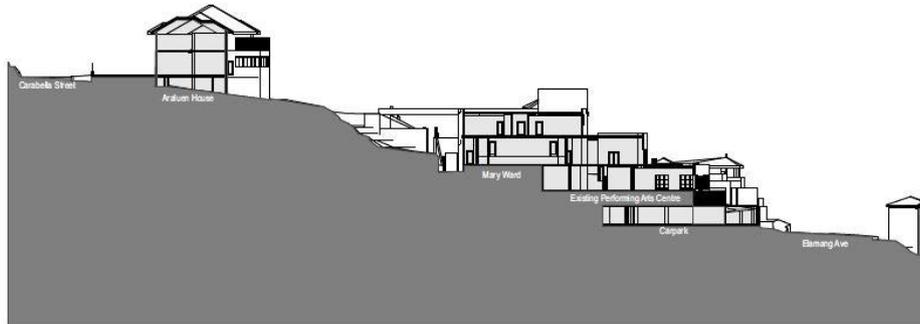
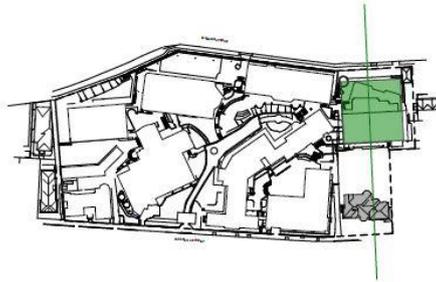




Figure 2.15 2000 aerial. (Source: Google Earth Pro with GML additions, 2016)

Eastern Precinct Section

Comparative



Existing Envelope Section

Figure 2.16 Eastern Precinct Section showing existing buildings and land disturbance. (Source: FJMT, 2016)

Northern Precinct Connector Section

Comparative

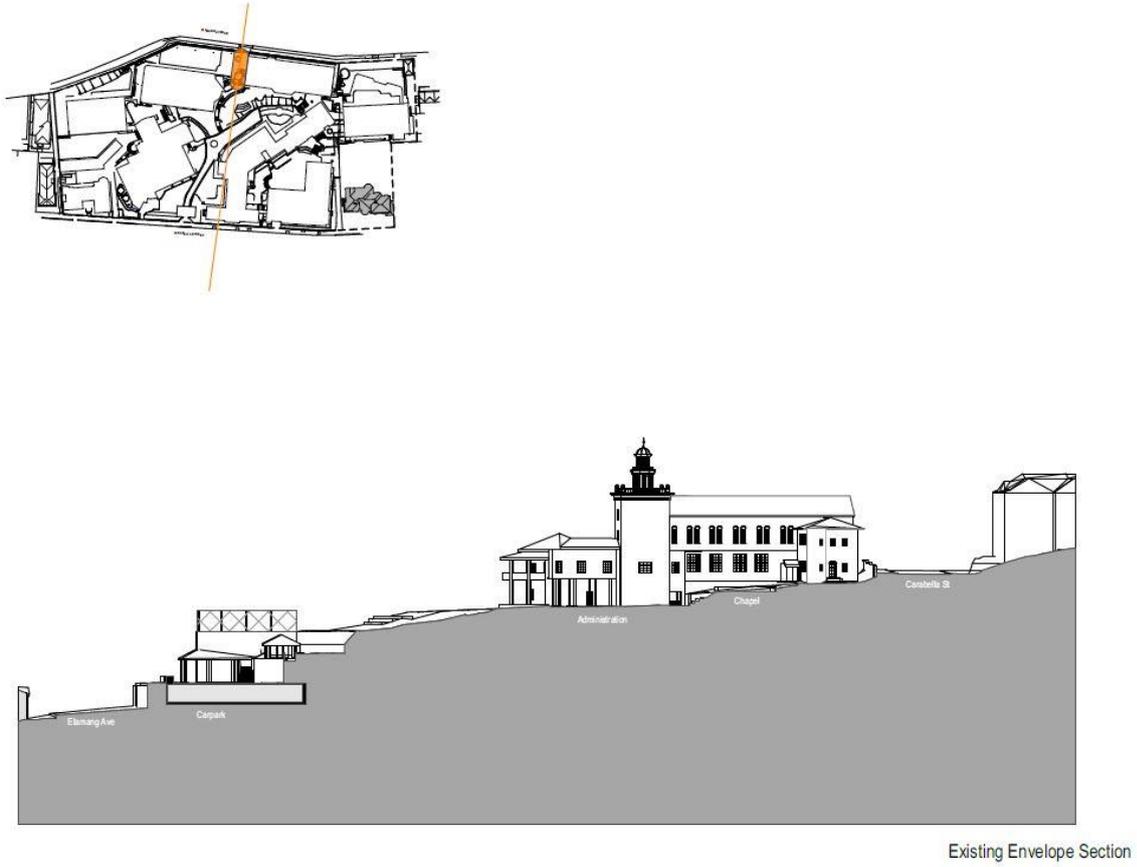
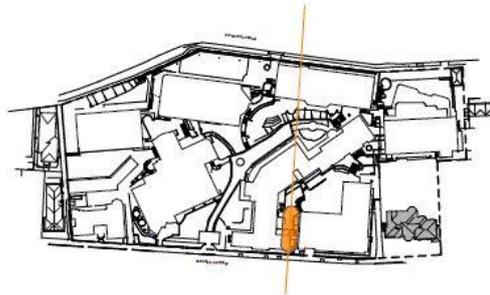


Figure 2.17 Northern Precinct Connector Section showing existing buildings and land disturbance. (Source: FJMT, 2016)

Southern Precinct Connector Section

Comparative

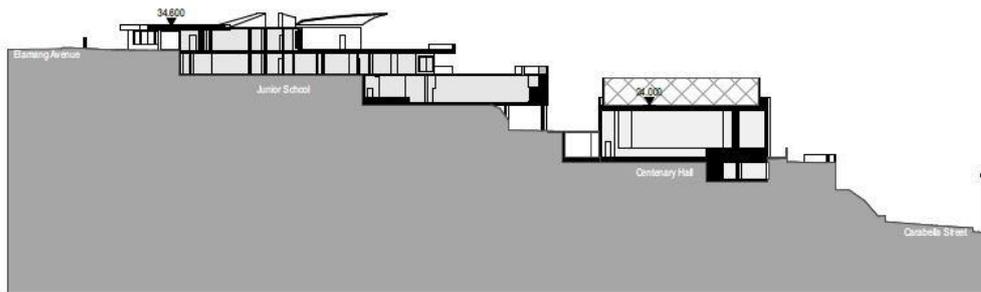
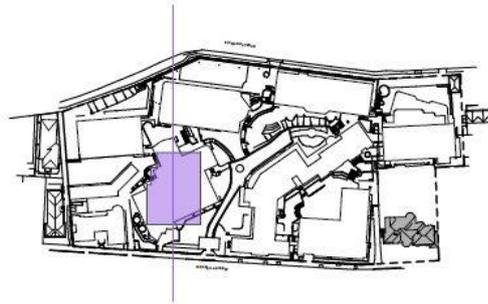


Existing Envelope Section

Figure 2.18 Southern Precinct Connector Section showing existing buildings and land disturbance. (Source: FJMT, 2016)

Southern Precinct Section

Comparative

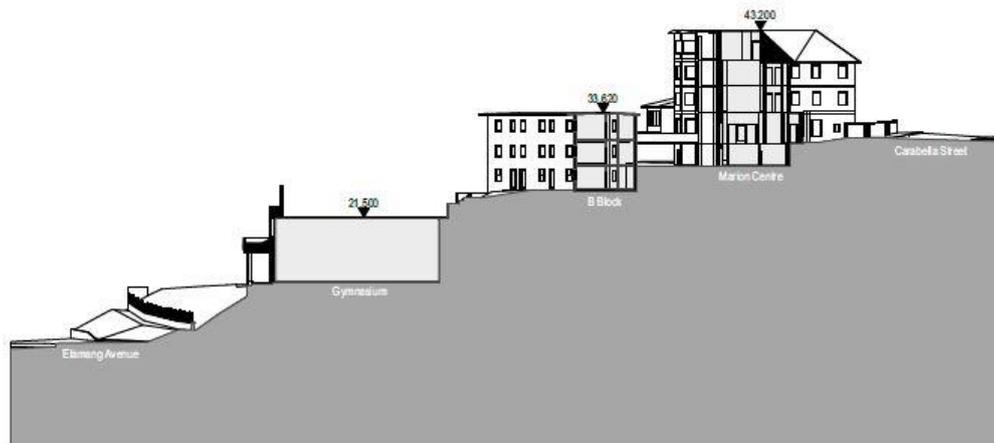
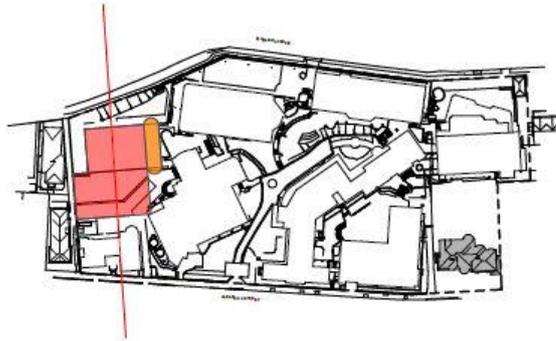


Existing Envelope Section

Figure 2.19 Southern Precinct Section showing existing buildings and land disturbance. (Source: FJMT, 2016)

Western Precinct Section

Comparative



Existing Envelope Section

Figure 2.20 Western Precinct Section showing existing buildings and land disturbance. (Source: FJMT, 2016)

2.4 Statement of Aboriginal Heritage Potential

The AHIMS results indicate that the region surrounding the current study area contains multiple Aboriginal sites, the majority of which are associated with the landforms on lower slopes adjacent to the harbour. The physical evidence of these are commonly middens and other associated deposits. Mid-slopes can present evidence for shelters and rock art, provided suitable bedrock platforms are present.

As such, in terms of comparability with surrounding areas, if no impacts had occurred within the study area it could contain shell or midden based archaeological deposits. The presence of these features is dependent on the presence of residual soils. If outcrops of bedrock were present, the study area could be a suitable context for shelters and/or rock engravings.

An analysis of the study area's more recent history shows that it has been subject to a substantial quantity of impact, associated with urban development and the establishment and development of Loreto School. Modern land use has dramatically changed the original landform and significantly decreased the likelihood of Aboriginal archaeological deposits being present. Specifically, the construction of school buildings and associated underground carparking would have completely removed any intact soil landscapes, excavated bedrock and most likely impacted and destroyed any potential Aboriginal deposits.

In summary, the study area does not contain any registered Aboriginal sites and, on the basis of land use history, is unlikely to retain soils with any condition or integrity capable of yielding an Aboriginal archaeological deposit. The extent of development and changes to bedrock mean it is unlikely for intact areas of bedrock platforms to be present—this requires confirmation through site inspection. As such, the study area holds low to no Aboriginal archaeological potential.

With respect to the social and contemporary Aboriginal heritage values, the development of a detailed history for the study area has not identified any connection with local Aboriginal people. The long history of residential development and consequential use as a school (since 1965) has not identified evidence of significant association between this specific location and local Aboriginal groups/people. The potential connection between this location and Aboriginal people is further investigated through the local and regional Aboriginal ethnohistory (Section 3.1).

3.0 Aboriginal Heritage Desktop Assessment and Visual Inspection

3.1 Aboriginal Ethnohistory

Most of the ethnohistorical information available for the Aboriginal people who lived around Sydney Cove comes from the writings of officials who travelled to New South Wales with the First Fleet, including Governor Arthur Phillip, Judge-Advocate David Collins, Captain-Lieutenant Watkin Tench and Lieutenant William Dawes.³¹

When the First Fleet arrived in Sydney Cove, the Cammeraygal and Wallumedegal clans inhabited the North Shore of Sydney. They were part of the larger Kauringgai Tribe, with the Cammeraygal clan being recorded as a more dominant clan who were more readily recognised due to their weaponry, body decorations, songs and dance.³²

In February 1790, Governor Phillip wrote to the Colonial Office in London with the following comment on this tribe and their tribal boundaries:

... about the north-west part of this harbour there is a tribe which is mentioned as being very powerful... The district is called Cammerra; the head of the tribe is Cammerragal, by which name the men of that tribe are distinguished. A woman of this tribe is called a Camerragaleon ...

From the entrance of the harbour, along the south shore to the cove adjoining this settlement, the district is called Wann, and the tribe Wanngal. The opposite shore is called Wallumetta, and the tribe, Wallumedegal.

The other tribes which live near us are those of Gweagal, Noronggeragal, Borogegal, Gomerrigal, and the Boromedegal.³³

3.1.1 Subsistence Activities

The people that inhabited the coastal areas of the Port Jackson area had access to a wide range of natural resources, including terrestrial and marine flora and fauna. For coastal Aboriginal people, marine resources were a vital part of their diet. Tench suggests fishing was their primary subsistence activity:

... [they] wholly depend for food on the few fruits they gather, the roots they dig up in the swamps, and the fish they pick up along shore or contrive to strike from their canoes with spears. Fishing, indeed, seems to engross nearly the whole of their time, probably from its forming the chief part of a subsistence ...³⁴

Other marine resources such as shellfish and crustaceans were frequently collected and eaten. Historical references and archaeological evidence indicates that beached whales were also eaten—and may have presented an opportunity for different Aboriginal groups to gather and feast together, as suggested by this event recorded by Tench at Manly Beach in 1790:

... a dead whale in the most disgusting state of putrefaction was seen lying on the beach, and at least two hundred Indians [sic] surrounding it, broiling the flesh on different fires and feasting on it with the most extravagant of greediness and rapture.³⁵

Although marine animals formed a substantial part of the diet of Aboriginal people who lived in and around the subject area, terrestrial animals such as kangaroos, possums, and various birds were also hunted and eaten regularly. The landscape was also manipulated by Aboriginal people through periodic burning of the undergrowth to encourage terrestrial animals such as kangaroos to graze, and

thus facilitate hunting.³⁶ Evidence of this is recorded in the vicinity of Sydney Cove and, despite the close proximity to marine resources, indicates that terrestrial animals were commonly exploited as a food resource.

Written accounts describe the exploitation of a variety of edible plants in the Sydney region, including seeds, fruits, and roots. While there are over 200 edible native plant species known in the Sydney region, it is difficult to reconstruct how important each was to the subsistence diet of Aboriginal people near the study area. This is largely a result of the discrepancies in recording this information, given the widely different names and descriptions given to different native plant species in the late eighteenth and early nineteenth centuries.

3.1.2 Material Culture

The material culture of local Aboriginal groups is also recorded to some extent in early historical accounts, and reinforced by the archaeological record. Aboriginal people made and used a suite of stone tools, and this is one of the most ubiquitous forms of archaeological evidence across Australia. Following contact there are common examples of glass, and sometimes ceramic, being knapped in the same way as stone form tools. Many of the tools were multi-purpose and portable, allowing groups to practice subsistence activities and cultural traditions broadly across the landscape.

Many tools were made of organic materials and are underrepresented or absent from the archaeological record as they decompose over time, such as string bags or bark canoes (although some examples are found in museum and private collections). Some organic materials, such as shell and bone, survive better than others, and are well represented in the historical and archaeological records.

Fish hooks are the most commonly represented shell implement in the archaeological record of the Sydney area; however, they are unique in Australia in the area between Port Stephens and the NSW/Victorian border and all date within the last 1000 years. Some have suggested that these were introduced by Pacific Islanders in the last millennia, although this has not been proven.³⁷ Historical accounts indicate that in the Port Jackson area—although both genders engaged in fishing—fish hooks were only used by women and spears were only used by men.

3.1.3 Patterns of Land Use

Many written accounts and drawings (by Europeans/non-Aboriginal people) record Aboriginal people who occupied the Port Jackson area as camping, cooking and fishing on the open shoreline, estuarine, river banks and rock shelters near water. Attenbrow's analysis of ethnohistorical evidence regarding landscape use indicates a focus of Aboriginal activity on valley bottoms and shorelines.³⁸ Attenbrow's 1991 Port Jackson Archaeological Project also demonstrated that archaeological sites were similarly patterned in a way that supports this focus. She does, however, caution reliance on these patterns as they are skewed by archaeological preservation factors, as well as biases in what has been portrayed in the historical record.³⁹

3.1.4 European Contact

The Aboriginal inhabitants of territory including the study area would have been among the first Aboriginal people to experience the effects of physical and social dislocation as a result of the arrival and settlement of the First Fleet at Sydney Cove. Epidemics of smallpox dramatically affected the Aboriginal population in Sydney, and across Australia. In 1790 Bennelong estimated to Governor Phillip that over half of Sydney's original Aboriginal population had died because of the smallpox

epidemic that broke out in 1789.⁴⁰ Other effects of European colonisation on local Aboriginal populations included loss of access to traditional lands and resources, and starvation. The effects of such severe social dislocation may have dramatically altered some aspects of the lives of local Aboriginal people recorded by early European observers.

The devastating effect of the smallpox epidemic led Governor Hunter in 1793 to express surprise at not seeing 'a single native on the shore, or a canoe', when he sailed into Sydney Harbour.⁴¹

There are no known or recorded Aboriginal activities, people or events associated with the landforms and promontory which form the study area⁴². The headland on which the study area is located formed the promontory directly opposite Sydney Cove. The eastern foreshore of Sydney Cove (now Bennelong Point) was associated with Bennelong's House (1790-1795) and corroboree(s) in November 1790. Early activities undertaken in close proximity to British settlement demonstrate continued use of the harbour by Aboriginal people following colonisation in 1788. The history of the study area has demonstrated (Section 2.3.1) the first recorded activities connected to the study area were in 1800 when the land was granted to Robert Ryan.

An excavation of a rock shelter at Balls Head provides evidence that the Aboriginal people continued living near the study area after European settlement. Excavation of a rock shelter at Balls Head (in 1964) identified a human skeleton and artefacts. Among the artefacts were some items of glass, and of these it was reported:

*... artefacts found of European origin included some heavily patinated, thick pieces of glass, some possibly flaked, and some lumps of melted lead in conjunction with very small spherical pieces of lead. The glass occurred in the top four inches of the front undisturbed midden and may indicate that the site was inhabited by Aborigines into early colonial days. The lead comes from more disturbed areas. Some larger pieces are obviously fishing sinkers of quite modern type, however, Mr Miles (Director of 1964 excavation) suggests that the small balls and lumps may represent musket shot being manufactured within the shelter itself.*⁴³

By the 1820s, Aboriginal people who still living in the Port Jackson area lived on the margins of European society. Some of the men were employed to track escaped convicts, whilst some women found employment as domestic servants.

An Aboriginal group lived at Balmoral during the mid-nineteenth century. A European, James Hugget (born in 1844), learnt their language and some of their lore. Just prior to his death in 1926, he recorded one interview where he recounted a large gathering of over 500 Aboriginal people at Milsons Point for a corroboree: 'They had come from all parts of the coasts districts, and after the wild ceremonies they disappeared with almost uncanny secrecy'.⁴⁴

By the 1860s there are fewer accounts of Aboriginal visitors to the North Shore. A group of notes in the Local Studies Collection at Stanton Library records the memory of a Dr Agnes Barnett who stated:

*At Christmas time, the 'Blackfellows', as they called the Aborigines, would come up in hordes from the country and camp in the caves in the Cremorne Reserve. There they waited to receive the annual gift of a blanket each, given by the Government. Traces of these gatherings could still, until quite recently, be seen in the heaps of half-burnt shells around the caves.*⁴⁵

LF Mann, in 1932, recorded that during the visit of Prince Alfred in 1868, Aboriginal people were gathered from the different districts to perform a large corroboree before the royal visitor and camped about where St John's Church now stands on the southern heights of Careening Cove.⁴⁶ After this date, Aboriginal people were rarely, if ever, mentioned in the historical records of North Sydney.

Today the physical evidence of the first inhabitants of the North Shore can be found in fire-charred caves, stencilled hands painted on stone, engravings of animals and weapons on rocks, and middens of whitened seashells from ancient meals. Many local suburbs, parks and streets take their names from the Cammeraygal language, including the suburb Cammeray.

3.2 Relevant Local Literature

Several archaeological studies and academic works have been prepared which focus on areas surrounding the current study area. Those works and reports of direct relevance to this due diligence assessment are detailed below.

Bowdler 1971—Balls Head: The Excavation of a Port Jackson Rock Shelter

In 1971, Sandra Bowdler undertook analysis of a 1964 excavation at a Balls Head rock shelter that uncovered an Aboriginal skeletal remains burial.⁴⁷ Bowdler found that prior to the 1964 excavation, the deposit within the rock shelter was relatively undisturbed, except within the area of the burial and apart from the skeletal remains, there were also a variety of shell and over 450 stone artefacts, 42 of which were stone tools, four cores and the rest were debitage.

Bowdler concluded that this rock shelter would have been used as an occupational area and possibly an area for knapping. As Bowdler could not find conclusive evidence that there was a pit made for the body, she suggests that the body was probably abandoned in the rock shelter, as this was one of the common Aboriginal burial practices within the region.

As mentioned in Section 3.1.4 this site yielded evidence of Aboriginal occupation post European settlement.

Attenbrow 1991—Port Jackson Archaeological Project

In 1991 Val Attenbrow undertook a project to relocate registered OEH sites, as many were poorly recorded. Site survey was undertaken across the Port Jackson catchment, which Attenbrow divided into eight subcatchments. Over 350 middens and archaeological deposits were relocated or newly identified. Attenbrow identified a number of patterns of site distribution associated with aquatic zones and geological formations within the catchment.

Attenbrow's study revealed that 98 per cent of middens in the entire Port Jackson catchment were located on Hawkesbury Sandstone, even though there is a greater area of Wianamatta shale landscapes within the project's subject site. This may be due to the project's findings that a higher density of middens occurred within rock shelters as opposed to open areas/sites. The number of middens varied drastically across the Port Jackson catchment, partly due to discrepancies in factors such as land area of each subcatchment and intensity of residential and industrial development. However, it was clear that middens and deposits occurred in higher densities in ocean and estuarine subcatchments.⁴⁸

The current study area is situated on Hawkesbury Sandstone, within 200m of another midden site (AHIMS #45-6-1268). The current study area fits within the model identified by Attenbrow for midden sites.

Jo McDonald Cultural Heritage Management 2000—Salvage Excavation of Berry Island #3 (NPWS # 45-6-1512) at Berry Island, near Wollstonecraft, NSW

In June 1999 Jo McDonald undertook an archaeological excavation of a rock shelter at Berry Island where an Aboriginal skeleton had been uncovered during a police investigation in 1991.⁴⁹ The archaeological excavation uncovered an intact portion of shell midden deposit. The result of the investigation indicated that a range of both estuarine and rocky shore species were gathered from the area around the rock shelter, predominantly from the estuarine mudflats.

Berry Island is situated within the Hawkesbury soil landscape, the same as the southern side of the current study area. The evidence appears to suggest that the excavated remains were the result of a single episode of occupation, based on the low number of artefacts (five) and other cultural material such as hearths.⁵⁰ In total, only five stone artefacts were recovered from the Berry Island site, none of which exhibited evidence of retouch.⁵¹ Single occupation deposits may also be identified within the current study area. The disturbed nature of the Berry Island deposit made determining the pattern of site usage difficult, however McDonald suggests that the site likely was used as a daytime campsite. As the human remains had been forensically excavated for the police investigation, the report did not include any discussion regarding the nature of the burial.

GML Heritage—The Rocks

The Big Dig site in The Rocks (now the Sydney Harbour YHA) is located on a similar landform to the northern section of the current study area. It is situated on steeply sloping, high ground on rocky peninsulas in Sydney Harbour. The site is also located on the Gynea soil landscape. The Rocks site was subject to multiple phases of residential development over the nineteenth century including terracing and filling of the naturally sloping topography.⁵²

During historical excavations in 1994, a small number of Aboriginal objects were recovered including a single silcrete flake, a sherd of worked ceramic and several possibly worked pieces of flint.⁵³ These artefacts were found at the interface between the lowest historical strata and the remnant topsoils.

The Rocks site is a rare example of an extremely well preserved historical site in the Sydney CBD, predominantly due to the limited twentieth-century development on the site which did not substantially disturb the ground but rather capped it with bitumen and concrete surfaces.⁵⁴ Small numbers of Aboriginal objects therefore remained within pockets of the historical site by virtue of its preservation.

Further excavations of this site between 2008 and 2010 did not recover additional Aboriginal objects.⁵⁵

Dominic Steele Consulting Archaeology 2006—KENS Site (45-6-2647)

Like the Big Dig site, the Kent, Erskine, Napoleon and Sussex Streets (KENS) site is geologically similar to the current study area and is situated on the Gynea soil landscape. The KENS site was subject to Aboriginal and historical archaeological excavation in 2003, prior to the redevelopment of the city block. The Aboriginal archaeological component of this project was carried out by Dominic Steele Consulting Archaeology.

A number of buried original (pre-1788) soil profiles were identified over the course of the archaeological excavation program. Archaeological testing and salvage across these profiles revealed that they had been truncated and somewhat disturbed by historical activity. However, excavation yielded a total of 952 artefacts across the site. A large proportion of the artefacts were broken by trampling or burning—this damage may have occurred during the early historical period.

The assemblage did not provide a large amount of data about the range or nature of stone tool technologies. Analysis suggested that the assemblage dated to the Middle and Late Bondaian period (last 2800 years), and the discovery of some flaked glass indicated the site's continued use following contact in 1788.

While the extant soil profiles and artefact assemblage were not particularly significant in terms of the nature of the stone tool technology identified, the site was important for the way it demonstrated that this part of the Sydney CBD—marginal to the early European settlement—was intensively used by Aboriginal populations prior to, and for a short time following, 1788. It also clearly illustrated processes of site taphonomy where early historical activities such as land clearing and increased traffic (humans and/or horses) had had a significant impact on the survival of the Aboriginal archaeological record.

The KENS site was also considered significant for its place in the Aboriginal cultural landscape as a rare site that contributes new insights into an understanding of the documented and potential Aboriginal archaeological resource within the Sydney CBD. The KENS site also demonstrated that Aboriginal archaeological sites could survive in places that had experienced multiple phases of historical development and disturbance.⁵⁶

Both the Rocks site and the KENS site emphasise the potential for intact soil landscapes and Aboriginal deposits to be preserved in highly developed areas. The current study area has many similarities to these sites, in both landform and soil landscapes.

3.3 Visual Inspection of the Study Area

A visual inspection of the study area was undertaken on 1 November 2016. The aim was to understand the nature of the landforms and to check for visible signs of Aboriginal objects, sites, or archaeological deposits. The findings are described below and shown in Figure 3.1 to Figure 3.13.

The inspection confirmed the study area has been significantly developed and landscaped as part of its use as a school. There are no exposed natural soil landscapes within the study area (Figure 3.1 and Figure 3.2). The majority of land has been subject to substantial construction with roads and concrete pathways between buildings (Figure 3.3 and Figure 3.4).

Building and landscaping have created terraces necessary to create level platforms cut into the steep sloping landforms. These terraces and retaining walls are identified throughout the study area (Figure 3.5 to Figure 3.8). Excavation into the bedrock was also identified in many places (Figure 3.9 to Figure 3.11). The terracing and excavation into the bedrock suggest that the majority of original bedrock and its soil landscapes have been removed from the study area. The majority of the study area therefore has no Aboriginal archaeological potential.

The northwestern corner of the study area appeared to have received less landscaping than other areas. This area is levelled for the gymnasium (Figure 3.12) before sloping steeply down towards Elamang Avenue (Figure 3.13). This section of the study area may contain some intact landforms (Figure 3.12 to Figure 3.14). The steepness of the slope generally precludes use by Aboriginal people; it is further noted that due to the steep slope and erosional qualities of the Gynea landscape, any Aboriginal objects that had been deposited are unlikely to be retained on the slopes, and would have been transported downhill, out of the study area, during heavy rain events and consequent erosion. As such, these landforms are assessed to hold very low to no Aboriginal archaeological potential.



Figure 3.1 View from the bell tower, northwest across the study area. (Source: GML, 2016)



Figure 3.2 View from the bell tower, southeast across the study area. (Source: GML, 2016)



Figure 3.3 Elamang House, looking east. (Source: GML, 2016)



Figure 3.4 View north. Marian Centre is on the left and the Junior School is on the right. (Source: GML, 2016)

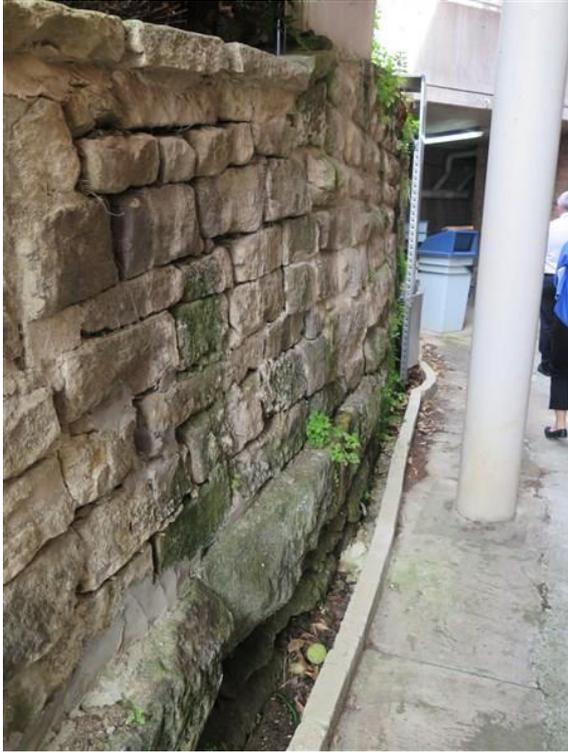


Figure 3.5 Retaining wall between the Marian Centre and B-Block. The natural sandstone bedrock is visible at the bottom of the retaining wall. (Source: GML, 2016)



Figure 3.6 Retaining wall behind Mary Ward. (Source: GML, 2016)



Figure 3.7 View east, between B-Block and the gymnasium. (Source: GML, 2016)



Figure 3.8 Southwest from the gate on Elamang Avenue. (Source: GML, 2016)

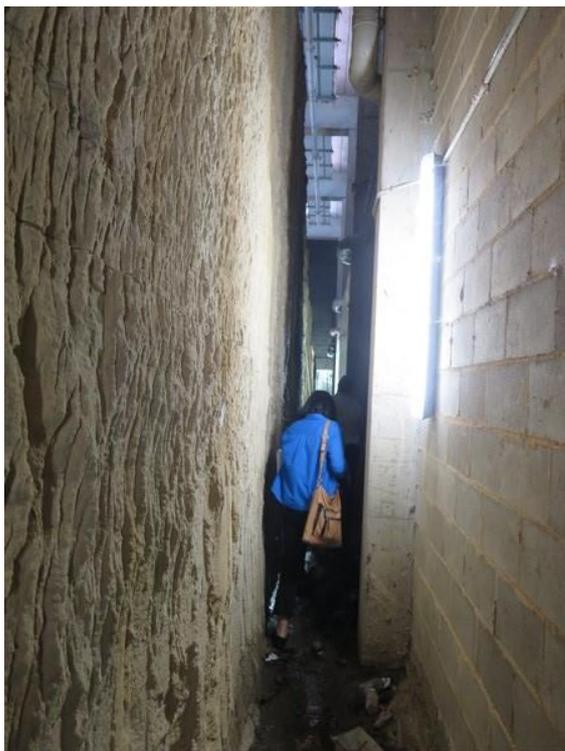


Figure 3.9 Significant excavation into the bedrock for the construction of the gymnasium. (Source: GML, 2016)

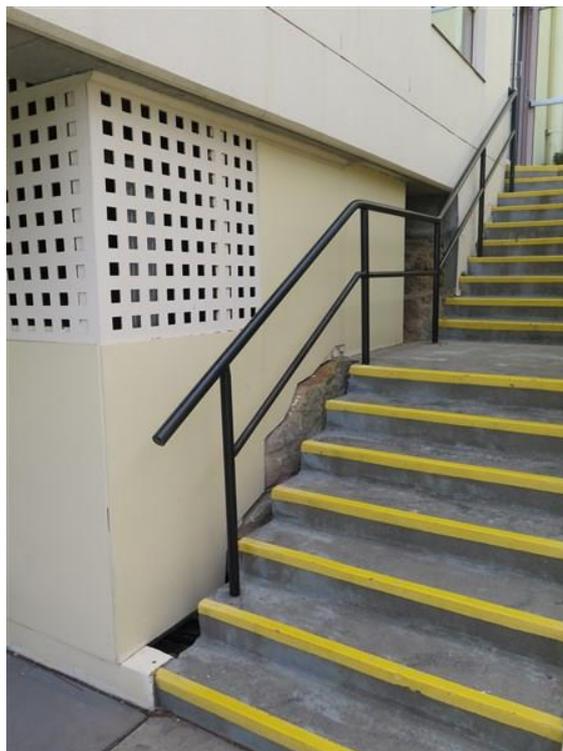


Figure 3.10 Steps at the bottom of the Junior School. The sandstone bedrock can be seen. (Source: GML, 2016)



Figure 3.11 Underground carpark. Excavation into the bedrock. (Source: GML, 2016)



Figure 3.12 View west between the gymnasium and Elamang Avenue. (Source: GML, 2016)

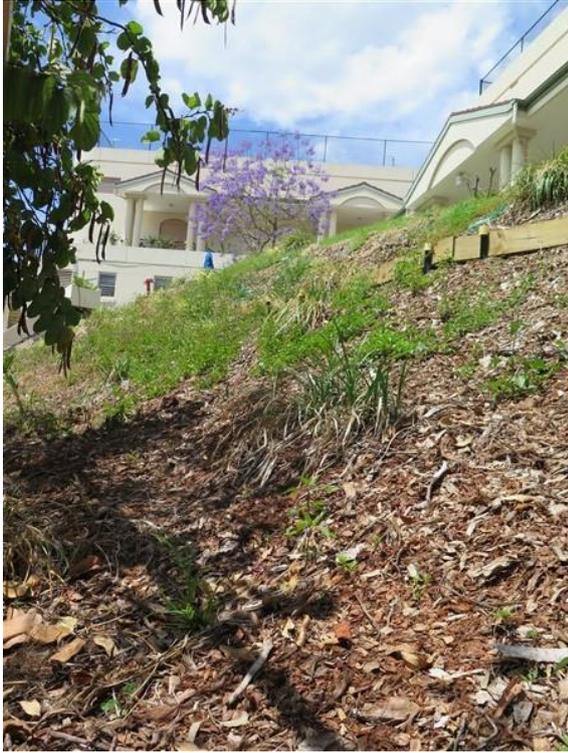


Figure 3.13 View east, from the northwest corner of the study area. The gymnasium is on the right. (Source: GML, 2016)



Figure 3.14 View north on the far western edge of the study area. The top of the gymnasium is on the right. (Source: GML, 2016)

3.4 Synopsis of the Desktop Assessment and Visual Inspection

Previous archaeological work in the harbour region surrounding the study area has identified the many different types of sites identified within the harbour foreshore and coastal setting. These works recognise how landforms and landscape features, hydrology, geology, soils and urban development affect the likelihood of Aboriginal objects being identified within the harbour. Past archaeological studies have been used to predict the type of Aboriginal objects which may be identified within the study area.

The desktop assessment and visual inspection does not indicate that there are (or are likely to be) Aboriginal objects in the area of the proposed activity. It is recommended that the proponent can proceed with caution without further Aboriginal archaeological assessment.

A review of the study area's history has not identified any connections with the local Aboriginal community or their contemporary habitation on the north shore. As such, the study area is not associated with intangible or social aspects of local Aboriginal history.

Within the context of the project's SEARs, it is the finding of this report that the study area does not contain Aboriginal sites, or other values or connection with Aboriginal cultural heritage. Whilst this study area is a component of the whole north shore contemporary cultural landscape, there are no specific associations with Aboriginal heritage. Therefore, this report finds there is no known or relevant connection to be further investigated in greater detail following the specified Aboriginal guidelines. Had connections or associations been present, they should have been identified through the range of research undertaken and presented through this report.

Details with respect to the mechanism for dealing with the unexpected discovery of an Aboriginal object are established in Section 5.0.

4.0 The Proposed Works and Potential Impacts

4.1 Description of the Proposed Works

A new masterplan is proposed for Loreto Kirribilli to guide future development at the school and to provide improved accessibility across the campus. The masterplan extends across the school campus. To better describe the proposed masterplan the subject site has been divided into four precincts—Western, Northern, Eastern and Southern—plus a central area of the school campus called ‘Campus Core’.

It is further proposed that the first stage of development of the masterplan proceed at this time, and is included in this development application. The first stage of development includes the following works, as described by precinct.

Northern Precinct:

- a new six-storey vertical connector pod consisting of a lift, stair and lockers; and
- new external walkways providing an accessible path of travel between the driveway, science building, Centenary Hall, carpark and Elamang Avenue.

Western Precinct:

- demolition of B-Block—site excavation to the existing gymnasium level;
- partial demolition of external stairs, landings, walkways and planters between the gymnasium, Centenary Hall and the Junior School;
- new vertical connector providing an accessible connection to the Marian Centre, Junior School, gymnasium and Centenary Hall;
- new external covered landscaped walkways providing an accessible path of travel to the new development site;
- extension to the Junior School play terrace;
- demolition of the northern facade of the gymnasium; and
- new facade to the gymnasium, extended ground floor wing to the sports courts and extended upper level gallery to accommodate staff.

Eastern Precinct:

- partial demolition of external stairs, landings, walkways and planters in between Science and Performing Arts; and
- proposed envelope for an interim connector pod consisting of accessible ramps, providing an accessible path of travel between Science and Performing Arts.

Southern Precinct:

- partial demolition of the eastern chapel wing;
- demolition of external stairs and landings in the courtyard;
- removal of St Aloysius' Verandah;
- proposed development of a five-storey vertical connector pod consisting of a new lift, new verandah, northern façade and external learning terrace; and
- provision of an accessible path of travel between the driveway, chapel, J-Block and the courtyard.

4.2 Possible Impacts Arising from the Proposed Works

The proposed works for the study area will impact ground surfaces through the demolition, redevelopment and construction of buildings and services. If Aboriginal objects were present within the study area, the proposed works could result in a degree of harm to the Aboriginal objects. However, this due diligence report has identified that the study area generally holds no to very low levels of potential for Aboriginal archaeological sites and objects to be present.

The study has not identified any specific local landforms or places which could have been a focus for Aboriginal activities, resulting in the creation of Aboriginal archaeological sites. Furthermore, the history of land use has significant impact both to the condition and integrity of any remaining soil horizons. As such, the proposed development is unlikely to impact known Aboriginal heritage objects, and/or areas of archaeological potential within the study area.

5.0 Recommendations and Conclusions

5.1 Findings of the Due Diligence Process

This due diligence report has found that the study area has no to very low potential for Aboriginal objects. There are no specific landforms or places which may have been a focus for Aboriginal activities, which could have resulted in the creation of Aboriginal objects. Furthermore, as the study area has been subject to significant and repeated disturbance in the form of clearing, urban development and construction and development of Loreto school, if Aboriginal objects were present they would most likely be in a disturbed context.

As such, it is recommended that the current planning proposal can proceed subject to caution without the need for further heritage assessment. As the project will be subject to SSD approval, the provisions under Section 90 of the *NPW Act 1974* will not apply. Within the context of conditions of consent, it is recommended that a stop work process be implemented, in case of the identification of Aboriginal sites or objects.

5.2 Required Aboriginal Heritage Management

This due diligence assessment report has found that while the proposed works can proceed subject to caution without further assessment, the best practice Aboriginal heritage approach prior to future development should involve:

- The report should be issued to the Metro Local Aboriginal Land Council (MLALC) for review and comment. Their recommendations in relation to Aboriginal heritage management should be included and could form a component of the conditions of consent.
- Should the MLALC review identify Aboriginal social or other values not apparent during the preparation of this report, then further assessment in line with the SEARs Condition 10 may be relevant.
- During construction works, should Aboriginal objects be identified, the proponent must stop work. The OEH and Metro Local Aboriginal Land Council should be notified.
- The requirements for Aboriginal heritage management should be defined based on the nature and extent of the identified Aboriginal sites, taking into account relevant OEH policy and methodologies (OEH 2010 *Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW*⁵⁷), and the recommendations of the Burra Charter.
- In principle, sites should be avoided and retained in situ without impact. If this is not possible then archaeological mitigation to offset the impact and retain the value of the site should be undertaken.
- Adequate time and budget must be allowed for archaeological works to be undertaken. Works would require involvement of the Aboriginal community. The outcomes of any archaeological works should be interpreted within the context of the study area's redevelopment.

6.0 Endnotes

- 1 DECCW 2010, NPWS Act 1974, *Fact sheet 1*, September 2010.
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