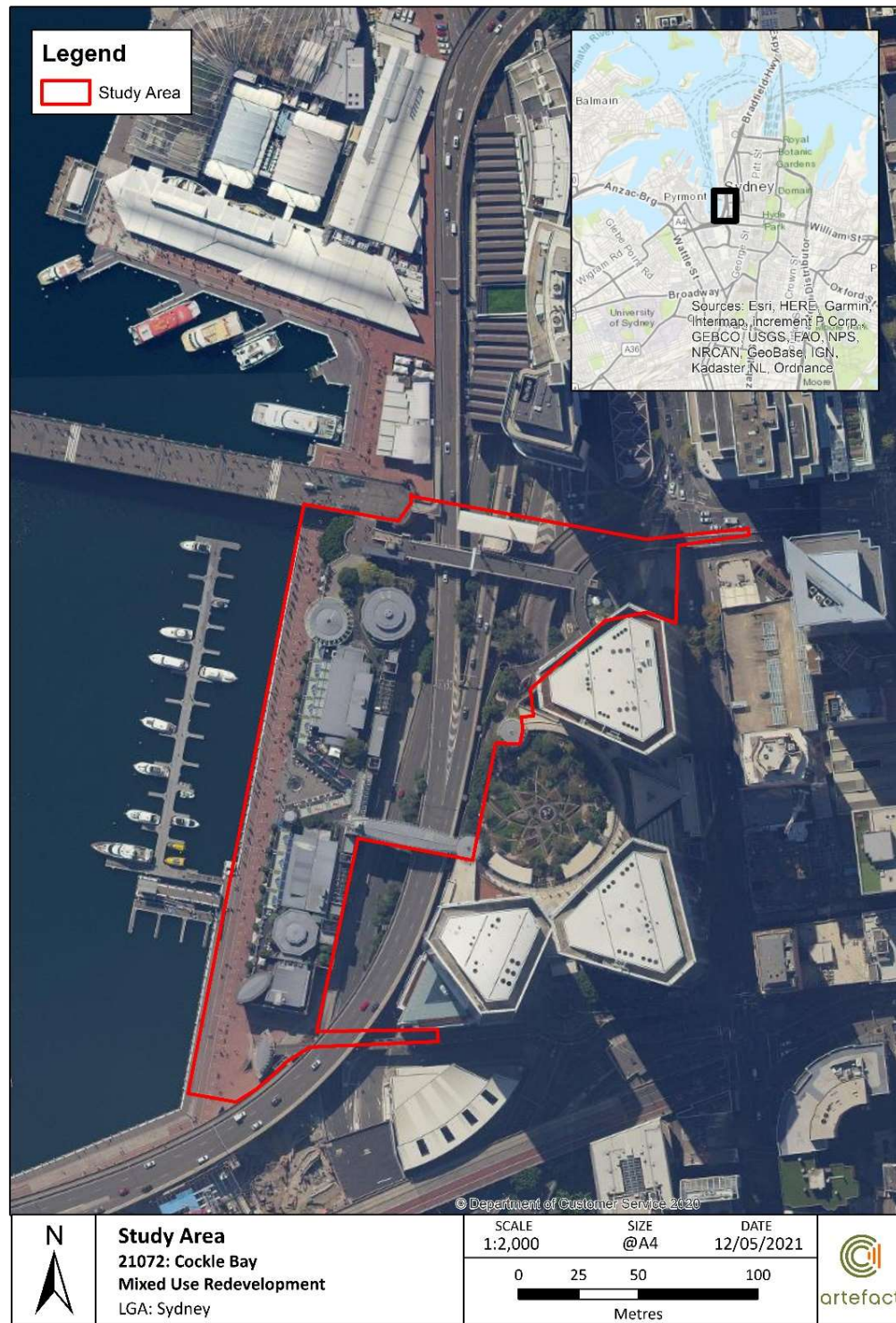


Figure 1: The study area



artefact

Andrew Bond Dharug

dharugchts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Andrew Bond

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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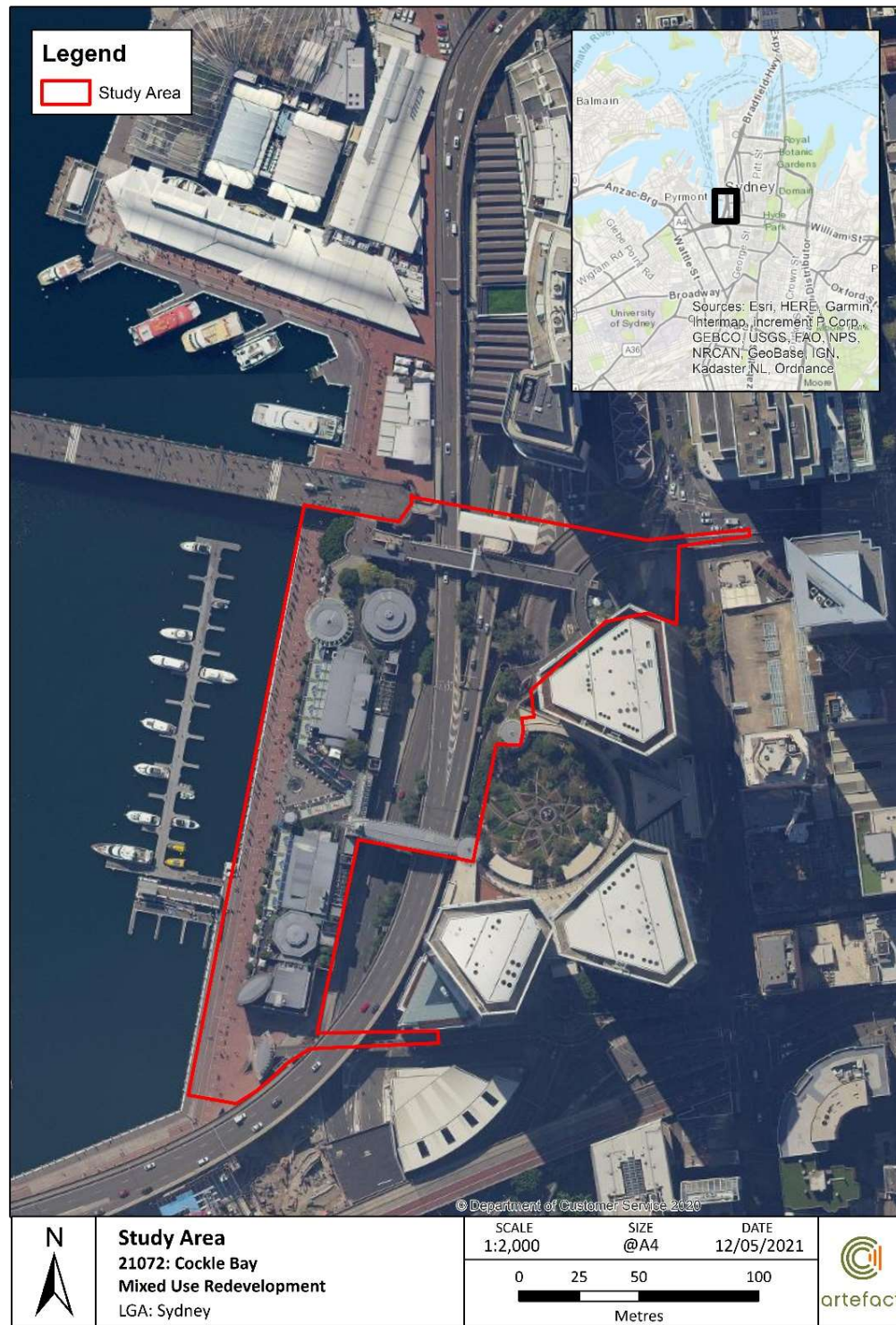


Figure 1: The study area





artefact

Wendy Smith Gulaga

gulagachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Wendy Smith

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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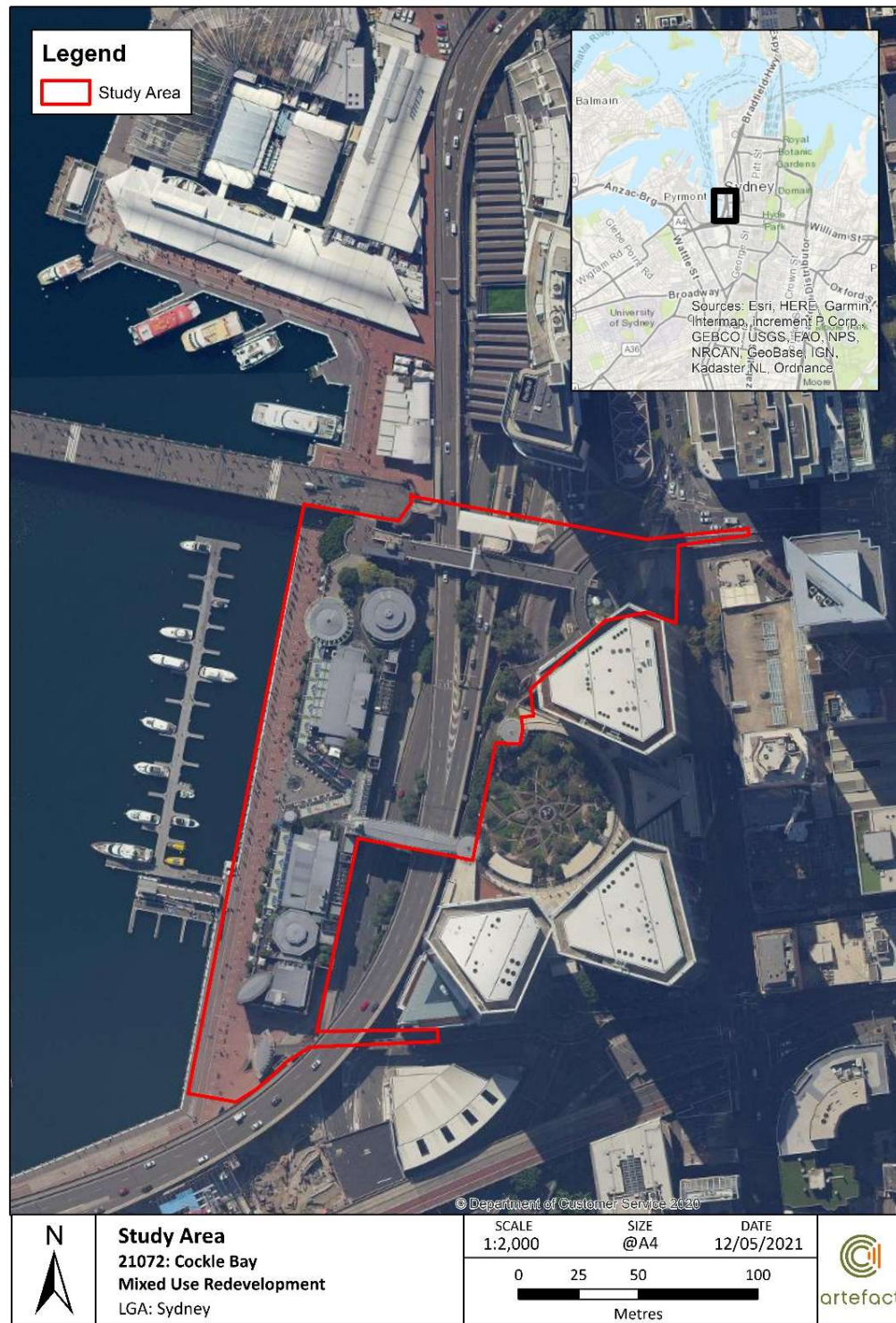


Figure 1: The study area



artefact

Seli Storer Biamanga

biamangachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Seli Storer

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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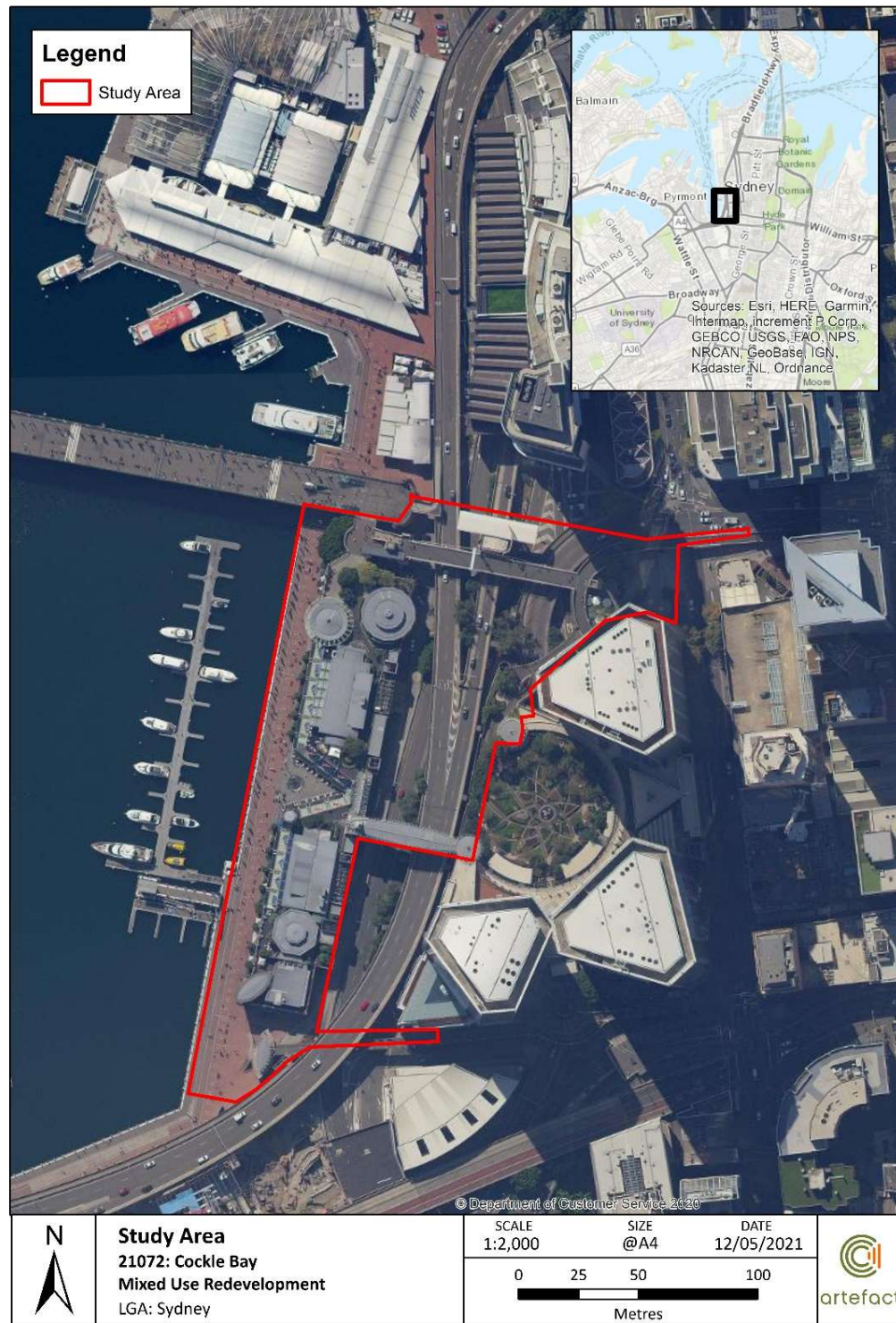


Figure 1: The study area



artefact

Corey Smith Callendulla

cullendullachts@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Corey Smith

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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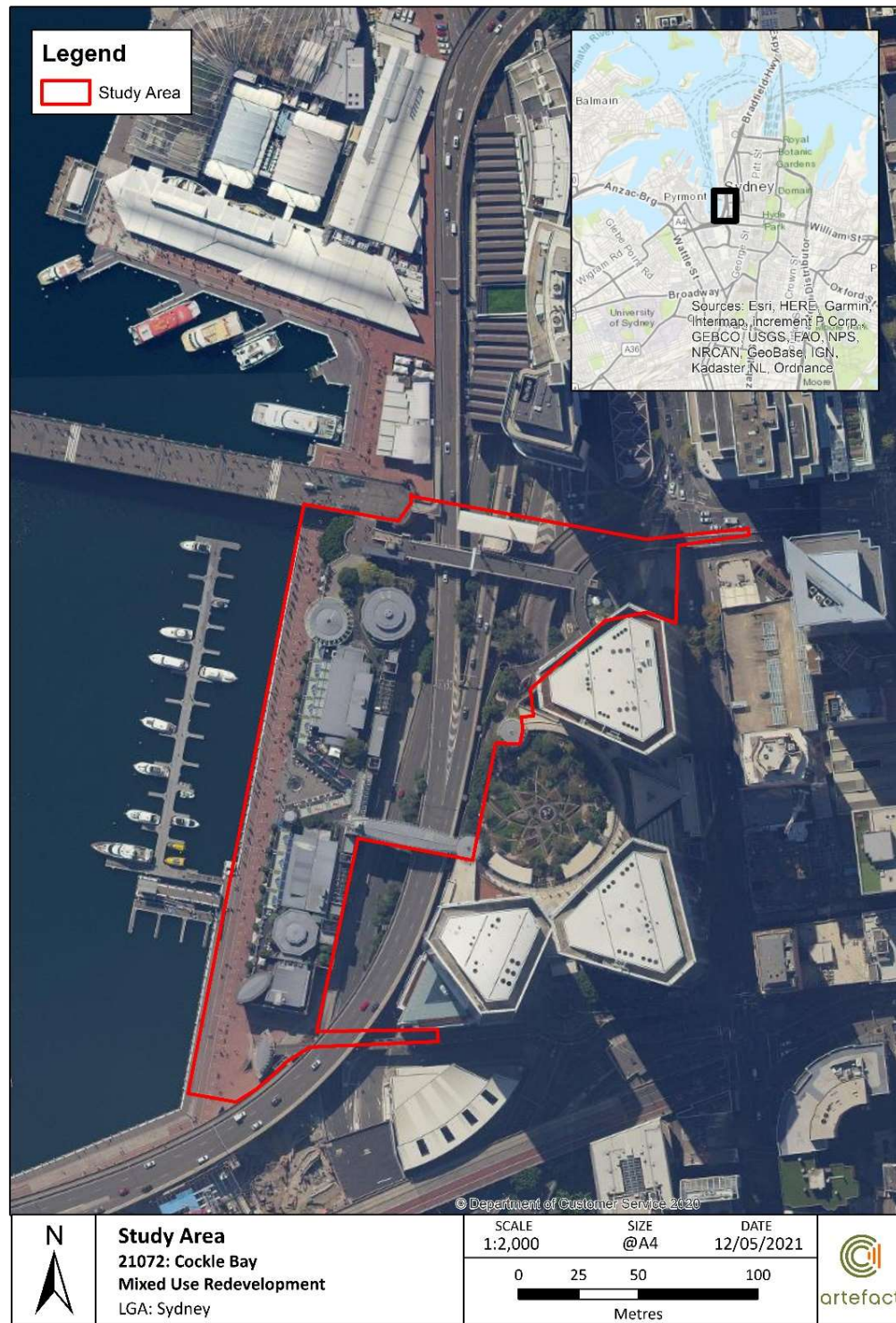


Figure 1: The study area



artefact

Roxanne Smith Murramarang

[murramarangchts@gmail.com](mailto:murramarangchts@gmail.com)

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Roxanne Smith

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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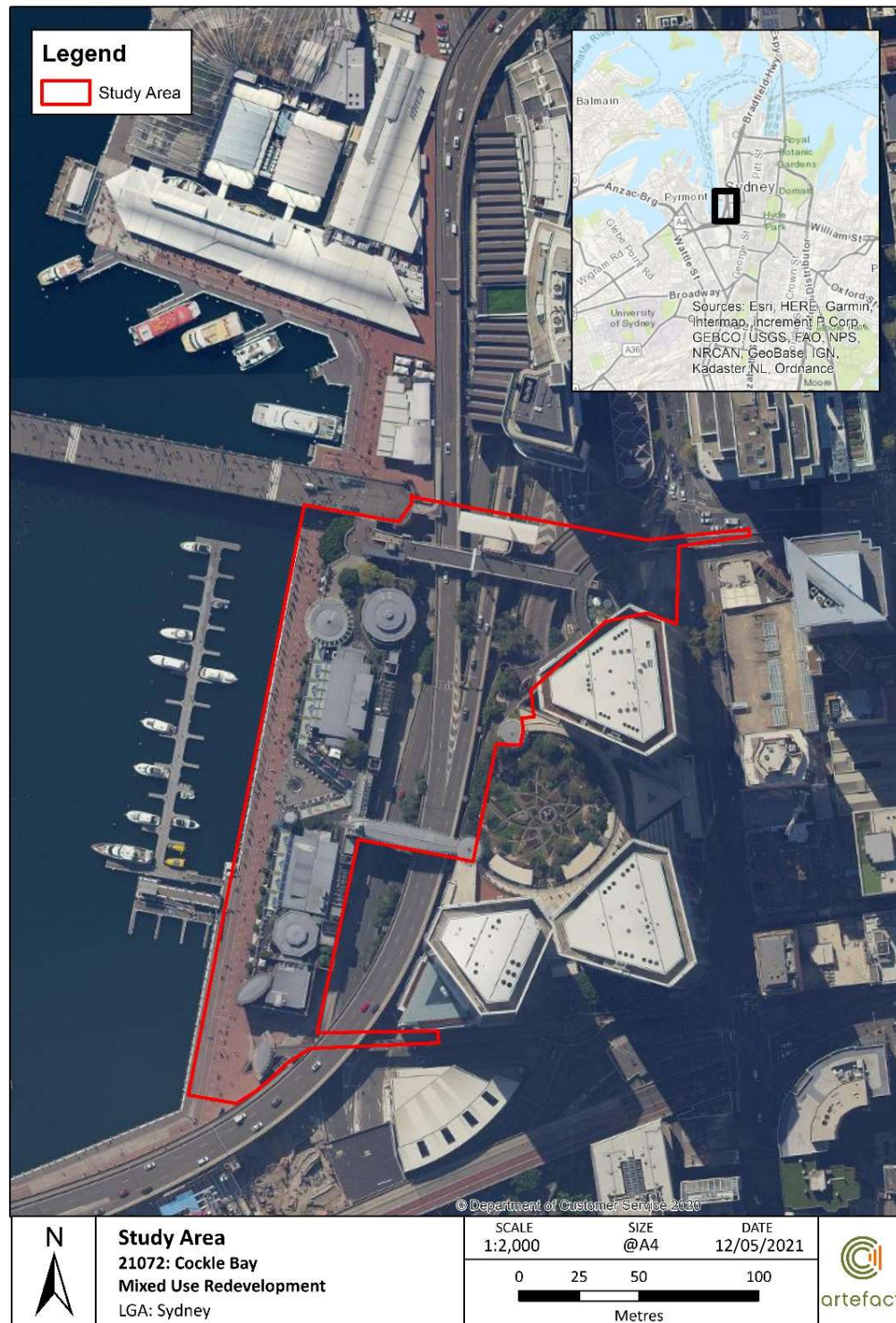


Figure 1: The study area





artefact

Darren Duncan DJMD Consultancy

darrenjohnduncan@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Darren Duncan

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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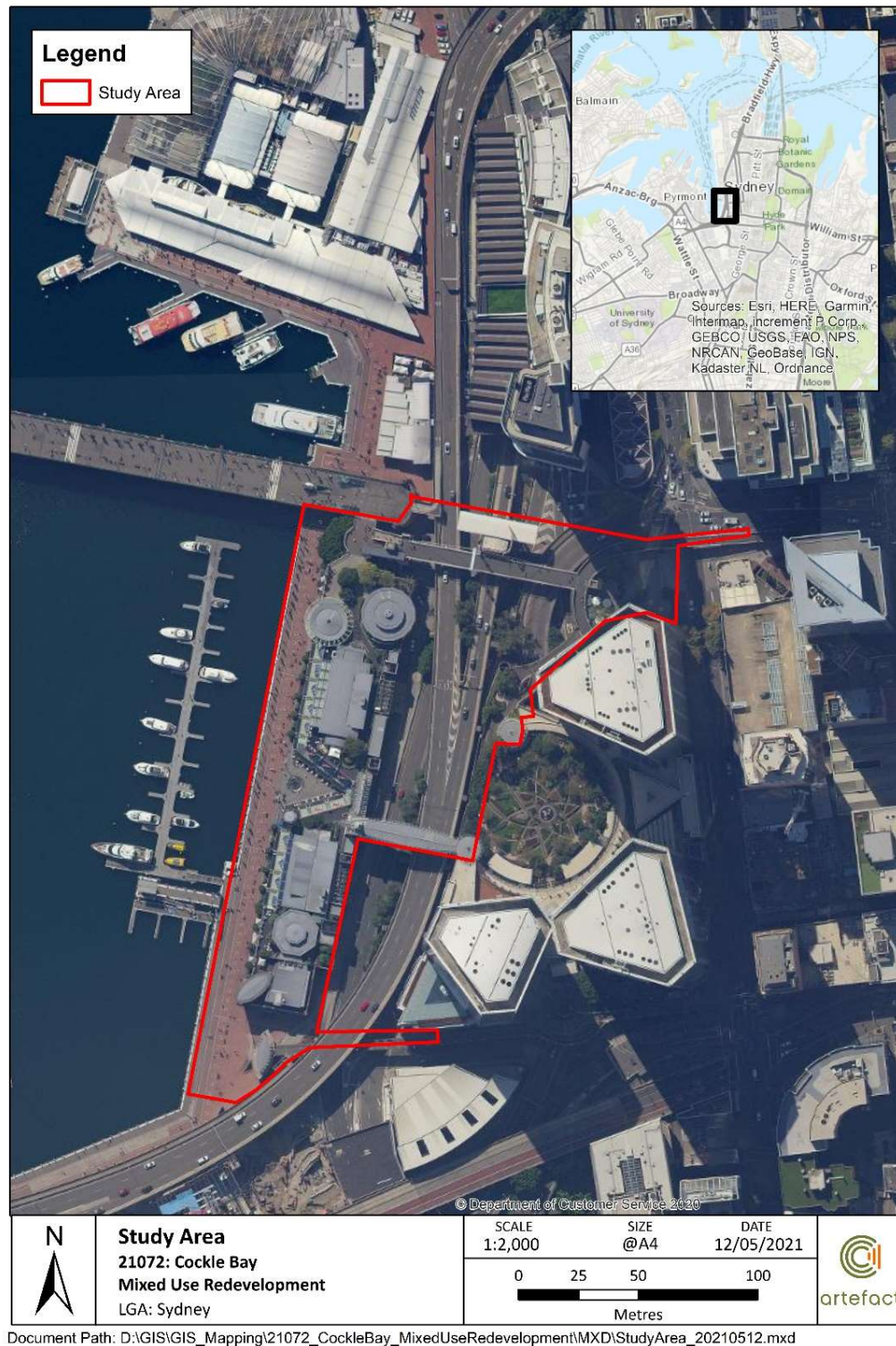


Figure 1: The study area



artefact

Jennifer Beale Butucarbin Aboriginal Corporation

butuheritage@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Jennifer Beale

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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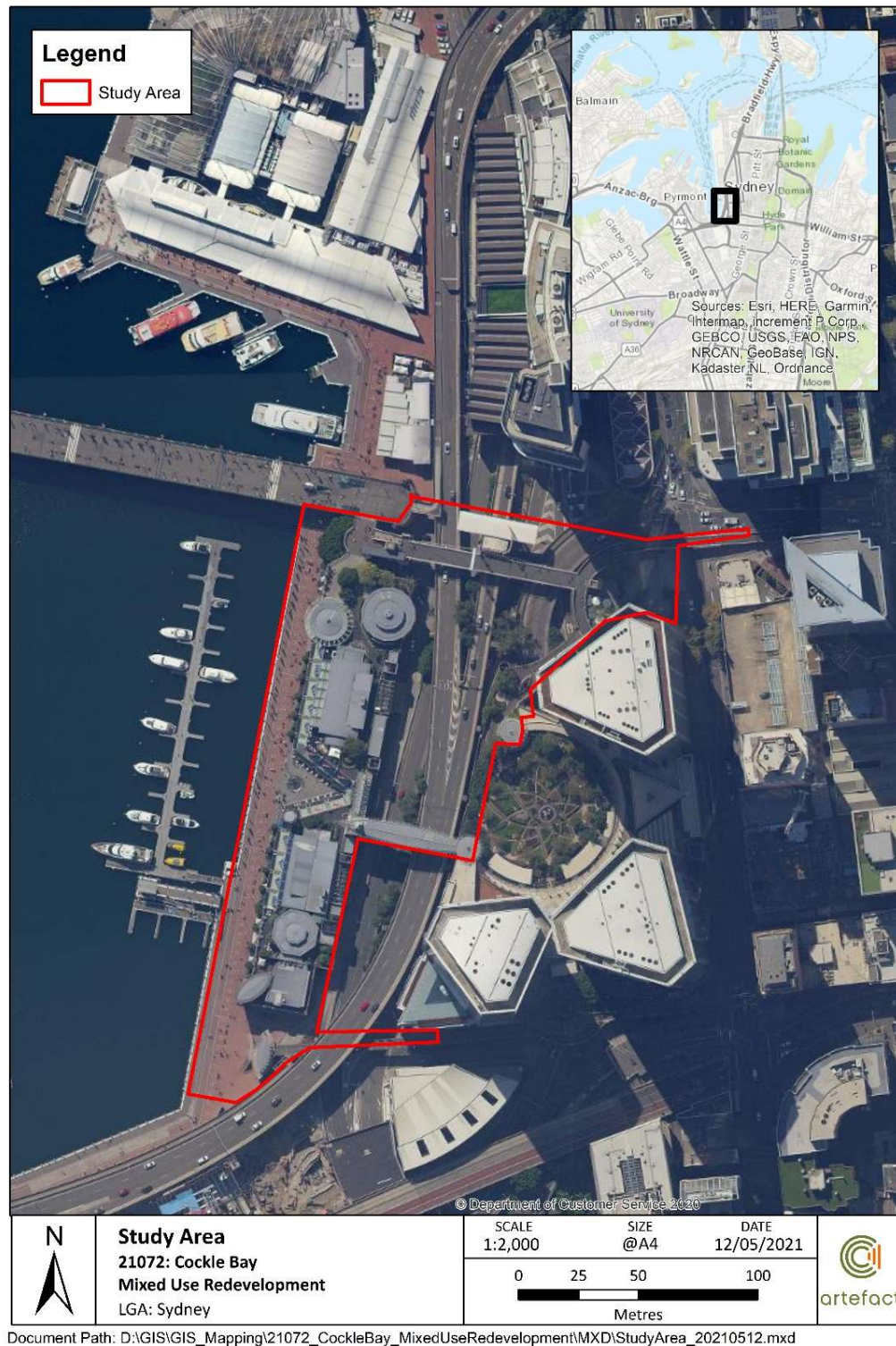


Figure 1: The study area



artefact

Lillie Carroll

Paul Boyd Didge Ngunawal Clan

didgengunawalclan@yahoo.com.au

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Lillie Carroll

Paul Boyd

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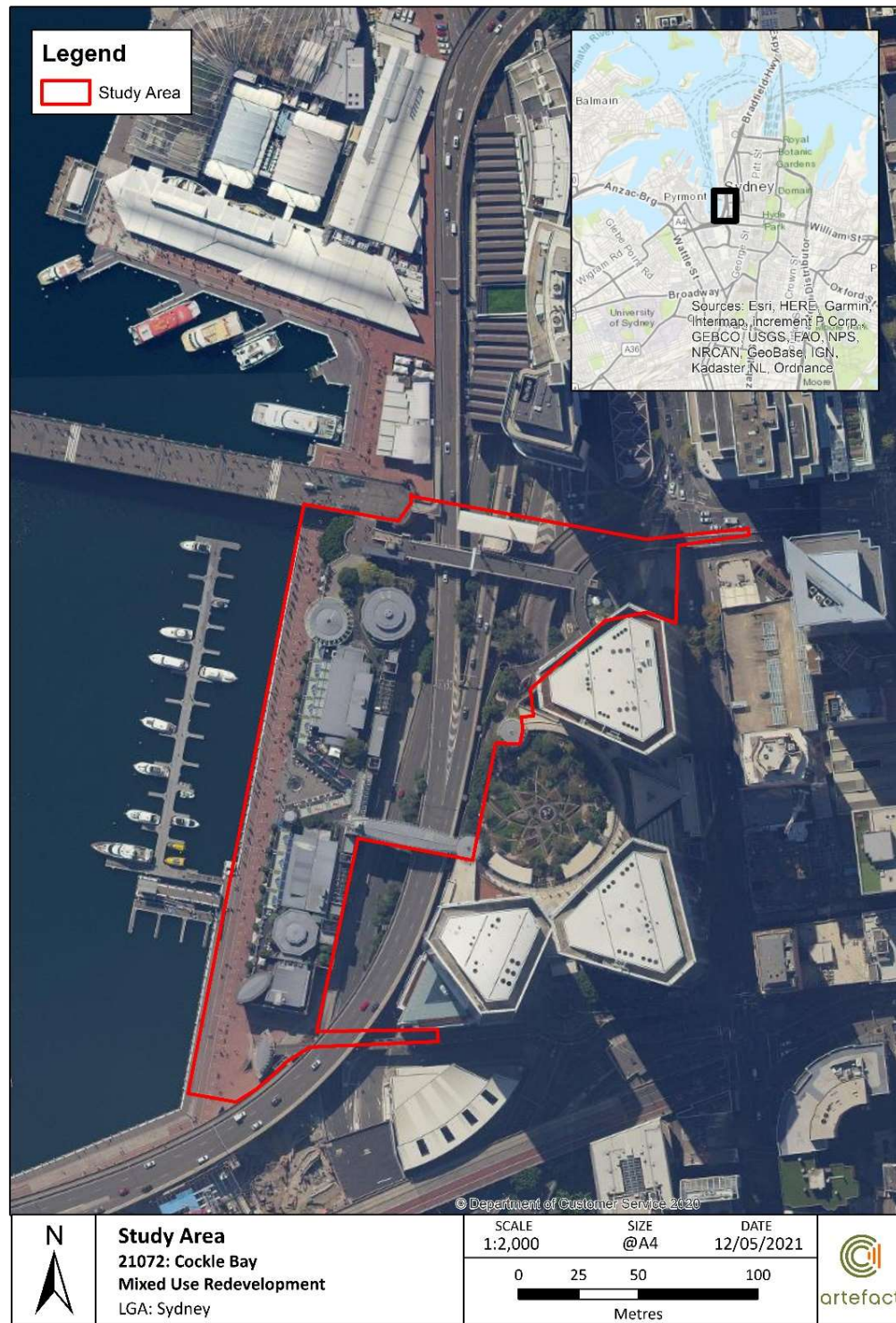


Figure 1: The study area



artefact

Steven Johnson and Krystle Carroll Ginninderra Aboriginal Corporation

Ginninderra.corp@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Steven Johnson and Krystle Carroll

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

The contact details for the proponent are:

Amanda Fisher  
Project Manager  
TSA Management  
amanda.fisher@tsamgt.com

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Kind regards,

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Artefact Heritage  
Michael.lever@artefact.net.au  
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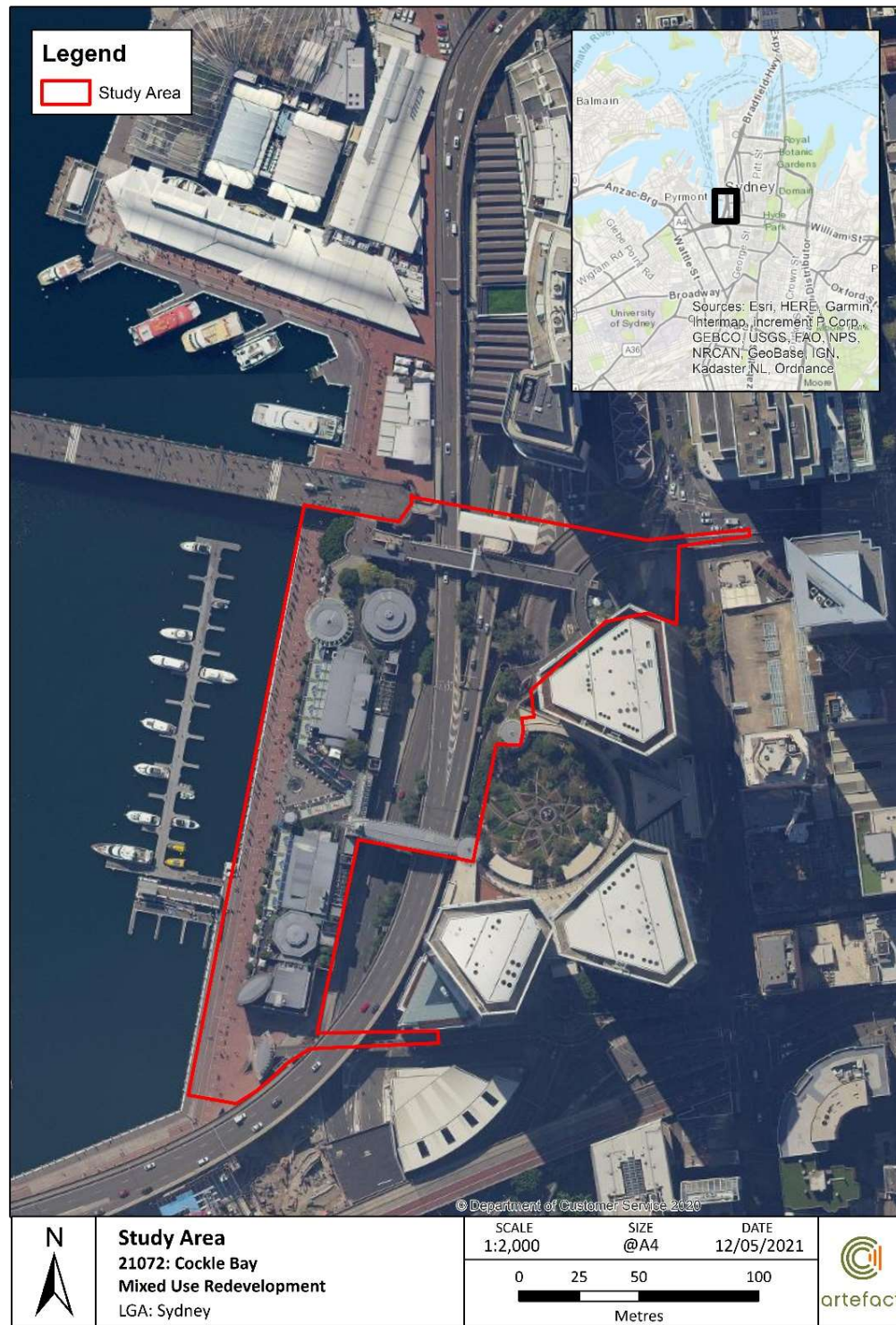


Figure 1: The study area





artefact

Philip Boney Wailwan Aboriginal Group

waarlan12@outlook.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Philip Boney

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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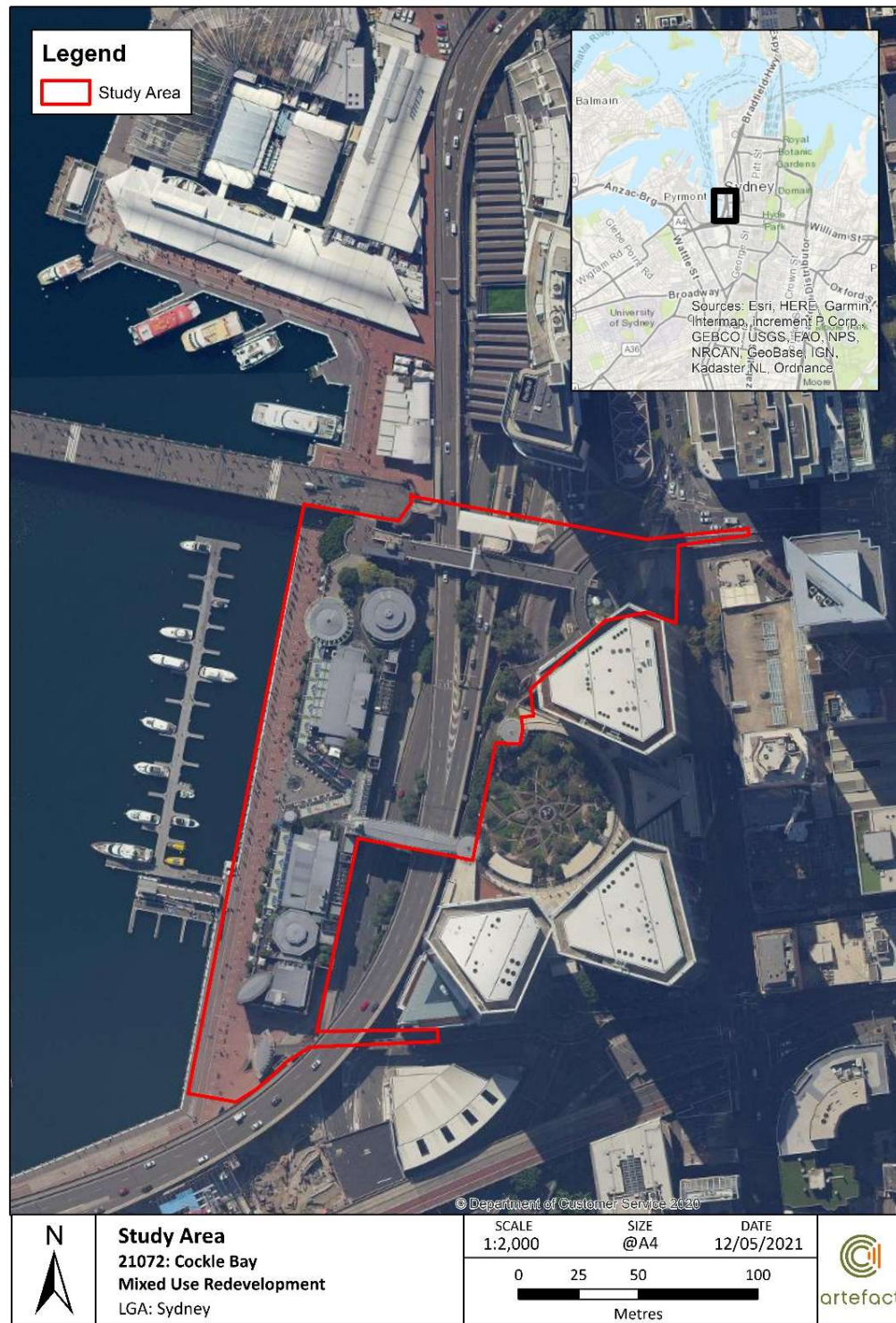


Figure 1: The study area



artefact

Mrs Jody Kulakowski (Director) Barking Owl Aboriginal Corporation

barkingowlcorp@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Mrs Jody Kulakowski (Director)

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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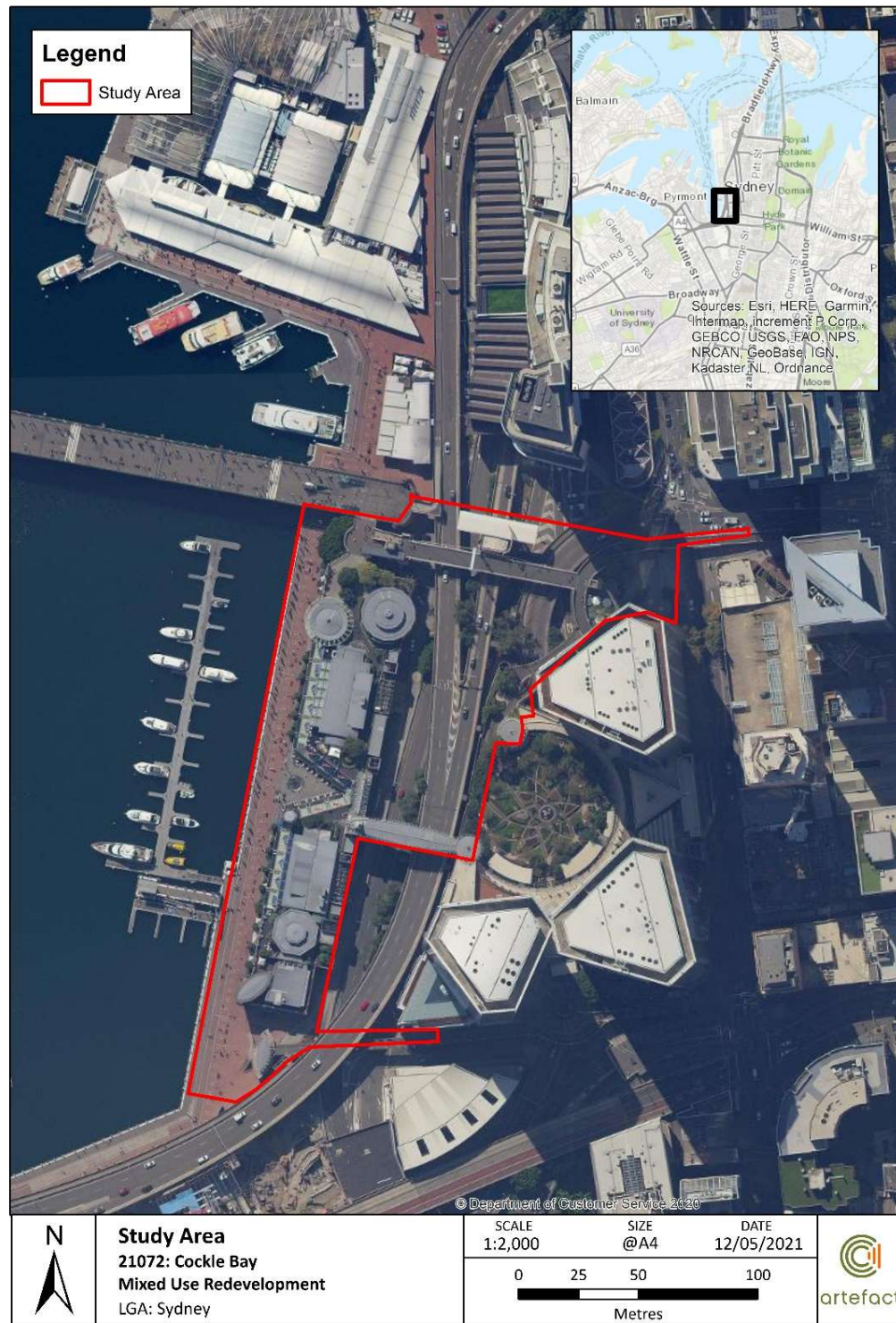


Figure 1: The study area



artefact

John Carriage Thoorga Nura

thoorganura@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear John Carriage

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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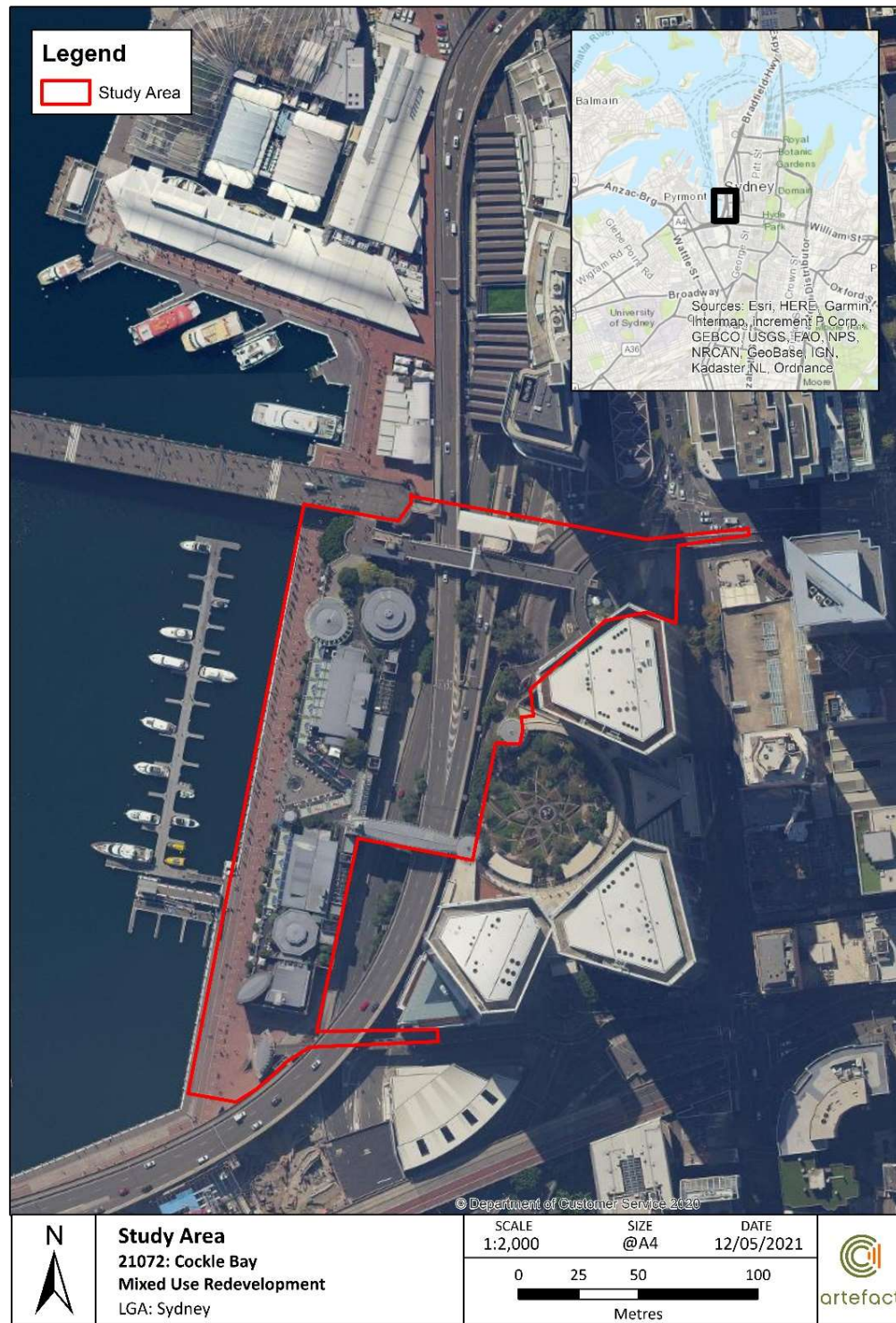


Figure 1: The study area



artefact

Nola Hampton B H Heritage Consultants

kinghampton@77gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Nola Hampton

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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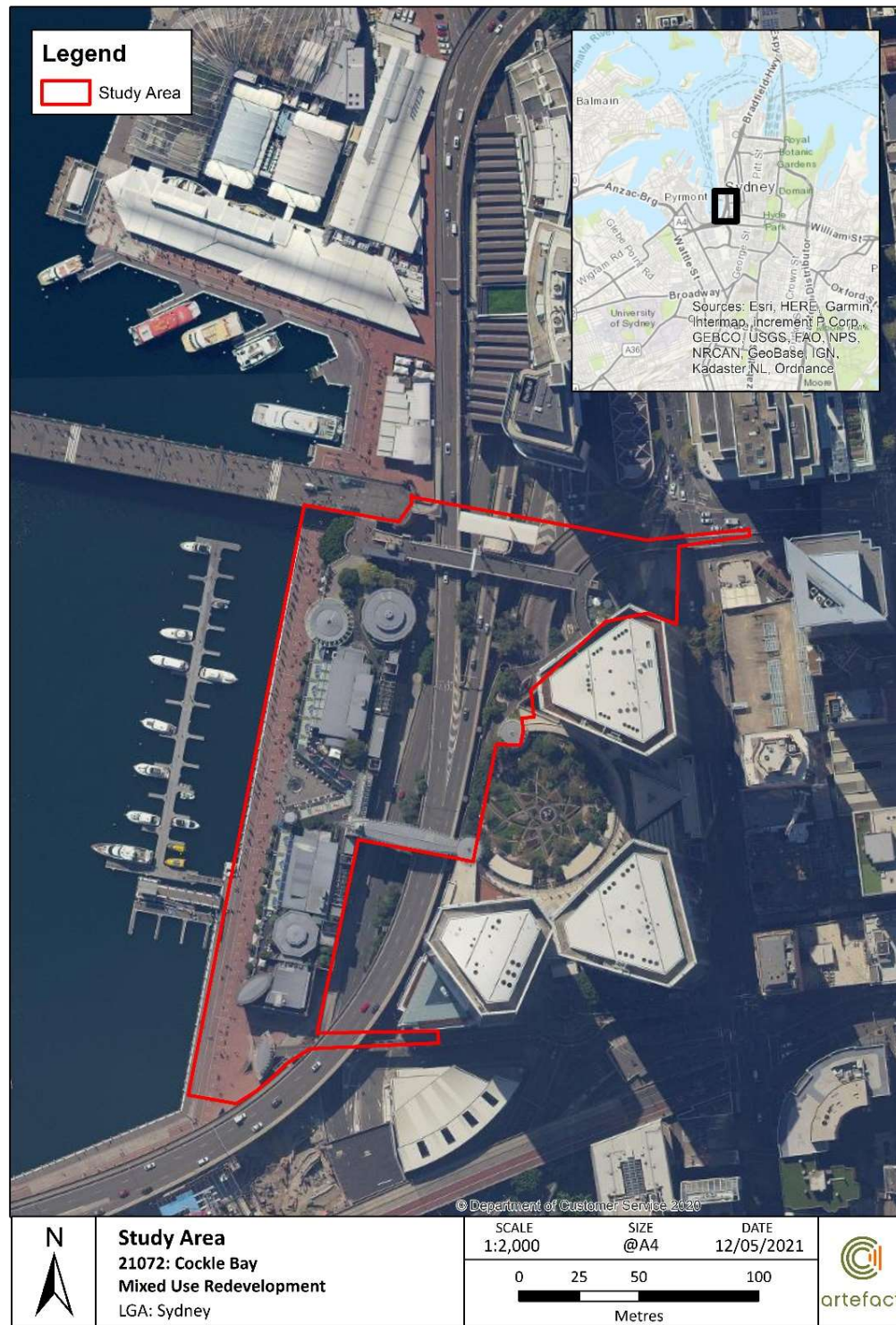


Figure 1: The study area





artefact

Ralph Hampton B H Heritage Consultants

hamptonralph46@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Ralph Hampton

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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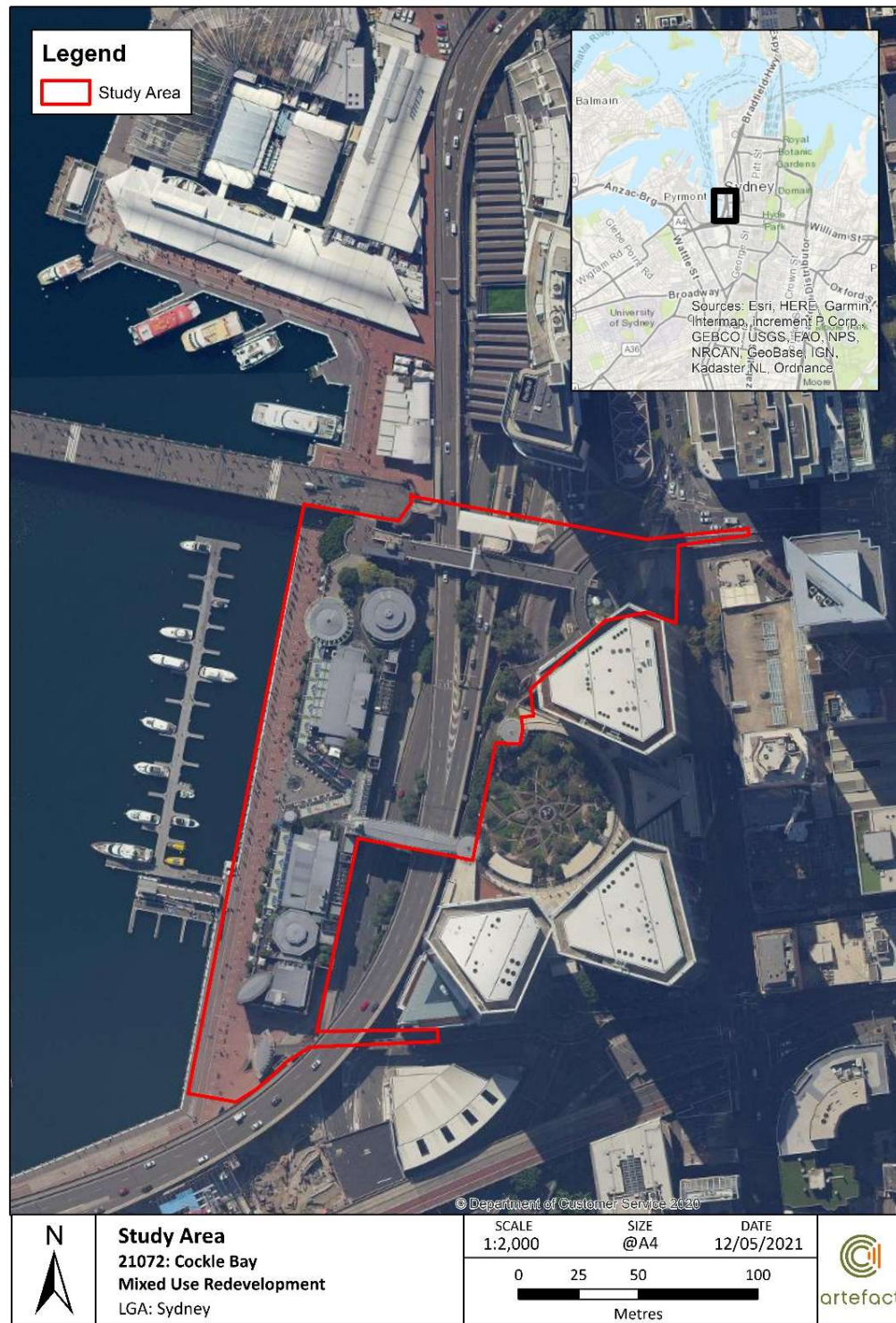


Figure 1: The study area



artefact

Paul Hand (chairperson) Darug Boorooberongal Elders Aboriginal Corporation

paulhand1967@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Paul Hand (chairperson)

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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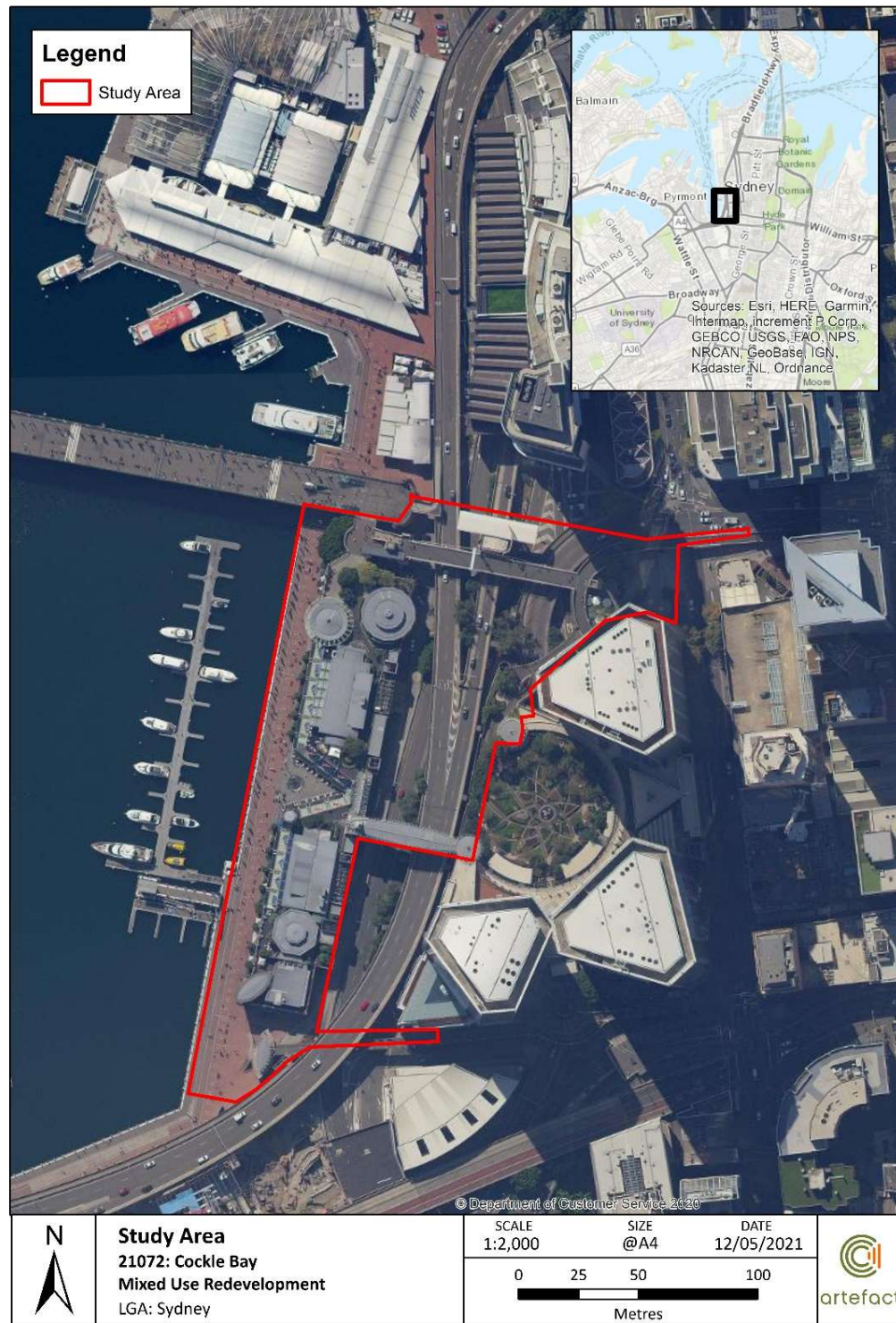


Figure 1: The study area



artefact

Caine Carroll Goodradigbee Cultural & Heritage Aboriginal Corporation,

goodradigbee1@outlook.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Caine Carroll

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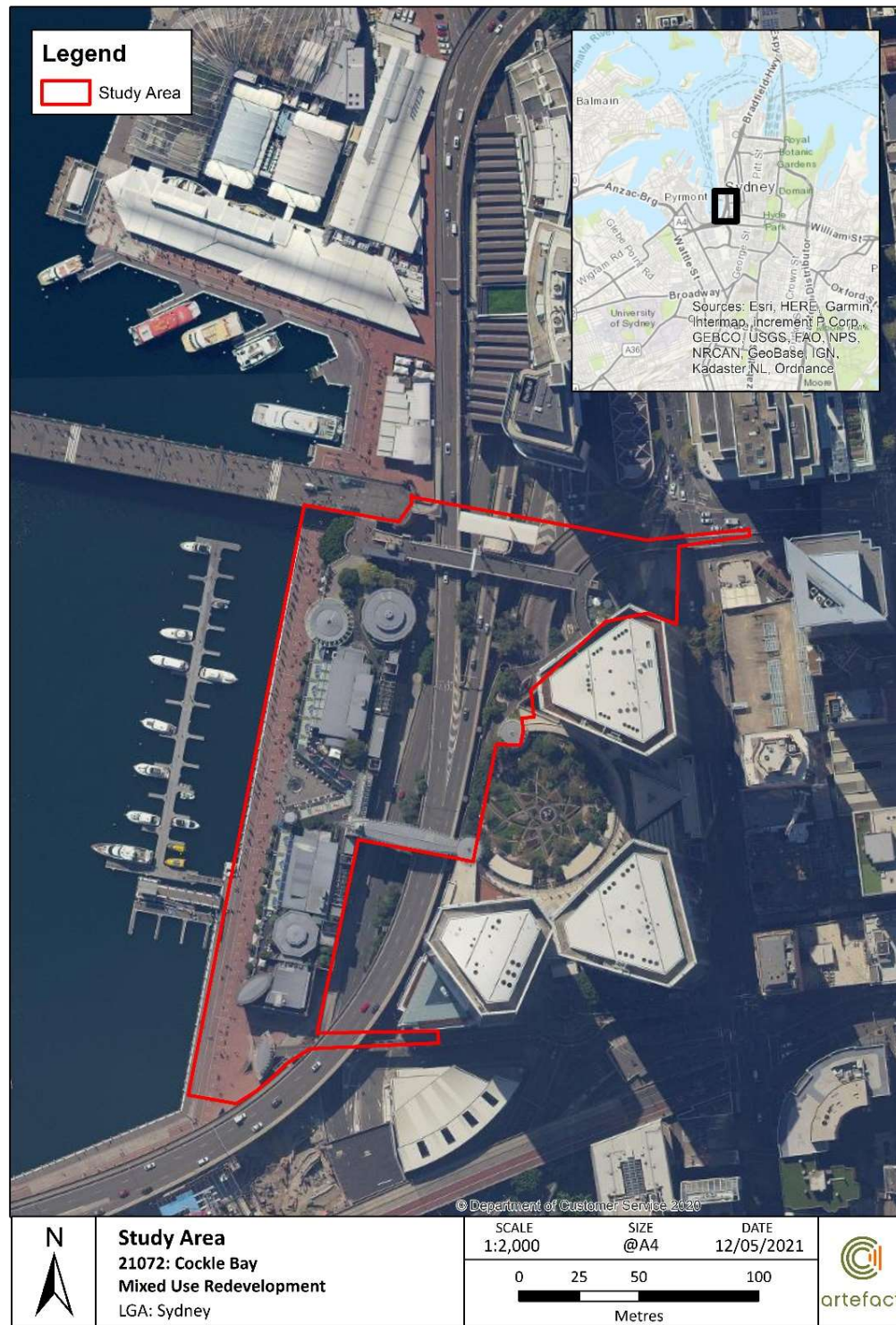


Figure 1: The study area



artefact

Phillip Carroll Mura Indigenous Corporation,

mura.indigenous@bigpond.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Phillip Carroll

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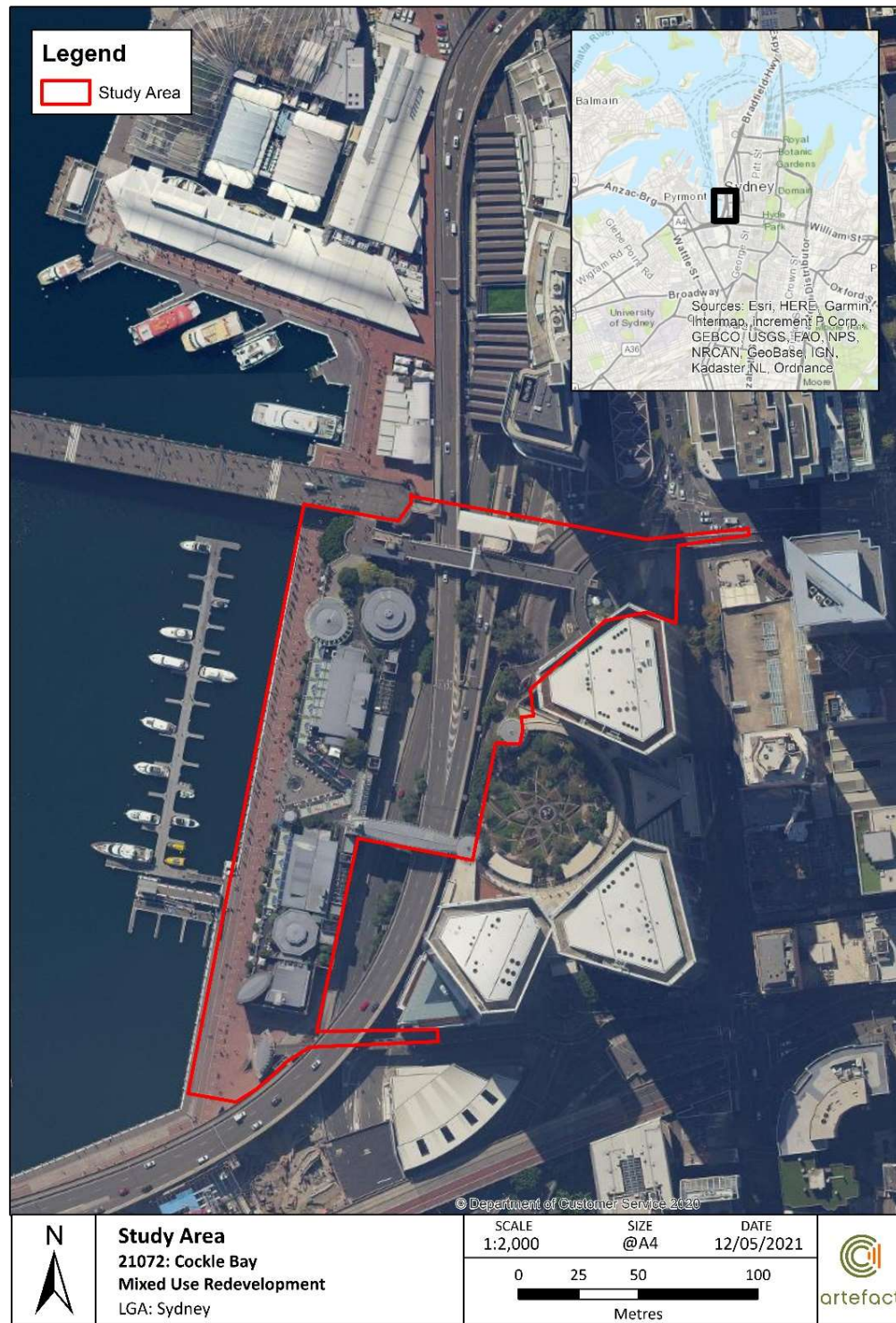


Figure 1: The study area





artefact

Jamie Eastwood Aragung Aboriginal Cultural Heritage Site Assessments

James.eastwood@y7mail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Jamie Eastwood

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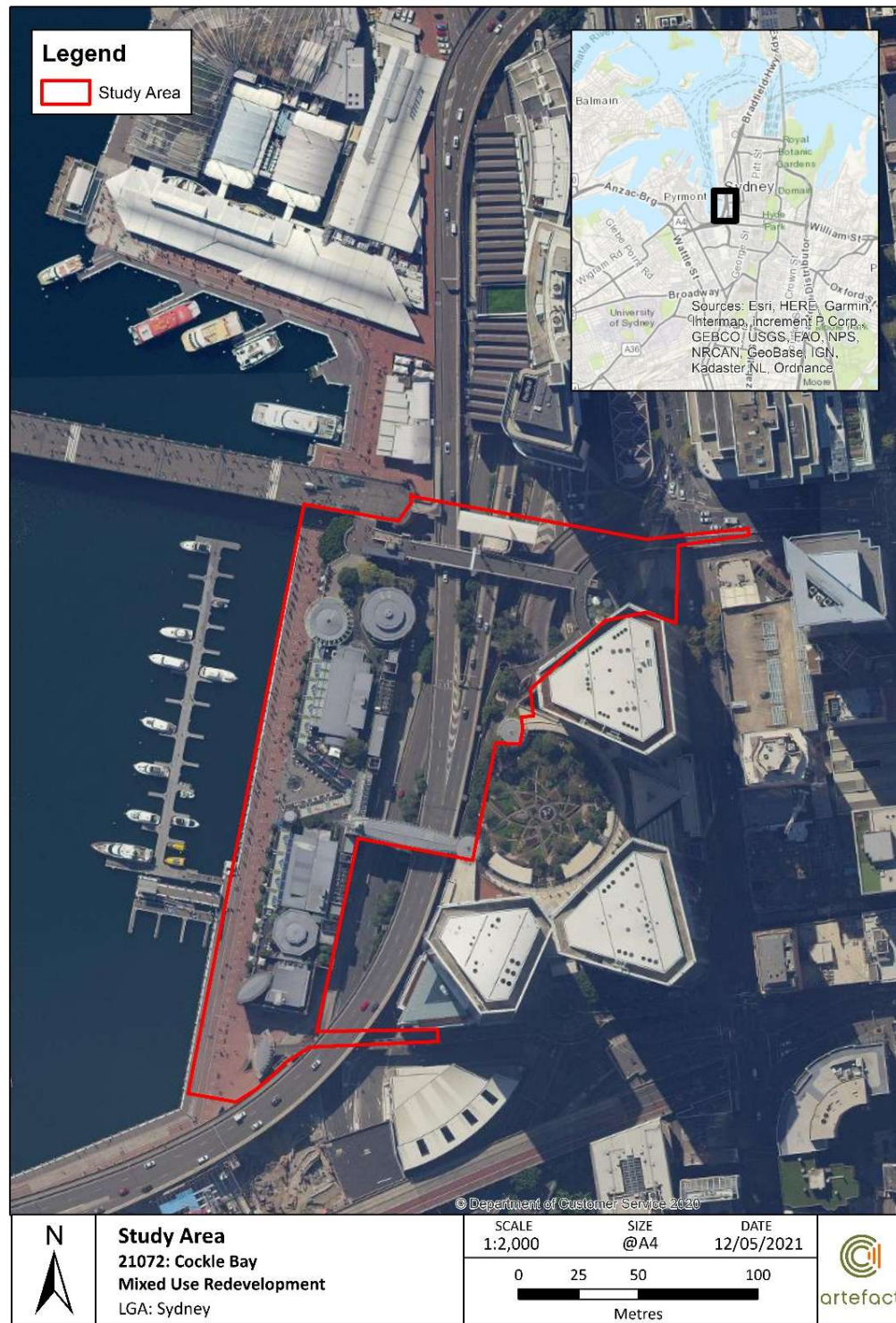


Figure 1: The study area



artefact

Rodney Gunther & Barry Gunther Waawaar Awaa Aboriginal Corporation

Waawaar.awaa@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Rodney Gunther & Barry Gunther

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411

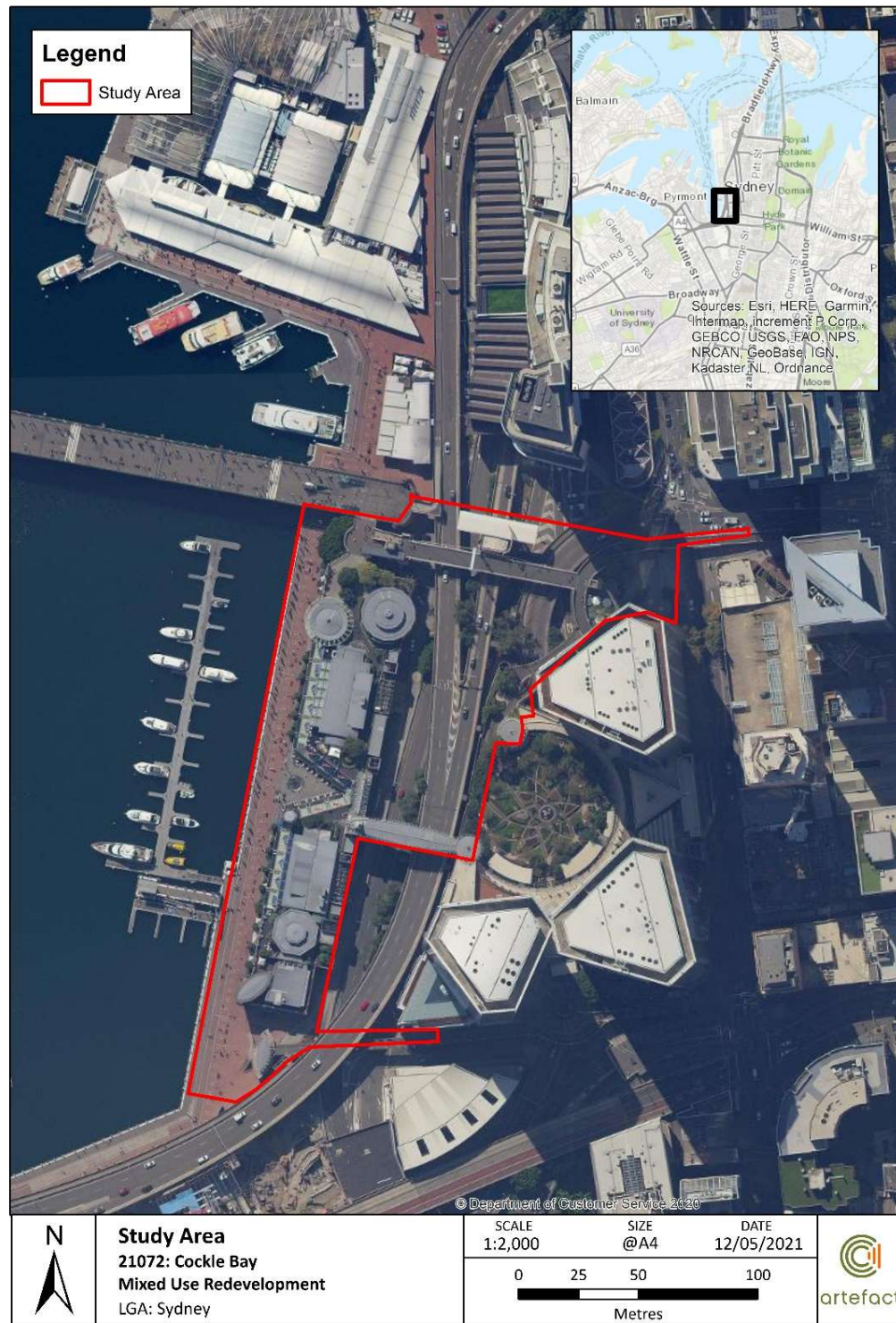


Figure 1: The study area



artefact

Clive Freeman Clive Freeman

clive.freeman@y7mail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Clive Freeman

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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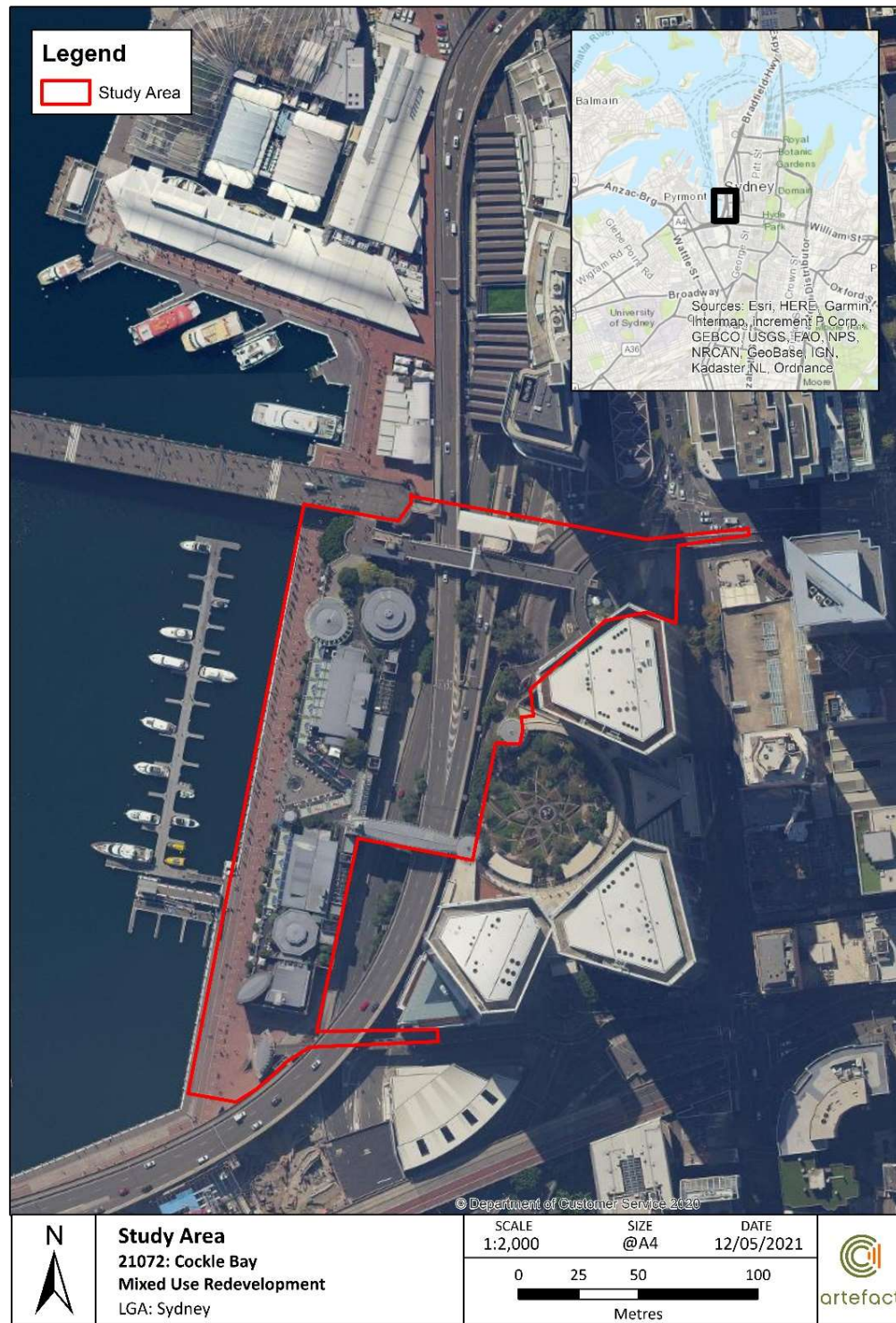


Figure 1: The study area



artefact

Robert Slater Galamaay Cultural Consultants (GCC)

galamaay@hotmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Robert Slater

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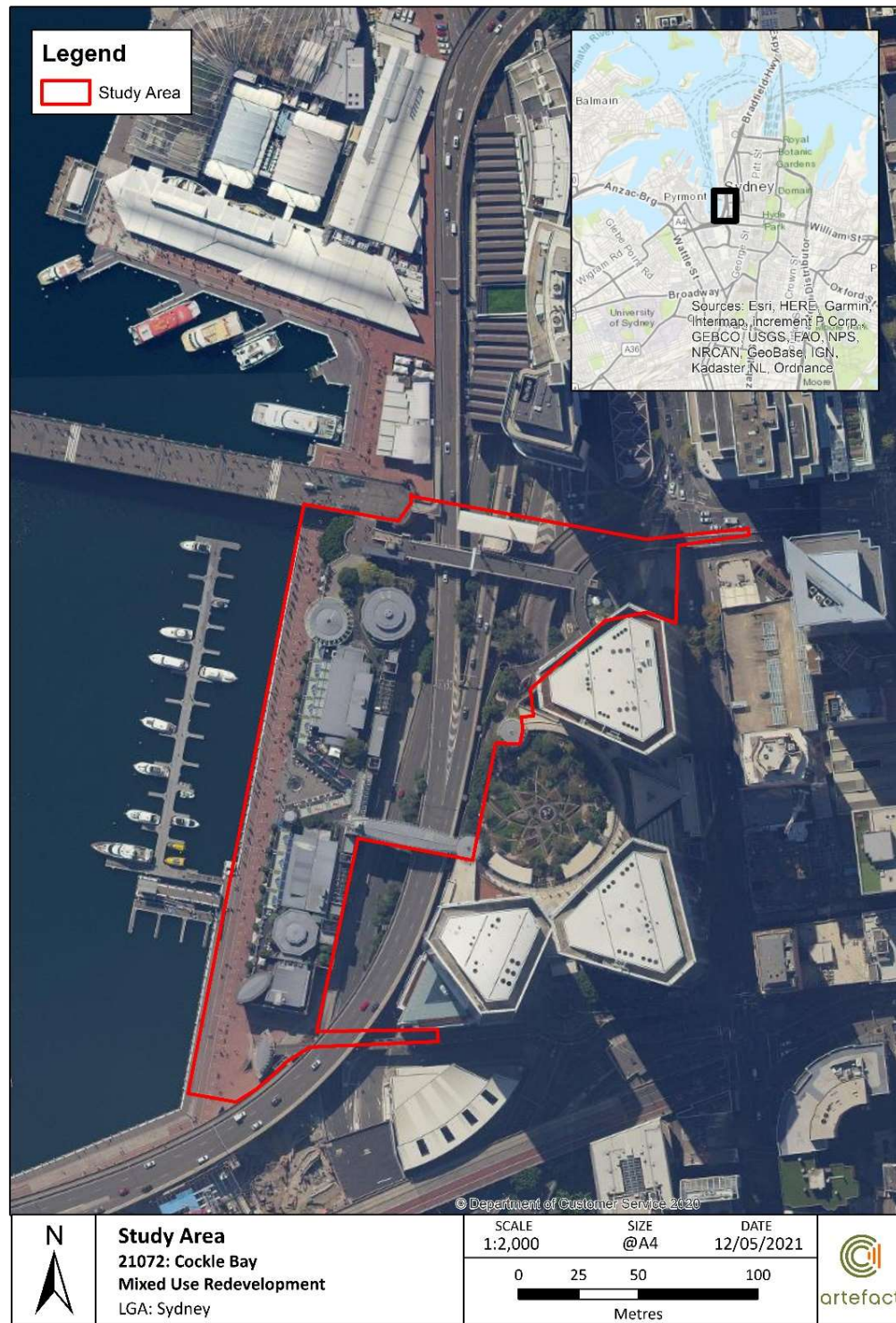


Figure 1: The study area





artefact

Kerrie Slater and Vicky Slater Wurrumay Pty Ltd

wurrumay@hotmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Kerrie Slater and Vicky Slater

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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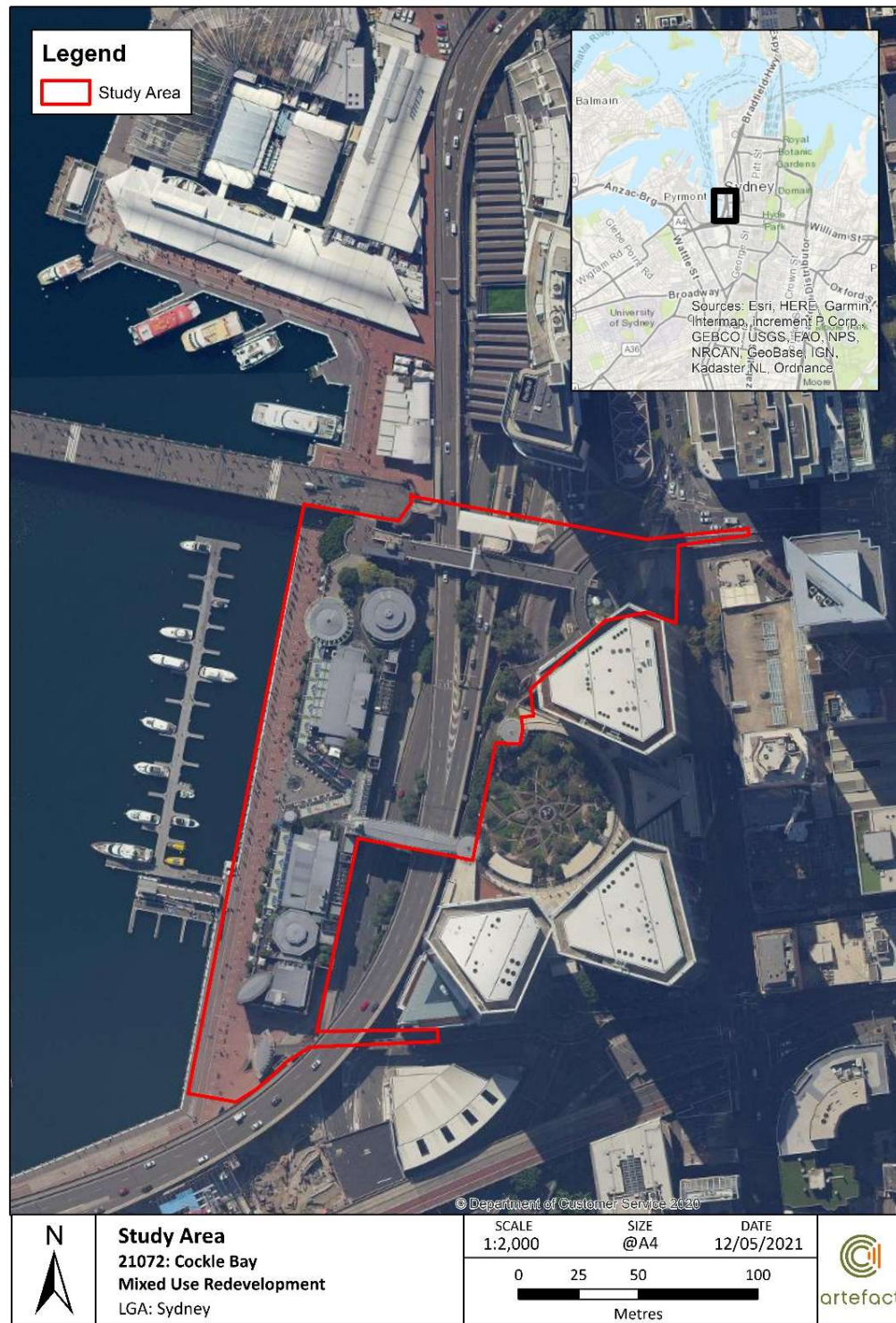


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artefact

Kaarina Slater Ngambaa Cultural Connections

ngambaaculturalconnections@hotmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Kaarina Slater

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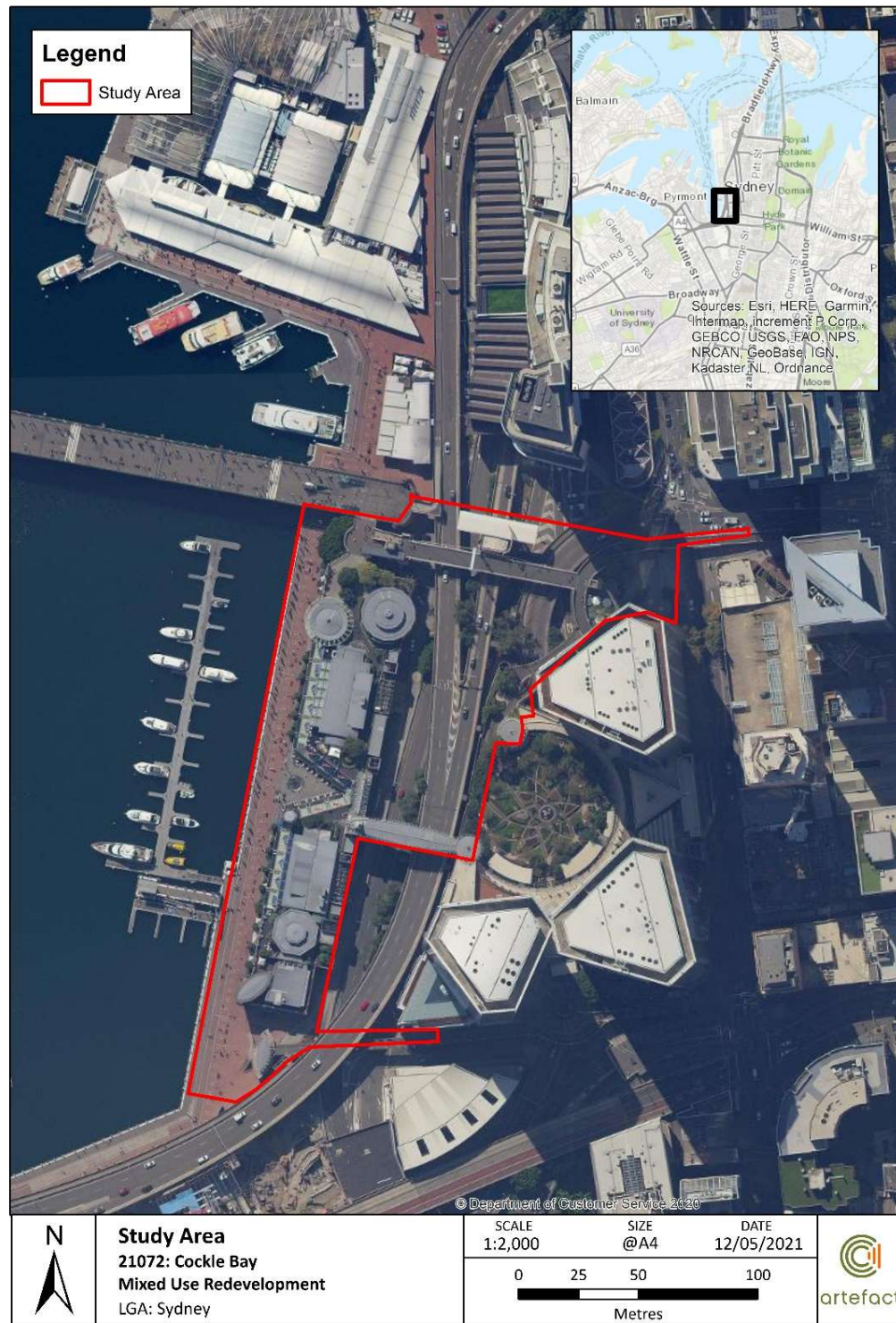


Figure 1: The study area



artefact

Daniel Chalker Wori Woilywa

woriwoilywa@gmail.com

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Daniel Chalker

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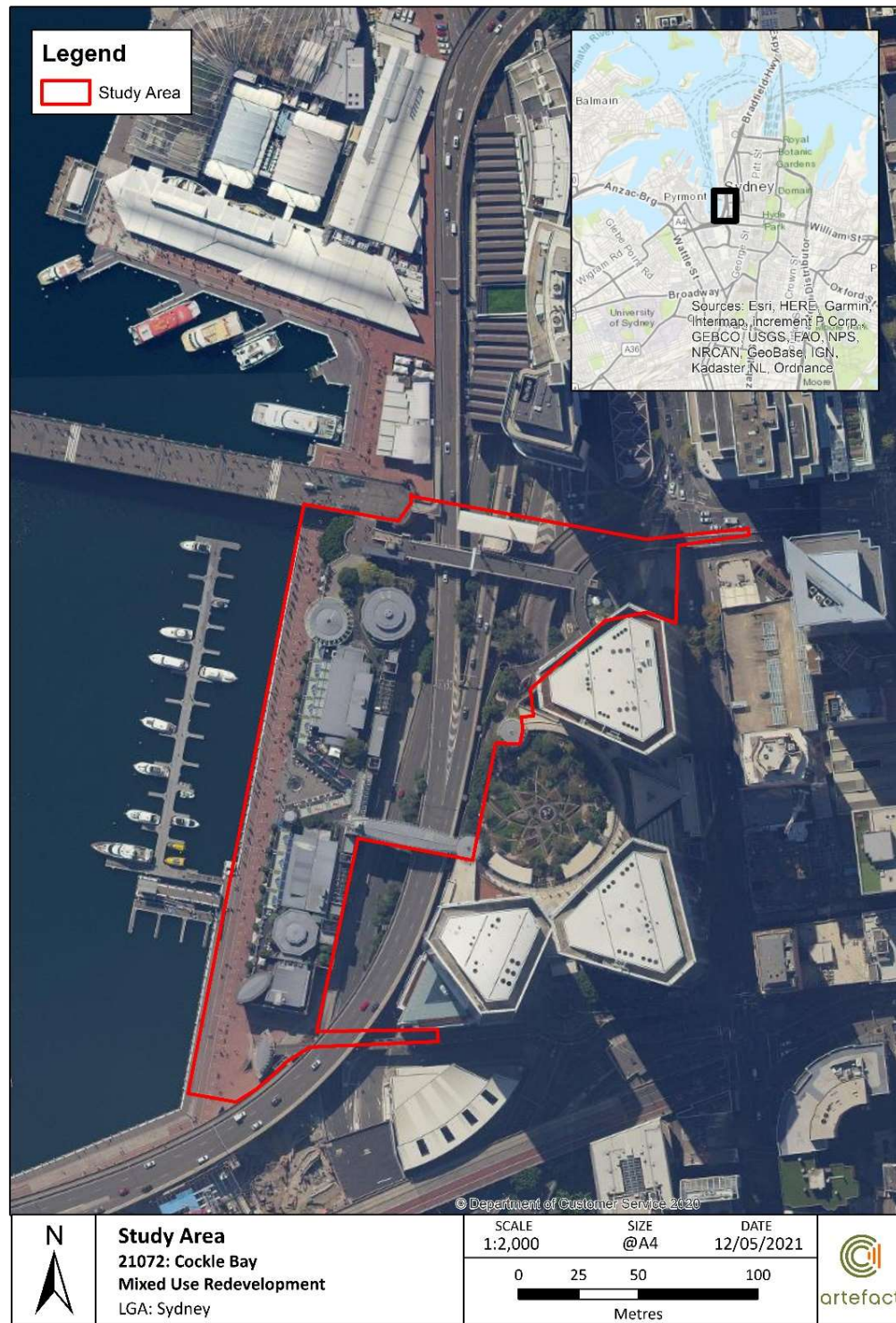


Figure 1: The study area



artefact

Justine Coplin Darug Custodian Aboriginal Corporation

justinecoplin@optusnet.com.au

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Justine Coplin

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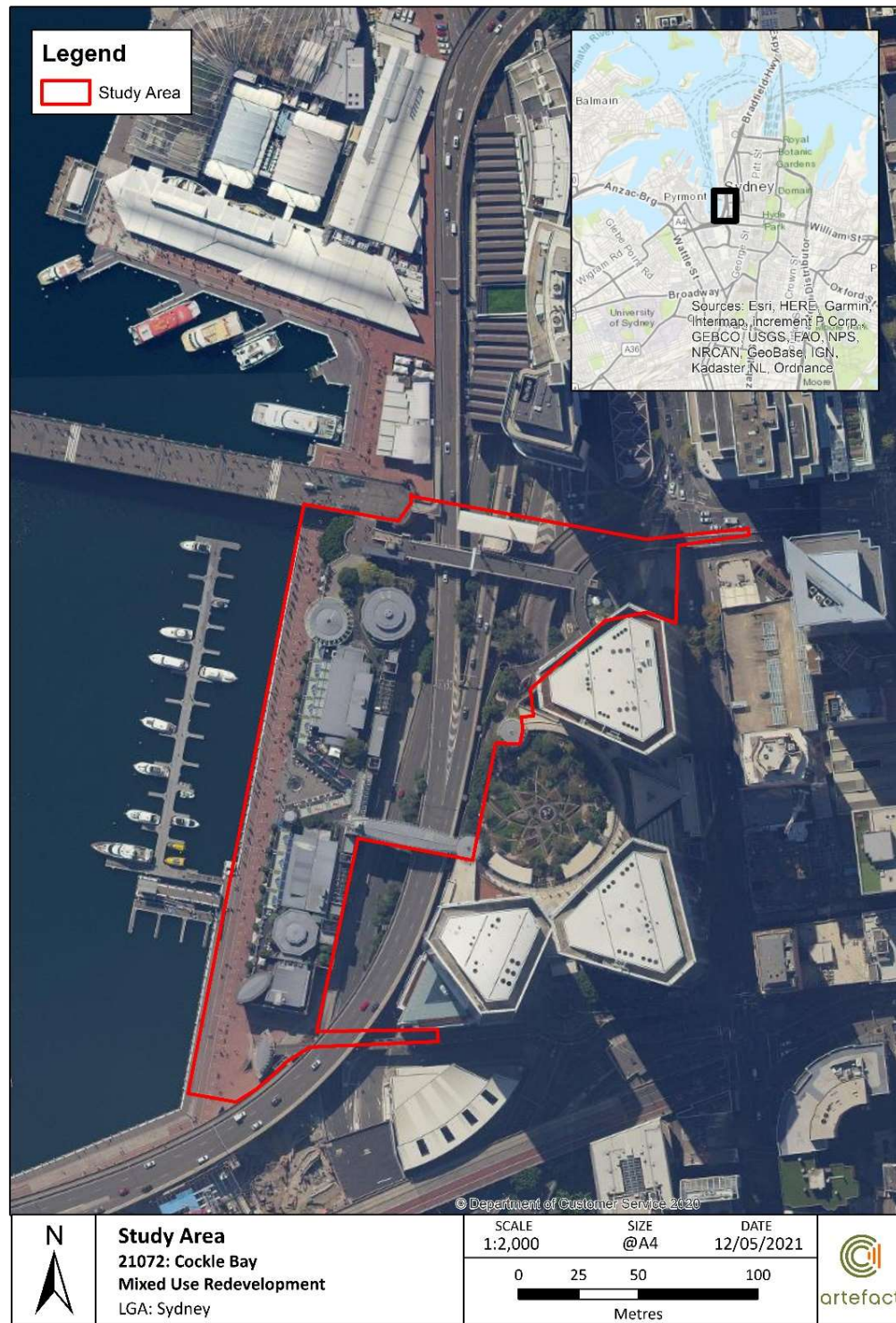


Figure 1: The study area





artefact

Marilyn Carroll-Johnson Corroboree

corroboreecorp@bigpond.com.

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Marilyn Carroll-Johnson

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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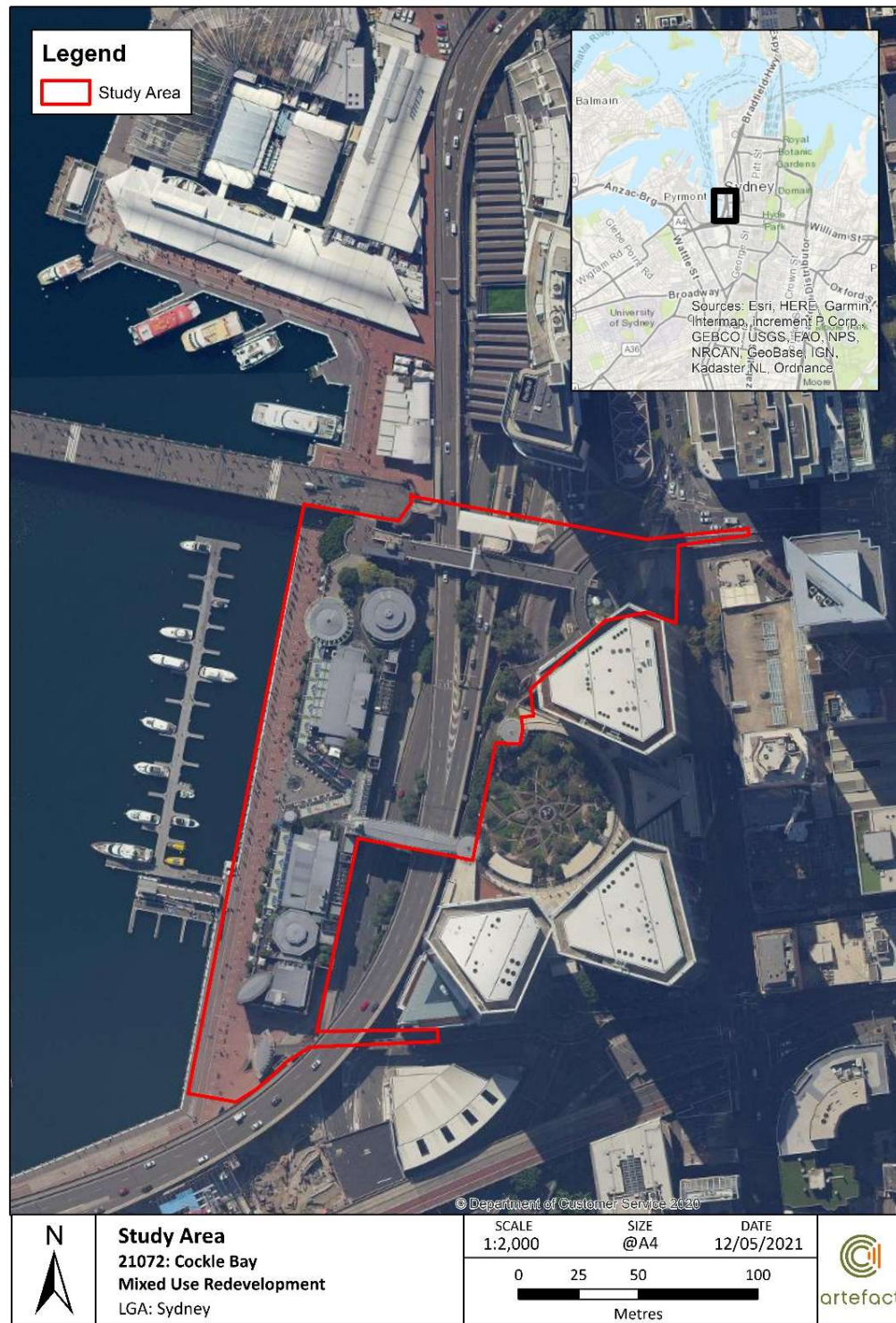


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31 May 2021

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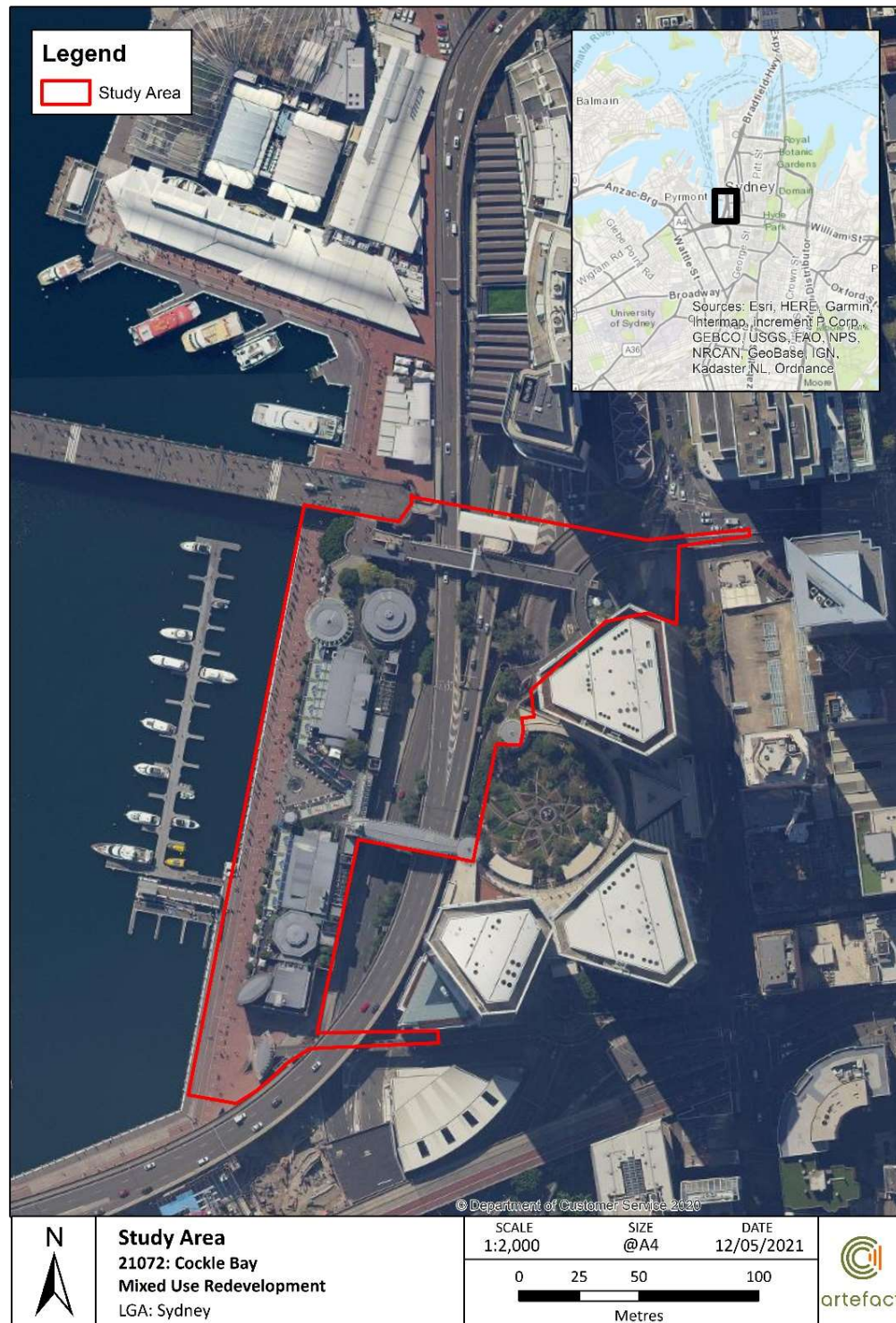


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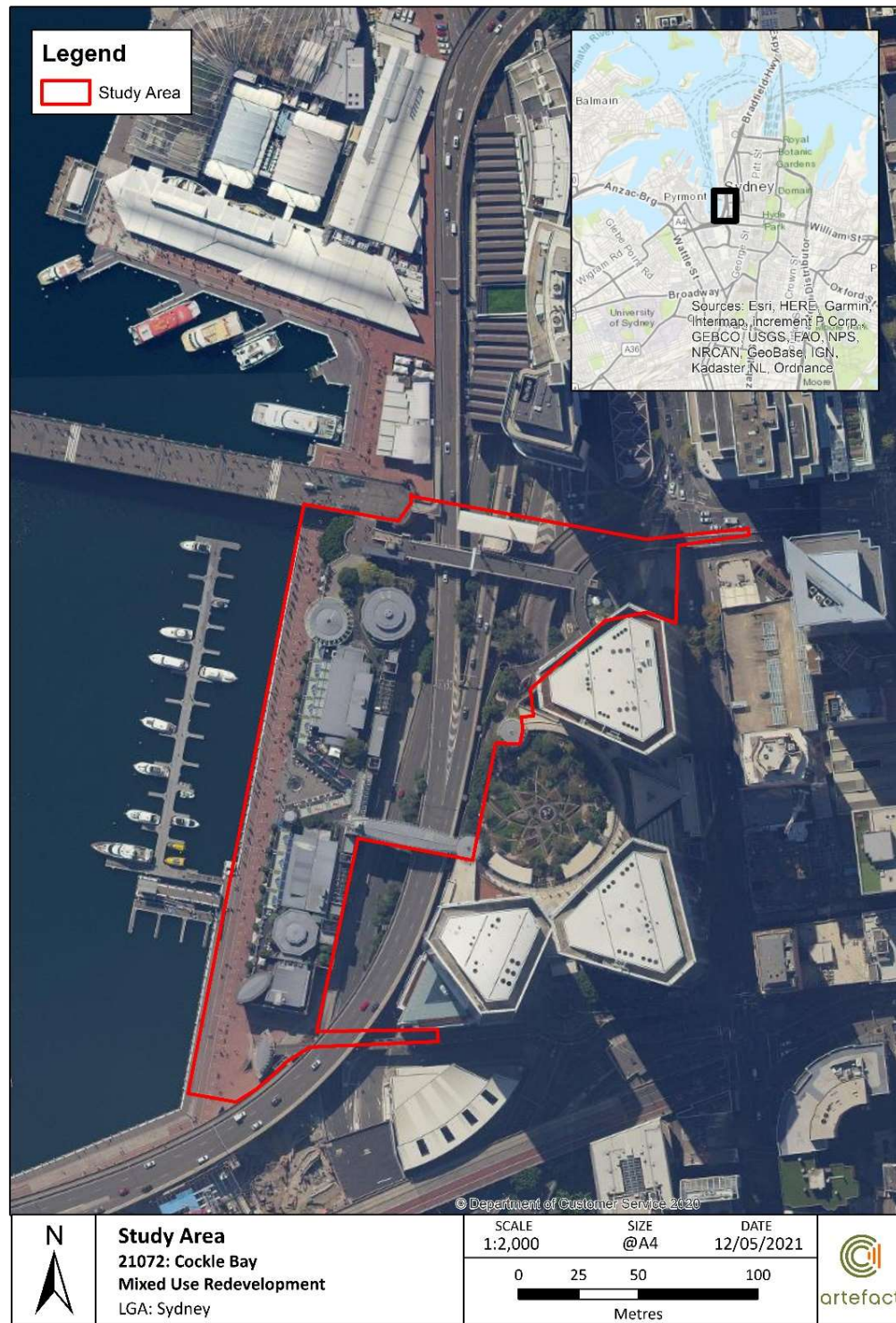


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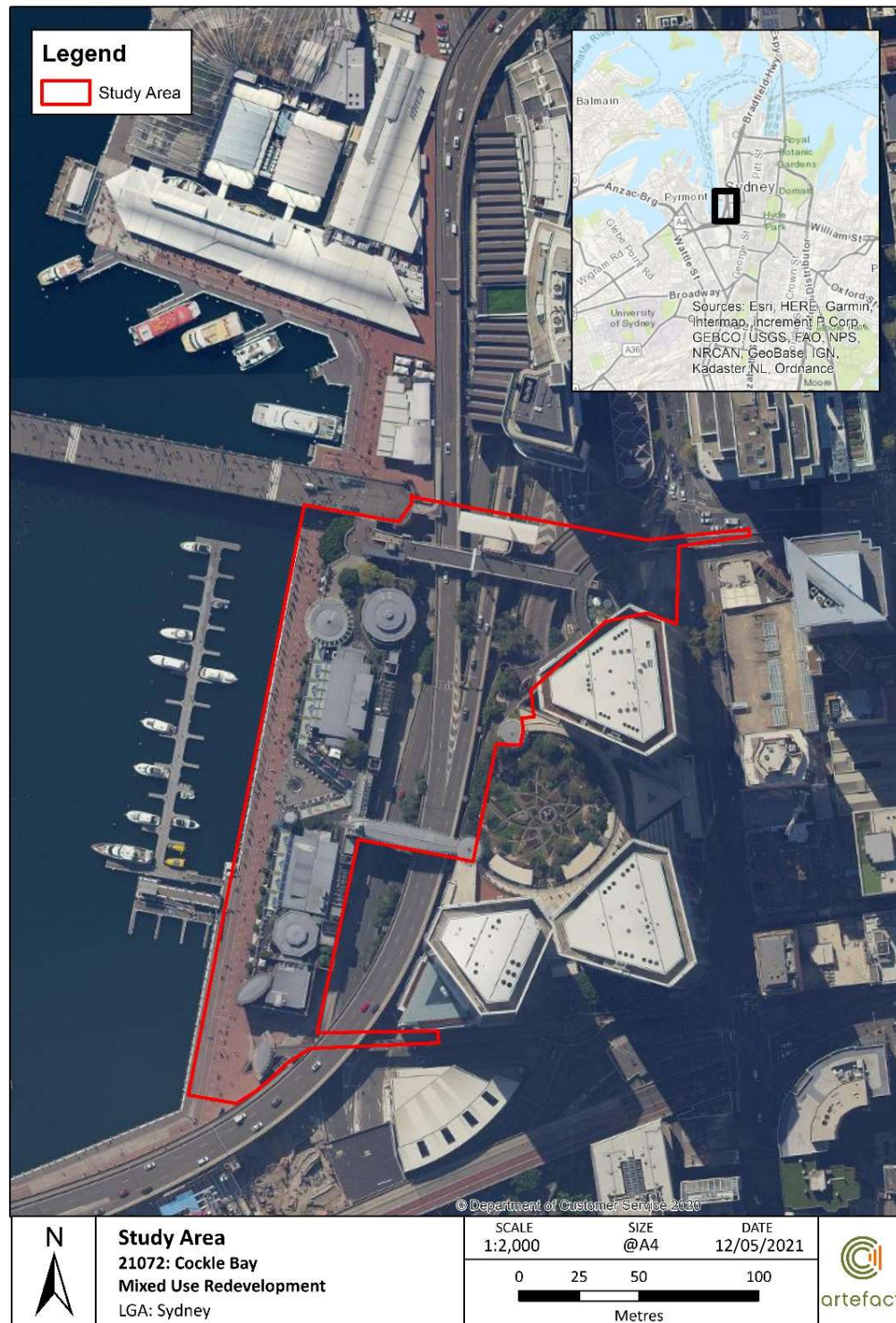


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Heritage Consultant  
Artefact Heritage  
Michael.lever@artefact.net.au  
(02) 9518 8411

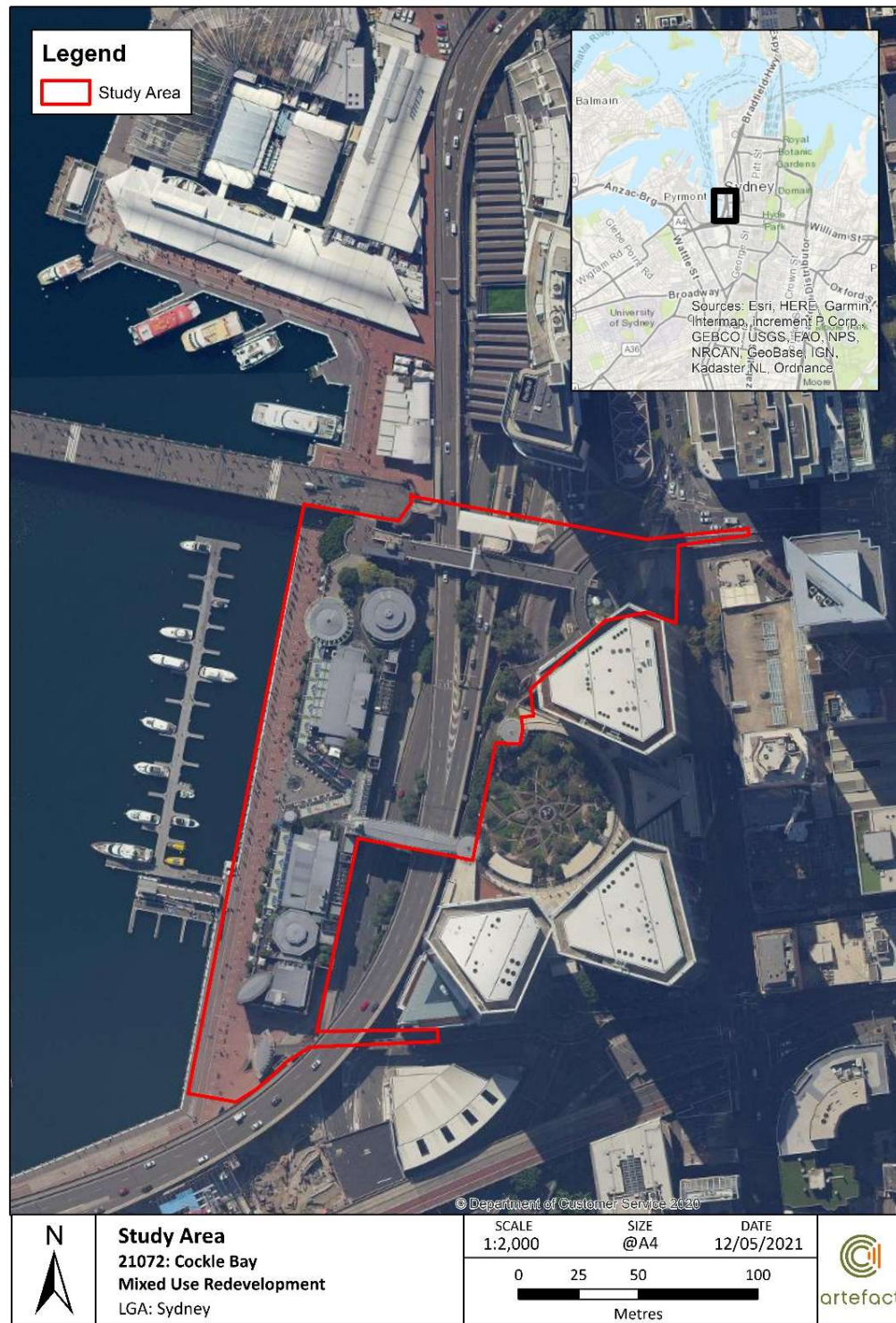


Figure 1: The study area

31 May 2021

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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amanda.fisher@tsamgt.com

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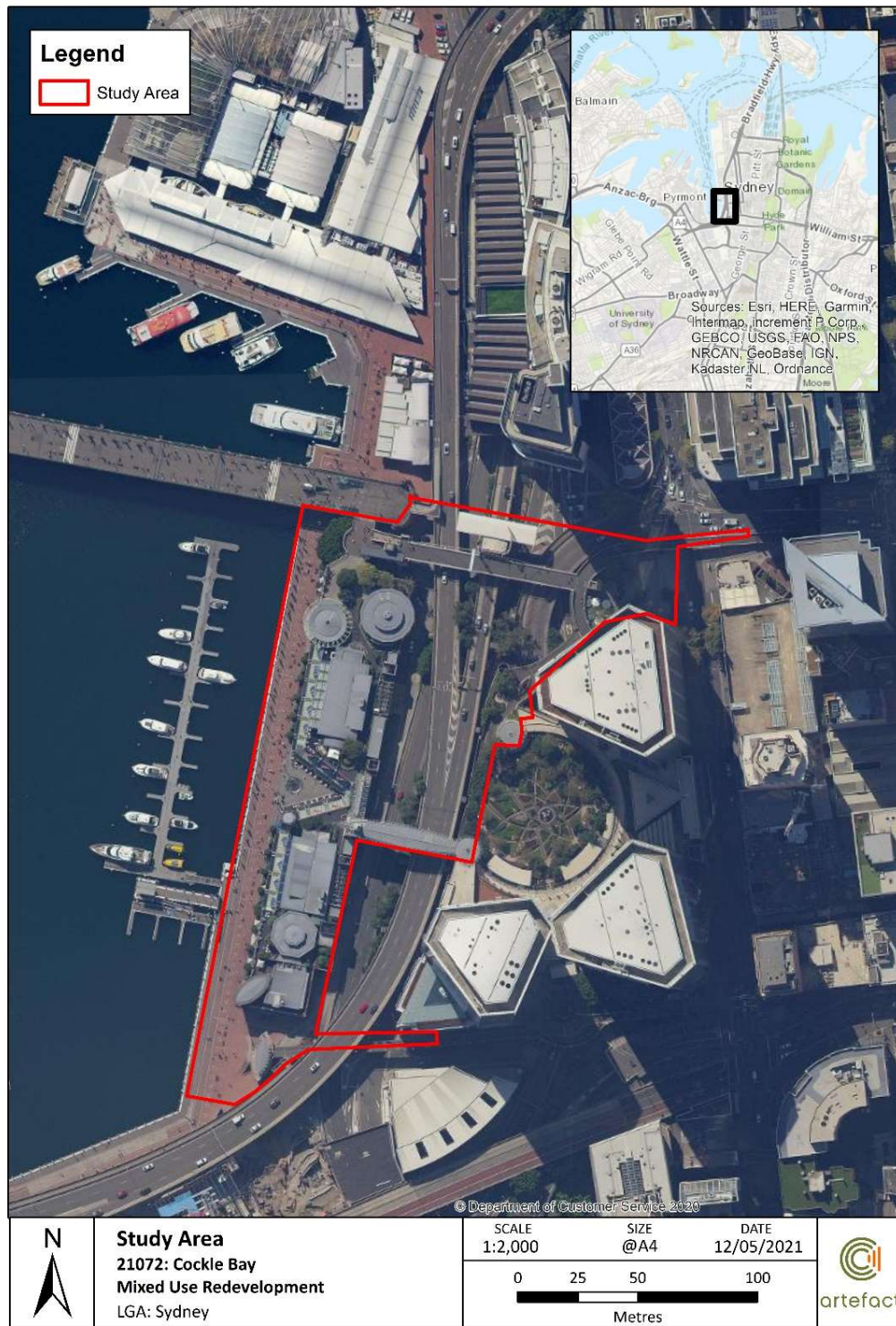


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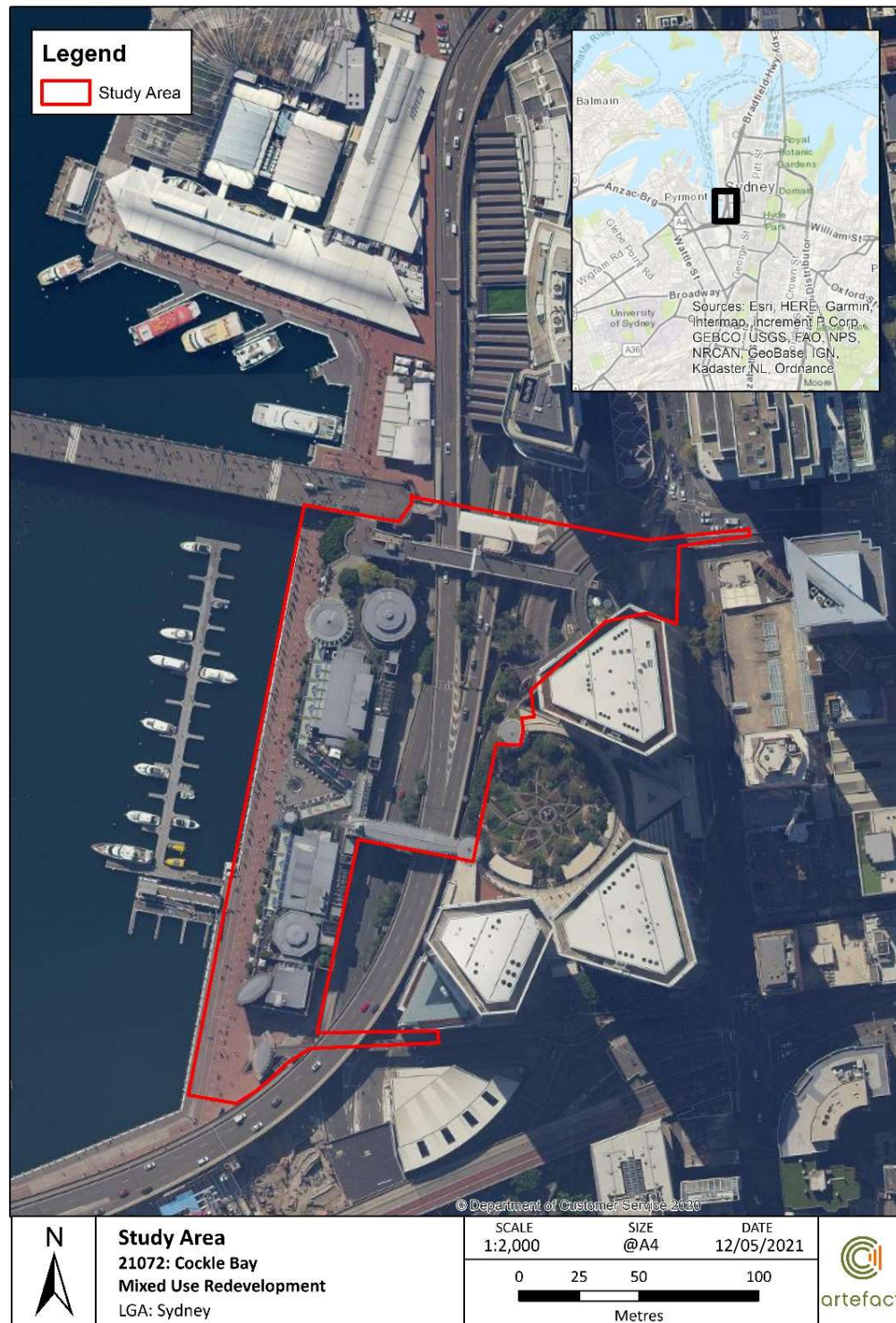


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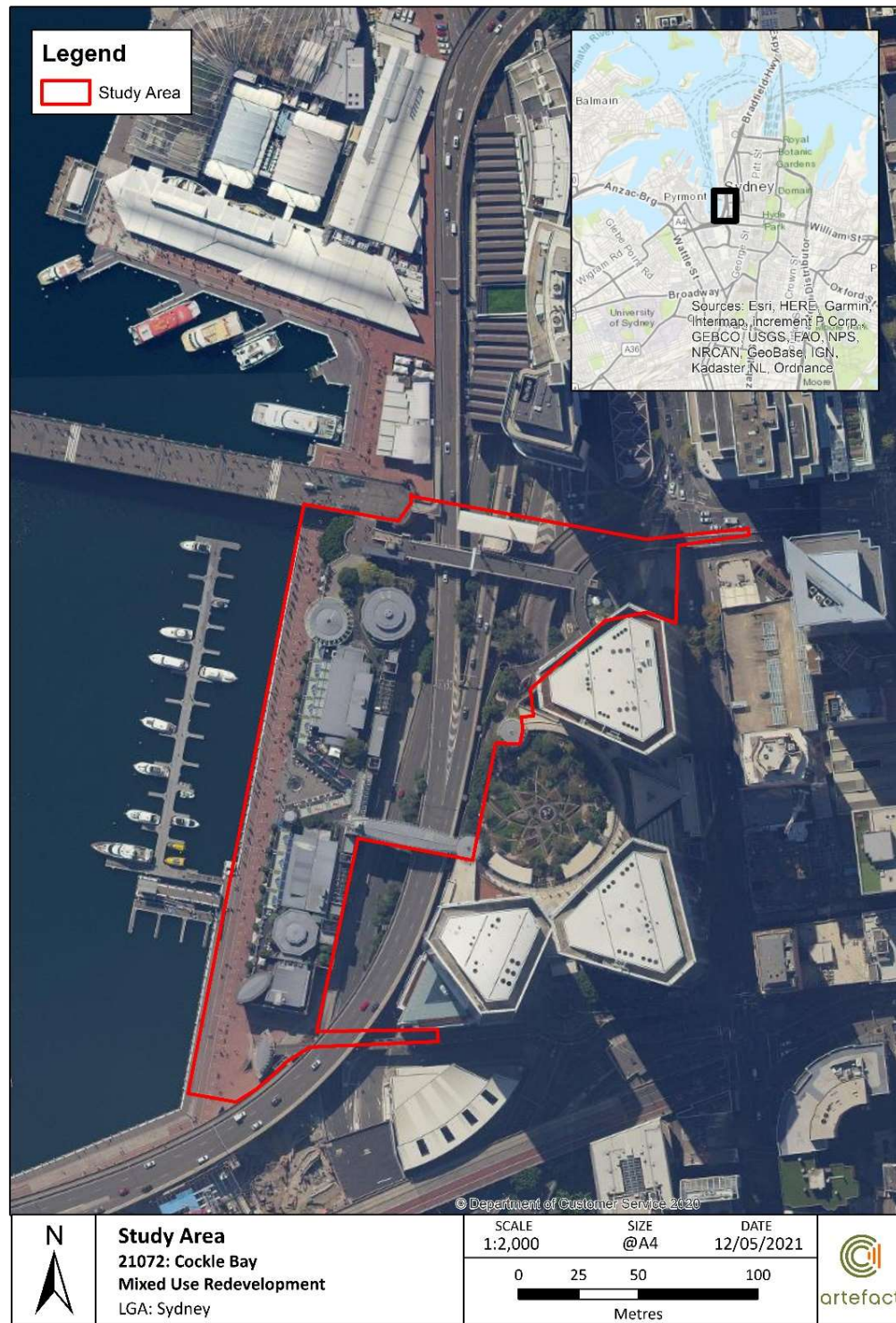


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31 May 2021

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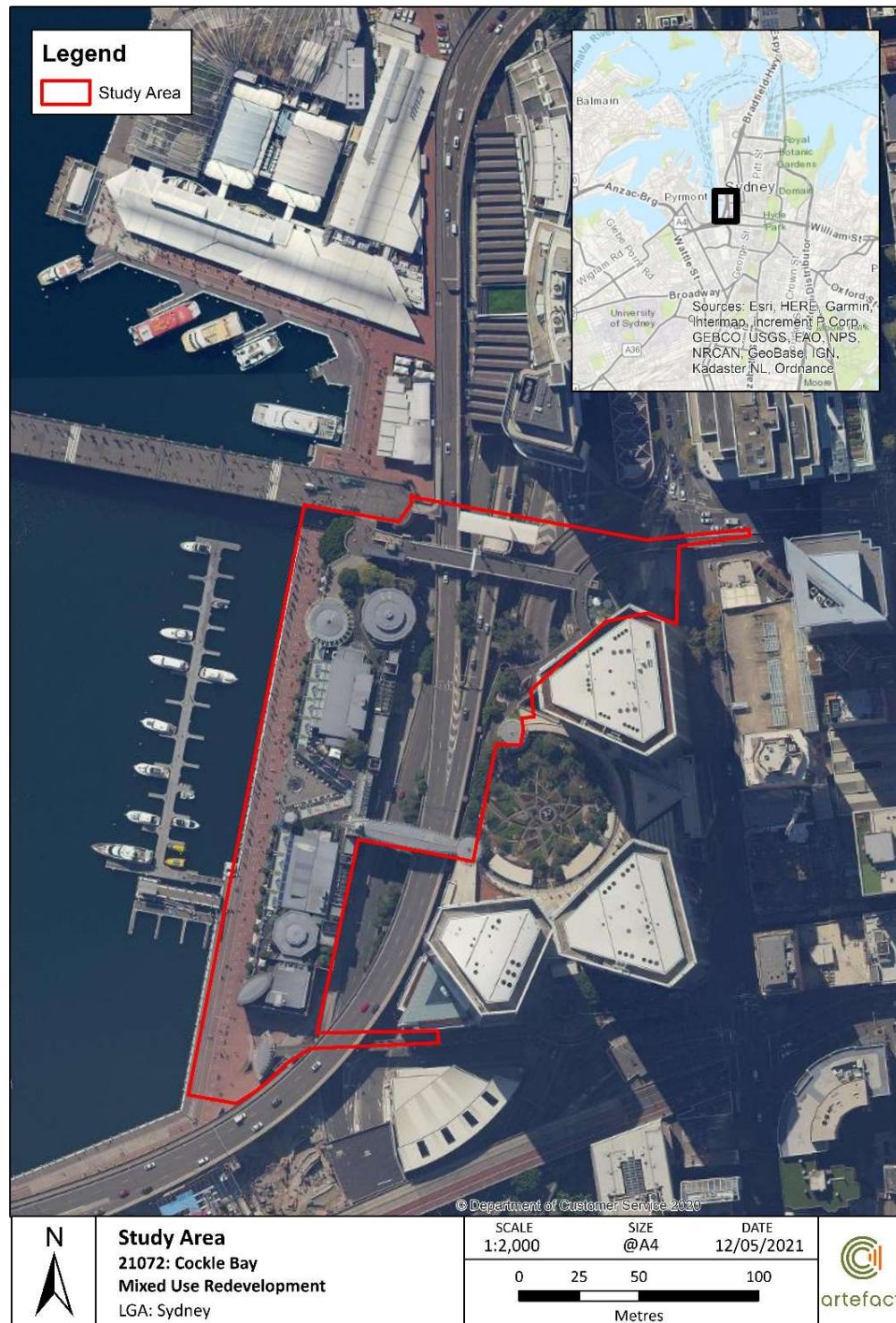


Figure 1: The study area

31 May 2021

Gordon Morton

Darug Aboriginal Cultural Heritage Assessments

Unit 9, 6 Chapman Avenue, Chatswood, NSW 2067

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment –  
Section 4.1.3 Invitation to Register Interest**

Dear Gordon Morton

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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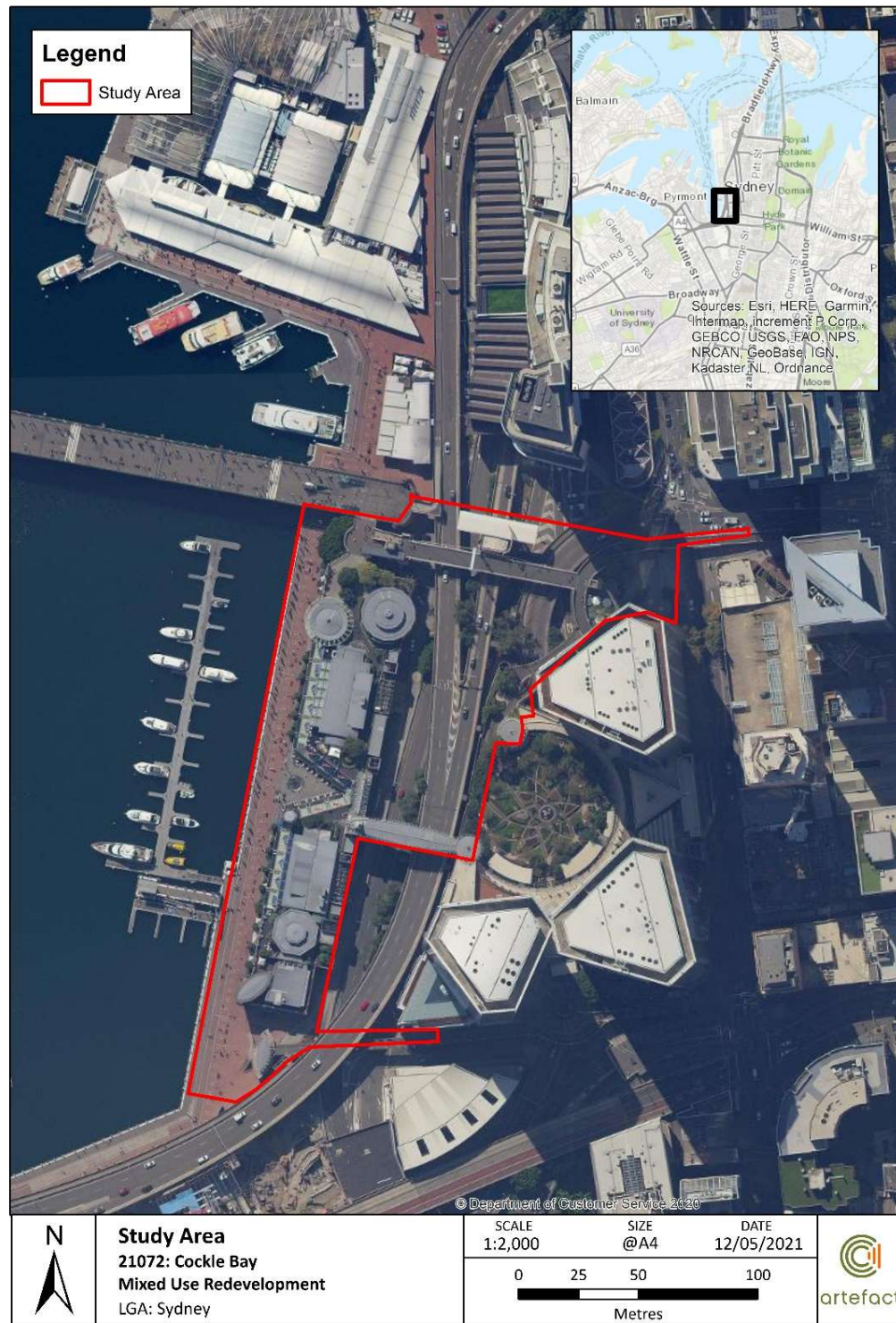


Figure 1: The study area

31 May 2021

Eric Keidge

Eric Keidge

11 Olsson Close Hornsby Heights NSW 2077

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Eric Keidge

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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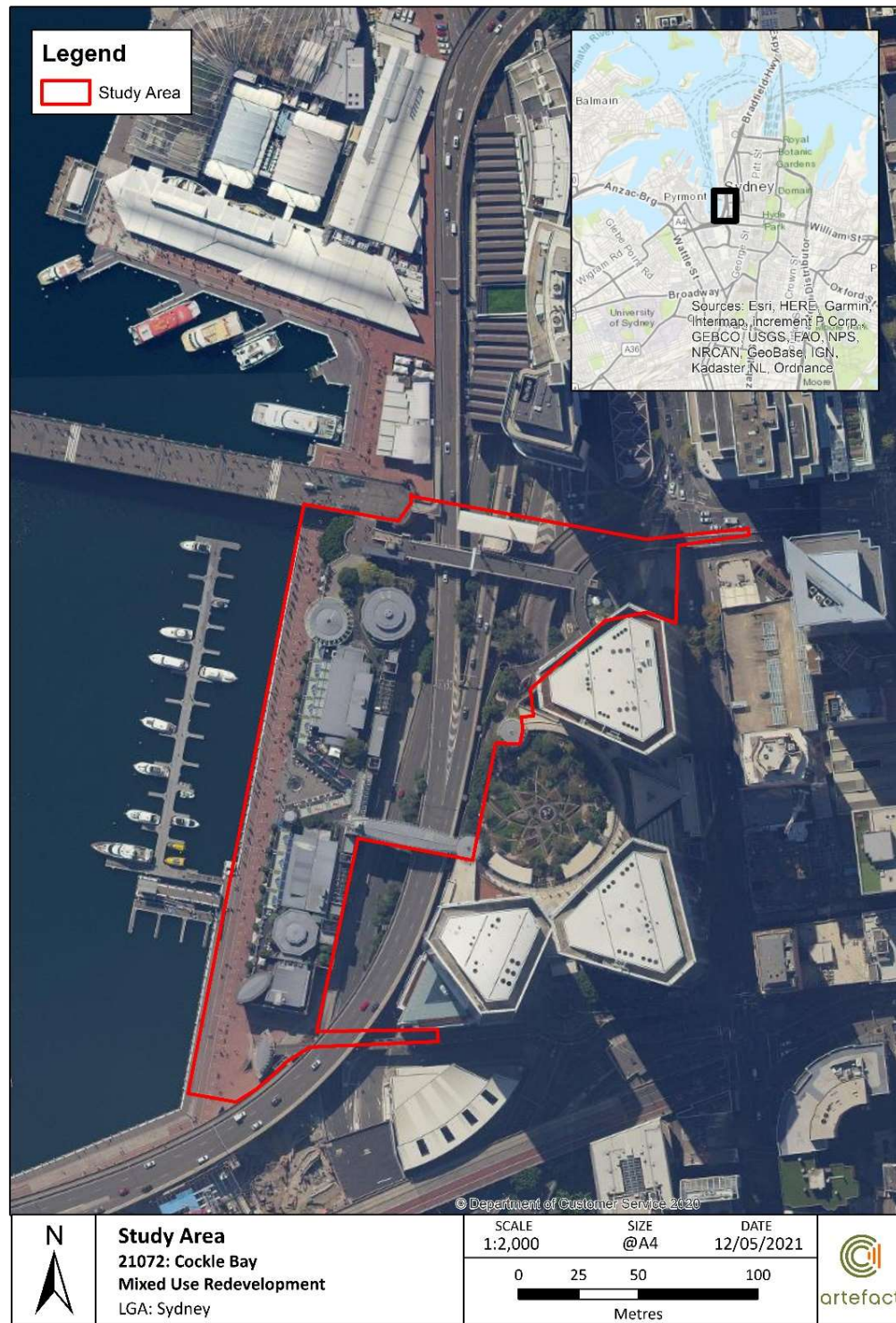


Figure 1: The study area

31 May 2021

Lee-Roy James Boota

Wullung

54 Blackwood Street, Gerringong, NSW, 2534

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Lee-Roy James Boota

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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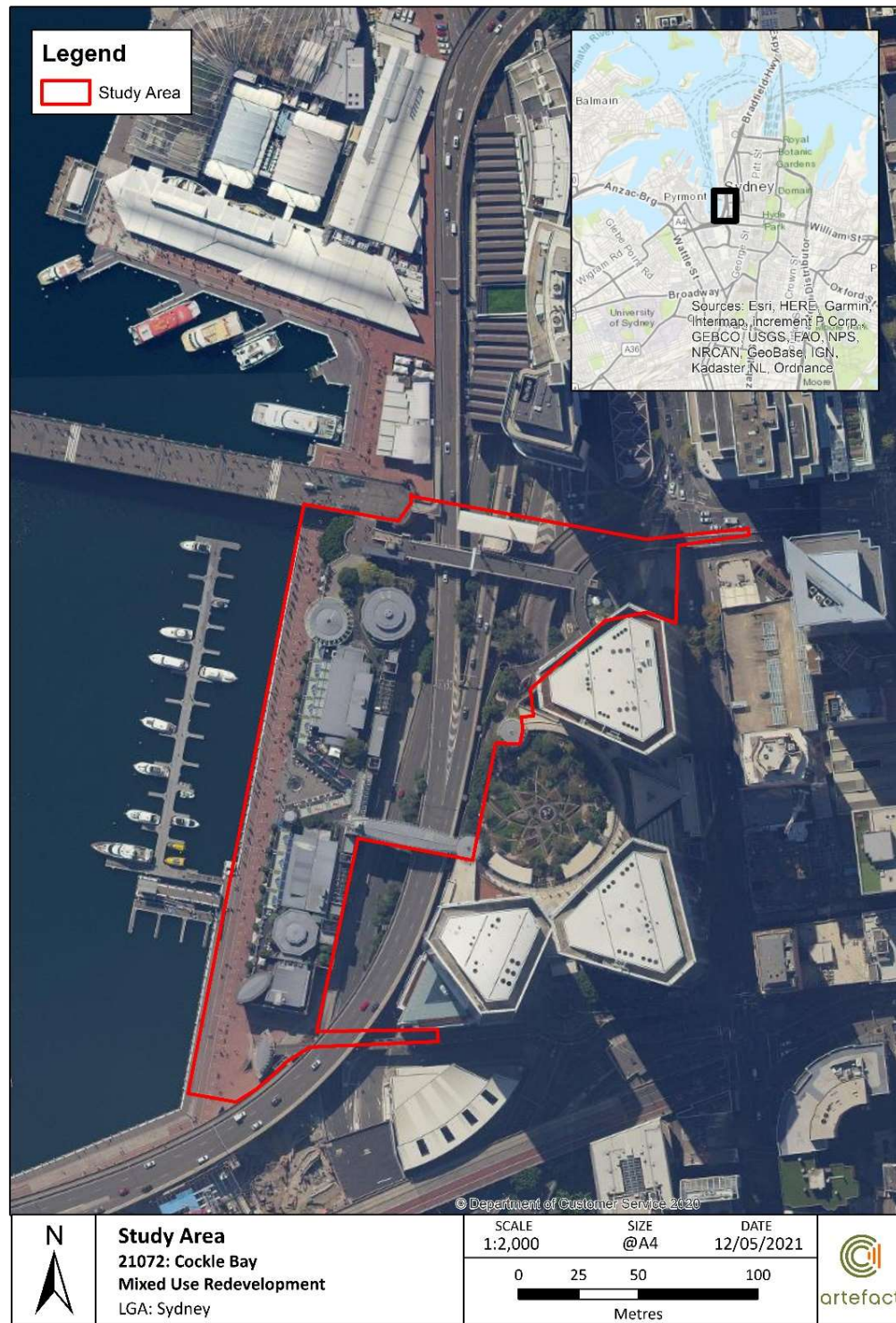


Figure 1: The study area



31 May 2021

Aaron Broad

Minnamunnung

1 Waratah Avenue, Albion Park Rail NSW 2527

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.1.3 Invitation to Register Interest**

Dear Aaron Broad

On behalf of DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent), TSA management has engaged Artefact Heritage Services to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for land at the subject site located in Darling Harbour, in the City of Sydney Local Government Area (Figure 1). The proposal consists of the multistorey redevelopment of the site as a mixed-use commercial office development. The proposal is a State Significant Development (SSD-9978934). Secretary's Environmental Assessment Requirements (SEARs) were issued for the proposal in 2020. The purpose of the ACHAR is to address the SEARs requirements for Aboriginal heritage assessments that are to be included in the Environmental Impact Statement.

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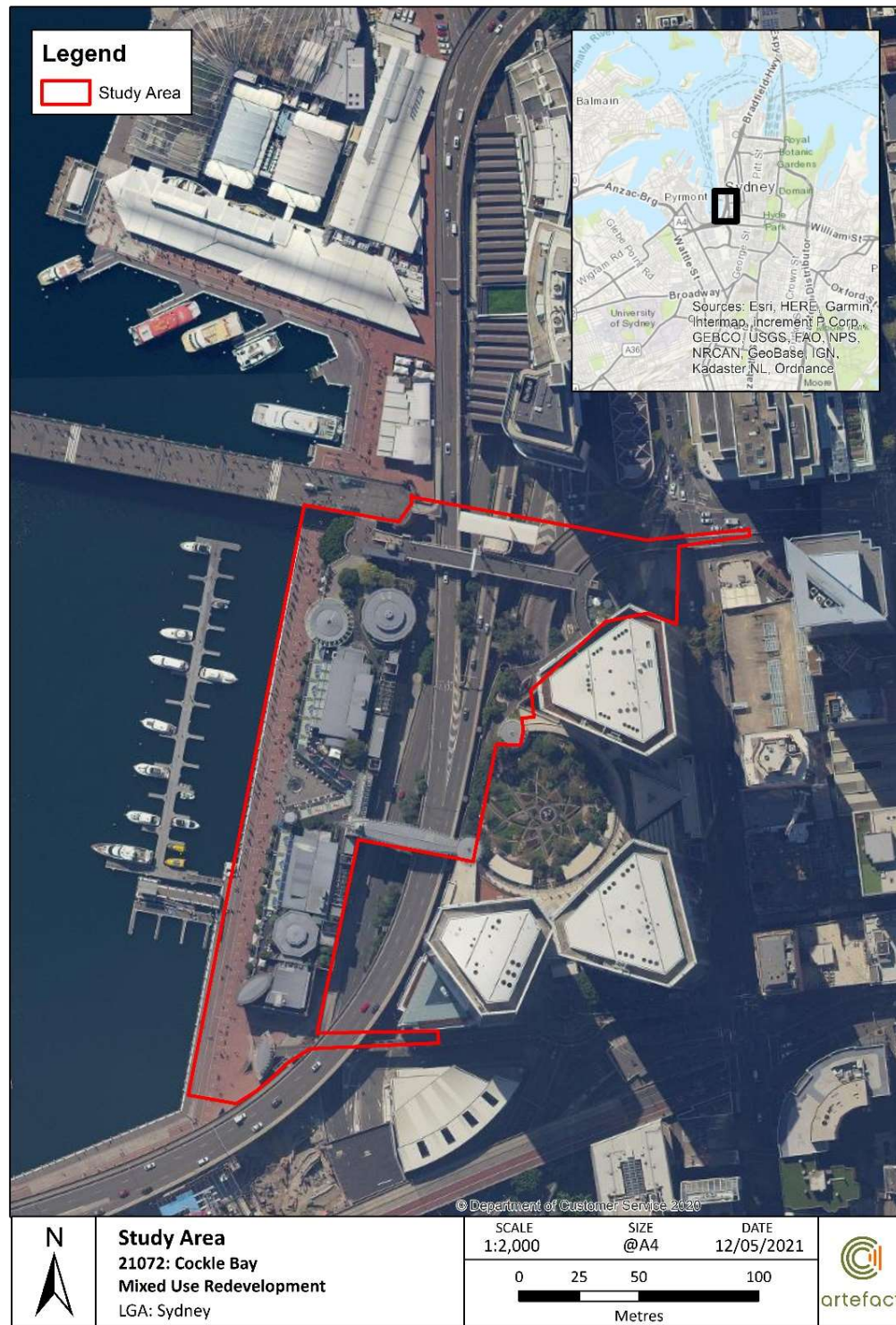


Figure 1: The study area

## ACHAR methodology review



**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** officeadmin@metrolalc.org.au  
**Subject:** Cockle Bay draft ACHAR Methodology

Nathan Moran  
Metropolitan Local Aboriginal Land Council  
officeadmin@metrolalc.org.au

Dear Nathan Moran

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology**

Thank you for registering as a stakeholder for the proposed development of land located in Darling Harbour (the proposal), in the City of Sydney Local Government Area. Included below are details of the proposal, and the proposed assessment methodology for your review.

## 1.1 Proposed Development

DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent) are proposing to develop land in multiple lots at Cockle Bay, Darling Harbour as a 43 storey mixed-use commercial office development and also a land bridge across part of the Western Distributor between Darling Harbour and Darling Park (**Error! Reference source not found.**). A concept design of the proposal is shown in Figure 2. The proposal is being assessed as a State Significant Development (SSD) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.2 Background

DPT Operator Pty Ltd and DPPT Operator Pty Ltd have requested the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. SEARs SSD- 9978934 was issued for the project on 12 November 2020 which requires (13.2):

---

*an Aboriginal Archaeology Report, prepared in accordance with relevant guidelines, describing any Aboriginal cultural heritage values on the site. Should any Aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be prepared in consultation with local Aboriginal people.*

---

## 1.3 Aboriginal Archaeology Report

In 2017, GML prepared an Aboriginal Heritage Due Diligence Report for the study area. <sup>[1]</sup> That report identified areas of moderate and high Aboriginal archaeological potential within the study area. <sup>[2]</sup> The findings of that report triggers the need for an ACHAR under the SEARs.

## 1.4 Proposed Assessment Methodology

The ACHAR will be completed in accordance with the relevant guidelines:

- *Guide to Investigating, Assessing, and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011)
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010)
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010)

As part of the ACHAR, comprehensive consultation is being undertaken in accordance with Section 80C of the *National Parks and Wildlife Act 2009*. The initial stages of the consultation process have been completed, and a list of Registered Aboriginal Parties (RAPs) has been compiled. The present letter provides project information and the proposed assessment methodology for review.

Desktop and visual survey of the study area were carried out by GML 2017. Natural ground surfaces and potential preserved soil deposits in the study area have been modified through construction of current and historical built structures. Where these natural ground surfaces and potential preserved soil deposits in the study area have not been subject to significant disturbance by identified built structures, they are obscured by roadway, paving and roadside planting areas with covered surfaces. Nevertheless, it is possible that Aboriginal archaeological deposits will have survived beneath these historical and modern surfaces.

Due to site access constraints, it will likely be proposed that a staged archaeological test/salvage excavation will be undertaken during the main phase of construction works, once modern and historical surfaces have been removed and the feasibility and potential for excavation can be assessed on a per-location basis. The test/salvage excavation methodology will therefore need to be reactive to opportunity, to archaeological potential, and to factors including safe access into test/salvage locations.

A staged test/salvage excavation methodology will therefore be prepared separately and provided to stakeholders. Staged test/salvage excavation will be limited to areas of potential which would be subject to impacts as part of the proposed works of the Precinct development

application. The test/salvage excavation will be undertaken by archaeologists in partnership with RAPs for the project. Results of the test excavation will be provided in the project post-excavation / results report.

Prior to test excavation an ACHAR will be completed. The ACHAR will include:

- A description of the project and extent of the study area
- An archaeological significance assessment of the study area
- A description of the statutory requirements for the protection of Aboriginal heritage
- An impact assessment for recorded Aboriginal sites and areas of archaeological potential
- Provision of measures to avoid, minimise, and if necessary, offset the predicted impacts on Aboriginal heritage values.
- Documentation of compliance with the Consultation Requirements
- Assessment of Aboriginal heritage significance of the study area, based on RAP consultation
- Formulation of management and mitigation recommendations incorporating RAP consultation.

A draft copy of the ACHAR will be sent out for your review, prior to finalisation of the document.

If you would like to comment on the Aboriginal cultural heritage values of the study area or the proposed methodology, please provide your response by **23 July 2021**.

In your response, please consider the following points:

- Do you know of any objects or places of value to Aboriginal people in the study area or locality?
- Are there any protocols for managing cultural information that you would like incorporated into the assessment methodology?
- Are there any access requirements or restrictions that should be applied to the information you are providing?

Thank you very much for your involvement in the project. If you require any additional information, please do not hesitate to contact me.

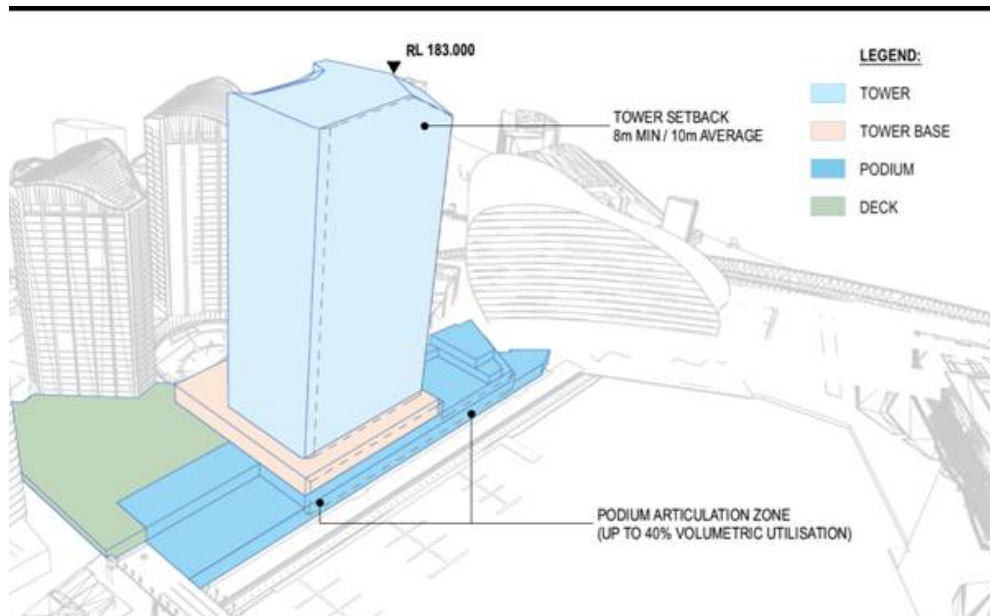
Kind Regards,



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Figure 1: The study area



**Figure 2: Concept design of the development**



[1] GML Heritage (2017). Cockle Bay Park. Aboriginal Heritage Due Diligence Report. Report Prepared for DPT and DPPT.  
[2] GML Heritage (2017). Figure 3.22



**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** didgengunawalclan@yahoo.com.au  
**Subject:** Cockle Bay draft ACHAR Methodology

Paul Boyd & Lilly Carroll  
Didge Ngunawal Clan  
didgengunawalclan@yahoo.com.au

Dear Paul Boyd & Lilly Carroll

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology**

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Kind Regards,



Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.Lever@gmail.com.au  
02 9518 8411



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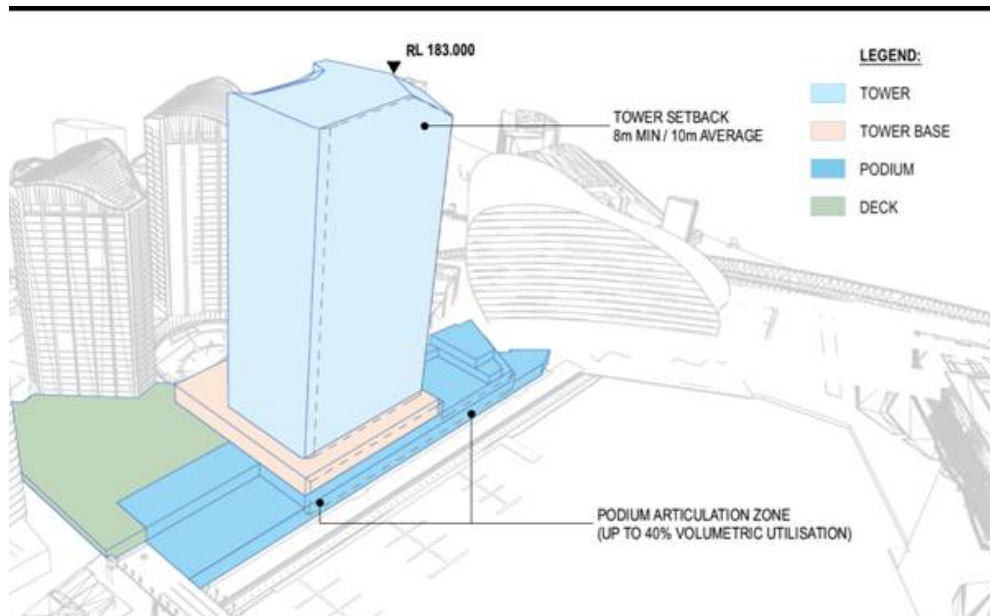


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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** corroboreecorp@bigpond.com  
**Subject:** Cockle Bay draft ACHAR Methodology

Marilyn Carroll-Johnson  
Corroboree Aboriginal Corporation  
corroboreecorp@bigpond.com

Dear Marilyn Carroll-Johnson

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology**

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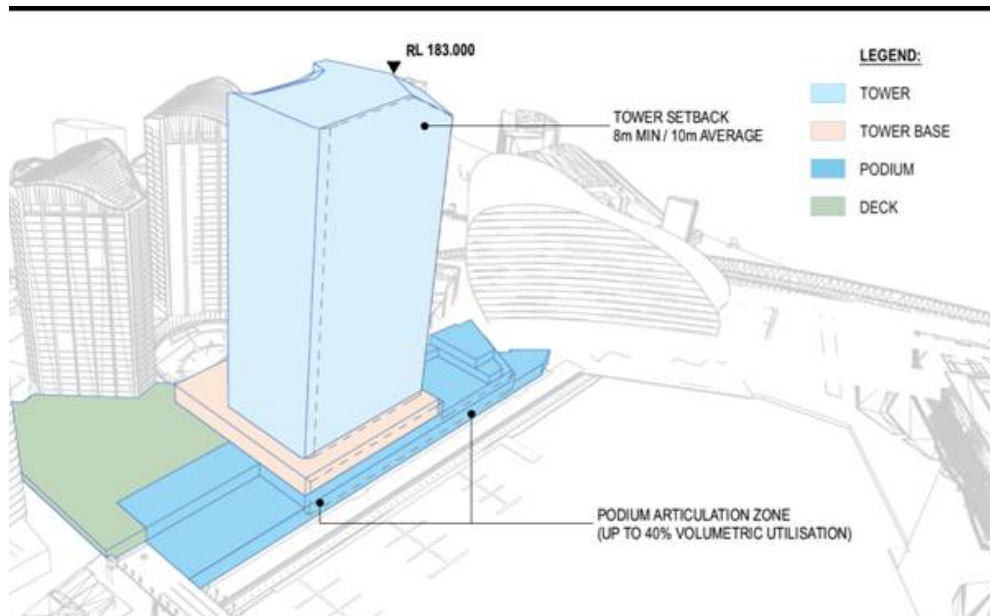
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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** woriwoolywa@gmail.com  
**Subject:** Cockle Bay draft ACHAR Methodology

Daniel Chalker  
Wori Woolywa  
woriwoolywa@gmail.com

Dear Daniel Chalker

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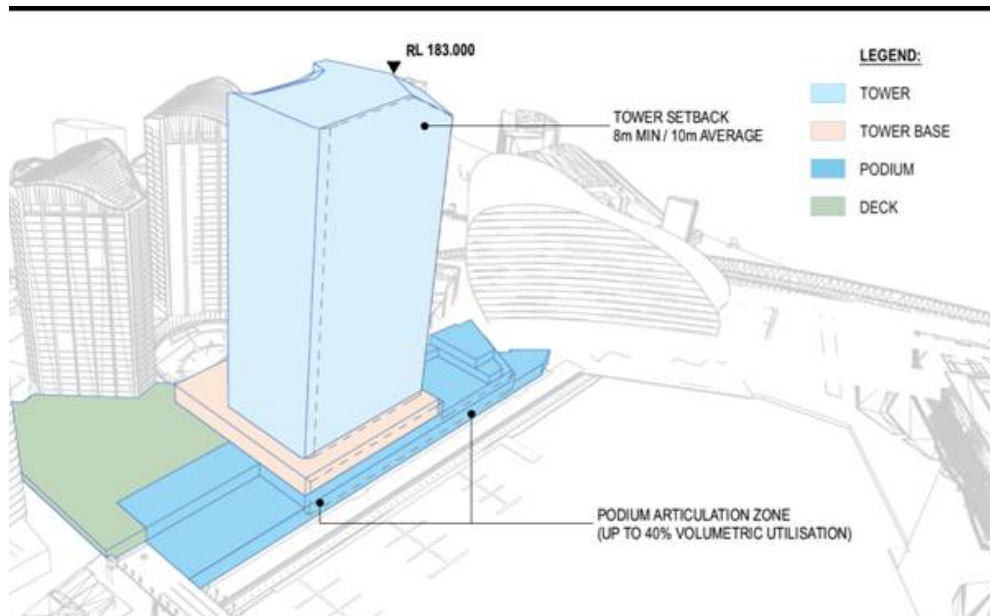
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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** philipkhan.acn@live.com.au  
**Subject:** Cockle Bay draft ACHAR Methodology

Phil Khan  
Kamilaroi Yankuntjatjara Working Group  
philipkhan.acn@live.com.au

Dear Phil Khan

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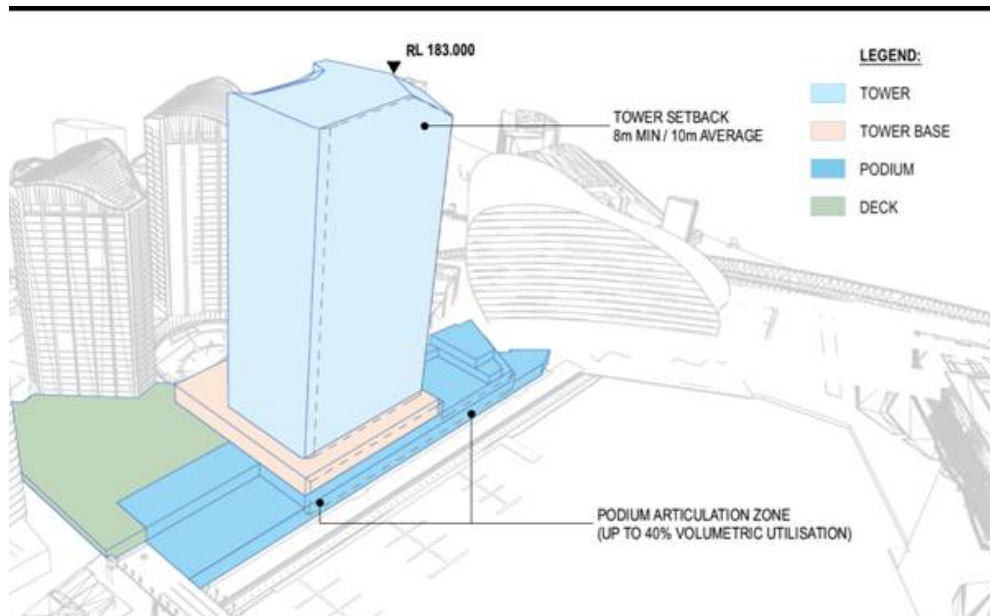
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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** gulagachts@gmail.com  
**Subject:** Cockle Bay draft ACHAR Methodology

Wendy Smith  
Gulaga  
gulagachts@gmail.com

Dear Wendy Smith

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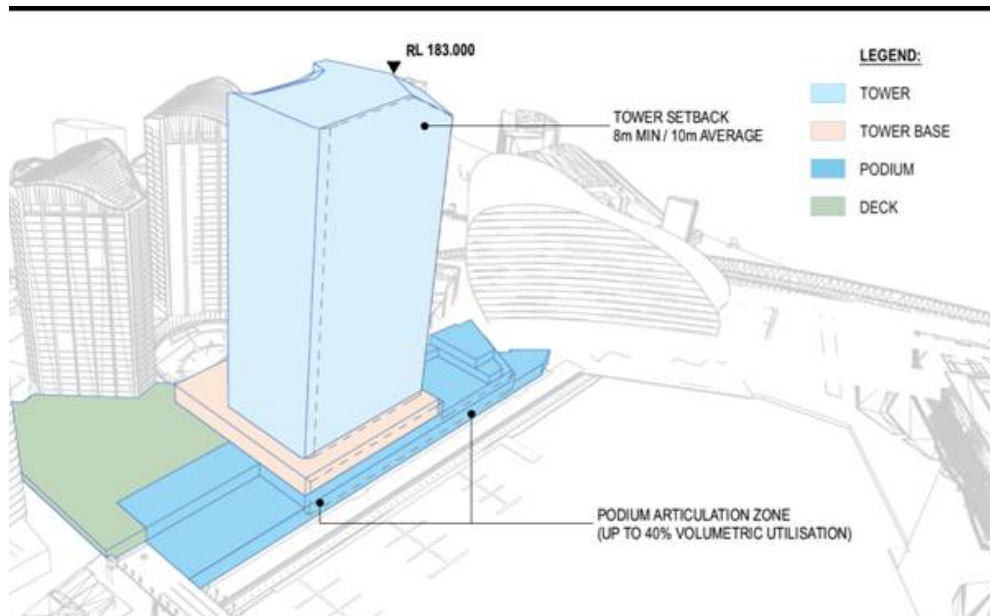
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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** 'justinecoplin@optusnet.com.au'  
**Subject:** Cockle Bay draft ACHAR Methodology

Justine Coplin  
Darug Custodian Aboriginal Corporation  
justinecoplin@optusnet.com.au

Dear Justine Coplin

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Thank you very much for your involvement in the project. If you require any additional information, please do not hesitate to contact me.

Kind Regards,



Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.Lever@gmail.com.au  
02 9518 8411



Figure 1: The study area

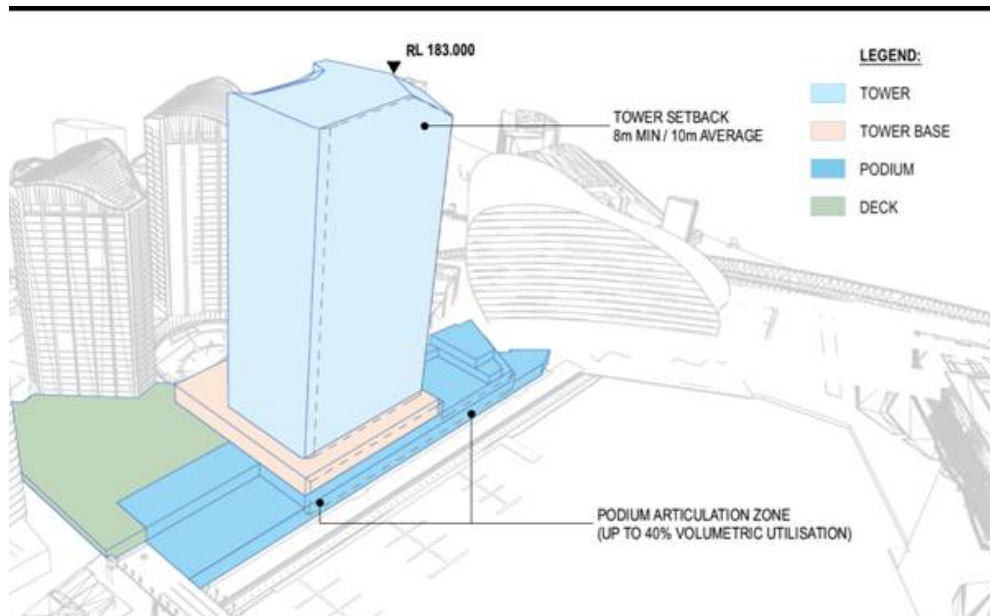


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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** murrabidgeemullangari@yahoo.com.au  
**Subject:** Cockle Bay draft ACHAR Methodology

Ryan Johnson  
Murrabidgee Mullangari  
murrabidgeemullangari@yahoo.com.au

Dear Ryan Johnson

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology**

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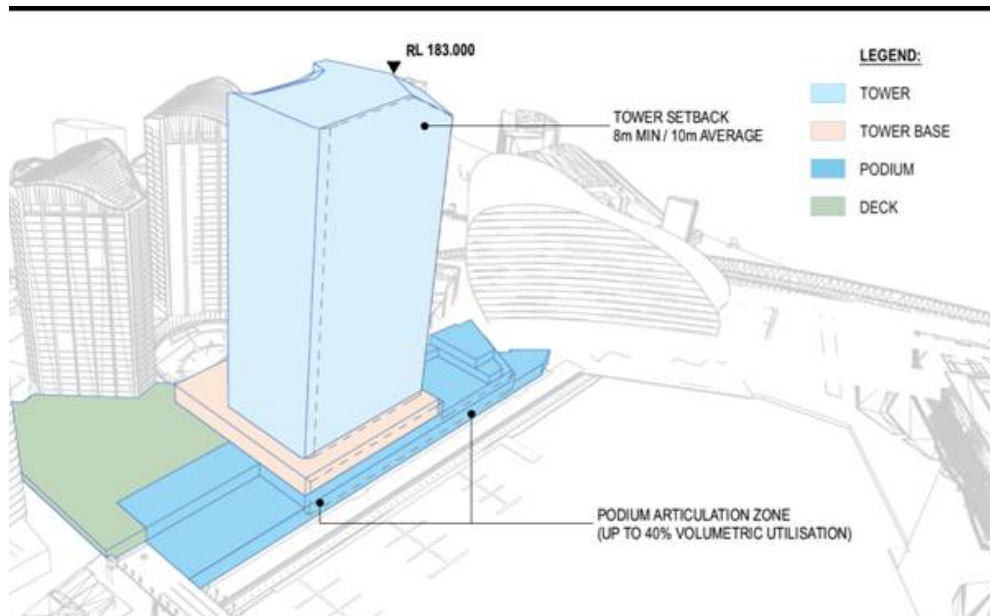
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Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.Lever@gmail.com.au  
02 9518 8411



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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** clive.freeman@y7mail.com  
**Subject:** Cockle Bay draft ACHAR Methodology

Clive Freeman  
Clive Freeman  
clive.freeman@y7mail.com

Dear Clive Freeman

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology**

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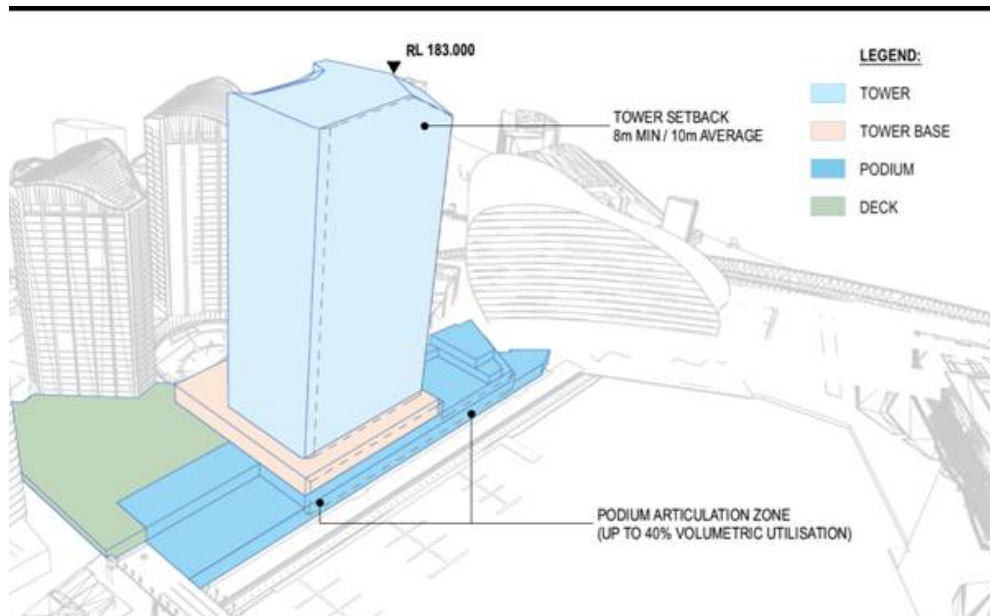
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Heritage Consultant  
Artefact Heritage  
Michael.Lever@gmail.com.au  
02 9518 8411



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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** cazadirect@live.com  
**Subject:** Cockle Bay draft ACHAR Methodology

Carolyn Hickey  
A1 Indigenous Services  
cazadirect@live.com

Dear Carolyn Hickey

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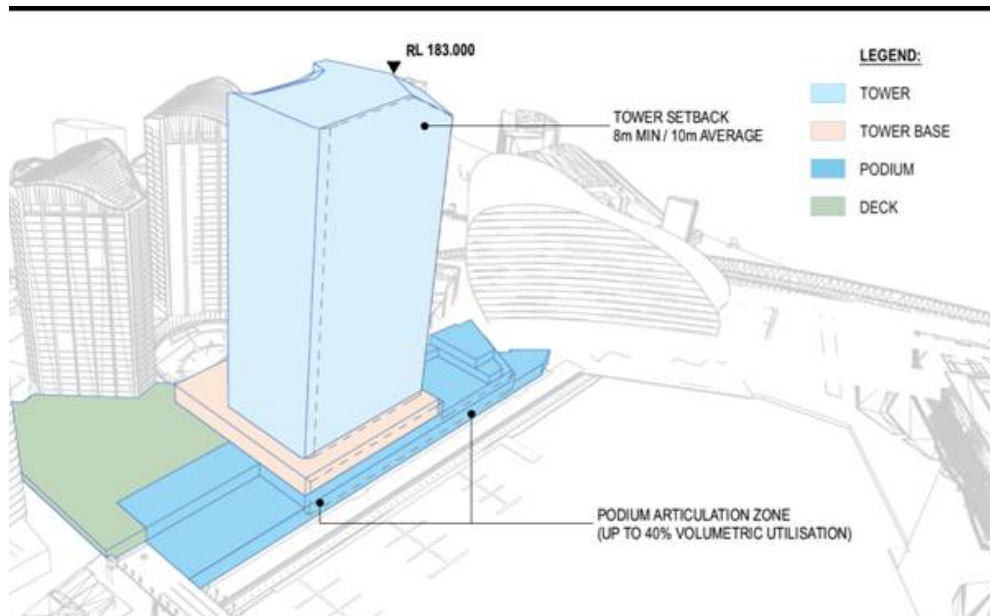
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**From:** Michael Lever  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** 'admin@laperouse.org.au'  
**Subject:** Cockle Bay draft ACHAR Methodology

Chris Ingrey  
La Perouse Local Aboriginal Land Council  
admin@laperouse.org.au

Dear Chris Ingrey

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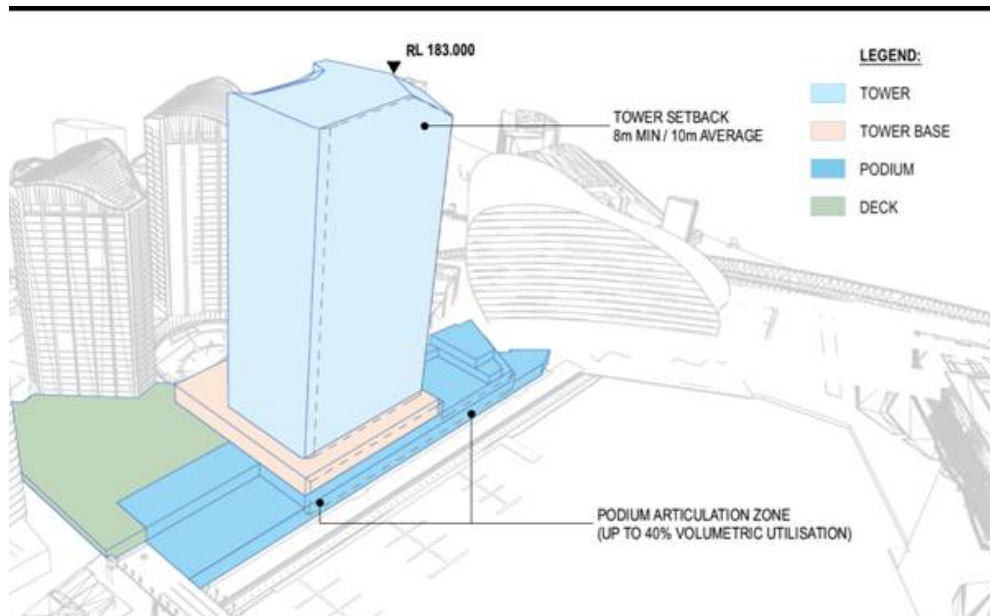


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**From:** Michael Lever  
**Sent:** Tuesday, 29 June 2021 8:17 AM  
**To:** heritagemailbox@environment.nsw.gov.au  
**Cc:** Jayden van Beek  
**Subject:** Cockle Bay redevelopment proposed ACHAR methodology  
**Attachments:** Cockle Bay\_ACHAR methodology\_to HNSW\_June2021.pdf

**Michael Lever MPHA MAACA**  
**Heritage Consultant**

**ARTEFACT**

**Telephone:** 61 2 9518 8411 **Mobile:** 0414 736 361  
**Address:** Suite 56, 26-32 Pirrama Road, Pyrmont NSW 2009  
**Web:** [www.artefact.net.au](http://www.artefact.net.au)

Cultural Heritage Management | Archaeology | Heritage Interpretation

 *We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and future*

**Notice:** This message contains privileged and confidential information intended only for the use of the addressee.  
If you are not the intended recipient you must not disseminate, copy or take any action in reliance upon it.  
If you received this in error, please notify us immediately.

**From:** Carolyn .H <cazadirect@live.com>  
**Sent:** Sunday, 4 July 2021 8:58 PM  
**To:** Michael Lever  
**Subject:** Re: Cockle Bay draft ACHAR Methodology  
**Attachments:** A1.WC2022.pdf; A1.PL2022.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



**INDIGENOUS SERVICES PTY LTD**

**Contact:** Carolyn Hickey  
**M:** 0411650057  
**E:** Cazadirect@live.com  
**A:** 10 Marie Pitt Place, Glenmore Park, NSW 2745  
**ACN:** 639 868 876  
**ABN:** 31 639 868 876

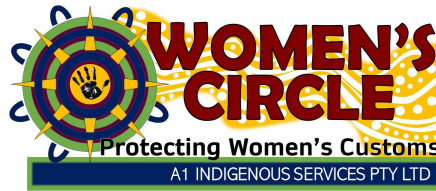
Hi,  
I have reviewed the document and support the Information and Methodology.

A1 would like to be involved in any future Meetings and field work.  
I am a traditional custodian with over 20 years experience in helping preserve Aboriginal cultural heritage on projects.  
I hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and values that exist in the project area.  
**I have attached A1 Indigenous Services Insurances.**

We would like the Proponent to consider including A1's, Kawalkan youth and the Women's Circle Employees for all future field work.



**The Kawalkan Youth Program** is a designed program created to employ young indigenous youths between the ages of (18-29) years of age.



The Women's Circle was created with the need to always have Experienced Indigenous Women present in all field work.

To aim for not only gender equality in the workplace but, to help identify and protect any women's sacred places.

### OUR MISSION

#### **Building strength in aboriginal families, communities, and services.**

It is our mission to commit to an innovative approach to a better future for indigenous employment. Giving our people the opportunity to gain employment in a culturally sensitive work environment also giving them the opportunity to work on country and continue the tradition of protecting and passing down **Cultural knowledge from one generation to the next – continuing the importance of keeping culture.**

Please feel free to contact me on details supplied

Kind Regards,  
Carolyn Hickey  
Managing Director

---

**From:** Michael Lever <michael.lever@artefact.net.au>  
**Sent:** Friday, 25 June 2021 3:08 PM  
**To:** cazadirect@live.com <cazadirect@live.com>  
**Subject:** Cockle Bay draft ACHAR Methodology

Carolyn Hickey  
A1 Indigenous Services  
cazadirect@live.com

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Kind Regards,



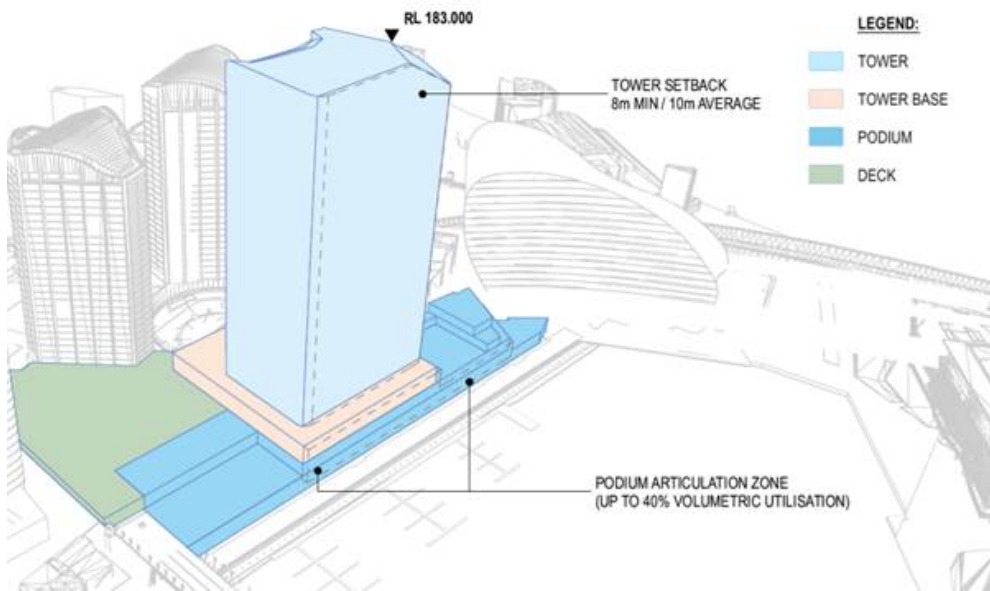
Michael Lever  
Heritage Consultant  
Artefact Heritage





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Figure 1: The study area



**Figure 2: Concept design of the development**

[1] GML Heritage (2017). Cockle Bay Park. Aboriginal Heritage Due Diligence Report. Report Prepared for DPT and DPPT.

[2] GML Heritage (2017). Figure 3.22

**From:** Corroboree Aboriginal Corporation <corroboreecorp@bigpond.com>  
**Sent:** Sunday, 27 June 2021 12:39 PM  
**To:** Michael Lever  
**Subject:** Re: Cockle Bay draft ACHAR Methodology

Hi Michael

Sorry for late reply. We agree with methodology.

Kind regards  
Marilyn Carroll-Johnson  
Director  
Corroboree Aboriginal Corporation  
Mob: [0415911159](tel:0415911159)  
Ph: [0288244324](tel:0288244324)  
E: [corroboreecorp@bigpond.com](mailto:corroboreecorp@bigpond.com)  
Address: PO Box 3340  
ROUSE HILL NSW 2155

On 25 Jun 2021, at 3:07 pm, Michael Lever <michael.lever@artefact.net.au> wrote:

Marilyn Carroll-Johnson  
Corroboree Aboriginal Corporation  
corroboreecorp@bigpond.com

Dear Marilyn Carroll-Johnson

**Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology**

Thank you for registering as a stakeholder for the proposed development of land located in Darling Harbour (the proposal), in the City of Sydney Local Government Area. Included below are details of the proposal, and the proposed assessment methodology for your review.

## 1.1 Proposed Development

DPT Operator Pty Ltd and DPPT Operator Pty Ltd (the proponent) are proposing to develop land in multiple lots at Cockle Bay, Darling Harbour as a 43 storey mixed-use commercial office development and also a land bridge across part of the Western Distributor between Darling Harbour and Darling Park (**Error! Reference source not found.**). A concept design of the proposal is shown in Figure 2. The proposal is being assessed as a State Significant Development (SSD) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.2 Background

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*an Aboriginal Archaeology Report, prepared in accordance with relevant guidelines, describing any Aboriginal cultural heritage values on the site. Should any Aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be prepared in consultation with local Aboriginal people.*

---

### 1.3 Aboriginal Archaeology Report

In 2017, GML prepared an Aboriginal Heritage Due Diligence Report for the study area. <sup>[1]</sup> That report identified areas of moderate and high Aboriginal archaeological potential within the study area. <sup>[2]</sup> The findings of that report triggers the need for an ACHAR under the SEARs.

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The ACHAR will be completed in accordance with the relevant guidelines:

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Thank you very much for your involvement in the project. If you require any additional information, please do not hesitate to contact me.

Kind Regards,

<image001.jpg>  
Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.Lever@gmail.com.au  
02 9518 8411

<image002.jpg>  
**Figure 1: The study area**

<image003.jpg>  
**Figure 2: Concept design of the development**

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[2] GML Heritage (2017). Figure 3.22

**From:** Darleen Johnson <murrabidgeemullangari@yahoo.com.au>  
**Sent:** Monday, 5 July 2021 3:00 PM  
**To:** Michael Lever  
**Subject:** Re: Cockle Bay draft ACHAR Methodology

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Michael  
I have read the project information and ACHAR methodology for the above project, I endorse the recommendations made.  
Kind regards  
Ryan Johnson  
0475565517

On Friday, 25 June 2021, 03:08:10 pm AEST, Michael Lever <michael.lever@artefact.net.au> wrote:

Ryan Johnson  
Murrabidgee Mullangari  
murrabidgeemullangari@yahoo.com.au

Dear Ryan Johnson

Re: Cockle Bay Wharf mixed use development. Aboriginal Cultural Heritage Assessment – Section 4.3.1 Review of ACHAR Methodology

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Kind Regards,



Michael Lever  
Heritage Consultant  
Artefact Heritage  
Michael.Lever@gmail.com.au  
02 9518 8411





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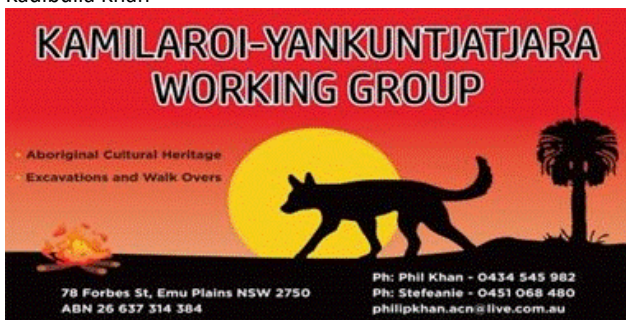
**From:** philip khan <philipkhan.acn@live.com.au>  
**Sent:** Friday, 2 July 2021 11:11 AM  
**To:** Michael Lever  
**Subject:** Re: Cockle Bay draft ACHAR Methodology

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Michael,

Thank you for your ACHA methodology for Cockle Bay Wharf mixed use development. Aboriginal people have walked this land for tens of thousands of years and continue to do so. We have had a spiritual connection to this land since long ago. Our ancestors passed their knowledge to the younger generations and so on. We hold lore and kingship within our community we have a belief system one practiced for tens of thousands of years, some still practiced today. We did not just hunt and gather we utilised the land through craftsmanship, our tools were made of organic materials. Our way of giving back to mother earth our way of conservation. Our water ways are highly significant to us as we follow the water ways, utilised them for fishing, bathing, drinking water, healing etc. we looked to the skies for guidance. Our burials are still unfound and we need to be aware of them, as they are highly significant to our people. Interpretation plans is there a plan in place other wise some ways you can incorporate culture in interpretation is through native gardens, art work, design, digital display, varning circles and or an app are some examples. We would like to agree ACHA and support your methodology, we look forward to working with you on this project.

Kind Regards  
Kadibulla Khan



---

**From:** Michael Lever <michael.lever@artefact.net.au>  
**Sent:** Friday, 25 June 2021 3:07 PM  
**To:** philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>  
**Subject:** Cockle Bay draft ACHAR Methodology

Phil Khan  
Kamilaroi Yankuntjatjara Working Group  
philipkhan.acn@live.com.au

Dear Phil Khan

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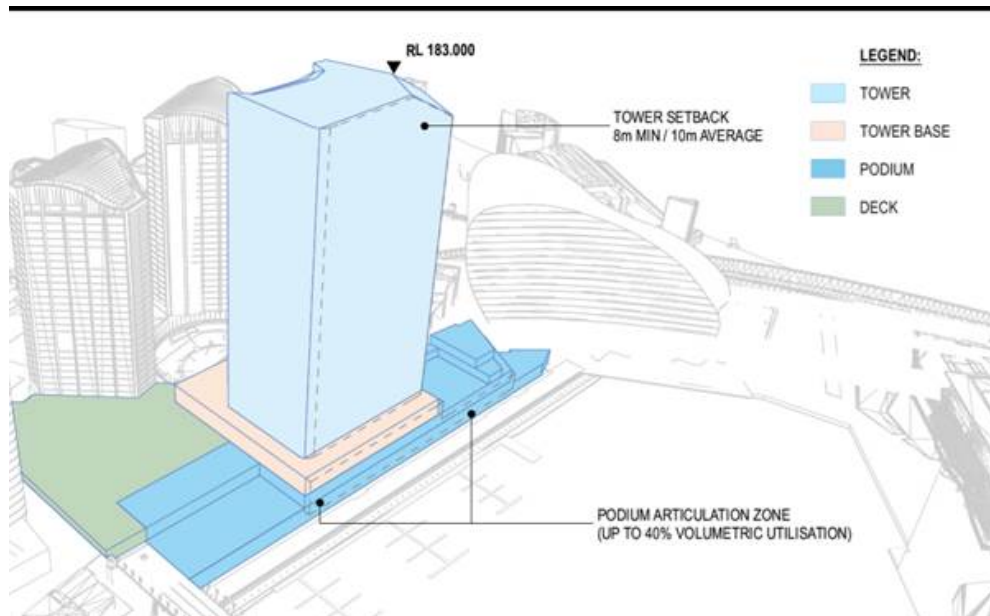
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Michael Lever  
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Draft ACHAR to RAPs

[Placeholder: This section will be updated following RAP review of the draft ACHAR]





artefact

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35 Saunders Street

Pymont NSW 2009

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+61 2 9518 8411

[office@artefact.net.au](mailto:office@artefact.net.au)

[www.artefact.net.au](http://www.artefact.net.au)