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### **COAL LOADER JETTY<sup>1</sup> HERITAGE ADAPTIVE REUSE PROJECT**

#### **ISEPP CONSULTATION REGARDING TRANSPORT FOR NSW PROPOSED MAKE SAFE AND RETRIEVAL WORK**

I refer to your letter dated 18 May 2022 regarding the above subject matter and associated subsequent email and in-person correspondence.

Council would first like to acknowledge the considerable progress in recent times, on plans for this important part of our state's maritime heritage, through close cooperation between officers of the asset owner Transport for NSW (TfNSW), the NSW Heritage Office and North Sydney Council, particularly in 2020-2021 leading up to the State Heritage nomination and subsequent listing on the State Heritage Register.

In parallel with this process, many discussions and meetings were held between the above parties, leading to an agreement in principle on an adaptive re-use 'place-making' project – one that seeks to achieve good conservation outcomes commensurate with the Jetty's high heritage significance, overlain with new interventions to facilitate public access and activation. The common aim being for a sensitive and well-considered balance between the 'old' and the 'new', with the latter not overpowering the former, in accordance with best practice heritage principles.

Council and the community wish to see the adaptive reuse scheme progressed through consultation and detail design developed and realised without further delay. In the interim Council also wishes to ensure, pending the adaptive reuse scheme being finalised and the works contract being undertaken, that any further loss of heritage fabric is kept to an absolute minimum. This is particularly important given the rarity & uniqueness of the Jetty as an items of industrial maritime heritage and because so much of the original fabric has been lost already over the years since the site was decommissioned. This makes what is left even more precious, given the structure is the last of its kind.

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<sup>1</sup> The term 'Jetty' is used throughout this document as it is notated thus on the original design plans and specifications and associated historic reports and thus respects the designer's chosen nomenclature. However, it is acknowledged that elsewhere, particularly in recent literature, the Jetty is also commonly referred to as a 'wharf' and also a 'pier' and that there are varying opinions on what precisely constitutes each definition.

Any heritage fabric removal needs to be approached as a last resort and the emphasis placed on stabilisation of heritage fabric wherever possible, pending the finalisation of the adaptive reuse scheme and commencement of construction thereof. If the extant in-situ fabric is removed, it will adversely impact the integrity of the item. As the research has established, the Balls Head Coal Loader Jetty, together with its landward ex-industrial counterpart, is unique and quite possibly the last of its known kind anywhere (including worldwide) still in existence of this early 20<sup>th</sup> century former industrial (coal- bunkering / loading) technology.

Given the clearly established and agreed high significance (local, state and potentially nationally and internationally) a primary objective needs to be achieving an appropriate balance between the extent of heritage fabric ultimately retained or re-built as part of the proposed adaptive reuse scheme and any new interventions for that scheme.

It is therefore concerning, as noted by email of 6 June 2022, that extensive further removal of heritage fabric appears to be proposed by TfNSW, with no clear basis having been established or provided for the removal of the fabric at this point in time, ahead of a scheme being detailed and commenced for the Jetty's adaptive reuse for public access.

The best place to manage significant heritage fabric is in-situ, and every attempt needs to be made to avoid further loss. Removal of fabric, where necessary needs to occur in the context of the future reuse design plans and as part of that phase construction work. Once the jetty is reduced to largely a steel truss skeleton above water, as appears may be the result of the make safe works proposed by TfNSW, the community and the numerous other interested stakeholders will no longer be able to appreciate the remaining extant significant fabric of the original timber Jetty in-situ. Community and stakeholder interpretation of this layer will largely be relegated to relying on photographs and / or drawings of the heritage item to assist appreciation of the form and scale of the jetty, in order to inform their imagining of the future plans.

Premature removal of heritage fabric, just at the point where TfNSW is proposing to engage with the community on the design plans for future scheme, will substantially compromise and cloud the design process for this unique heritage structure and needs to be avoided.

### **TfNSW Proposed Make Safe Works**

TfNSW has advised Council that the proposed 'make safe' removal of timber heritage fabric work is necessary for two main reasons:

- To make safe the area for divers who are to undertake further assessment of the steel substructure (piles) below the waterline as part of TfNSW due-diligence requirements
- To prevent loose timber that may fall into the water / already fallen timbers entering navigable waters and thus potentially causing safety issues for vessels

The bases of these two objectives are not clearly established in the documentation provided and more information, clarification and discussion on these matters is requested, together with other significant concerns that Council has with the proposed works. as identified further below.

***Make Safe for Divers to enable further assessment of Steel Piles***

In regards 1) to be able to understand the scope of timber removal that TfNSW consider necessary to achieve this objective, Council seeks further information / clarification. As you may be aware, the most recent condition report on the Jetty structure was authored in April 2019 [*Balls Head Coal Loader Wharf at Waverton, NSW – Overarching Engineering Heritage Assessment Report - Focus Bridge Engineering for RMS / TfNSW – April 2019*]. This report also comprised several sub-reports including *Balls Head Wharf Steel Condition Assessment - Condition Assessment Report - GHD April 2019*, and a report by *Commercial Diving Services (CDS)* which undertook testing below water of several representative piles of the 18 total steel substructure frames.

The FBE 2019 report and its associated sub-reports were then subsequently reviewed in July 2019 [*Balls Head Coal Loader Wharf, Independent Engineering Review of Overarching Engineering Heritage Assessment Report by Focus Bridge Engineering – Mott McDonald - 28 July 2019*].

The Mott McDonald review noted some shortcomings in the earlier condition assessment, such as in regards extent of ultrasonic testing, e.g.: *“It does not appear that investigations comprehensively gauged residual base metal thickness throughout”* and also noted that *“...it may be necessary to carry out additional measurements of residual wall thickness to determine a remedial works strategy and confirm costs.”* [pg5].

However, the Mott McDonald report also concluded that the 2019 assessment could be considered a reliable indication of the structure’s condition (both steelwork and timberwork) and notes in relation to the steelwork below the waterline / in the tidal zone that *“... it is unlikely that more accurate wall thickness measurements would significantly change the repair strategy and could be deferred until a future direction was established.”* [pg.7] and also suggests *“... the next step would be to use the current data to create a realistic cost plan for remedial works to the steel sub-structure...”* [pg. 7]. The report also notes: *“Depending on future decisions on strategy the next stage would be to provide more detail on repair methods, quantify those methods and carry out a costing exercise to consider reasonable feasibility.”* [pg. 10].

Subsequent to these reports being authored, TfNSW, the NSWGO and Council worked closely together on the future direction for the Jetty and agreed on the principles on which to move forward, prior to the structure being heritage listed on the State Heritage Register. Initial design sketches were prepared and modelled by TfNSW in response to principles sketches prepared by Council following discussions and meetings between the parties.

Accordingly, in the context of the above report findings, given the objective of further assessment appears to be in large part driving the removal of timber as part of the ‘make safe’ works proposed, could TfNSW please clarify / advise:

- The rationale for and extent of further testing of the submerged steel piles being proposed (including marked up drawings or models showing extent thereof).

- How the additional testing proposed would inform / benefit the future adaptive re-use works (over and above the information already gleaned from the previous studies) and if and how this has been balanced against the risks to the integrity of the heritage item.
- Have measures aimed at minimising loss of heritage fabric been given due consideration? For example, testing a representative sample of piles where it is safe to do so and extrapolating the results from previous condition assessments, and incorporating appropriate contingencies into the cost planning and contract documentation accordingly, as is typically done with building projects, particularly those involving heritage structures?
- Has a risk assessment has been carried as to the relative dangers to divers carrying out the proposed additional testing work (it is noted that specialist divers typically dive on shipwrecks with inherent dangers)? If so could a copy of this assessment please be provided.

In summary, it is not clear to Council at this point why TfNSW is not able to proceed with the timely development of the adaptive reuse plans for the Jetty on the basis of the information already established, without the need to further compromised heritage fabric in the interim.

***Preventing loose timbers entering navigable waters.***

The need to prevent loose timbers entering navigable waters has been given as the other main reason for removal of timber heritage fabric. The HIS states that timber removal would be undertaken only until it can be "*deemed that the risk of timbers dislodging and potentially damaging other wharf elements and/or entering into the navigable channel is unlikely.*" The relative need for maritime navigational safety as driver for the removal of fixed heritage fabric is not clear to Council, given that a substantial pile and net structure was installed a couple of years ago, specifically to capture floating timbers that fall off the Jetty. In addition, Council has also been advised by TfNSW that maritime crews undertake regular patrols on a daily basis of the net to check for and retrieve timbers caught by the net. Accordingly on the basis of this previous infrastructure work carried out by TfNSW and the regular patrols, the risk of timbers entering navigable waters and subsequent causing damage to vessels would appear to be low / negligible. Council requests details of any risk assessment carried out for this scenario.

It is understood from discussion with TfNSW officers that there may have been isolated instances of some timbers escaping the net. If this is the case, adjustments to the netting should be undertaken in the first instance (for example by lifting the net at the point of mid-pile and attaching it to the tensioned cable that has been installed above traversing between the piles, or other such refinements) rather than demolishing significant heritage fabric due to the shortcomings of the protection barrier.

In addition, it would appear unlikely that timbers that may dislodge from the structure would cause any substantial damage to other elements on the Jetty. Has this also been risk assessed and if so what elements in particular are of concern?

In summary, the proposed removal of the significant timber heritage fabric on the basis that it 'may' enter navigable waters, given the protection measures already in place, appears unjustified on the basis of the information provided. The removal of fabric on the chance that if timbers become dislodged they 'may' damage other elements does also does not appear to be justified.

***Other reasons given for removal of timber heritage fabric***

The notification letter accompanying the HIS also notes a reason for removal of timber fabric as being "*so timber elements can be stored offsite, protected from further deterioration, and assessed for re-use.*". Given the age of the Jetty components and the imminence of the proposed adaptive re-use scheme to be developed and implemented, protecting the timber from further deterioration for this short period is not considered a valid reason for removing in-situ heritage fabric, particularly given the high impacts this would have on heritage at this point in the project. Whilst it is acknowledged that the above water-line timbers will eventually need to be removed and assessed for re-use in the final scheme for the Jetty, this work should form part of the contract for the scheme builder, or as part of an early works package once the final adaptive reuse scheme has been determined. Appropriate contract provisions and hold points need to be included in the construction documentation to carefully deal with this process.

The amount of existing above water-line timber heritage fabric that is ultimately available for re-use through this assessment process, should not drive or restrict the amount of timber generally to be incorporated into the adaptive reuse design. Based on the previous assessments (due to residual timber lengths in particular) it is possible that a substantial portion of the existing timber may not be able to be reused (though the findings of the *Tonkin, 2021* draft timber condition assessment report referenced in the HIS appear more optimistic). However, Council, TfNSW and the NSWGO have agreed in-principle that the adaptive reuse scheme needs to include an appropriate length of reconstructed section of the timber Jetty structure and deck at both the landward end and at the tip of the Jetty.

Both proposed reconstructed sections are critical to enable an appreciation of the form, scale and complexity of the original timber Jetty and the latter to also express the curve where the Mead-Morrison cable-hauled railway coal cars would manoeuvre for their return journey to the coal loading platform. If some of the removed timber can be used within the scope of the proposed timberwork in the new scheme, it will positively contribute to the heritage conservation outcomes. However, the concept of the re-constructed timber sections can and should be developed independently of final amount of existing timber heritage fabric available for re-use.

Another reason given in the notification letter accompanying the HIS removal of existing timber fabric is to enable "*further condition assessments of the ..... seabed to be carried out safely.*" It is not clear in the information provided why a condition assessment of the seabed would be necessary for the Jetty adaptive reuse project or what such an assessment would entail.

The letter accompanying the HIS notes *“the wharf is in poor condition and deemed unsafe for future use with no potential for safe access.”*. It is clear to most observers that the Jetty is in poor condition, and currently unable to be publicly accessed. However, a key aim of the proposed adaptive reuse project for the jetty is to make it safe for future public use and to say there is no potential for safe access is simply incorrect and contrary to previous undertakings. It is disappointing that TfNSW would lead with this statement when it has been agreed the focus needs to be on the positive place-making objectives.

### **Other Concerns with the HIS**

Council has several significant other concerns with the information in the documentation provided, as further noted below:

#### *Lack of Detail & rationale to justify the substantial heritage impacts*

The HIS does not have sufficient detail with regards to methodology and procedures for the work proposed. For example, there is no diagram referencing the various components described for removal, nor the anticipated proposed extent of removal, assessed from the existing condition assessment information available and indicated thereon. There are no detailed procedures of how the fabric is to be assessed in-situ, systematically recorded before removal, how and where the material will be stored, who will be formally involved in the decision processes etc. and how that would be contractually managed. It is particularly important given the high heritage significance of the Jetty that a precautionary approach prevails at all times and that all procedures for removal of any fabric are clearly documented and agreed well in advance of work being commissioned.

It is critical that a detailed methodology is firmly established, understood and agreed by all concerned parties for any works being considered and well ahead of Contractor engagement. The information provided with the ISEPP letter indicates that the make-safe works relies heavily on ‘hold points’ to provide protection against unnecessary removal of heritage fabric. However, experience suggests that in the context of the work envisaged such hold-points would be difficult to manage, as unless expressly stipulated as a requirement, the (independent) experts required are unlikely to be available for a continual watch over the works as they proceed, and contractors are typically driven by commercial imperatives.

Council understands that TfNSW has obtained a detailed high resolution 3D scan of whole of structure using Lidar or similar technology, and has prepared a detailed high resolution 3D model from the scan, supported by drone photography. Council appreciates TfNSW’s offer to provide a copy of this for their information and looks forward to receiving it.

Using the model and supporting photography, and informed by the risk assessment and mitigation analysis, and with reference to the available condition studies already undertaken, Council requests that TfNSW undertake a preliminary assessment of fabric deemed *necessary* to be removed, and that this assessment is marked up on the 3D model and that the resultant marked up model is presented to a joint meeting between TfNSW, the NSW Heritage Office and Council for discussion and consideration.

Sufficient time should then be given for feedback from the respective organisations, prior to a further meeting to discuss the feedback and refine the approach. Council seeks to work together with TfNSW and the NSWGO to develop agreed procedures and protocols for the jetty project as a whole.

Council also requests that, as part of considerations, TfNSW identify and discuss with Council implementation of mitigative measures that do not necessitate fabric removal in the first instance. For example, where it is noted that timber girders are no longer supported by the intermediate timber piers now removed (such that the girders are now spanning greater distances between the steel trusses) consideration should be given to methods of stabilisation rather than removal, for example:

- by propping with a temporary steel prop system, supported on a base beam affixed the remnant piles below the waterline.
- temporary additional bracings such as steel straps or tensioned wires
- reinstating failing fixings

Such methods of temporary propping and bracing are not unusual in the construction industry. These works would provide shoring of the heritage fabric whilst the plans for the adaptive reuse scheme are finalised and would be removed at some point during construction of the final scheme. Council would be pleased to discuss and workshop these ideas with TfNSW.

#### *Arbitrary Criteria & Timeframes*

The HIS refers to *'removal of all timber fabric 'at 'imminent' danger of falling into the harbour within the next twelve months.'* It is not clear how this criterion is to be realistically assessed, and on what basis is this time period referenced. The criteria appear arbitrary and open-ended to the potential detriment of the heritage item.

Furthermore, on the issue of timing, in the associated draft community consultation information provided to Council for comment, it is noted that the removal work would take in the order of 6 months. This length of time raises concern that extensive removal of heritage fabric is envisaged, and this also appears to be indicated in the information accompanying the HIS which notes removal will include *"retrieval of timber decking, girders, capwhales, headstocks, piles and cross-bracing"* (etc etc). TfNSW is requested to provide more detail as to how the 'imminent danger of falling into the harbour within the next twelve months' would be assessed and the basis for this 'within twelve-months' period. In addition, TfNSW is requested to please advise on what basis the works are expected to take 6 months.

The HIS notes that works should stop when it is *'deemed that the structure is safe enough for the proposed investigations and condition assessments to be completed'*. However, there is no indication in the document as to what is considered 'safe enough'. As noted earlier insufficient rationale has been provided as to the extent of or basis for the additional investigations proposed (which Council understands as being divers undertaking further inspections of the steel trusses below water / at the tidal zone).

### *Proposed Removal of Pump Room*

The HIS and associated documentation refers to removal of the pump room and equipment. The pump room and its associated equipment is of High heritage significance. There is no clear justification provided for its removal and removal is contrary to previous discussions with TfNSW and NSWHO. The best place for this heritage equipment to be managed, pending adoption of the final adaptive reuse scheme for the Jetty and commencement of the construction works associated with the new scheme, is to remain in-situ on the concrete slab. The report notes the support for the [south-west] corner of the [pump room] slab is deteriorating and corrosion of the galvanised iron [walls / roof] has resulted in much of it [the galvanised iron] no longer appearing structurally sound. The slab corner, and the galvanised iron sheeting can and should be stabilised, not removed. Accordingly, removal of the pump room slab / equipment is not supported.

### *Proposed Removal of material below the waterline*

The HIS refers to removal of material below the water, for example “*recovering some pile stumps below water that may be in reasonable condition, especially section within seabed.*” and “*removing and salvaging identified timber materials above the tidal zone and other submerged structures.*”. There appears no clear justification provided for removal of the in-situ piles based on safety / navigation hazard and, in the absence of a risk assessment / methodology for the steel pile assessment as noted earlier, their removal would not appear necessary for the inspection of the steel pile structures. Removal of piles beneath the waterline is contrary to previous discussions with TfNSW and NSWHO.

These piles are of High heritage significance and are also an important feeding and roosting habitat for aquatic flora and fauna. It was previously agreed in the draft concepts for adaptive reuse that the submerged timber piles would be retained (for both their heritage and their habitat value). Accordingly, pulling of existing in-situ timber piles from the seabed is not supported. The reference to ‘other submerged structures’ is vague and Council requests further information as to what TfNSW proposes in that regard.

### *Proposed Removal of 1920s Hoskins steel frame*

The HIS proposes that the 1920s Hoskins steel frame atop the Jetty deck will be removed and ‘may’ be cut into smaller segments. These structures are High heritage significance and deemed ‘rare’ for reasons identified in the CMP (Conservation Management Plan) [GML 2000]. They are also significant in that they were re-used in the 1970s refit of the coal loader to support the new conveyor and out-loading system installed at that time— an early, award-winning example of an innovative adaptive reuse approach. Removal of these prior to adaptive reuse plans being developed is not supported and should only occur if there is a clearly established risk-based reason that they present a ‘danger’ or safety hazard and there is no other way to mitigate that danger (for example strapping or stabilisation methods). If removal is unavoidable (and that is yet to be clearly established) they should be maintained as single pieces to minimise detrimental impacts to their integrity.



### *Proposed Removal of Fenders*

The HIS seems to propose removal of the fenders along the southern side of the Jetty. The fenders were installed as part of the 1970s upgrade / refit and are attached to the steel trusses that were also installed at that time. There is no apparent reason established as to why these need to be removed, prior to the finalisation of the plans for the adaptive reuse of the Jetty and therefore their removal is also not supported on the grounds that it will further diminish heritage integrity.

### *References to Recent Collapses*

The letter accompanying the HIS and the HIS references '*recent collapses*' as justification for removal of further heritage fabric. However, Council is not aware of any significant recent collapses, at least since the previous timber removal works that was undertaken by TfNSW in November 2021. There may have been isolated incidences of timber falling into the water. However, this is not unexpected for a structure in this condition. Furthermore, it is possible that removal of more fabric, particularly the supporting members will contribute to a further destabilisation of the existing extant heritage fabric. It is noted that a number of the images in the HIS pre-date the 'make safe' work that was conducted in November 2021 and are therefore not indicative of the extent of loose material on the deck, as much of the material was removed in November 2021.

### **Comment on further specific references in ISEPP Notification re Make Safe Work**

It is understood from the TfNSW follow up email (Gabriel Chan 8/06/2022) that the following clauses in the TfNSW letter of 18 May 2022 are no longer relevant, as land-based work (works on Council controlled and managed area) are now no longer proposed:

- *"a temporary structure or enclosing of a public place under local Council management or control*
- *excavation of a road or adjacent footpath for which Council is the roads authority (and responsible for maintenance)"*.

Please advise if this is not the case.

The TfNSW letter of 18 May 2022 also states:

*"Under Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, Transport is also required to consult with Council under clause 31 as the proposal is a development that requires the provision of services (water)."*

Please advise what this reference relates to, so informed comment can be made in relation to this matter.

The TfNSW letter of 18 May 2022 also advises that consultation is necessary on the basis of proposed:

- *impacts on local heritage*

TfNSW as proponent is required to comply with all legislative / statutory requirements that relate to the Coal Loader as an item of Local Heritage under the North Sydney LEP. In addition, as you would be aware, the Coal Loader Jetty is an item of State Heritage (with Council and the Heritage office representatives working closely together on the listing).

As noted in the State Heritage Listing documentation (bold added for emphasis):

*The Balls Head Coal Loader Complex (including Platform, Pier, and Administrative and Workshop Buildings) is of state heritage significance as a **rare surviving example** of an automated early twentieth century coal loading facility in Sydney Harbour; it is the only one of its type in NSW; and **is the only surviving and relatively intact example of this type of complex internationally.***

*The Balls Head Coal Loader Complex (including Platform, Pier, and Administrative and Workshop Buildings) is of state heritage significance as one of the first and longest operating shore-based coal loading facilities in Sydney Harbour (operating from c.1920 to 1964, then from 1974 to 1992). It was the largest coal loading facility in the southern hemisphere in 1927, the Balls Head Coal Loader and Pier was a focal point for transitory interstate and international shipping over an extended period and **contributed to the development of Australia's shipping trade and coal industries.** Furthermore, the Balls Head Coal Loader Complex contributed to the development of Sydney Harbour **as a nationally and internationally recognised maritime trade centre and port.***

Thus, as noted earlier, the Jetty is also of potential heritage significance nationally and internationally and needs to be treated with commensurate care. As it is likely the last of its kind anywhere still in existence, it is of the *utmost* importance for this unique heritage item that every attempt is made to conserve heritage fabric over removal in the first instance.

As noted by email from NSW Heritage to TfNSW 22/03/2021:

*"Due to the undisputed state heritage significance of the former pier structure and the agreed importance of finding a suitable "reuse" interpretation of the structure, Heritage NSW considers that Heritage Council will require that both the maritime structural / structural timber engineer and an independent suitably experienced heritage practitioner be involved in decisions relating to retention of salvaged fabric to allow these works as site specific exemptions."*

This requirement is reflected in the Site-Specific exemptions in the SHR listing. Accordingly, TfNSW are requested to please provide the details of both *the maritime structural / structural timber engineer* and the *independent suitably experienced heritage practitioner* that TfNSW proposes to use on the project, including details as to their experience and expertise in heritage conservation.

Council wishes to also reserve the right to engage its own expertise to participate in and peer review works in progress, particularly the assessment of any material removed.

### **Ecological Concerns**

In addition to heritage concerns, Council has concerns in regards the impacts of the proposed works on aquatic and terrestrial flora and fauna. It is understood that the ultimate adaptive reuse of the Jetty will incur some impact on these environments. However, it is important that the scheme that is developed reduces these impacts as much as possible and wherever possible contributes positively to the aquatic and terrestrial ecology. It is possible that the Jetty project could also become a popular dive site for example for visitors and researchers to experience the underwater ecosystem that lives on and amongst the Jetty piles.

In particular regarding terrestrial fauna, the *Large-footed Myotis* (fishing bat) roosts in a year-round breeding colony on the nearby Oyster Cove foreshore just to the north of the Jetty, and is known to feed in the vicinity of the Jetty on marine invertebrates, shellfish & small fish that live amongst the Jetty piles. The *Eastern Bent-wing* bat, another microbat species has a known roost in the Coal Loader tunnels and may also feed in the vicinity of the Jetty. Species such as the *Little Penguin* and *Australian Fur Seals* have been observed in the waters surrounding the Jetty and are thought to feed on the marine life that the Jetty supports. It is likely the Jetty piles are habitat for other aquatic species such as *White's Seahorse*.

Removal of further timber from above the waterline will affect the amount of shading of the water surface which benefits the aquatic life sheltering beneath. Works below the waterline will impact on the flora and fauna living on and around the pile structures.

### **Western Harbour Tunnel Requirements for protection of the Balls Head Coal Loader**

TfNSW have advised that there is no connection between the works that TfNSW are proposing under the make-safe retrieval proposal and 'heritage management' work scheduled in the lead up to the Western Harbour Tunnel (WHT) construction project commencing, as identified in WHT related documentation. However, Council notes that under the terms of approval for the WHT the Coal Loader including the Jetty is not to be *physically damaged, disturbed or destroyed* [condition E54 and related conditions].

In addition, there is a requirement for a *Heritage CEMP Sub Plan* to be prepared covering various requirements (detailed site plan, recording and inventory of all site elements, detailed diver survey and recording of submerged sites before works commence etc), with the proponent being required to liaise with the Heritage Office and Council in regard to its preparation. Council is not aware of such a document having been prepared nor has been consulted on such a document.

The heritage management plan must also detail the objectives and methodologies to conserve maritime heritage and mitigate impacts, including for the Coal Loader Jetty. Given there is a perceived nexus between the two projects, the period identified by TfNSW for the ISEPP related work appears to coincide with the period of heritage management in the WHT schedule document, and TfNSW is the proponent for both, it may be appropriate that the requirements stipulated in the Coal-Loader related conditions for the WHT are followed for the works proposed to be conducted by TfNSW under the ISEPP process.

It has been well-established and agreed that the Balls Head Coal Loader Jetty is a rare and unique surviving example of Australia's maritime industrial (coal bunkering) heritage. Council urges TfNSW to progress the plans for the adaptive reuse scheme of the Jetty for public access, without further delay, in full consultation with Council, the NSW Heritage Office, the community and a broad range of stakeholders. Council has provided a list of stakeholders groups and organisations interested in the heritage and other values of the Coal Loader, and looks forward to engaging with these organisations together with TfNSW and the NSW Heritage Office.

Further removal of timber heritage fabric, prior to and outside the context of a such a scheme based on best-practice heritage principles is a poor conservation outcome for such a significant heritage item and should only be carried out if it can be clearly and thoroughly demonstrated that it is absolutely unavoidable.

The builder C.R. McKenzie Contractors constructed the jetty between 1918 & 1920. Given the massive scale of their work, the difficulties that would have been encountered on the build during that period, and the craftsmanship demonstrated in the completed product, one could imagine how proud the visionaries, designers, engineers, and construction crew were of their achievement. Some 102 years on it would be appropriate to finally realise the heritage Jetty adaptive re-use project, to provide for public and water-based access to the peninsula - complementing the successful, award-winning landward based heritage adaptive reuse initiatives and creating a place-based outcome that we can all be proud of.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Peter', followed by a long, sweeping horizontal line that curves upwards at the end.

Peter Massey

**A/DIRECTOR OPEN SPACE & ENVIRONMENTAL SERVICES**

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