

Forensic Pathology and Coroners Court

Aboriginal Heritage Due Diligence Report

Report prepared for Health Infrastructure NSW

May 2016



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Report Register

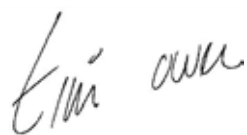
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Quality Assurance

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The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

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1.0 Introduction

GML Heritage (GML) Pty Ltd has been engaged by NSW Health Infrastructure to prepare a Due Diligence Aboriginal Heritage Report for the site of the future Forensic Pathology and Coroners Court at Weeroona Road, Lidcombe (the study area). This report forms part of a State Significant Development proposal to be submitted to the Department of Planning under Part 4 of the *Environmental Planning and Assessment Act 1979*. It is also suitable for submission in response to the Director-General Requirements (DGRs) for State Significant Developments (SSDs).

The purpose of this report is to identify whether the study area possesses or has the potential to possess Aboriginal heritage sites, places, objects and/or values, in accordance with the Office of Environment and Heritage (OEH) guidelines for due diligence.

This report does not provide a significance assessment of any Aboriginal sites, places and/or values, nor does it follow the OEH guidelines for Aboriginal community consultation. Recommendations are provided as to whether further Aboriginal heritage assessment and management will be necessary.

This report was prepared by Dr Jennifer Jones, GML Consultant, with input from Sam Player, GML Consultant and Geomorphologist. Dr Tim Owen, GML Senior Specialist Aboriginal Heritage, has reviewed this report.

1.1 Study Area Location

The study area is comprised of Lots 1 to 3 DP850697 and is located within the Auburn City Council Local Government Area (LGA) in the suburb of Lidcombe, approximately 15km west of Sydney, NSW (Figure 1.1). The study area currently houses facilities used by a variety of NSW Government agencies; it is bound to the north by Main Avenue, to the south by Weeroona Road, to the west by Joseph Street, and to the east by a network of buildings associated with the former Lidcombe Hospital site (Figure 1.2).

1.2 NSW Legislation Relevant to Aboriginal Heritage

In NSW, Aboriginal heritage is principally protected under two Acts:

- the *National Parks and Wildlife Act 1974* (NPW Act); and
- the *Environmental Planning and Assessment Act 1979* (EPA Act).

1.2.1 National Parks and Wildlife Act 1974

The NPW Act provides statutory protection for all Aboriginal ‘objects’ (consisting of any material evidence of the Indigenous occupation of New South Wales) under Section 90 of the NPW Act, and for ‘Aboriginal places’ (areas of cultural significance to the Aboriginal community) under Section 84 of the NPW Act. Aboriginal objects and places are afforded automatic statutory protection in New South Wales whereby it is an offence (without the Minister’s consent) to harm an Aboriginal object or declared Aboriginal Place.

The NPW Act defines an Aboriginal object as:

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

The protection provided to Aboriginal objects and places applies irrespective of the level of their significance or issues of land tenure. Sites of traditional significance that do not necessarily contain material remains may be gazetted as 'Aboriginal Places' and thereby protected under the NPW Act. However, areas are only gazetted if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture.

A strict liability offence applies for harm to, or desecration of an Aboriginal object or declared Aboriginal Place.¹ The definition of 'harm' includes destroying, defacing, damaging or moving an Aboriginal object or declared Aboriginal Place. The strict liability offence of harming Aboriginal objects has a number of defences. The two defences relevant to the proposed development are the statutory defence of due diligence through complying with an adopted industry code or compliance with the conditions of an Aboriginal Heritage Impact Permit (AHIP).

1.2.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EPA Act) provides a statutory framework for the determination of development proposals. It provides for the identification, protection and management of heritage items through inclusion in schedules to planning instruments such as Local Environmental Plans (LEPs) or Regional Environmental Plans (REPs). Heritage items in planning instruments are usually historic sites but can include Aboriginal objects and places. The EPA Act requires that appropriate measures be taken for the management of the potential archaeological resource by means consistent with practices and standards adopted in meeting the requirements of the NPW Act.

The study area falls within the boundary of the Auburn LEP 2010.

1.2.3 Auburn Local Environment Plan 2010

Clause 5.10 (Heritage Conservation) of the Auburn LEP 2010 provides requirements for heritage conservation. The relevant objectives of the 'Heritage Conservation' clause are listed as:

- (a) *to conserve the environmental heritage of Auburn,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, setting and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

Clause 5.10(2) establishes the requirements for development consent as it applies to heritage items:

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following:*
 - (i) a heritage item,*
 - (ii) an Aboriginal object,*
 - (iii) a building, work, relic or tree within a heritage conservation area,*
- (b) altering a heritage item that is a building, by making structure changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
- (d) disturbing or excavating an Aboriginal place of heritage significance,*
- (e) erecting a building on land:*
 - (i) on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

- (f) subdividing land:
- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

Clause 5.10(7) addresses the requirements for archaeological sites:

- (7) *Archaeological sites*
The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):
 - (a) *notify the Heritage Council of its intention to grant consent, and*
 - (b) *take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

Clause 5.10(8) establishes guidelines in relation to places of Aboriginal significance:

- (8) *Places of Aboriginal heritage significance*
The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:
 - (a) *consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
 - (b) *notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

1.3 Approach to Aboriginal Heritage Management

In order to administer the NPW Act 1974 and EPA Act 1979, the OEH has issued a series of best practice guidelines and policies. The applicability of these depends upon the approval mechanism for a project. The first stage of the current project will be assessed and granted approval under Part 5 of the EPA Act 1979. Later stages of work will be part of a SSD and subject to the DGRs established for the site. Therefore, the approach to the preparation of this document was based on the following current best practice guidelines:

- DECCW, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (13 September 2010) (Due Diligence Code of Practice);
- DECCW, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (24 September 2010);
- DECCW, *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974* (April 2010) (OEH 2010 guide); and
- *Australia ICOMOS Burra Charter, 2013* (the Burra Charter).²

1.4 Due Diligence Approach

The OEH has issued a code of practice guideline that defines a 'due diligence' approach to Aboriginal heritage: *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (13 September 2010). This guideline is designed to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and/or Aboriginal Places, and to determine whether they should apply for consent in the form of an AHIP.

The Due Diligence Code of Practice sets out the reasonable and practicable steps which individuals and organisations need to take in order to:

- identify whether or not Aboriginal objects are, or are likely to be, present in an area;
- determine whether or not their activities are likely to harm Aboriginal objects (if present); and
- determine whether an AHIP application is required.

Due diligence is a legal concept that describes a standard of care in considering the likely risks a proposed activity may have and any obligations that may apply. In the case of the NPW Act, the OEH has defined due diligence as

*taking reasonable and practical steps to determine whether a person's actions will harm an Aboriginal object and, if so, what measures can be taken to avoid that harm.*³

The steps that are required to follow the due diligence process are:

- searching the Aboriginal Heritage Information Management System (AHIMS);
- checking for landscape features which may indicate the presence of Aboriginal objects;
- implementing strategies to avoid harming Aboriginal objects; and
- conducting a desktop assessment and visual inspection to confirm the presence of Aboriginal objects.⁴

In preparing this report, GML complied with the guidelines set out in the Due Diligence Code of Practice. The extent of land covered by the due diligence process is described as the study area (see below).

1.4.1 Due Diligence Process

In accordance with Step 1 of the Due Diligence Code of Practice, it was identified that the proposed activity would disturb the ground surface of the study area. Therefore, the following due diligence steps are presented in this report:

Step 2a—Aboriginal Heritage Information Management System (AHIMS) database search;

Step 2b—the identification of landscape features that indicate the presence of Aboriginal objects;

Step 3—discussion with respect to the extent of the development footprint;

Step 4—desktop assessment and visual inspection; and

Step 5—further investigation and impact assessment.



Figure 1.1 Approximate location of the study area, as indicated by the red circle and arrow. (Source: Google Maps with GML overlay 2016)



Figure 1.2 Extent of the Forensic Pathology and Coroners Court study area, outlined in red. (Source: SixMaps with GML overlay 2016)

1.5 Endnotes

- ¹ DECCW, *NPW Act 1974, Fact sheet 1*, September 2010.
- ² Australia ICOMOS Inc, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*, Australia ICOMOS Inc, Burwood, VIC.
- ³ DECCW, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*, September 2010, p18.
- ⁴ DECCW, *NPW Act 1974, Fact sheet 2*, September 2010.

2.0 AHIMS and Environment Context

2.1 AHIMS Search

A search of the OEH AHIMS database for a zone with a 1km buffer surrounding the study area was undertaken on 11 February 2016. No registered sites or Aboriginal places were identified within this area. Due to the lack of results, it is not possible to assess the pattern of Aboriginal land use within the vicinity of the study area.

A further search of the AHIMS database for a zone with a 2km buffer surrounding the study area was undertaken on 12 February 2016. No registered sites or Aboriginal places were identified within this area. A third search of the AHIMS database indicated that a total of 25 registered Aboriginal sites exist within a 5km radius of the study area.

The absence of recorded Aboriginal sites in proximity to the study area does not suggest that Aboriginal peoples were not using the area, but rather that in the course of historical development in the area no extensive Aboriginal archaeological assessments or excavations have been undertaken.

2.2 The Local Landscape Context

The purpose of this section is to provide environmental contextual information for use in developing a predictive model of Aboriginal site locations associated with the study area. Interactions between people and their surroundings are of integral importance in both the initial formation and the subsequent preservation of the archaeological record. The nature and availability of resources including water, flora and fauna, and suitable raw materials for the manufacture of stone tools and other items had (and continues to have) a significant influence over the way in which people utilise the landscape.

Alterations to the natural environment also impact upon the preservation and integrity of any cultural materials that may have been deposited whilst current vegetation and erosional regimes affect the visibility and detectability of Aboriginal sites and objects. For these reasons, it is essential to consider the environmental context as a component of any heritage assessment.

2.2.1 Geology, Soils and Landforms

The landscape of the study area is characterised by gently rising slopes with relief ranging between 20m and 40m above sea level.¹ It is situated on the north side of a spur and overland water flow would be directed to a drainage system to the west and north (Figure 2.1). The local substrate is composed of Bringelly Shale of the Wianamatta Group (Figure 2.2).² The Wianamatta Geological Group consists of mostly shale with some carbonaceous claystone, laminate, and occasional lithic sandstones.³ There are no known sources of stone suitable for stone tool manufacture, such as silcrete, silicified tuff, silicified wood, or other fine-grained siliceous rocks, in proximity to the study area.⁴

Developed over the Bringelly Shale is the residual Blacktown soil, although there is little potential that the Birrong alluvial soil landscape extends within the study area (Figure 2.3). The Blacktown soil is characterised by soils that range from shallow to moderately deep (<100cm) and the absence of rock outcrops.⁵ As a residual soil landscape, there is no likelihood of stratigraphic deposits and the estimated depth of soil which would contain Aboriginal objects is approximately 300mm.

The Birrong alluvial soil landscape is characterised by level to undulating alluvial floodplains with gentle slopes. Deposits associated with the Birrong alluvial soil landscape are deep (>200cm) and

consist mostly of silt and clay-sized alluvial materials derived from the Wianamatta Group shales. Topsoil (A1 horizon) associated with the Birrong soil landscape is generally dark-brown silty clay loam approximately 10cm to 40cm in depth. This typically overlies a bleached weak clay loam to fine sandy clay loam (A2 horizon) which extends for approximately 35cm. These overlie mottled clay (B, C, D horizons) and bedrock.⁶

2.2.2 Hydrology

The study area is not situated in the immediate vicinity of any waterways (Figure 2.4). The Cooks River is situated approximately 820m southeast of the study area and is characterised as a first order watercourse in the vicinity of the study area. The Cooks River drains to the southeast and is gradually fed by several minor watercourses before draining into Botany Bay immediately west of Sydney Airport. Ducks River is situated approximately 2.7km west of the study area. The Birrong alluvial soil, which may extend into the study area, drains towards Ducks River; this suggests that the study area may include the upper reaches of a watershed feeding into Ducks River.

All waterways in the vicinity of the study area are first order watercourses, none of which would offer a consistent source of fresh water year-round. There are no open depressions associated with the banks of a watercourse, and no associated landforms connected with the formation of terraces adjacent to a watercourse.

2.2.3 Fauna and Flora

Prior to British settlement, the natural vegetation of the study area would have been characterised by a blend of tree species from the drier Cumberland Plain, such as the grey box (*Eucalyptus moluccana*), broad-leaved ironbark (*Eucalyptus fibrosa*), stringybark (*Eucalyptus eugenoides*), and woollybutt (*Eucalyptus parramattaensis*) mingled with trees characteristic of wetter areas, such as red mahogany (*Eucalyptus resinifera*) and turpentine (*Syncarpia glomulifera*). Scrubby undergrowth would have been widespread across the area. Tea-tree scrub (*Melaleuca decora* and *Melaleuca nodosa*) was particularly characteristic of the broader Auburn area.⁷

Fauna species still present within the study area which may have been exploited include the common ringtail possum (*Pseudocheirus peregrinus*), grey-headed flying fox (*Pteropus poliocephalus*), Australian magpie (*Cracticus tibicen*), kookaburra (*Dacelo novaeguineae*), eastern brown snake (*Pseudonaja textilis*) and eastern blue-tongue lizard (*Tiliqua scincoides*).⁸

2.2.4 Modern Land Use Disturbance

The study area has a long history of British/European settlement. European settlement commenced around 1804 with early land grants to settlers. These included HG Douglas, Joseph Hyde Potts, and Samuel Haslam who established the first farms in the area in 1804. The area was predominantly used for limited farming until the opening of the Sydney to Parramatta railway line in 1859, which stimulated subdivision and development. In 1878 the NSW Government purchased some 1340 acres of land at Rookwood, and on part of this land the Lidcombe Hospital (including the study area) developed from the 1880s as the site of the Boys' Reformatory and Model Farm.⁹

Historical accounts of the land purchase by the NSW Government indicates that little, if any, modifications had been made to the landscape prior to clearing for the Boys' Reformatory.¹⁰

Historical plans of the study area indicate that it was cleared of brush by 1912 and situated on the south side of what is now Main Avenue, the key access road to the Lidcombe Hospital site from Joseph Street. By 1921 a railway corridor was introduced to the southern boundary of the study area

(Figure 2.5). A concrete-lined canal likely associated with stormwater and the irrigation system employed at Lidcombe Hospital is visible extending northwest–southeast across the study area in an aerial photograph of the site from 1930 (Figure 2.6).¹¹ Beyond the canal, the study area generally remained open, cleared of brush and without further development until after 1930.

The Junior and Senior Medical Officers' Residences were constructed along the northern boundary of the study area by 1943.¹² The properties were divided by the row of trees and canal extending northwest–southeast across the study area (Figure 2.7). No further changes within the study area were evident in 1951 (Figure 2.8).

By 1965 the portion of land which now comprises the study area was excised from the Lidcombe Hospital site and established as a Commonwealth Laboratory.¹³ An aerial photograph of the study area from 1965 illustrates that an additional two medical officers' residences were constructed along the northern boundary, along with several long narrow buildings (extant) in the northeast corner of the study area (Figure 2.9). Construction of the large U-shaped building at the centre of the study area, currently used by the NSW Forensic and Analytical Science Service (FASS), was underway in 1965. The extensive ground disturbance associated with this activity is evident in Figure 2.9. By 1970, the U-shaped building was completed and a dangerous goods store was constructed immediately south of the c1930 medical officers' residences (Figure 2.10). By 1970, development of the site extended no further south than the U-shaped FASS building.

Between 1970 and the present, several substantial buildings were constructed along the southern boundary of the study area and within the southeast corner. A Mineral Resources Building was constructed in the southwest corner of the study area after 1970. At present, the study area contains laboratories for multiple state agencies including the OEH, the NSW Environmental Protection Authority (EPA) and FASS.

2.3 Synopsis of the AHIMS Search and Landscape Context

Based upon the AHIMS search, it can be stated that there are no recorded sites within or in proximity to the study area. This may reflect development within the Lidcombe area prior to the introduction of Aboriginal heritage management requirements.

The assessment of the environmental context within which the study area is located suggests that there is generally low potential for Aboriginal objects. Predictive modelling for the Cumberland Plain suggests that given the distance to water sources, the absence of lithic resources and the landforms present, it is most likely that the study area would have been used for more ephemeral activities unlikely to result in a material record. The construction of substantial facility buildings across the site, particularly to the south and east, would have removed all soil condition and integrity.

In terms of predictive modelling, it may be stated that the study area does not contain previously recorded Aboriginal sites. A review of the local landscape context in association with the AHIMS search suggests that the study area has low potential for Aboriginal objects and/or buried soil horizons below the current surface level.

With respect to soil condition and integrity, the entire study area has been subject to vegetation clearance. This may have affected soil integrity, but is unlikely to have altered its condition. However, the process of development evident across approximately two-thirds of the study area appears extensive and would have impacted both soil condition and integrity. As such, these areas associated with development hold very low to no Aboriginal archaeological potential.

In summary, on the basis of regional predictive modelling, the study area is unlikely to contain evidence for focused Aboriginal activities or a resultant physical record. Given the pattern of development, the only zone within this study area which could retain such objects in an intact soil context is the southwest sector.

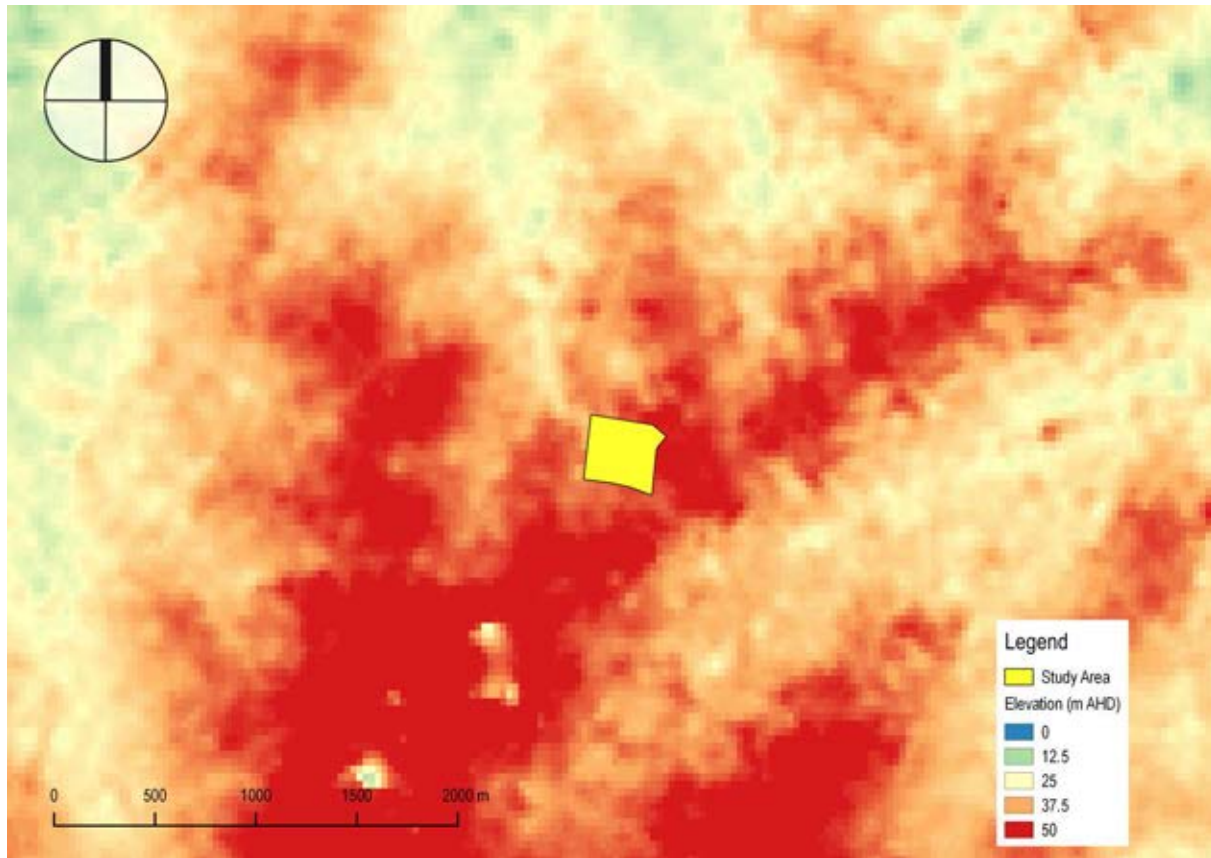


Figure 2.1 Terrain around study area. (Source: GML, NASA JPL)



Figure 2.2 Geology of the study area. (Source: GML, Herbert [1983])



Figure 2.3 Soils around the study area. (Source: GML, Chapman and Murphy [1989])

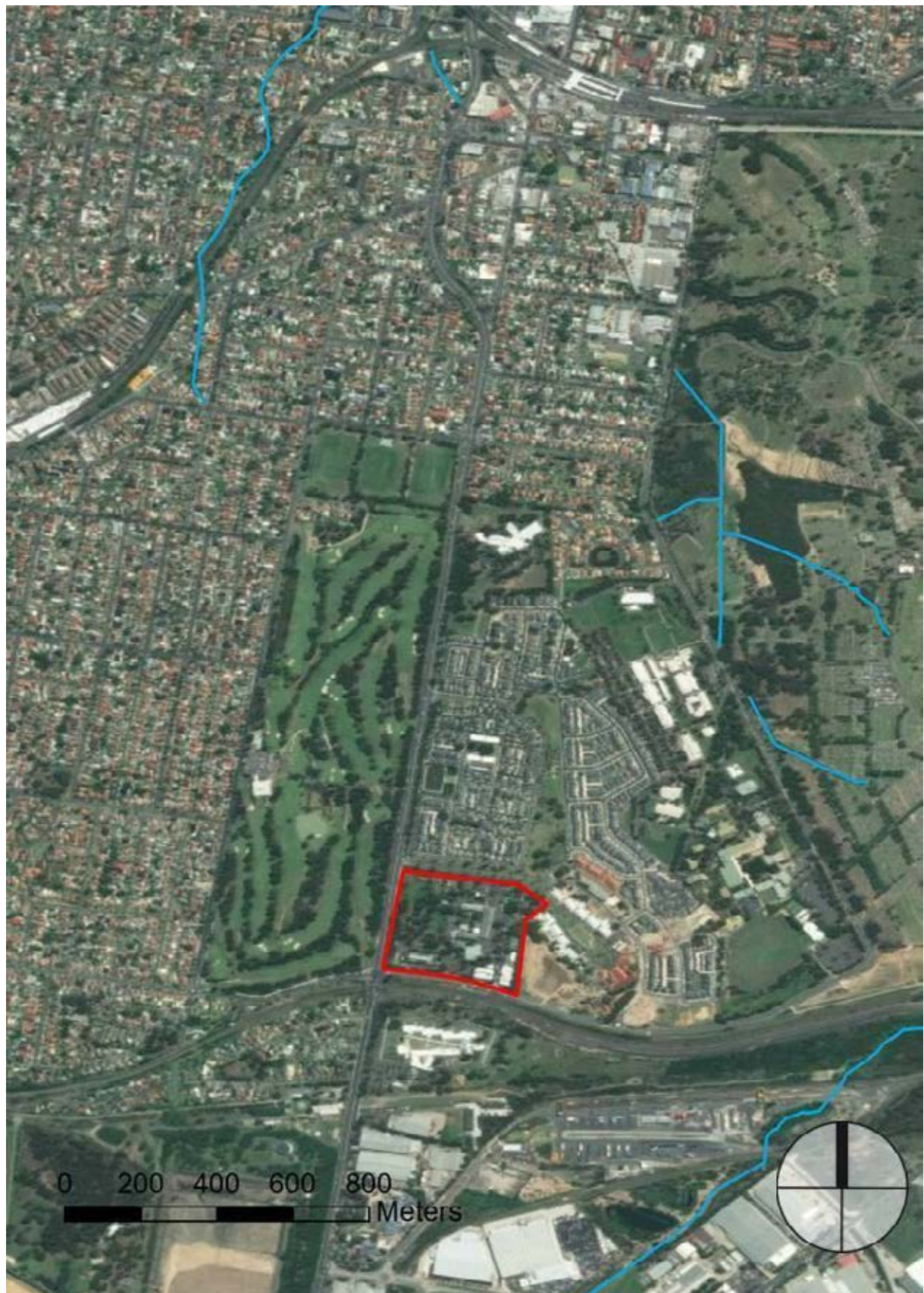


Figure 2.4 Plan illustrating the extent of mapped hydrology in the vicinity of the Forensic Pathology and Coroners Court study area. The study area boundary is outlined in red. (Source: ESRI ArcGIS with GML additions 2016)

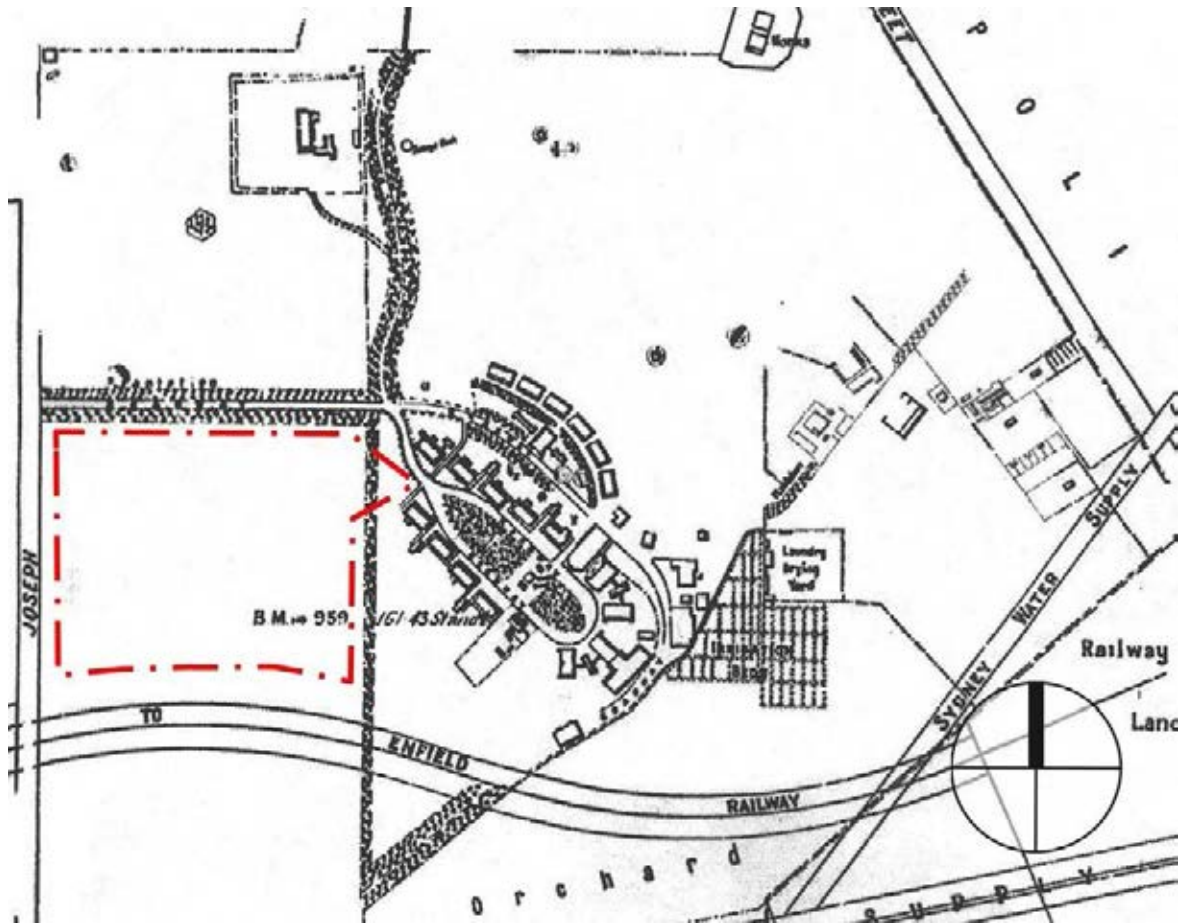


Figure 2.5 Plan of the Lidcombe Hospital site in 1921 (then Rookwood State Hospital and Asylum for Men) with the study area outlined in red. (Source: Lidcombe Hospital Site AMP 2002)



Figure 2.6 Aerial photograph of Lidcombe in 1930 with the study area outlined in red. (Source: Land and Property Information NSW)



Figure 2.7 Aerial photograph of Lidcombe in 1943 with the study area outlined in red. (Source: SixMaps, Land and Property Information NSW)



Figure 2.8 Aerial photograph of Lidcombe in 1951 with the study area outlined in red. (Source: Land and Property Information NSW)



Figure 2.9 Aerial photograph of Lidcombe in 1965 with the study area outlined in red. Note the extent of construction disturbance associated with the large U-shaped building at the centre of the study area. (Source: Land and Property Information NSW)



Figure 2.10 Aerial photograph of Lidcombe in 1970 with the study area outlined in red. (Source: Land and Property Information NSW)

2.4 Endnotes

- ¹ AHMS, Rookwood Necropolis NSW—Aboriginal Archaeological Potential Desk-top Assessment, report prepared for the Rookwood Necropolis Trust, July 2010, p 13.
- ² Herbert C., 1983, Sydney 1:100 000 Geological Sheet 9130, 1st edition. Geological Survey of New South Wales, Sydney.
- ³ Chapman, GA and Murphy, CL 1989, *Soil Landscapes of the Sydney 1:100 000 Sheet*, Soil and Conservation Service of NSW, Sydney, p 2.
- ⁴ AECOM, WestConnex M4 East Aboriginal Heritage Assessment, report prepared for the WestConnex Delivery Authority, September 2015, p 16.
- ⁵ Chapman, GA and Murphy, CL 1989, *Soil Landscapes of the Sydney 1:100 000 Sheet*, Soil and Conservation Service of NSW, Sydney, p 30.
- ⁶ Chapman, GA and Murphy, CL 1989, *Soil Landscapes of the Sydney 1:100 000 Sheet*, Soil and Conservation Service of NSW, Sydney, pp 82–85.
- ⁷ Benson, D and Howell, J 1990, *Taken for Granted: The bushland of Sydney and its suburbs*, Kangaroo Press, Sydney, p 47.
- ⁸ AECOM, WestConnex M4 East Aboriginal Heritage Assessment, report prepared for the WestConnex Delivery Authority, September 2015, p 17.
- ⁹ GML Heritage, Lidcombe Hospital Site—Archaeological Management Plan, report prepared for Australand Industrial No. 16 Pty Ltd, September 2002, p 9.
- ¹⁰ GML Heritage, Lidcombe Hospital Site—Archaeological Management Plan, report prepared for Australand Industrial No. 16 Pty Ltd, September 2002, p 10.
- ¹¹ GML Heritage, Lidcombe Hospital Site—Archaeological Management Plan, report prepared for Australand Industrial No. 16 Pty Ltd, September 2002, p 31.
- ¹² GML Heritage, Lidcombe Hospital Site—Archaeological Management Plan, report prepared for Australand Industrial No. 16 Pty Ltd, September 2002, p 35.
- ¹³ GML Heritage, Lidcombe Hospital Site—Archaeological Management Plan, report prepared for Australand Industrial No. 16 Pty Ltd, September 2002, p 37.

3.0 Aboriginal Heritage Desktop Assessment and Visual Inspection

3.1 Aboriginal Ethnohistory

Aboriginal tribal boundaries in Australia have been primarily reconstructed based on surviving linguistic evidence and are therefore only approximations. It is further noted that social interaction, boundaries and linguistic evidence may not always correlate, and it is likely boundaries as well as interaction and communication levels varied and fluctuated over time.

Observations made about the traditional Aboriginal inhabitants of the Cumberland Plain region are plentiful, with European settlers first coming into contact with the local Aboriginal populations in the vicinity of the study area in the late eighteenth and early nineteenth centuries. These early European settlers described the area as being part of the Darug language group.¹

Twentieth-century ethnologist Norman Tindale's map of Aboriginal tribes of Australia shows the study area to be occupied by the 'Daruk'. A map of Aboriginal Australia by Horton, another ethnologist, shows the same area as 'Dharug'.² At the beginning of the twentieth century, anthropologist and linguist RH Matthews documented the location of this language group:

The Dhar'-rook dialect, very closely representing the Gundungurra, was spoken at Campbelltown, Liverpool, Camden, Penrith, and possibly as far east as Sydney, where it merged into Thurrawal. (Matthews, RH and MM Everitt 1900)

The Wangal people, a sub-group or 'clan' of the Darug language speaking group, were the traditional owners of the Lidcombe area. The Wangal were distinguished as a sub-group of the Darug people through religious and/or totemic associations to Country. Ethnohistoric accounts of the region suggest that the Wangal inhabited the south side of Sydney Harbour from Darling Harbour west to Parramatta.³

The Aboriginal population of the Sydney region and their lifeways were significantly impacted following the arrival of Europeans. A major epidemic followed the arrival of Europeans in 1789, as they brought diseases to which the Aboriginal inhabitants had little or no resistance. By the time of Governor Phillip's expedition to the Hawkesbury-Nepean River in April 1791, the epidemic had already struck and likely impacted on the Aboriginal populations observed. The smallpox epidemic is thought to have caused the death of over half of the Aboriginal population of the Sydney region within one year.⁴ Other estimates suggest that the smallpox epidemic in southeastern Australia killed up to 80% of the Aboriginal population in Australia.⁵

Beyond the widespread impacts of smallpox, Aboriginal peoples in the Sydney region were displaced from their traditional food sources, camping areas and ceremonial sites by colonial settlement. The extent of European settlement left Aboriginal groups with limited options which included trying to integrate into the fringes of colonial society, relocating to potential hostile lands of neighbouring Aboriginal groups, or resisting the expansion of European settlement.⁶

3.1.1 Subsistence Activities

Accounts by European settlers make mention of some of the subsistence strategies used by the Darug in the Sydney basin. Groups living inland from the coast generally relied on limited amounts of freshwater fish, including mullet and eels, supplemented by terrestrial animals and plants. Wallabies, bandicoots and birds were often snared along creeks and rivers, while possums and gliders were a common food source in the open woodlands across the Cumberland Plain. Wild honey, the Burrawong nut, berries and banksia flowers were also significant sources of food. Ethnohistorical accounts of

Aboriginal people in the Cumberland Plain mention a variety of wild yam, found in large quantities along the Hawkesbury and Nepean Rivers, being dug out of the earth as a source of food.⁷ George Washington Walker's 1836 journal provides an account of Aboriginal peoples processing zamias in the Illawara:

*... [they] either roast them, and pound them into a paste, steeping them in water to get rid of their acrid and hurtful properties, or get rid of these by longer period of steeping in water, so as to render them fit to be eaten in a raw state.*⁸

Ethnographic evidence suggests the use of 'fire-stick farming' in the greater Sydney region. Fire-stick farming represents a method of systematically burning the landscape to create patches of early regrowth vegetation. Firing was used to create open spaces of grassland whereby animals were encouraged to graze and could be easily hunted. This accounts for the 'park-like' environment noted by several European settlers in the late eighteenth and early nineteenth centuries.⁹

3.1.2 Material Culture

A wide range of material culture was used by Darug-speaking Aboriginal peoples, with the types of items used distinctive to gender. Men's items included various types of spears, spear throwers, clubs, boomerangs, 'swords', hafted stone hatchets and shields. Women's toolkits instead included fishing hooks, lines and sinkers, digging sticks and containers made of shell and wood. Net bags made from fibres created by plaiting wood were used by men and women.¹⁰

The majority of artefacts recovered from archaeological sites on the Cumberland Plain are stone, which as an enduring material is not subject to the decomposition or decay which often results in the loss of organic materials. While stone artefacts, or lithics, are useful for analysis in examining the lifeways of Aboriginal peoples, it is worth noting that the rich array of material culture used by Aboriginal groups is often absent from the archaeological record.

Stone artefacts on the Cumberland Plain are represented by a variety of types of flaked stone artefacts, including flakes, cores, backed artefacts, adzes and points, as well as some ground stone forms. Silcrete and silicified tuff (also known as indurated mudstone) are the most common materials used for flaked stone artefacts, although other less widely represented materials include quartz, quartzite, petrified wood, chert and various fine-grained volcanics.¹¹

3.1.3 Patterns of Land Use

Aboriginal peoples have inhabited the Cumberland Plain for at least 36,000 years. Archaeological site distribution across the Cumberland Plain has been linked to a variety of factors, including proximity to water, stream order, landform and geology as influencing site selection and use. The Cumberland Plain was extensively utilised and visited by Aboriginal peoples, producing an extensive array of archaeological material ranging from low-density background scatter to more complex, high-density artefact concentrations with evidence of multiple activities.¹²

More than 4000 archaeological sites have been recorded on the Cumberland Plain, most of which are open artefact scatters. Given the ample availability of comparative data, predictive modelling on the Cumberland Plain has been developed over the past 20 years. The most recent published research provides spatial analysis of excavated archaeological deposits.¹³ As a consequence of this work, the following predictive statements can be made:

- in the headwaters of upper tributaries (ie first order creeks), archaeological evidence will be sparse and represent little more than background scatter;

- in the middle reaches of minor tributaries (ie second order creeks), there will be archaeological evidence of sparse but focused activity (eg one-off camp locations, single episode knapping floors);
- in the lower reaches of tributary creeks (ie third order creeks), there will be archaeological evidence of more frequent occupation. This will include repeated occupation by small groups, knapping floors (perhaps used and reused), and evidence of more concentrated activities;
- on major creek lines (ie fourth order creeks), there will be archaeological evidence of more permanent or repeated occupation. Sites will be complex and may even be stratified;
- creek junctions may provide foci for site activity; the size of the confluence (in terms of stream ranking nodes) could be expected to influence the size of the site;
- distance from water appears to be another factor, with higher artefact densities likely to occur within 50m–101m from fourth order creeks and within 50m of second order creeks;
- higher artefact densities are more likely to occur on terraces and lower slopes, while higher slopes are more likely to be characterised by sparse, discontinuous scatters;
- lower slopes near major watercourses facing north or northeast generally contain higher artefact densities; and
- ridgetop locations between drainage lines will usually contain limited archaeological evidence, although isolated knapping floors and other forms of one-off occupation may be in evidence in such a location.¹⁴

The predictive model suggests that the most common site types across the Cumberland Plain are artefact sites, either as multiple finds (open sites) or as single occurrences (isolated finds), which are primarily located within a couple of hundred metres of a permanent water supply.

3.2 Relevant Local Literature

A number of archaeological studies and academic works have been prepared that include the study area. Those works and reports of direct relevance to this due diligence assessment are detailed below.

3.2.1 Lidcombe State Hospital—Aboriginal Archaeological Survey—Mary Dallas 1997

Mary Dallas undertook an Aboriginal archaeological survey of the former Lidcombe State Hospital in 1997, prior to use of the area as part of the Media Village for the 2000 Sydney Olympics. The portion of the former Lidcombe State Hospital studied borders the study area to the north and east. No Aboriginal sites or areas of potential were identified during the survey. European use of the site as a hospital for over a century had resulted in extensive disturbance to areas of potential intact archaeological deposits. Dallas noted that given the absence of permanent water resources or suitable raw materials for stone tool manufacture, it was unlikely that the site contained significant or substantial undisturbed archaeological deposits.¹⁵

The area was identified as most likely having been used seasonally or opportunistically for food or other natural resources. Any of these more ephemeral activities are unlikely to have resulted in the deposition of substantial physical remains.¹⁶

3.2.2 Potts Hills, Bankstown, Indigenous Heritage Assessment—Jo McDonald Cultural Heritage Management 2007

Jo McDonald Cultural Heritage Management (JMcDCHM) was commissioned to assess the Aboriginal archaeological potential of the Potts Hill Reservoir in Bankstown, situated approximately 700m southwest of the study area. Part of the assessment of the study area involved the identification of patterns in the distribution of sites in the neighbouring area. JMcDCHM conducted a search of registered Aboriginal heritage sites in the vicinity of the Potts Hill Reservoir and found that no sites had been recorded on the AHIMS database within a 5km radius of the study area.¹⁷

Archaeological survey of the study area encountered no evidence of Aboriginal objects, sites or potential archaeological deposits (PADs). Given extensive disturbance across the Potts Hill Reservoir as a result of modern land use and the landscape context of the site, the study area was assessed as having areas of no archaeological potential or low archaeological potential.¹⁸

3.2.3 Rookwood Necropolis NSW—Aboriginal Archaeological Potential Desktop Assessment—AHMS 2010

AHMS prepared an Aboriginal archaeological desktop assessment for the Rookwood Necropolis Trust in 2010 in order to identify places with Aboriginal archaeological potential within Rookwood, situated approximately 750m east of the study area. As a result of the desktop analysis, two areas were flagged as having Aboriginal archaeological potential given their proximity to Cooks River and minimal evidence of disturbance. One area of native old growth trees along the western boundary of the study area was identified as having the potential for Aboriginal scarred trees. Recommendations were made for further assessment prior to any disturbance in these areas.¹⁹

The remainder of the site was assessed as having low potential for intact archaeological deposits as a result of heavy disturbance from construction and landscaping works, as well as extensive internments. These areas were identified as having some potential for isolated Aboriginal objects in disturbed contexts.²⁰

3.2.4 WestConnex M4 Widening Aboriginal Heritage Assessment—Kelleher Nightingale Consulting 2014

Kelleher Nightingale Consulting was commissioned to prepare an Aboriginal heritage assessment in association with the proposed widening of the M4. The study area was a corridor that followed the M4 from Homebush West to Holroyd, approximately 1km north of the study area. No Aboriginal objects, sites or PADs were identified during the site survey along areas of proposed road widening or the proposed sites for construction compounds to service the road widening works.²¹

A study of the broader landscape and distribution of sites in areas immediately north of the study area, including parts of Lidcombe, Granville and South Granville, found few artefacts recorded in the broader area. A high concentration of sites was recorded in Parramatta, and smaller concentrations of sites were located along Haslams Creek near Homebush Bay and along Duck River.²²

3.2.5 WestConnex M4 East Aboriginal Heritage Assessment—AECOM 2015

A large-scale Aboriginal heritage assessment was undertaken to the north of the study area as part of planning works associated with the WestConnex M4 East expansion. The study area included a corridor approximately 10km long, extending from Ashfield west to Auburn along the M4 and Parramatta Road. Given the extensive development along the M4 and Parramatta Road, archaeological survey of the study area focused on parks and reserves, areas along canals, and vegetated areas along the M4 and Parramatta Road.²³

Of the 25 zones examined as part of this study, only two areas of archaeological sensitivity were identified, neither of which is in proximity to the study area. No sites or isolated artefacts were identified during the course of the study.²⁴

3.3 Visual Inspection of the Study Area

Two inspections of the study area were undertaken by GML—18 February and 25 February 2016.

The first site inspection was a geomorphological site inspection undertaken by Sam Player on 18 February 2016, in coordination with Coffey who were conducting borehole sampling around a chemical storage building within the site. The boreholes were sampled to test for contamination but also provided an opportunity to examine the soil profiles (determining the soil landscape present) and thus inform the archaeological potential of the study area. The landscape surrounding the storage building was also examined for comparison with the published maps.

The surrounding landform was a cleared convex gentle mid-slope covered by thick short grass; it appeared relatively undisturbed (Figure 3.1). Some surface scarring was evident over the area, including immediately to the north of the chemical storage (Figure 3.2). The presence of cracking patterns suggested that clay subsoil was exposed and the archaeological bearing topsoil had been removed. Other disturbances evident topographically are associated with roads. Beyond a boundary fence on the western side of the study area, topographic rises are associated with a number of small roads which suggests modification of the ground surface prior to construction (Figure 3.3). If Aboriginal objects were identified in such areas, these would almost certainly be displaced from their original location of deposition.

Boreholes 1, 2 and 3 were sampled to the north, west and south of the chemical storage building within 5m–10m. Boreholes 1 and 2 had been placed into plastic bags for inspection. Borehole 1, sampled proximal to a surface scar, showed no evidence of topsoil spoil. Borehole 2 showed evidence of topsoil spoil. Borehole 3 was observed during sampling with a topsoil depth of approximately 20cm (although with frequent gravels), which suggested it had been substantially disturbed. Despite the disturbance, the presence of topsoil was confirmed and in-tact samples may exist elsewhere around the site. The inspection and borehole analysis confirmed the presence of Blacktown soil, with no alluvial soil landscapes observed. This confirms the soil landscape mapping (Figure 2.3).

The second visual inspection of the study area was undertaken on 25 February 2016 by Jennifer Jones and Mr Jay Daley, Culture and Heritage Officer with the Metropolitan Local Aboriginal Land Council (MLALC). The study area was inspected in order to assess the physical nature of the site and the context in which it is situated, visible archaeological remains and evidence of former ground disturbance. The following observations were made:

- The study area consists of gently undulating terrain which generally slopes down towards the southwest.
- No Aboriginal objects or areas with potential Aboriginal archaeological deposit were identified.
- The centre of the study area is dominated by a large U-shaped building constructed c1965 and currently used by FASS. Historical aerials account for the extensive ground disturbance during construction, and the substantial size of the building suggests that construction would have resulted in major disturbance to any Aboriginal archaeological deposits (Figures 3.4 and 3.5).

- Two large buildings constructed at the southeast corner and one at the southwest corner of the study area are similarly substantial, and would have resulted in major disturbance to any Aboriginal archaeological deposits (Figures 3.6 and 3.7).
- Much of the eastern extent of the study area is covered with c1950 former hospital buildings. There is a substantial courtyard at the northeast corner of the study area, situated between three of the c1950 former hospital buildings (Figure 3.8). Scattered brick, glass, earthenware sewerage pipes and bluestone gravels were evident eroding from the exposed earth, suggesting the use of fill to build up this particular portion of the site (Figure 3.9).
- Given the general slope of the study area, the construction of infrastructure such as roads, car parks and paths has resulted in various cutting and levelling activities, particularly across the eastern side of the study area (Figures 3.10 to 3.11).
- There is minimal evidence of ground disturbance in the yard areas of the former medical officers' residences along the northern site boundary, as well as along the cleared areas along the western site boundary (Figures 3.12 to 3.15).
- A concrete-lined canal extends across the western side of the study area (evident in aerial photographs of the site from 1930—see Figure 3.16). This is situated within a minor gully with comparatively rich vegetation which suggests that it may serve as a sort of watershed (Figures 3.17 and 3.18).

3.4 Aboriginal Community Consultation

Aboriginal consultation is required for any assessment of Aboriginal heritage but is not a formal requirement for the due diligence process. The OEH specifies that consultation should follow the OEH's *Aboriginal cultural heritage consultation requirements for proponents* (OEH 2010 guide)²⁵ in relation to any study that might eventually be used to support an application for an AHIP, under Part 6 of the NPW Act.

As this report represents a preliminary study, formal Aboriginal community consultation was not undertaken. The study area falls within the boundaries of the MLALC and Mr Jay Daley, Culture and Heritage Officer, participated in the visual inspection of the study area and provided input into whether he felt the study area held any sites and/or values known to the local Aboriginal community. A letter from the MLALC prepared by Mr Jay Daley is included as Appendix B to this report.

GML and the MLALC discussed potential Aboriginal heritage values associated with the study area beyond the potential presence of archaeological deposits. The discussions focused on the historical period and more recent contemporary associations with the local Aboriginal community.

No places of Aboriginal cultural or social significance, contemporary or historical, were identified within the study area. With respect to Aboriginal objects, Mr Daley stated that much of the study area had a low potential for Aboriginal objects given the distance from water and lithic sources. Use of the site was likely seasonal and ephemeral, which would result in little accumulation of material culture.

Mr Daley has recommended that taking a due diligence approach could involve an inspection of initial topsoil stripping in some parts of the study area. On the basis of the assessment and low to no archaeological potential of the study area, Mr Daley did not recommend a program of archaeological test excavation (Appendix B).

3.5 Synopsis of the Desktop Assessment and Visual Inspection

Figure 3.19 presents an Archaeological Zoning Plan (AZP) for the study area. The AZP has been developed on the basis of the desktop assessment and visual inspection of the study area, in collaboration with the MLALC. The study area has been divided into two zones, described below:

- *Zone 1—No to Very Low Aboriginal Archaeological Potential*

Development from the 1950s onwards would have removed all soil condition and integrity within these parts of the study area. There is no to very low potential for Aboriginal objects in this zone.

- *Zone 2—Low Aboriginal Archaeological Potential*

This area has been subject to the general impacts of land use over 200 years. Predictive modelling suggests that the study area has generally low potential for Aboriginal objects given its distance from water sources and known Aboriginal sites, the local soil landscape, the absence of any landforms which could have provided a focus for Aboriginal activities, and the absence of objects found during the site inspection.

Zone 2 has been broken into two management units (Zone 2A and 2B) which will be addressed in Section 5.

Details with respect to the mechanism for dealing with the archaeological potential of each zone, including an unexpected discovery of an Aboriginal object, are established in Section 5.



Figure 3.1 Gentle convex slope immediately west of a chemical storage building. (Source: GML 2016)



Figure 3.2 Surface scarring to the north of a chemical storage building. (Source: GML 2016)



Figure 3.3 Ground surface modification indicated by a slight topographic rise adjacent and parallel to a road. (Source: GML 2016)



Figure 3.4 View to the east along the southern side of the U-shaped building (left). (Source: GML 2016)



Figure 3.5 View to the west along the northern extent of the large U-shaped building. (Source: GML 2016)



Figure 3.6 Example of one of the substantial buildings located at the southeast corner of the study area. (Source: GML 2016)



Figure 3.7 View of one side of a formed concrete building at the southwest corner of the study area, showing the likely presence of a basement level. (Source: GML 2016)



Figure 3.8 View into a courtyard between three c1950 former hospital buildings with a retaining wall visible in the foreground. (Source: GML 2016)



Figure 3.9 Evidence of demolition rubble and fill at the surface of the courtyard depicted in Figure 3.8. (Source: GML 2016)



Figure 3.10 Evidence of cutting into the natural slope of the study area to construct the road and the large U-shaped building (left), view to the west. (Source: GML 2016)



Figure 3.11 View of cutting into the slope of the study area along the southern boundary to construct a car park. (Source: GML 2016)



Figure 3.12 View to the south along one of the yards at the rear of a medical officer's residence along the northern site boundary. (Source: GML 2016)



Figure 3.13 View to the west along the front yard areas of the medical officers' residences along the northern site boundary. (Source: GML 2016)



Figure 3.14 View to the south of the rear yard space of the westernmost medical officer's residence. (Source: GML 2016)



Figure 3.15 View south along the western site boundary showing the cleared and relatively undisturbed areas to the south of the medical officers' residences. (Source: GML 2016)



Figure 3.16 View east along the concrete-lined drain extending through the study area. Note that the drain is visibly situated within a minor gully. (Source: GML 2016)



Figure 3.17 View to the northwest showing the comparatively dense, green vegetation and trees along the concrete-lined canal. (Source: GML 2016)



Figure 3.18 View to the southeast showing the concrete-lined canal with green vegetation and trees within a minor gully. (Source: GML 2016)

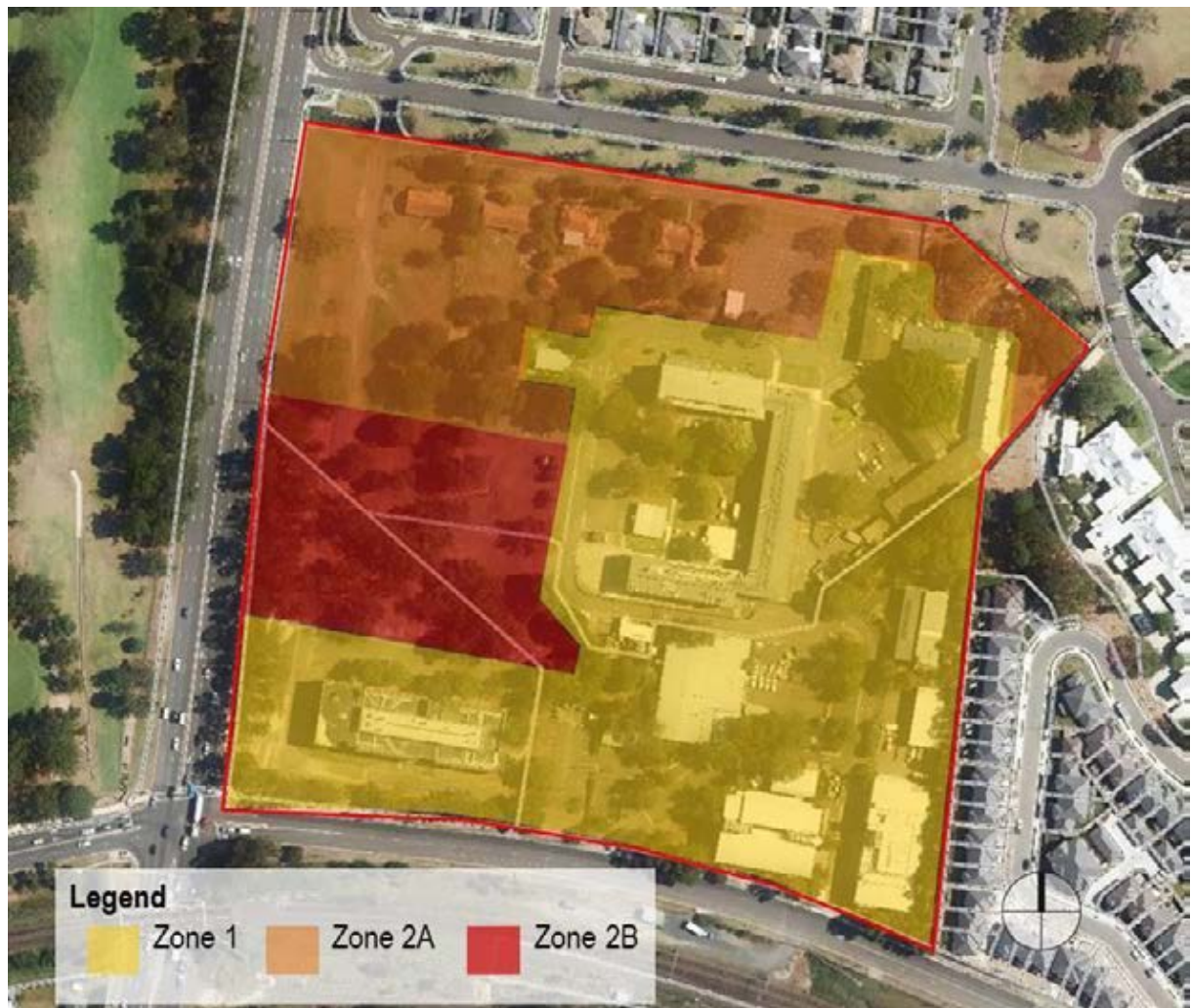


Figure 3.19 Archaeological Zoning Plan for the Forensic Pathology and Coroners Court study area. (Source: Six Maps with GML overlay 2016)

3.6 Endnotes

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- ¹² White, B and McDonald, J 2010, 'Lithic artefact distribution in the Rouse Hill Development Area, Cumberland Plain, NSW', *Australian Archaeology*, Volume 70, p 36.
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- ¹⁷ Jo McDonald Cultural Heritage Management, Potts Hill Reservoir Indigenous Heritage Assessment, June 2007, p 15.
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- ²⁰ AHMS, Rookwood Necropolis NSW—Aboriginal Archaeological Potential Desk-top Assessment, report prepared for the Rookwood Necropolis Trust, July 2010, p 16.
- ²¹ Kelleher Nightingale Consulting, WestConnex M4 Widening Aboriginal Heritage Assessment, report prepared for the WestConnex Delivery Authority, July 2014, p 12.
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- ²³ AECOM, WestConnex M4 East Aboriginal Heritage Assessment, report prepared for the WestConnex Delivery Authority, September 2015, p 35.
- ²⁴ AECOM, WestConnex M4 East Aboriginal Heritage Assessment, report prepared for the WestConnex Delivery Authority, September 2015, pp 37–41.
- ²⁵ DECCW, *Aboriginal cultural heritage consultation requirements for proponents*, 2010.

4.0 The Proposed Works and Potential Impacts

4.1 Description of the Proposed Works

This due diligence assessment has been undertaken to identify the opportunities and constraints associated with Aboriginal archaeology as part of precinct master-planning for the Forensic Pathology and Coroners Court (FPCC). No detailed plans are available at this stage in the works process as the location and extent of proposed buildings will be influenced in part by areas of Aboriginal archaeological potential, amongst other factors currently under review.

The proposed works would involve the construction of a new FPCC building in the northwest corner of the study area (Figure 4.1). Works would also include new car parking, access roads and landscaping.

4.2 Possible Impacts Arising from the Proposed Works

The following construction activities, associated with all proposed stages of development, have the potential to disturb subsurface archaeological resources within the study area:

- building demolition;
- site preparation activities;
- building construction;
- civil works and infrastructure provision such as access roads, sewerage and stormwater facilities; and
- landscaping and/or modification of existing open spaces.

FORENSIC PATHOLOGY & CORONER'S COURT

PRECINCT PLAN

FEBRUARY 2016



PRECINCT PLAN

The Precinct Plan was completed in December 2016, as a precursor study to inform the site selection for the FPCC. The plan established the long term development opportunities and urban development principles which will guide the location of potential future developments, including the site allocations for potential precinct partners. The study confirmed the north west corner as the preferred location for the FPCC building.

The precinct plan has been developed to understand the site, its constraints and its strengths as it is now, and how it would be best developed into a larger precinct, provisioning for future state facilities, to become a world class Forensics Precinct over time.

Site considerations include:

- The urban context of the site, including adjacent “Botanica” residential uses;
- The existing site conditions;
- Design challenges and opportunities;
- The priorities of potential partners within the site; and
- Access and road options into and around the precinct.

To develop a consolidated strategy, the design team undertook a number of meetings and workshops with representatives from the Forensic Pathology and Coroner’s Court (FPCC) project team, the Forensic & Analytical Science Services (FASS), along with other potential partners who could possibly be located in the precinct in the future. These workshops identified issues and requirements that have helped inform the precinct plan. It is noted that the FPCC will be relocated to the precinct and FASS is presently located within the precinct.

This study demonstrates the following:

- The north west corner of the precinct is the most appropriate location for FPCC.
- There is no impediment to existing site users remaining in their current location in the short to medium term. Immediate small scale expansion can also be accommodated.
- There is sufficient space within the precinct to accommodate future expansion of FPCC, FASS and the potential addition of other stakeholders and facilities.
- A central shared area is a key urban design strategy to activate the precinct both functionally and aesthetically.

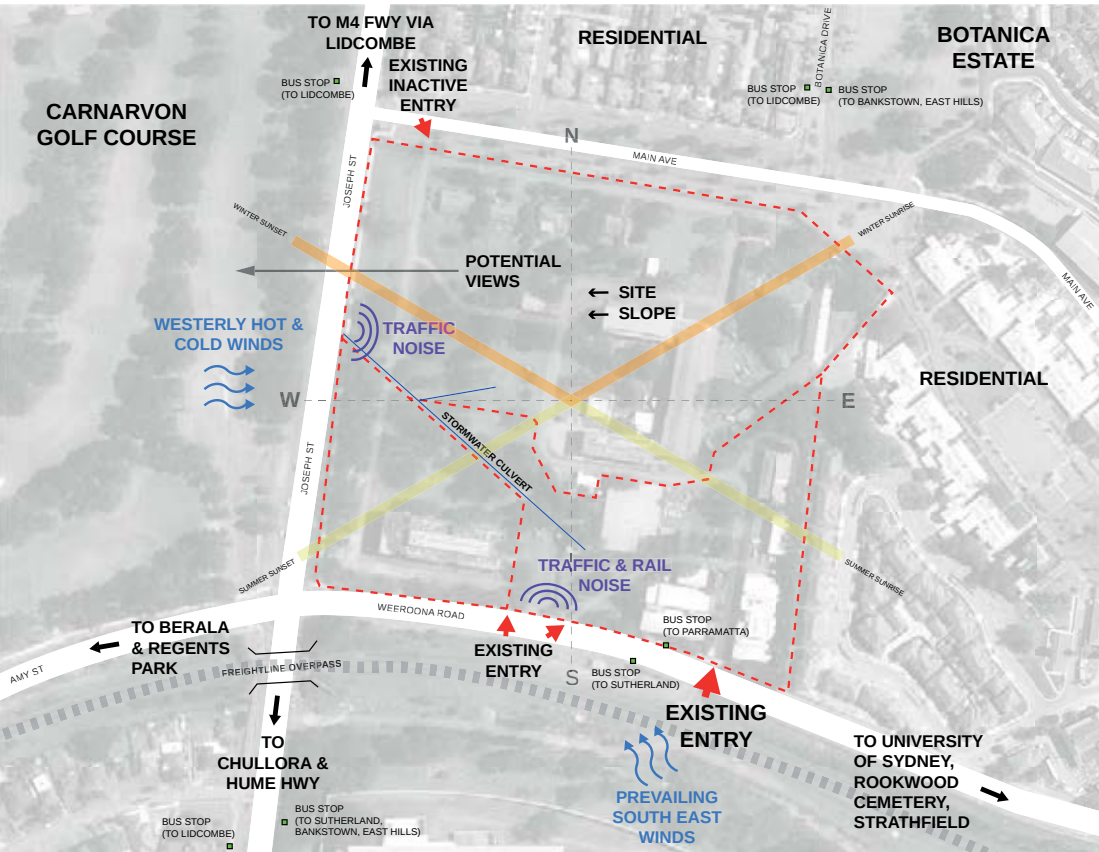


Figure 1 - Site analysis plan



Figure 2 - Site aerial photo



Figure 3 - Existing roads & carparking



Figure 4 - Site location

- ✓ Convenient road access.
- ✓ Continuous secure zone.
- ✓ Public interface with neighbouring residential community.

PRECINCT PLAN (CONTINUED)

The concept precinct plan was developed to allow for a staged development of the Lidcombe site whilst identifying the FPCC site and its relationship within the larger developed precinct.

Key factors identified being;

- A high security requirement for existing and potential new partners to the site.
- Relatively low or no public profile requirements for identified potential partners.
- Discrete activities undertaken by present and potential partners on the site.

A landscaped screen at the perimeter of some parts of the precinct is proposed. This screen will utilise and retain existing trees where possible. The screen also provides a soft green urban edge to the precinct. This is an important feature to transition between the adjacent residential communities and the secure edges of the precinct.

Existing landscaping on the boundaries of the site have been identified as a feature than can be enhanced to create 'green' or 'privacy' walls to the neighbouring areas. This will aid in the discrete nature of some of the operations currently on site, and those that may be there in the future. This green buffer may assist in reducing the visual impact of security fencing around the perimeter of the secure facilities.

FPCC allows for public parking accessed off Main Avenue and with the redevelopment of the existing road infrastructure within the site to allow for a discrete entry to the rear of the FPCC for staff and service vehicles off Weeroona Road.

It is envisaged that FPCC will not impinge on existing buildings currently in use by FASS on the site.

The existing OEH area of the site could form the latter part of any future development (Site B).

Should the precinct not be required to grow as large as all these sites allow, it has been identified that parts of these could be allocated for alternative uses and can be accessed from either Main Avenue or Weeroona Road should they require separation from the secure areas of the precinct (Sites A and B).

A central hub to the precinct could be developed into a shared facility for the site that could include education, office spaces along with staff facilities such as a gym, café, break-out areas, communal spaces and end of trip facilities.

Depending on spatial requirements for partners within the site, a range of open outdoor areas could be included within each zoned area, along with the central hub.



Figure 5 - Precinct Plan

5.0 Recommendations and Conclusions

5.1 Findings of the Due Diligence Process

The desktop assessment and visual inspection indicate that it is unlikely for Aboriginal objects to be located in the area of the proposed activity.

An AZP has been developed which describes the majority of the study area as holding no to low archaeological potential (Figure 3.19). The remainder of the study area holds low Aboriginal archaeological potential.

It is recommended that the proponent can proceed with caution without an AHIP application. In this specific instance, archaeological test excavation is not recommended because there is unlikely to be an archaeological signature present. Management of the zone with low archaeological potential can be based on a due diligence approach, as defined and requested by the MLALC.

5.2 Required Aboriginal Heritage Management

In order to manage future requirements for Aboriginal heritage, the proponent should include Aboriginal cultural heritage awareness training, and Aboriginal object identification, as a component of all site inductions. This model could be developed by the MLALC.

The archaeological potential of the study area has been described through an AZP (Figure 3.19). The recommended Aboriginal heritage management strategies for the study area are determined by the zone within which the proposed works would fall. The management strategies for each zone are as follows:

- *Zone 1—No to Very Low Aboriginal Archaeological Potential*

As an area with no to very low Aboriginal archaeological potential, the proponent could proceed with caution. Should an Aboriginal object be discovered during works, the expected finds protocol (outlined below) should be enacted.

- *Zone 2A—Low Aboriginal Archaeological Potential*

Given the low potential for Aboriginal objects in this area, the client should proceed with caution and manage the risk of Aboriginal object discovery. Should an Aboriginal object be discovered during works, the expected finds protocol (outlined below) should be enacted.

- *Zone 2B—Low Aboriginal Archaeological Potential*

A further due diligence approach could be taken and has been recommended by the MLALC. Once the initial soil stripping process is completed, a member from the MLALC could be invited to inspect the soil horizons in Zone 2B. This would confirm with certainty the absence of any Aboriginal objects. If any objects were identified, works would need to cease and the proponent would need to obtain an AHIP under Section 90 of the NPW Act.

Unexpected Finds Procedure

If during the process of works Aboriginal sites and/or objects are suspected and/or identified, the following Aboriginal unexpected finds protocol should be enacted:

- Stop work order—all works should cease immediately in the area surrounding the suspected objects. Any identified Aboriginal object(s) should be left in situ and not disturbed in accordance with the requirements of Section 89A of the NPW Act. The Office of Environment and Heritage (OEH) should be notified immediately; an archaeologist experienced in the identification of Aboriginal cultural material should inspect the suspected Aboriginal objects to make a positive identification.
- If the suspected items are not Aboriginal in origin or manufacture (as defined under the NPW Act), the location and items should be recorded. Works may continue.
- If the objects are confirmed to be Aboriginal objects, the site should be registered on the Aboriginal Heritage Information Management System (AHIMS) administered by OEH.
- If the suspected items are Aboriginal objects, an AHIP under Section 90 of the NPW Act would be required before works could continue in the area of the identified objects. The extent of any works exclusion zone would need to be determined through discussion with the OEH and Aboriginal community representatives.
- In the unlikely event that human remains were to be discovered at any time during the works, works must cease immediately in the surrounding area. The findings would need to be reported immediately to the New South Wales Coroner's Office and/or the New South Wales Police.

6.0 Appendices

Appendix A

AHIMS Search Results (Basic)

Appendix B

MLALC, Aboriginal Stakeholder Cultural Heritage—Primary Survey Report, February 2016

Appendix A

AHIMS Search Results (Basic)

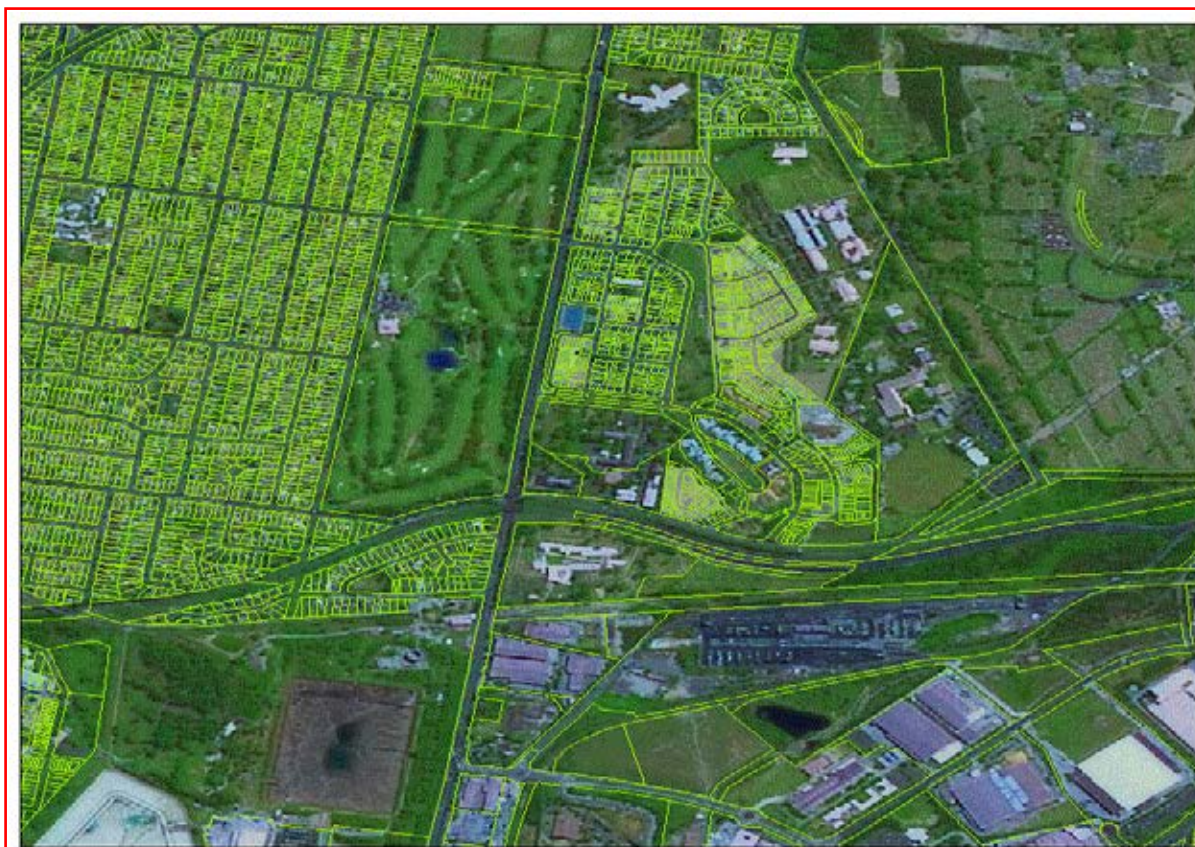
GML Heritage Pty Ltd
78 George Street
Redfern New South Wales 2016
Attention: Jennifer Jones
Email: jenniferj@gml.com.au

Date: 11 February 2016

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 3, DP:DP850697 with a Buffer of 1000 meters,
conducted by Jennifer Jones on 11 February 2016.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

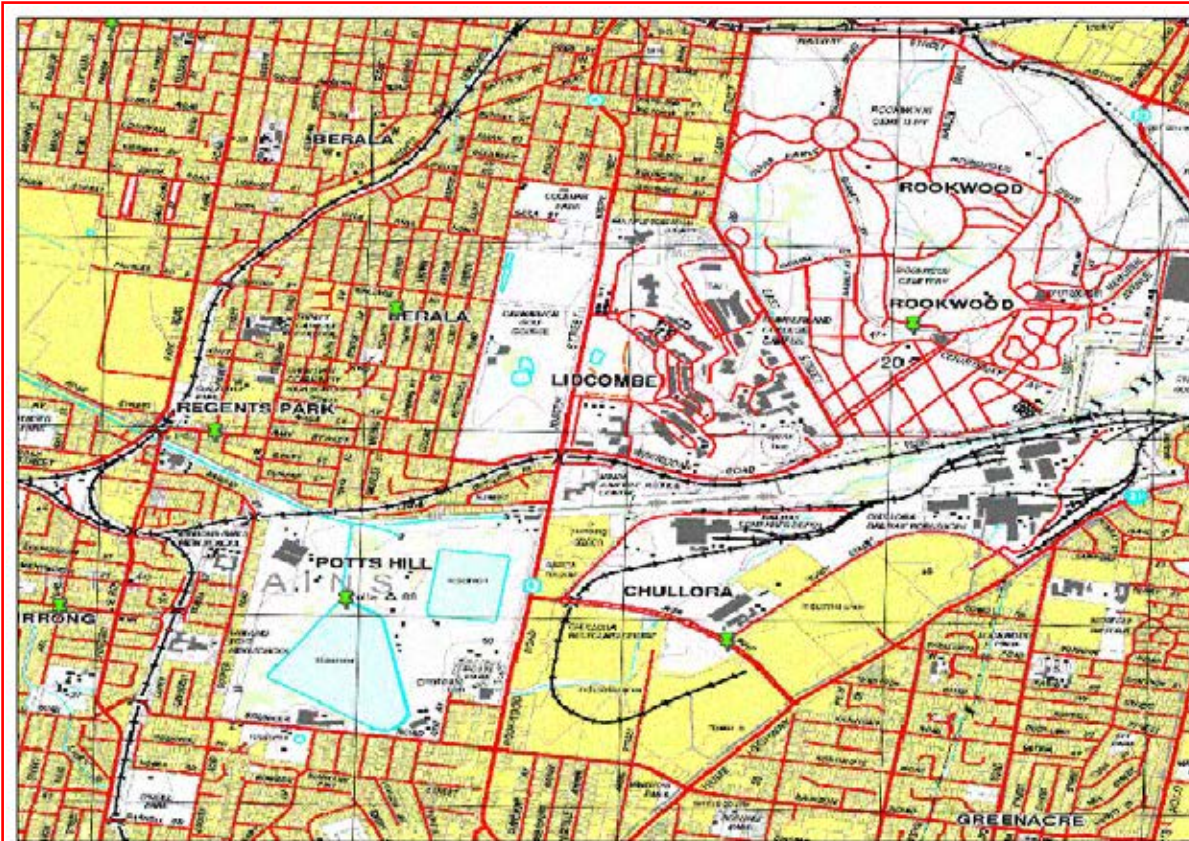
GML Heritage Pty Ltd
78 George Street
Redfern New South Wales 2016
Attention: Jennifer Jones
Email: jenniferj@gml.com.au

Date: 12 February 2016

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 317768 - 320073, Northings : 6247862 - 6250168 with a Buffer of 1000 meters, conducted by Jennifer Jones on 12 February 2016.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

GML Heritage Pty Ltd
78 George Street
Redfern New South Wales 2016
Attention: Jennifer Jones
Email: jenniferj@gml.com.au

Date: 12 February 2016

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 314812 - 323050, Northings : 6244920 - 6253127 with a Buffer of 1000 meters, conducted by Jennifer Jones on 12 February 2016.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

25	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Appendix B

MLALC, Aboriginal Stakeholder Cultural Heritage—Primary Survey Report, February 2016



Jay Daley

Cultural heritage Sites Officer

culturalheritage@metrolalc.org.au

Aboriginal stakeholder cultural heritage

Primary survey report

480 Weeroona Rd Lidcombe (Lot 1-3 DP 850697)

February 2016



Purpose of this assessment

This assessment's purpose is to determine whether any features of cultural heritage significance occur within the study area of this project being carried out by GML Heritage, and whether they would be affected by the project.

Project details

Project title:

480 Weeroona Rd Lidcombe (Lot 1-3 DP 850697)

The study area is located at the old Lidcombe Hospital site.

Jay Daley is the Aboriginal site officer completing this assessment on behalf of the Metropolitan Local Aboriginal Land Council (MLALC).

This assessment was carried out on Thursday 25th February 2016

Others present were Jennifer Jones (GML Heritage).



Site Background

Alison and I inspected this site to determine if any Cultural heritage items may be present on this site, we walked the whole site and I could not identify any cultural sites present.

Conclusion

As there were no objects of Aboriginal cultural significance identified during the assessment, we recommend that if any earth works is to be carried out that a Cultural sites officer to be on site with an archaeologist present as well. The Metropolitan Local Aboriginal Land Council have no objection to the proposed development of this site and if all guide lines are followed than Metro LALC is confident that any cultural items to be found they will be looked after and recorded in the correct manner.