


618-624 Mowbray
Rd and 25-29
Mindarie Street,
Lane Cove

Historic heritage constraints
assessment

Report to Homes NSW

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 artefact

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EXECUTIVE SUMMARY

Project overview

This Historic Heritage Constraints Assessment has been prepared by Artefact Heritage and Environment, hereafter Artefact, on behalf of Homes NSW for a State Significant Development Application (SSD-71687208) for construction of a five-storey residential flat building with a total of 86 social and affordable housing apartments at 618-624 Mowbray Rd and 25-29 Mindarie Street Lane Cove North.

The purpose of this Historic Heritage Constraints Assessment is to address the Secretary's Environmental Assessment Requirements for the project issued on 18 June 2024 (SSD 71687208) which identified the following specific assessment requirements:

Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.

Key findings

This constraints assessment has identified:

- That there are no listed heritage items within the study area; or within a 250-metre buffer of the study area
- There is low potential for historic heritage values to be identified within the study area
- The study area has low archaeological potential.

Recommendation

The following recommendations are made in relation to historic heritage and historical archaeology:

- Based on there being no listed heritage items either within the study area, or within 250-metres of the study area, there is no indication from this preliminary assessment that a Statement of Heritage Impact report is required
- A preliminary review of historical maps and aerial photographs indicates that no further Historical Archaeological Assessment is required
- An unexpected heritage finds procedure should be prepared and incorporated into the Construction Environment Management Plan to be implemented through the works
- A brief heritage induction should be prepared to advise contractors of what to do in the event that an unexpected heritage find is encountered. The heritage induction should be delivered as part of the project environmental induction given at project commencement.

CONTENTS

1.0	Introduction.....	1
1.1	Project background.....	1
1.2	Study area	1
1.3	Methodology and limitations	1
1.4	Author identification	1
2.0	Legislative context	4
2.1	Introduction	4
2.2	Results of heritage register searches.....	4
3.0	Assessment of archaeological potential.....	6
3.1	Methodology	6
3.2	Historical development	6
3.2.1	First Nations.....	6
3.2.2	Colonisation and historical land use	8
3.2.3	Residential development of the study area	9
3.3	Archaeological potential	15
4.0	Conclusions and recommendations	16
4.1	Conclusions	16
4.1.1	Historic heritage	16
4.1.2	Historical archaeology	16
4.2	Recommendations.....	16
5.0	References	17

FIGURES

Figure 1: Location of the study area	3
Figure 2: Location of listed heritage sites within and in the vicinity of the study area	5
Figure 3: Parish of Willoughby ND (Source: Historical Lands Records Viewer)	10
Figure 4: Aerial imagery of study area 1943 (Source: Historical Imagery Viewer)	11
Figure 5: Aerial imagery of study area 1950 (Source: Historical Imagery Viewer)	12
Figure 6: Aerial imagery of study area 1985 (Source: Historical Imagery Viewer)	13
Figure 7: Aerial imagery of study area 1991, (Source: Historical imagery viewer)	14

TABLES

Table 1: Summary of statutory register search results	4
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1.0 INTRODUCTION

1.1 Project background

This Historic Heritage Constraints Assessment has been prepared by Artefact Heritage and Environment, hereafter Artefact, on behalf of Homes NSW for a State Significant Development Application (SSD-71687208) for construction of a five-storey residential flat building with a total of 86 social and affordable housing apartments at 618-624 Mowbray Rd and 25-29 Mindarie Street Lane Cove North.

The purpose of this Historic Heritage Constraints Assessment is to address the Secretary's Environmental Assessment Requirements (SEARs) for the project issued on 18 June 2024 (SSD 71687208) which identified the following specific assessment requirements:

Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.

1.2 Study area

The study area is located at 618-624 Mowbray Rd and 25-29 Mindarie Street, Lane Cove North (Figure 1). The study area is comprised of:

- Lot 20 DP35865
- Lot 19 DP35865
- Lot 18 DP35865
- Lot 17 DP35865
- Lot 66 DP 35865
- Lot 65 DP35865
- Lot 64 DP35865.

The study area is 4,199 m² in size, with frontages to Mowbray Rd on the north and Mindarie Street on the south. The study area is bounded by Hatfield Street to the east and residential development to the west. The subject area currently is occupied by low density single storey residences.

1.3 Methodology and limitations

This report has been prepared to determine if further non-Aboriginal heritage assessments are required to support the SSDA application for the Lane Cove project. The report presents a preliminary overview of historic heritage and historical (non-Aboriginal) archaeological value only and does not constitute a detailed assessment of potential, significance or proposed impact.

This report presents the results of high-level historical research and cartographic analysis and a review of statutory heritage registers only. This report does not assess Aboriginal cultural heritage.

1.4 Author identification

This report was prepared by Amanda Bie Wojcik (Graduate Heritage Consultant) and Stephanie Moore (Senior Associate). Technical review was undertaken by Jenny Winnett (Technical Director).



Figure 1: Location of the study area

2.0 LEGISLATIVE CONTEXT

2.1 Introduction

Heritage management in Australia is administered under several State and Federal legislative Acts and their associated guidelines. These Acts include:

- *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- *NSW Heritage Act 1977* (Heritage Act)
- *NSW Environmental Protection and Assessment Act 1979* (EP&A Act).

The Federal EPBC Act governs National heritage and the Commonwealth heritage list. The Heritage Act administers the State heritage register and protection for archaeological sites. The EP&A Act regulates the assessment of local heritage items and SSDAs. Further to these Australian Acts, *Convention Concerning the Protection of World Cultural and National Heritage* (the World Heritage Convention) addresses World heritage values within Australia.

2.2 Results of heritage register searches

A search of the following state and federal statutory heritage registers was undertaken to inform this assessment:

- World Heritage List (WHL)
- Commonwealth Heritage List (CHL)
- National Heritage List (NHL)
- State Heritage Register (SHR)
- Section 170 Heritage and Conservation Registers
- *Lane Cove Local Environmental Plan 2009 (LEP) (2023)*.

A search of the federal and state statutory registers showed that there are no listed heritage items within the study area. The search was expanded to a buffer of 250 metres surrounding the study area and no listed heritage items were identified. A summary of the search results is presented in Table 1 below.

Table 1: Summary of statutory register search results

Heritage Register	Item Name	Item ID	Significance
World Heritage List	Nil	Nil	N/A
National Heritage List	Nil	Nil	N/A
Commonwealth Heritage List	Nil	Nil	N/A
State Heritage Register	Nil	Nil	N/A
Section 170	Nil	Nil	N/A
<i>Lane Cove Environmental Plan 2009</i>	Nil	Nil	N/A

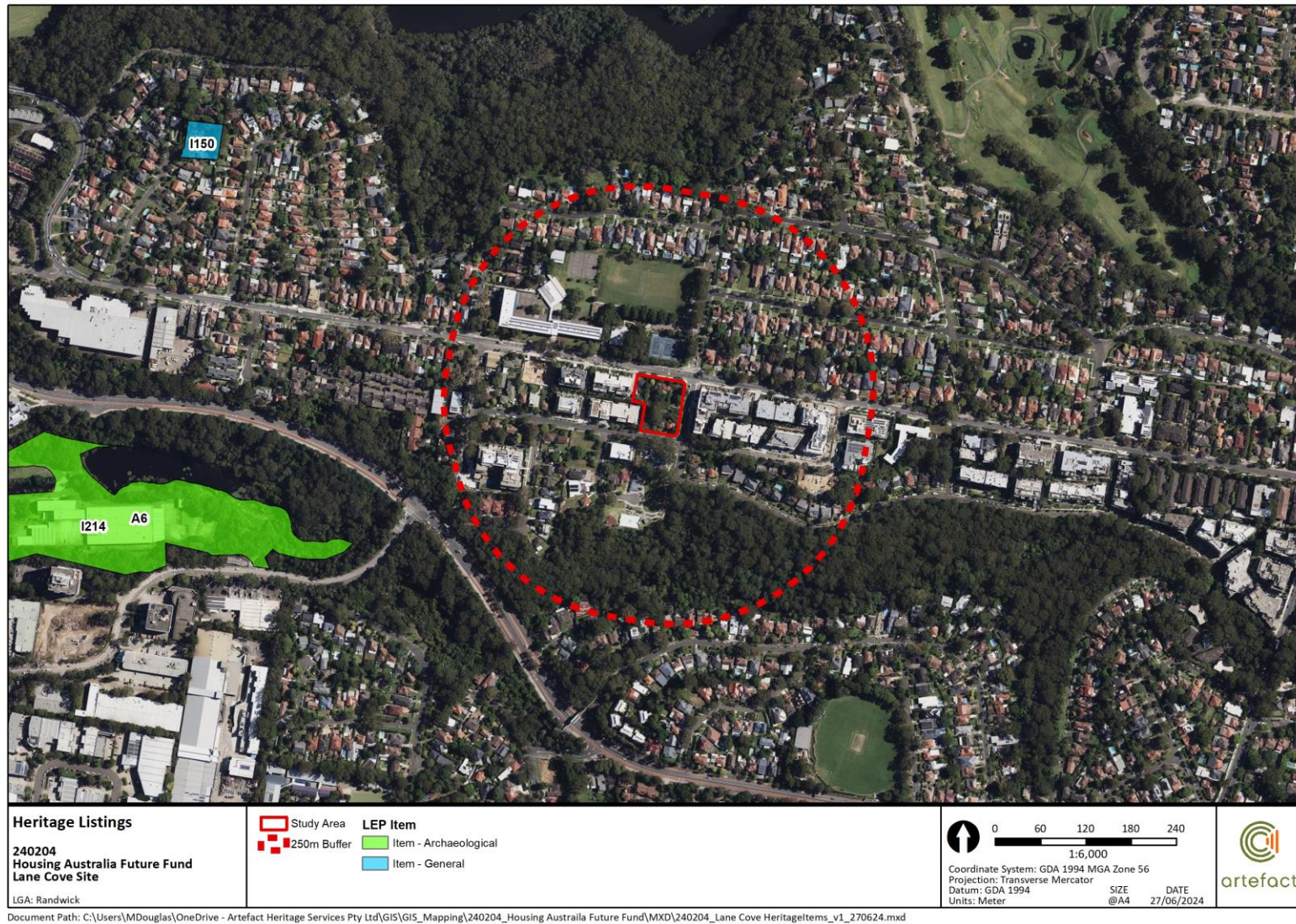


Figure 2: Location of listed heritage sites within and in the vicinity of the study area

3.0 ARCHAEOLOGICAL POTENTIAL

3.1 Methodology

This preliminary assessment of archaeological potential has been prepared following high-level historical research and cartographic analysis. The following section presents an overview of the European history of Maroubra to contextualise the development of the study area.

3.2 Historical development

3.2.1 First Nations

The present-day suburbs of Sydney's North Shore sit on ridgelines and spurs with creeks and rivers that over millennia gouged their way through sandstone and run into Sydney Harbour. Other waterways fed from the ridgelines empty into Middle Harbour and the Lane Cove River. Before the British colonists arrived and began clearing the trees, these creeks and rivers had created sheltered environments for plants and animals. It was in these areas where Aboriginal people lived for thousands of years, with the often exposed ridgelines and sandstone outcrops more likely to have been travelling and hunting routes and ceremonial areas.

Along with the creeks and rivers, the coastline to the north of Sydney offered areas of abundant saltwater resources from present day Manly through the Northern Beaches up to the southern shores of Broken Bay. A variety of fish were caught, and rock oysters, cockles, mussels and clams were also consumed, opened either with a thumbnail or stone oyster hammer. Shell middens can still be seen in many places on the north shore and northern beaches.

Inland, there were fruits, seeds, nuts, grains and nectars and rhizomes and tubers would have been important components of the staple diet for Aboriginal people. Some parts of plants would have required special preparation to remove any poisons, but the seeds of all native grasses are edible. The Melaleuca tree's paper-like bark was used as shelter, wrapping, containers and fire lighting.¹

Cammeraygal

After the massive dispossession of Country by the British colonists from 1788 and the smallpox epidemic of 1789, traditional Aboriginal society was decimated. Few historical records by early colonisers are accurate or reliable, often misunderstanding Aboriginal culture and land tenure. 'Cammeray' is the name of the area to which the people belonged, and the addition of 'gal' refers to the people from that place. The Cammeraygal clan group may have taken their name from the camy, a common term for a spear in the Sydney area (they were regarded as a fierce and war-like clan).

While it is difficult to determine precisely, the Cammeraygal people have been associated with Country around what is now known as Willoughby, Lane Cove, Ku-ring-gai and North Sydney Council areas as well as Mosman. Governor Arthur Phillip rather vaguely noted that the Cammeraygal (Gammeraigal) inhabited 'the northwest side of Port Jackson'. North Sydney Historian Ian Hoskins notes this is 'now thought to extend from Cremorne in the east, to Woodford Bay in the west, and probably to Middle Harbour which forms a natural boundary to the north'. Phillip also referred to a group called the Wallumedegal as occupying the 'opposite shore' (to Sydney Cove). Hoskins and others consider the Wallumedegal clan group to have extended from Lane Cove westward to

¹ Currie, J., 2008. *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow. An Aboriginal History of Willoughby* Willoughby City Council in association with the Aboriginal Heritage Office Northern Sydney Region, Sydney, pp. 10-15.

Parramatta and the Borogegal clan to have lived around Bradleys Head. Further to the north, it seems the Garigal lived on the southern edges of Broken Bay.²

There has long been confusion around the language spoken on the north shore of Sydney Harbour (as elsewhere across Sydney, the colonists often misinterpreted Aboriginal people or failed to ask pertinent questions). As Jessica Currie notes in her history of the area around Willoughby, *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow*, 'it has been long accepted that the Cammeraygal clan are part of the Guringai language nation, however, there are also claims that the Darug language extended through this area.' The 2015 Aboriginal Heritage Office report 'Filling a void – Guringai language review' notes that the first use of the word 'Guringai' was in 1892 and was based on a Hunter Valley group 'Gringai or Guringay' in an attempt to fill a void in language information to the north of Sydney. More recent research has identified Karikal or Garigal as the clan group associated with the southern side of Broken Bay. The term 'Kuringai' (Guringai) has now been rejected by the Aboriginal Heritage Office and other researchers.³

As Currie also notes, 'as the Aboriginal population in the Willoughby area was severely diminished following the British occupation in 1788, oral accounts of the Cammeraygal available to us today are all but non-existent.' Today, much of what we know about the traditional lives of Aboriginal people on the north shore of Sydney Harbour comes from the often imprecise and limited pens of colonial diarists such as Watkin Tench and David Collins.⁴

Demanding rights

Throughout the twentieth century there was a growing movement for Aboriginal political rights. As Hoskins notes, important campaigns to promote Aboriginal rights had been initiated in North Sydney – at the small flat owned by Faith and Hans Bandler on the Pacific Highway. The Bandlers were immersed in the progressive intellectual community of post-war Sydney. Faith was the daughter of a Melanesian man who had been taken, or 'blackbirded', from his island home to work in Australia in the late 19th century. She was visited regularly by her friend and Aboriginal activist, Pearl Gibbs. Gibbs had helped establish the Aboriginal Progressive Association which protested the 1938 Sesquicentenary. Now she wanted to enlist white support for Indigenous rights and finally persuaded Bandler to join with her in the struggle'. In 1956 a meeting was held nearby at the Kirribilli flat of the writers Muir Holburn and Marjorie Pizer. The groundwork was laid for formation of the Aboriginal-Australian Fellowship which would become the Federal Council for the Advancement of Aboriginals and Torres Strait Islanders.⁵

Upon the insistence of human rights activist Jessie Street, the Fellowship set as its task the repeal of the clauses in the Australian Constitution that gave the States exclusive power to make laws relating to Indigenous people and excluded Aborigines from the Census count. The Bandler's North Sydney flat became a meeting place for luminaries in the battle for Aboriginal rights; people such as Harold Blair, Doug Nicholls and the writer Dorothy Hewitt. The consequent passing of the 1967 referendum on Aboriginal affairs resulted in Indigenous people being included in the national Census and the Commonwealth Government given power to make laws relating to Aborigines where previously the

² Hoskins, 'Aboriginal North Sydney', p. 3; Currie, *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow. An Aboriginal History of Willoughby*, p. 33.

³ AHO, 'Filling a Void – Guringai Language Review' pp. 40-41; Currie, *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow. An Aboriginal History of Willoughby*, p. 3; Attenbrow, *Sydney's Aboriginal Past. Investigating the archaeological and historical records*, pp. 22-25; Collins, *An Account of the English Colony in New South Wales*, p. 453.

⁴ Currie, J., 2008. *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow. An Aboriginal History of Willoughby* Willoughby City Council in association with the Aboriginal Heritage Office Northern Sydney Region, Sydney, p. 3.

⁵ Hoskins, I., 2019. 'Aboriginal North Sydney', North Sydney Council, pp. 27-28, https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Leaflets_Walks_Publications/Aboriginal_North_Sydney

States had enacted many different and often discriminatory laws. For many Aboriginal people this win, rather than the right to vote granted five years earlier, symbolised the long-deferred achievement of citizenship.⁶

In 1998, 88 people identified as Aboriginal or Torres Strait Islanders in the North Sydney Council area. In the greater Northern Sydney region, there were 1077. More recently, other Aboriginal people have moved into the area – most notably the well-known Evonne Goolagong and Ray Martin. A 2011 series of 'life histories' of 'Aboriginal people associated with the area of the Shire of Hornsby' collated a diverse range of people, including Darug woman Aunty Edna Watson and other people who had family ties outside Sydney but had grown up in Hornsby. Efforts to understand the histories of Aboriginal people in the area such as those conducted by the Northern Sydney Region Aboriginal Heritage Office continue.⁷

Since 2000, the broader northern Sydney region has embraced reconciliation in various ways including dual place naming and establishing local reconciliation groups. In 1999, North Sydney Council became the first Local Government Area in Australia to employ an Aboriginal Heritage Officer – the former Metropolitan Land Council sites officer David Watts. This program was enlarged in 2000 when Lane Cove, Warringah and Willoughby Councils joined the scheme. Manly Council joined in 2005.⁸

3.2.2 Colonisation and historical land use

The first Europeans recorded in the area were William Bradley, who surveyed the area while sailing along the Lane Cove River and named it so, and some months later Lieutenant Henry Ball with his party in 1788. Ball was visiting the district to report on its suitability for occupation and development. In 1790, Lieutenant Ralph Clark arrived to establish cooperative relationships with the Indigenous population in the area to extract natural resources such as timber and shells for construction, and grass for fodder and thatch.⁹

The first land grant was issued in October 1794 by Lieutenant-Governor Francis Grose to twenty-seven men from the New South Wales Corps. The men who accepted the acres of land reported resistance and attacks from the Aboriginal people, with Grose stating that they had burned a house and killed some hogs.¹⁰

Early timber-getters prized the area's richness in bluegums, stingybarks, blackbutts, turpentines and red mahoganies. The area was also great for grass cutters to produce fodder and thatch, which were much needed in the colonies.¹¹ Other notable industries that flourished in the area were candle and soap-making, leather tanning, crockery and pottery, wood pipes, orchards, dairies and pig farms. The area made it easy for the transportation of goods to the markets thanks to the river.

The only way to access the district was via the Lane Cove River, and thus the main form of transportation was by water. The first successful ferry service was in the 1850s by Hunters Hill resident Didier Joubert. The ferry service was later acquired by Sydney Ferries, which continues to

⁶ Hoskins, I., 2019. 'Aboriginal North Sydney', North Sydney Council, pp. 27-28, https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Leaflets_Walks_Publications/Aboriginal_North_Sydney

⁷ Hoskins 'Aboriginal North Sydney', p. 26; Salt, *Still Standing. Life histories of Aboriginal people associated with the area of the Shire of Hornsby*; Currie, *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow. An Aboriginal History of Willoughby*, pp. 86-89

⁸ Hoskins, I., 2019. 'Aboriginal North Sydney', North Sydney Council, p.31, https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Leaflets_Walks_Publications/Aboriginal_North_Sydney

⁹ Margaret Farlow, Lane Cove, *The Dictionary of Sydney*, State Library of New South Wales, 2011

¹⁰ David Collins, *An account of the English colony in New South Wales*, Sydney, AH & AW Reed, 1975, p. 25

¹¹ Margaret Farlow, Lane Cove, *The Dictionary of Sydney*, State Library of New South Wales, 2011/

provide services in the river to Greenwich Point, the only stop on the north side of the Lane Cove River.

After World War II, subdivisions increased, and residential and industrial development peaked. By 1979 almost 200 blocks of flats were built along the main roads around the Lane Cove Village. The residential area of Lane Cove has retained the single-house model into the twenty-first century.

3.2.3 Development of the study area

A review of historical maps and available aerial imagery shows the pattern of development within the study area between the early 1800s and the present. A nineteenth century map of the Parish of Willoughby shows the early establishment of Mowbray Road as an important thoroughfare through the developing suburb. At this time, the study area was owned by Francis Mooney and the Parish map shows no evidence of improvements as shown in Figure 3.

The 1943 aerial imagery reveals that the study area has not been improved upon. Some housing has been developed in the surrounding area, predominantly to the west, as shown in Figure 4. At this time, Mindarie Street had not been developed, although Mowbray Road was well established.

Following World War II, development in the area boomed. As Figure 5 reveals, there was steady increase in residency, and by 1955 there was a noticeable change in and around the study area. By this point, Mindarie Street had been constructed. Housing had been developed immediately adjacent to the study area, to the west, although the study area remains empty at this stage. Housing around the study area is generally single storey, single family dwellings at this time.

More residential development came about in the 1980s, with the introduction of more houses and a move to medium density housing with the introduction of flats, as evidenced by Figure 6. The study area contains single storey, single family dwellings at this time, which have remained in place through to the present day. Figure 7 displays the housing situation in the early 90s, showing little alteration in the study area. The street and surrounding suburb have been modernised, although minimal alteration has occurred within the study area.

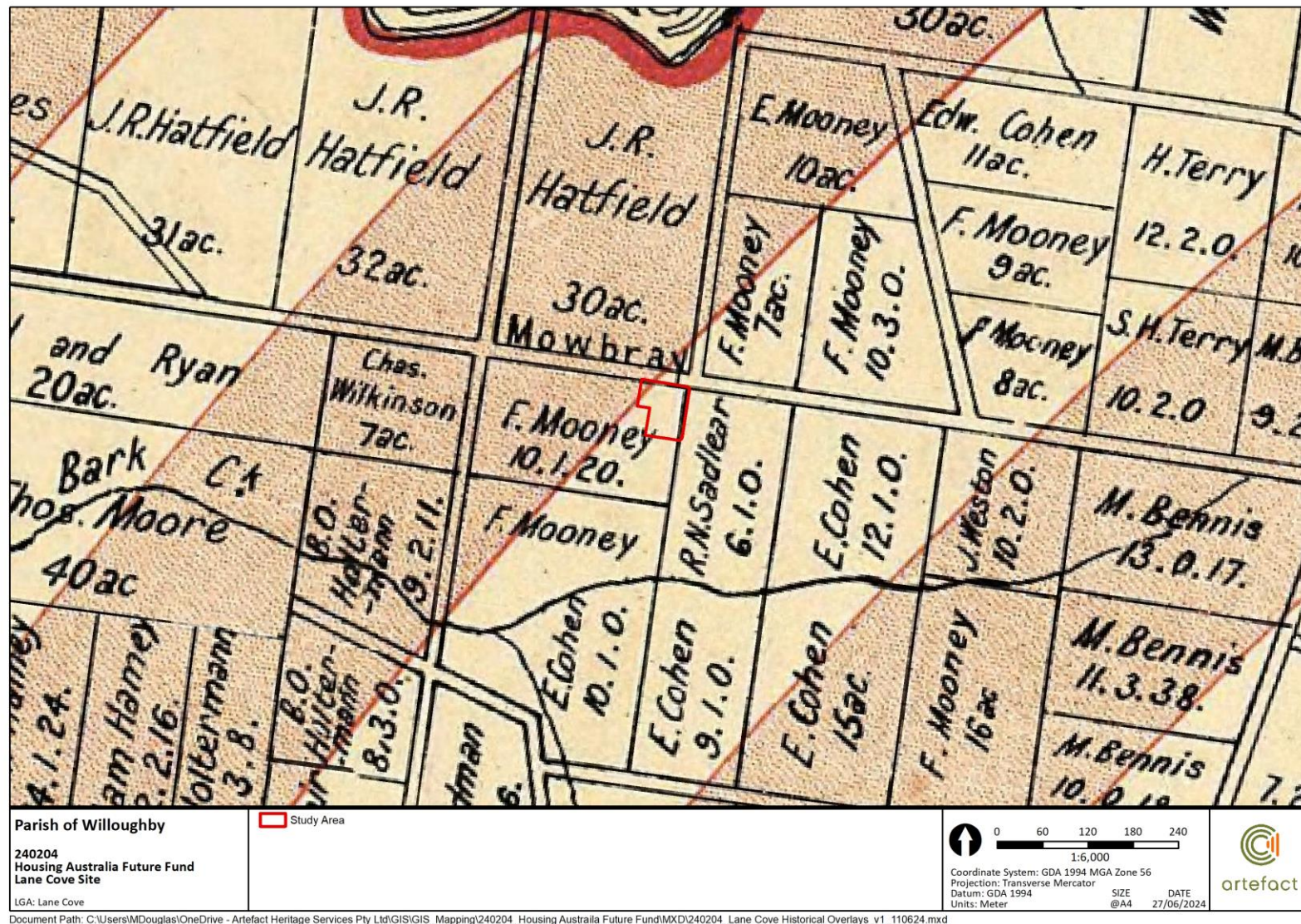


Figure 3: Parish of Willoughby ND (Source: Historical Lands Records Viewer)

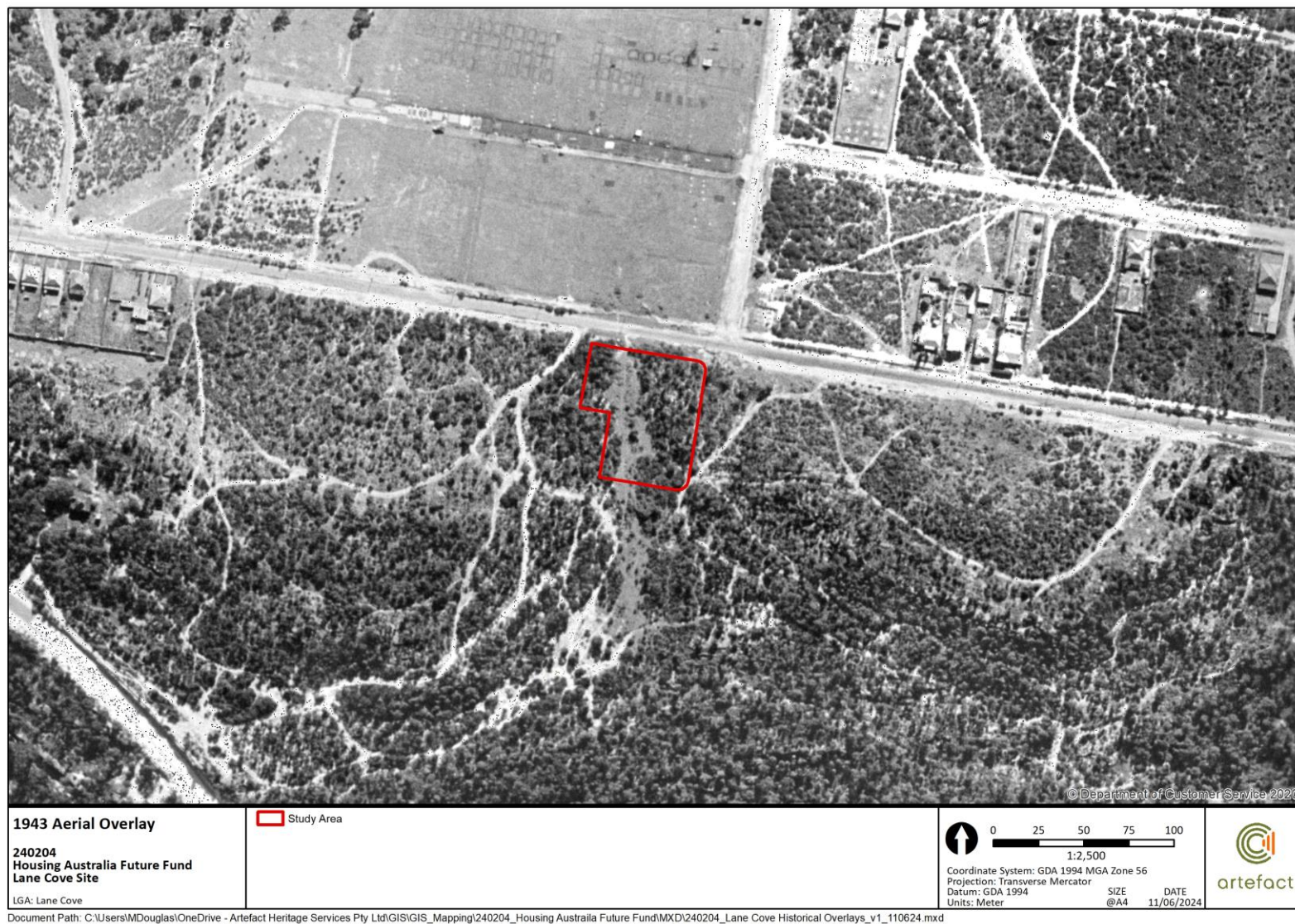


Figure 4: Aerial imagery of study area 1943 (Source: Historical Imagery Viewer)



Figure 5: Aerial imagery of study area 1950 (Source: Historical Imagery Viewer)



Figure 6: Aerial imagery of study area 1985 (Source: Historical Imagery Viewer)



Figure 7: Aerial imagery of study area 1991, (Source: Historical imagery viewer)

3.3 Preliminary statement of archaeological potential

Based on a high-level review of documentary evidence and historical aerial photographs, it has been determined that the first development within the study area occurred in the mid-1950s. No earlier structures have been identified within the study area, suggesting that activities prior to this development included land clearance, stock grazing, orcharding and recreation.

Based on these findings, the study area has low potential to contain archaeological remains.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions

4.1.1 Historical heritage

A search of statutory heritage registers has identified no listed heritage items within the study area, or within a 250-metre buffer of the study area.

The preliminary historical research has also identified low potential for the study area to contain historic heritage values, as development commenced in the 1950s.

4.1.2 Historical archaeology

The review of historical documentation and historical aerial imagery has identified that development did not commence in the study area until the 1950s. No earlier land usage was likely to have generated archaeological remains has been identified.

It has been determined that the study area has low potential to contain archaeological deposits.

4.2 Recommendations

The following recommendations are made in relation to historic heritage and historical archaeology:

- Based on there being no listed heritage items either within the study area, or within 250-metres of the study area, there is no indication from this preliminary assessment that a Statement of Heritage Impact report is required
- A preliminary review of historical maps and aerial photographs indicates that no further Historical Archaeological Assessment is required
- An unexpected heritage finds procedure should be prepared and incorporated into the Construction Environment Management Plan (CEMP) to be implemented through the works.
- A brief heritage induction should be prepared to advise contractors of what to do in the event that an unexpected heritage find is encountered. The heritage induction should be delivered as part of the project environmental induction given at project commencement.

5.0 REFERENCES

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