

Northside Private Hospital, Gosford

Aboriginal Heritage Impact
Assessment

Report to DCWC

LGA: Gosford

July 2019



Artefact Heritage
ABN 73 144 973 526
Level 4, Building B
35 Saunders Street
Pyrmont NSW 2009
Australia

+61 2 9518 8411
office@artefact.net.au

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1.0 INTRODUCTION

1.1 Background

Donald Cant Watts Corke (DCWC) on behalf of AA Crown Holdings Pty Ltd are proposing the development of the Northside Private Hospital, West Gosford with a property identified as Lot 2 DP 1226923. The proposal has been assessed as being a State Significant Development (SSD) and requiring the preparation of an Environmental Impact Statement (EIS). The Planning Secretary's Environmental Assessment Requirements (SEARs) for the EIS have been issued for the project (Application number SSD-10159). The SEARs require that an Aboriginal heritage report is completed for the study area in accordance with the relevant Office of Environment and Heritage (OEH) guidelines. Artefact Heritage Services Pty Ltd (Artefact Heritage) have been engaged by DCWC to undertake an Aboriginal Heritage Impact Assessment (AHIA) for a proposed development at Lot 2 DP1226923. See Table 1 below for the relevant SEARs and where they have been addressed in this report.

Table 1: SEARs relevant to this assessment

Requirements	Where addressed in this report
13. Heritage	
Prepare an aboriginal archaeology report in accordance with the relevant Office of Environment and Heritage (OEH) guidelines. Should any aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be submitted.	Section 3.0 identifies that no previously registered Aboriginal sites are located within the study area Section 5.0 identifies that no Aboriginal objects were identified during the site inspection Section 6.0 identifies that there is low potential for archaeological deposits Section 7.0 recommends that an Aboriginal Heritage Cultural Assessment is not required

1.2 Study area

The study area (Figure 1) consists of the former Ausgrid site on the corner of Faunce Street West and Racecourse Road, West Gosford (Lot 2 in DP 1226923) and is boarded by Gosford Tennis Centre to the north and Gosford Public School to the east. The study area is within Central Coast Council Local Government Area (LGA). The study area is Parish of Gosford and County of Northumberland, and within the boundaries of Darkinjung Local Aboriginal Land Council (Darkinjung LALC).

1.3 Proposed activity

AA Crown Holdings Pty Ltd are proposing to demolish the former Ausgrid site and establish a private hospital. The development will involve the erection of an 11 storey building which includes eight floors

comprising; clinical spaces, including 220 beds and 14 theaters (Figure 2 and Figure 3). The services to be provided will be confirmed when an operator is engaged.

1.4 Report limitations

This report presents the results of an Aboriginal Heritage assessment only. This report excludes non-Aboriginal (historical) heritage assessment and advice.

1.5 Authorship and acknowledgements

This report was prepared by Anna Darby (Heritage Consultant, Artefact Heritage). Ryan Taddeucci (Senior Heritage Consultant, Artefact Heritage) reviewed this report and provided management input. Sandra Wallace (Managing Director, Artefact Heritage) reviewed this report and provided technical advice.

1.6 Aboriginal consultation

Amanda Shields (site officer, Darkinjung LALC) participated in the site inspection conducted on 19 June 2019. During the site inspection, Amanda noted that the study area was heavily disturbed but would recommend archaeological monitoring during construction. A letter of participation (Appendix 1) was supplied to Artefact Heritage on 3 July 2019. The letter included an overview of finds and recommendation for further work.

Figure 1: Study area



Source: D:\GIS\GIS_Mapping\15082\PROCESSING\15082.apr



Study area

19082 Northside Private Hospital site, Gosford

LGA: Central Coast

Scale: 1:4000
Size: A4
Date: 03-06-2019

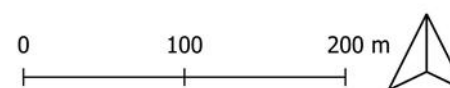


Figure 2: Floor plan of proposed Northside Private Hospital (Source: AA Crown)

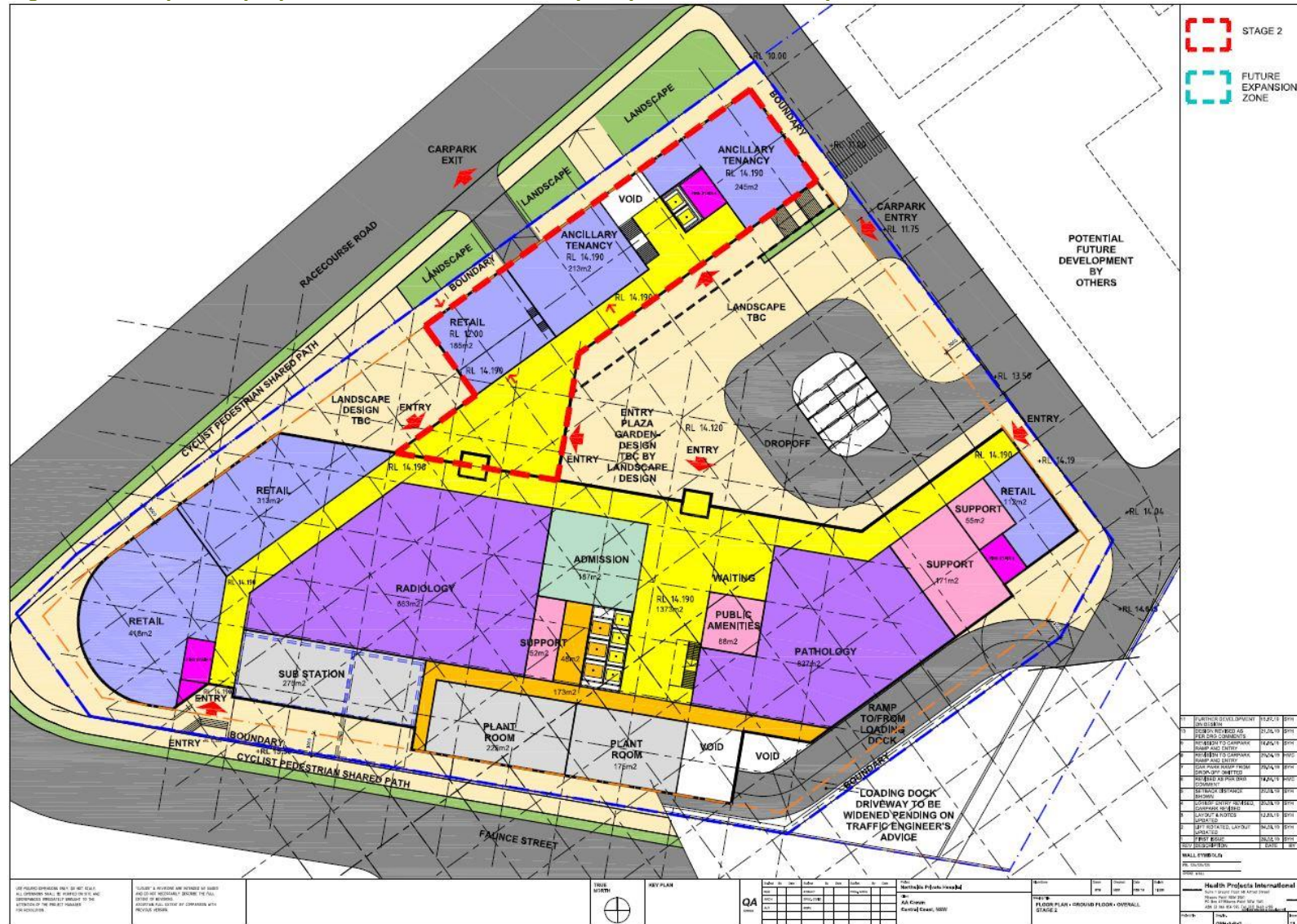


Figure 3: Rendering of proposed building above Faunce St, west ground floor entry (Source: AA Crown)



2.0 LEGISLATIVE CONTEXT

2.1 State legislation

2.1.1 *Environmental Planning & Assessment Act 1979*

The proposal will be assessed under Part 4, Division 4.1 of the EP&A Act, which establishes an assessment and approval regime for State Significant Development (SSD). Part 4, Division 4.1 applies to development that is declared to be SSD by a State Environmental Planning Policy (SEPP). Section 4.41 (previously section 89J(c)) of the EP&A Act specifies that approvals or permits under section 90 of the National Parks and Wildlife Act 1974 (NPW Act) are not required for approved SSD.

2.1.2 *National Parks and Wildlife Act 1974*

The NPW Act, administered by the OEH provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) and Aboriginal Places' (areas of cultural significance to the Aboriginal community).

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.

The NPW Act was amended in 2010 and as a result the legislative structure for seeking permission to impact on heritage items has changed. A Section 90 permit is now the only Aboriginal Heritage Impact Permit (AHIP) available and is granted by the OEH. Various factors are considered by OEH in the AHIP application process, such as site significance, Aboriginal consultation requirements, ESD principles, project justification and consideration of alternatives. The penalties and fines for damaging or defacing an Aboriginal object have also increased.

As this project is being assessed under Part 4 Division 4.1 of the EP&A Act 1979, permits issued under the NPW Act 1974 are not required.

2.1.3 *Native Title Act 1994*

The *Native Title Act 1994* was introduced to work in conjunction with the Commonwealth *Native Title Act 1993*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act. There are no Native Title claims currently registered in the study area.

2.1.4 *Aboriginal Land Rights Act 1983*

The *Aboriginal Land Rights Act 1983* (ALR Act) established Aboriginal Land Councils (at State and Local levels). These bodies have a statutory obligation under the ALR Act to:

- (a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and
- (b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

The study area is within the boundary of the Darkinjung LALC.

2.2 Commonwealth legislation

2.2.1 *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 (NHL) and the Commonwealth Heritage List (CHL).

The *Australian Heritage Council Act 2003* (AHC Act) establishes a new heritage advisory body - the Australian Heritage Council (AHC), to the Minister for the Environment and Heritage and retains the Register of the National Estate (RNE).

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 protection for Australia's natural, Indigenous and non-Indigenous heritage. The new features include:

- A new NHL of places of national heritage significance.
- A new CHL of heritage places owned or managed by the Commonwealth.
- The creation of the AHC, an independent expert body to advise the Minister on the listing and protection of heritage places.
- Continued management of the Register of the National Estate (RNE).

National Heritage List

The 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 and Heritage. It is a criminal offence not to comply with this law and there are significant penalties.

No items listed on the National Heritage List are located within the study area.

Commonwealth Heritage List

The CHL is a list of places managed or owned by the Australian Government and not of relevance to this project.

No items listed on the World Heritage List are located within the study area.

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.

No Aboriginal sites were listed for Lot 2 DP 1226923 on the RNE.

2.2.2 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 cultural property 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. In most cases, archaeological sites and objects registered under the State Act will also be Aboriginal places subject to the provisions of the Commonwealth 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 places.

3.0 ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM

The locations and details of Aboriginal sites are considered culturally sensitive information. It is recommended that this information, including the Aboriginal Heritage Information Management System (AHIMS) data and GIS imagery, is removed from this report if it is to enter the public domain.

An extensive search of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken on 3 June 2019 (Client ID: 424895).

An area of approximately two kilometres (east-west) by two kilometres (north-south) was included in the search. The AHIMS search provides archaeological context for the area and identifies whether any previously recorded Aboriginal sites are located within or near the study area. The parameters of the search were as follows:

GDA 1994 MGA 56	342872 – 346872 mE 6298864 – 6302864 mN
Buffer	0 m
Number of sites	45

A total of 45 sites were identified in the extensive AHIMS search area. The distribution of recorded sites within the AHIMS search area is shown in Figure 4. OEH lists 20 standard site features that can be used to describe a site registered with AHIMS, and more than one feature can be used for each site. The frequency of recorded site types is summarised in Table 1 below. For the 45 sites within the search area, 13 site features were recorded. The majority of recorded sites are Shell and Art (Pigment or Engraved) (n=12) followed by Shell, Art (n=7).

Table 2: Frequency of recorded site types

Site Feature	Frequency	Percentage
Art (Pigment or Engraved)	12	26.7
Shell, Artefact	7	15.6
Grinding Groove	5	11.1
Art (Pigment or Engraved), Grinding Groove	5	11.1
Shell	4	8.9
Grinding Groove, Art (Pigment or Engraved)	3	6.7
Artefact	2	4.4
Shell, Artefact, Grinding Groove	2	4.4
Potential Archaeological Deposit (PAD)	1	2.2
Grinding Groove, Artefact	1	2.2
Grinding Groove, Water Hole	1	2.2
Modified Tree (Carved or Scarred)	1	2.2

Site Feature	Frequency	Percentage
Potential Archaeological Deposit (PAD), Shell	1	2.2
<i>Total</i>	<i>45</i>	<i>100</i>

The nature and location of the registered sites is a reflection of the past Aboriginal occupation from which they derive, but is also influenced by historical land-use, and the nature and extent of previous archaeological investigations. Although Aboriginal occupation covered the whole of the landscape, the availability of fresh water, and associated resources, was a significant factor in repeated and long-term occupation of specific areas within the landscape. Certain site types, such as culturally modified trees, are particularly vulnerable to destruction through historical occupation, while others, such as stone artefacts, are more resilient.

No previously recorded sites are within the study area. However, two sites are within 600 metres (m) of the study area;

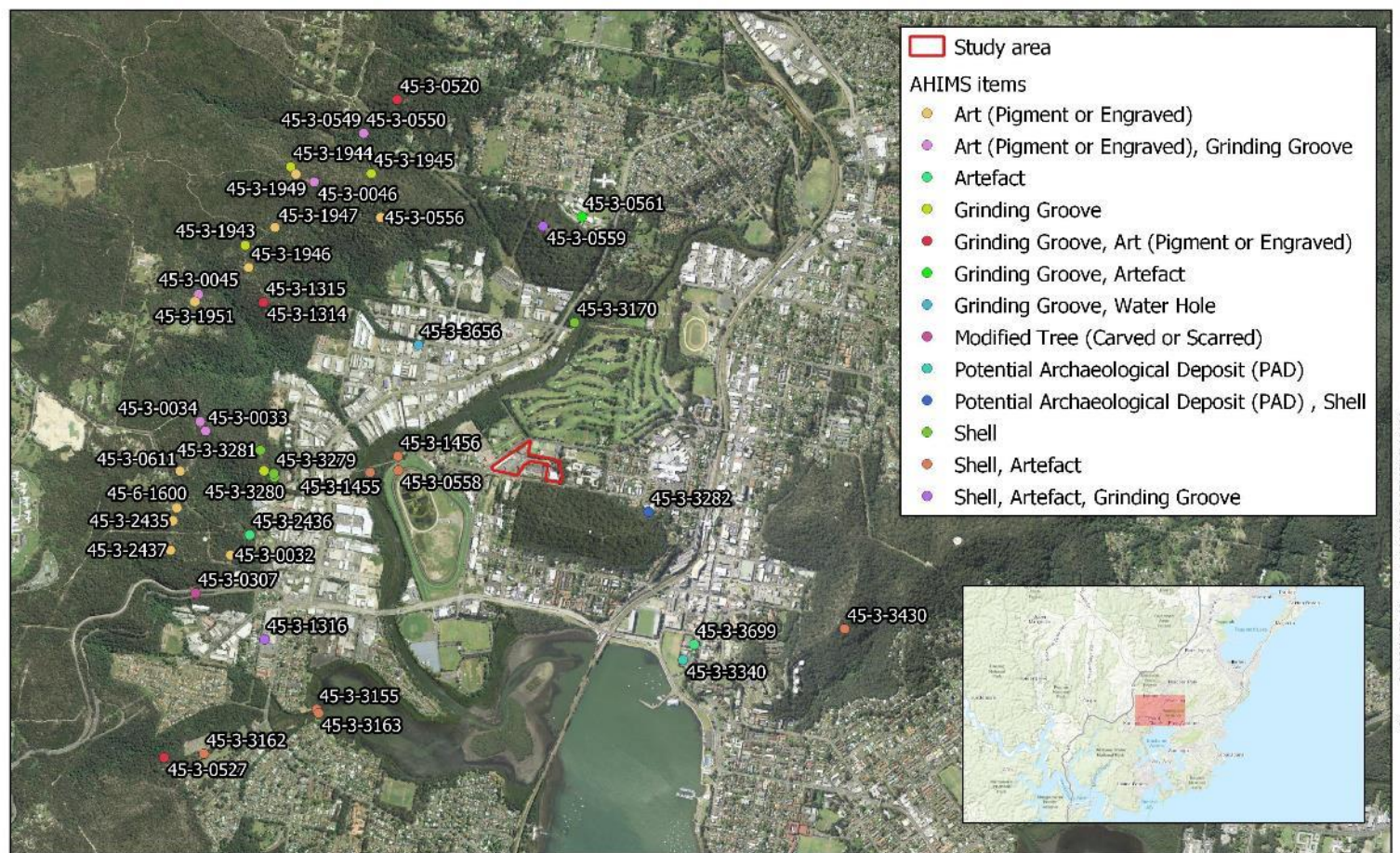
Shell middens are particularly prevalent in the area given the proximity of the study area to Brisbane Waters. The closest sites to the current study area are Old Gosford Road (AHIMS ID 45-3-1456) and Gosford;Narara Ck (AHIMS ID 45-3-0558). These sites are discussed below.

Old Gosford Road (AHIMS 45-3-1456) is located in a slight rise of sand along Narara Creek in a clearing within a narrow belt of Casuarinas. The site is described as a Shell and Artefact site that once extended across part of the cleared area. The midden material had been pushed between the trees and towards the creek with some deposits remaining *in situ* 35 m south west to north west along the creek. Original depth could not be determined but the deepest point estimated to be between 100 – 200 mm at the northern end however the majority of the deposit was described as shallow and superficial. The midden was observed to contain mainly cockles, whelks and a couple of fragmentary oysters. Old Gosford Road (AHIMS 45-3-1456) was recorded in 1983 as a part of the Gosford Regional Sewage connect and is located 560 m west of the study area.

Gosford:Narara Creek (AHIMS ID 45-3-0558) is described as a Shell and Artefact site and was recorded in 1958. The site card described the location of the shell midden to be in the west side of Narara Creek and was identified during excavation of a hole for a telegraph pole. The AHIMS database records the site to be on the east side of Narara Creek. A coordinate error has occurred, which is common with sites that have not been recorded recently.

The location of recorded AHIMS sites are shown in Figure 4. and the location of AHIMS sites in close proximity to the study area are shown in Figure 5.

Figure 4: Results of extensive AHIMS search



Extensive AHIMS search

19082 Northside Private Hospital site, Gosford

LGA: Central Coast

Scale: 1:32000
Size: A4
Date: 03-06-2019

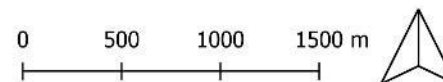
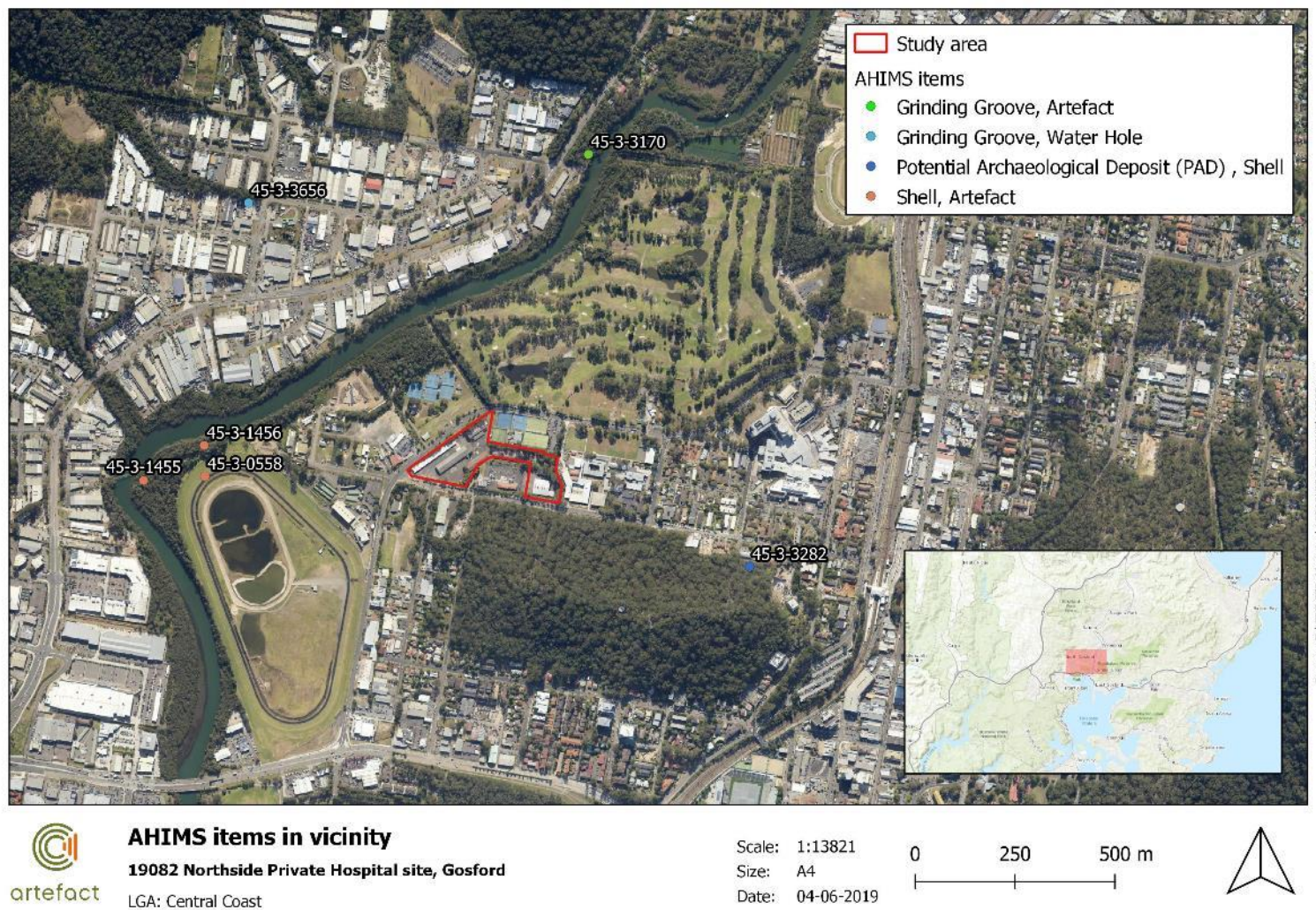


Figure 5: AHIMS registered sites within the vicinity of the study area



4.0 BACKGROUND

4.1.1 Environmental context

The study area is located within the Bouddi Peninsula and is part of the Sydney Basin, a large depositional geological feature that spans from Batemans Bay to the south, Newcastle to the north and Lithgow to the west. The underlying geology consists of the Terrigal Formation of the Narrabeen Group. The Terrigal Formation consists of sandstone, shale laminate, siltstone, mudstone and conglomerates (Down to Earth 2000).

Soils within the study area consists of the Erina soil landscape which is characterised by moderate to moderate deep (1 -2 m) yellow podzolic soils on fine grained bedrock with yellow podzolic soils in poorly drained areas. On foot slopes the soils are characterised by moderately deep to deep (0.5 – >1.50 m) yellow podzolic soils and yellow earths on coarse-grained parent material with yellow earths, and along drainage lines deep (> 3m) structured Loams and yellow earths (Murphy 1993).

The study area is approximately 300 m south east of Narara Creek a third order stream that flows into Brisbane Water, approximately 800 m south of the study area. Brisbane water is a wave dominated barrier estuary that covers an area of approximately 165 square kilometres. The estuary would have provided a variety of natural resources making the land around the water to be an attractive place for Aboriginal groups to camp. Extensive land clearing has occurred within the study area however the vegetation would have been tall open-forest with open-heath in exposed coastal locations. Common species of the open forest include Blackbutt (*Eucalyptus pilularis*), Forest Oak (*Allocasuarina torulosa*), Turpentine (*Syncarpia glomulifera*), Spotted Gum (*E. maculata*), Smooth-Barked Apple (*Angophora costata*), Grey Ironbark (*E. paniculata*) and Sydney Blue Gum (*E. saligna*). Swamp Mahogany (*E. robusta*) and Swamp Oak (*Casuarina glauca*) occur in poorly drained areas (Murphy 1993).

Previous documentary and archaeological research indicate that archaeological evidence is likely to be found with certain landforms, largely as a result of the resources that were associated with these landforms, or their suitability for long-term and/or repeated occupation. OEH lists five such landforms:

- Within 200 m of waters.
- Within a sand dune system.
- On a ridge top, ridge line or headland.
- Within 200 m below or above a cliff face.
- Within 20 m of or in a cave, rock shelter, or a cave mouth.

The study area does not contain any sensitive landforms.

4.1.2 Archaeological context

It is acknowledged that Aboriginal people have been present in Australia for approximately 40,000 years; however, high sea levels during much of this period restricted access to areas along the modern coastline. Long term changes in climate and sea level have occurred in Port Jackson over the past 20,000 years, with the sea level stabilising at its present level approximately 6,000 years ago (Birch 2006).

The oldest dated site in Central Coast region is 11,000 years before present (yBP), which was recorded in a rock shelter at Mangrove Creek, approximately 15 km to the west of the study area (Attenbrow, cited in Dallas and Bell 1989). Evidence of Aboriginal occupation has been found dated to

50-60,000 yBP at Lake Mungo in NSW, so it would be likely that Aboriginal people have lived in the region for even longer than indicated by the oldest recorded dates available 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.

Prior to the appropriation of their land by Europeans, Aboriginal people lived in small family groups that were associated with particular territories or places. It seems that territorial boundaries were fairly fluid, although details are not known. The language group spoken in the Gosford area is thought to have been Darkinjung (Tindale 1974). The Darkinjung language group borders closely with the Kuringai tribe who inhabited the land between along the coastline. The Darkinjung lands roughly extend from the Hawkesbury River northwards to Wollombi and the southern drainage of the Hunter River (Tindale 1974).

Information gathered by R.H Matthews provides a valuable insight into the lives of the Darkinjung people, although this information was recorded within an already disjointed community. He stated that all members of the Darkinjung community were segregated into Dilbi and Kuparthin groups, and each group was further divided into two sections (Matthews 1897 in McDonald 1994:39). On the basis of these groups and sections, totemic affiliation and marriage relations were determined. Totems consisted of animals or inanimate objects, such as animals, plants, heavenly bodies, the elements or seasons. It has been suggested that the Darkinjung would move to the coast, within Kuringai territory during summer months, to exploit the abundant coastal resources, and the reverse was true for the Kuringai who moved inland during winter months to participate in ritual kangaroo hunts (Vinnicombe 1980).

4.1.3 Historical context

The Gosford region was first explored during 1788 and 1789, but it was not settled for many years due to its inaccessibility. Settlement in the Gosford district began slowly in the 1820s when its rich timber resources, combined with its relative proximity to Sydney, encouraged timber-getting (Strom 1982:6). The heavily timbered lands along Erina and Narara Creeks were granted to wealthy and prominent settlers, the most notable of whom was Frederick Augustus Hely, who had been appointed Principal Superintendent of Convicts in 1823. Hely gradually purchased most of the land in the Narara Valley and was the largest landowner in the region during the early years of settlement. He established a farm called 'Wyoming', which gave its name to the current suburb of Wyoming (Strom 1982:9). During the 1830s, the population of the area north of Brisbane Water was sparse, and it was not until 1839 that the 'Town of Gosford' was finally surveyed and named. The first sale of allotments did not take place until 1841. In 1865, Gosford Public School was established in a church building, followed by a purpose-built school which opened in 1877. The first purpose-built post office was built in 1882 (Gosford City Council 2012). By the time the railway arrived at Gosford in 1887, Gosford had become the administrative centre of the region.

Historical parish maps show that the study area in 1890 was part of the public reserve, by 1958 the land was subdivided, sold and owned by Brisbane Water Co (Figure 6 and Figure 7).

Figure 6: 1890 Parish map, approximate study area in red (Source: Historical Lands Viewer)

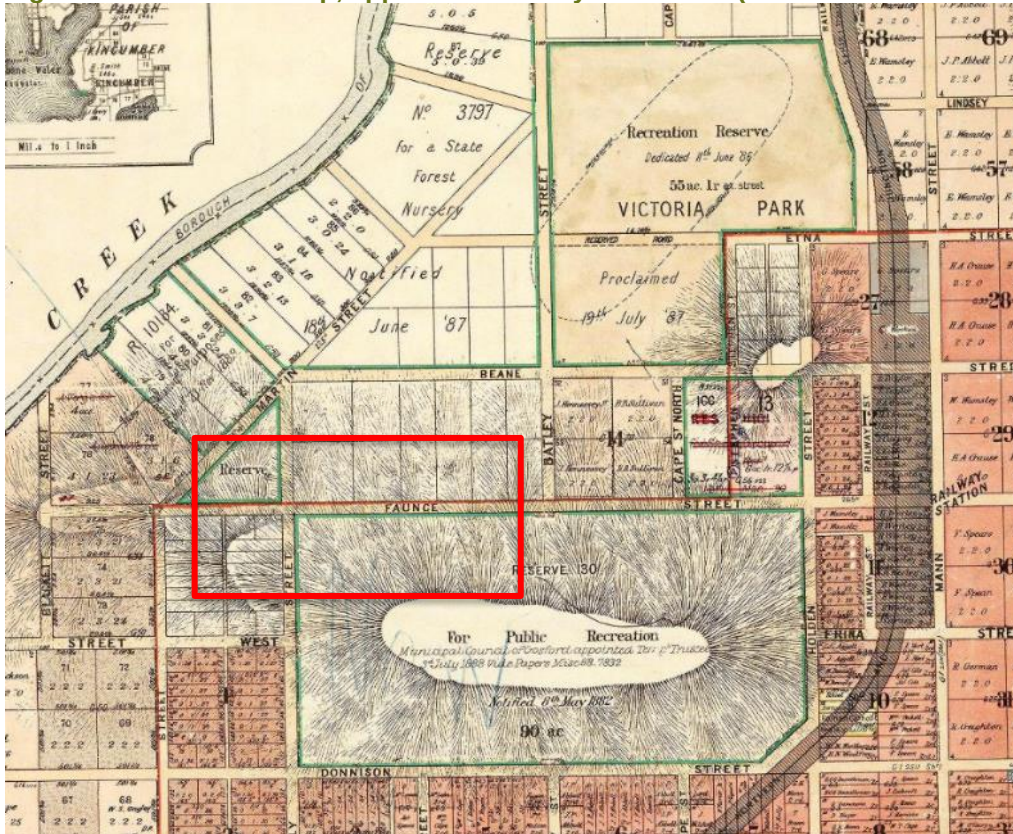
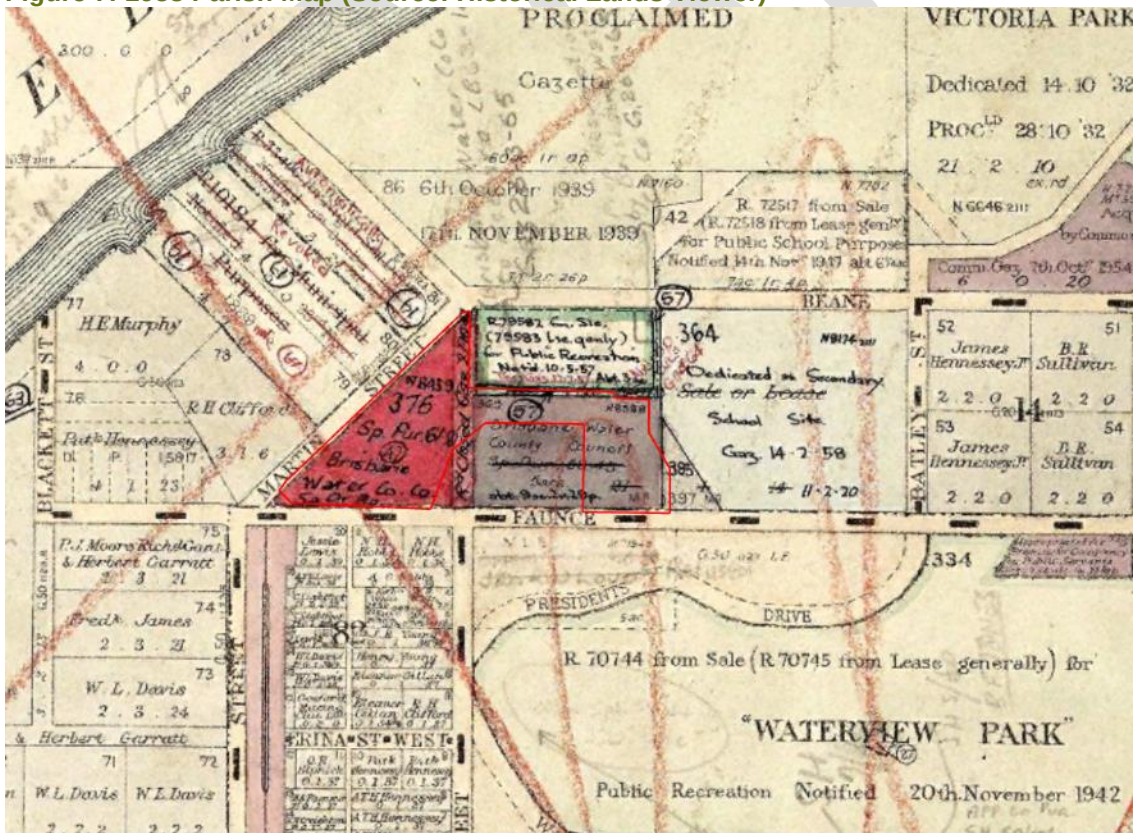


Figure 7: 1958 Parish Map (Source: Historical Lands Viewer)



4.1.4 Previous archaeological assessments

Manns Road upgrade (OzArk Environmental and Heritage Management 2018)

OzArk Environmental and Heritage Management (OzArk) completed an Aboriginal cultural heritage survey report of the Manns Road upgrade located approximately 600 m north west of the current study area. One previously recorded site, a shell midden, NC-M-1 (AHIMS ID 45-3-3170) was revisited during the survey however no evidence of the shell material was observed. It was determined that the site would not be impacted by the proposed works. The report also predicted that landforms indicative of Aboriginal occupation would occur as low density artefact scatters on flat alluvial landforms and sloping elevated landforms. However, due to disturbances through urban developments these sites have been displaced.

Proposed Redevelopment of Gosford Hospital (Artefact Heritage 2015)

Artefact (2015) conducted a preliminary Aboriginal heritage assessment for the proposed redevelopment of Gosford Hospital located 600 m east of the current study area. Background research and desktop assessment determined that the spatial patterning of sites in the region were situated outside of the Gosford developed areas; located within surrounding bushland. However, rock shelter and art sites tend to be associated with sloping land with sandstone outcropping, while artefact and shell sites tend to be located close to waterlines. The survey identified that a majority of the study area had been impacted by the development of the Gosford Hospital Precinct, residential dwellings and roads. All of these features would have required significant ground modifications prior to construction, due to the sloping terrain.

No Aboriginal sites or areas where Aboriginal objects are likely to occur beneath the ground surface were identified within the proposed impact areas during the site inspection. It is concluded that the study area contained low archaeological potential.

Archaeological Survey for Gosford Regional Sewerage: The Gosford Connection, Narrara Creek to The Kincumber Tunnel (Haglund 1983)

Haglund (1983) completed an archaeological survey for the proposed Gosford sewage connection between Narrara Creek and Kincumber Tunnel. The entire length of the proposed sewage alignment was inspected; with the exception of areas with surface water, bitumen or residential areas. Three Aboriginal midden sites were located near the proposed activity of works, on low sand ridges associated with adjacent creeks. Old Gosford Road (AHIMS ID 45-3-1456) is one of the shell midden sites recorded and is located 560 m west of the current study area. All sites were described as shallow shell deposits (mostly cockle shells) within a black sandy deposit. The midden sites were located outside of the proposed pipeline that would not be affected. Therefore, no further archaeological work was required for the sites.

Predilection and Prediction: A Study of Aboriginal Sites in the Gosford–Wyang Region (Vinnicombe 1980)

Vinnicombe (1980) completed an extensive archaeological survey of the Gosford/Wyang region to determine site type and location patterns. The large scale assessment involved systematic survey of 10 km² locations of three different environments (open coastline and coastal estuary, riverine estuary and inland sclerophyll forest). The results of the survey included the recording of a number of middens, engravings and rock shelters. The assessment findings clearly identified a regional patterning for site types within the surveyed areas. These findings indicate seasonal exploitation of resources along the coast during the summer months and through the hinterland during the winter months.

5.0 SITE INSPECTION RESULTS

A site inspection of the study area was conducted by Anna Darby (Heritage Consultant, Artefact Heritage), Ryan Taddeucci (Senior Heritage Consultant, Artefact Heritage), and Amanda Shields (Site Officer, Darkinjung LALC) on 19 June 2019. The main aims of the inspection were to record any Aboriginal objects visible on the ground surface, make an overall observation on the intactness of the study area, and identify if Aboriginal objects are likely to occur beneath the ground surface.

The study area contained six warehouses and the majority of the surface area is covered by bitumen (Figure 8). In the western section of the study area, four large warehouses aligned north east -south west were present with a bitumen carpark adjoining the structures (Figure 9). A narrow section of vegetation was present between two of the warehouses and fence line adjacent to Racecourse Road. The vegetation within this strip contained dense overgrown grass and mature native eucalyptus trees and several introduced species of maple trees (Figure 10). Similar strips of vegetation were also present adjacent to Faunce Street, along the boundary of the study area and Gosford Tennis Courts, and in the eastern section of the study area (Figure 11). A sealed service road extends from the western section of the study area to the south western end (Figure 12). Disused bays used for material stockpiling were observed (Figure 13). A medium strip with large boulders of sandstone was observed within the study area (Figure 14).

Visibility was low (< 5 per cent) due to the bitumen carpark and road, as well as, dense grass and leaf litter (Figure 16 and Figure 17). One exposure in the eastern part of the carpark was observed which contained imported gravels and packing sand used for the laying of bitumen (Figure 15). The eastern section of the study area is on a sloped landform and moderately disturbed while the remainder of the study area is highly disturbed (Figure 18). Large scale cutting of the landscape was observed across the study area, where the bedrock is present within the section (Figure 20). This was particularly present in the east section as area surrounding the car park and warehouses have been cut and levelled to create a platform at the east end and then again quite steeply to the north (Figure 19). Other evidence for subsurface disturbance included services for water, gas and electricity that were observed across the study area (Figure 21 and Figure 22).

The study area was found to be disturbed and no Aboriginal objects or areas of Potential Archaeological Deposit (PAD) were identified within the study area during the site visit.

Figure 8: View north showing several of the warehouses and bitumen card park



Figure 9: View south east of several of the warehouses and bitumen card park



Figure 10: View south west of the narrow strip of vegetation adjacent to Racecourse Road.



Figure 11: View east of the service road and vegetation on the left



Figure 12: View east of the service road and vegetation on the left



Figure 13: Material stockpile bays



Figure 14: Medium strip with landscaping and sandstone boulders



Figure 15: Exposure within the carpark of imported sands and gravels



Figure 16: View south of the dense grass cover



Figure 17: Example of the dense leaf litter within the study area



Figure 18: View west of the study area



Figure 19: Example of the cutting of the landscape at the eastern section



Figure 20: View south showing bedrock present with the cut section



Figure 21: Example of services in the study area



Figure 22: Example of services in the study area



6.0 DISCUSSION

Archaeological potential is closely related to the levels of ground disturbance. However, other factors are also taken into account when assessing archaeological potential, such as whether artefacts were located on the surface, and whether the area is within a sensitive landform unit according to the predictive statements.

The background information collated above indicates that the study area is not likely to be archaeologically sensitive as it is not located within any of the landforms listed as archaeologically sensitive by OEH, as outlined in section 4.1.1.

OEH defines disturbed land as stipulated in the National Parks and Wildlife Regulation (NPWR 2009) S 87(4) Clause 80B.4:

(4) For the purposes of this clause, land is disturbed if it is has been the subject of human activity that has changed the lands surface, being changes that remain clear and observable.

This includes disturbed land via:

- (a) soil ploughing*
- (b) construction of rural infrastructure*
- (c) construction of roads, trails and tracks (including fire trails and tracks and walking tracks),*
- (d) clearing of vegetation,*
- (e) construction of buildings and the erection of other structures,*
- (f) construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure),*

Disturbance within the study area has included land clearance, earth movement and construction of buildings. The areas of disturbance were most extensive within the eastern section of the study area where the landscape has been cut and filled to create platforms. The presence of bedrock within the profiles of the cut sections along the south east end indicate that any possible artefact bearing deposits have been removed. Additional disturbances include the construction of the warehouses, and levelling for the laying of the bitumen carpark and road, electricity transmissions lines, and the installation of underground services including gas and water pipelines.

Based on background information, Aboriginal site distributions in the region, and known levels of disturbance at the site; it is considered that the study area has low archaeological potential.

7.0 RECOMMENDATIONS

The following recommendations regarding Aboriginal heritage are based on consideration of:

- SEARs Application number SSD-10159
- The results of background research, site inspection and assessment
- The likely impacts of the proposed development.

It was found that:

- No previously recorded Aboriginal sites are located within the study area
- No newly identified Aboriginal sites were identified during the site inspection
- The study area has been heavily disturbed during urban construction
- The study area is of low Aboriginal archaeological sensitivity.

It is therefore recommended that:

- The proposed activity can proceed with no further Aboriginal archaeological investigation or assessment required
- Any changes to the scope of the proposal, such as a change in impact footprint, may require further archaeological assessment
- If any Aboriginal objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease immediately. A qualified archaeologist and Darkinjung LALC should be contacted
- If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity should cease, the site should be secured and the NSW Police and the Office of Environment and Heritage should be notified.

8.0 REFERENCES

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APPENDIX 1: LETTER OF PARTICIPATION FROM DARKINJUNG LALC

DRAFT



artefact

Artefact Heritage

ABN 73 144 973 526

Level 4, Building B

35 Saunders Street

Pymont NSW 2009

Australia

+61 2 9518 8411

office@artefact.net.au

www.artefact.net.au