ALLIED FLOUR MILLS SITE ABORIGINAL HERITAGE IMPACT ASSESSMENT

FOR

EG FUNDS MANAGEMENT

Photograph of the Allied Flour Mills' silos and warehouses

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AHMS

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ABBREVIATIONS

AHC	Australian Heritage Council
AHIMS	Aboriginal Heritage Information Management System
ATSIC	Aboriginal and Torres Strait Islander Commission
CHL	Commonwealth Heritage List
DECC	NSW Department of Environment and Climate Change
DEH	Department of Environment and Heritage
EP&A	Environmental Protection and Assessment
EPBC	Environment Protection and Biodiversity Conservation
GSV	Ground surface visibility
ICOMOS	International Council on Monuments and Sites
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
MACC	Marrickville Aboriginal Consultative Committee
MGA	Map Grid of Australia – unless otherwise specified all coordinates are in MGA
NHL	National Heritage List
NNTT	National Native Title Tribunal
NPW Act	*National Parks and Wildlife Act, 1974*
NPWS	National Parks and Wildlife Service (now part of DECC)
REP	Regional Environment Plan
Section 87 PRP	Section 87 Preliminary Research Permit required to undertaken subsurface investigation of an Aboriginal object/site under the NPW Act
Section 90 AHIP	Section 90 Aboriginal Heritage Impact Permit required to disturb or destroy an Aboriginal object/site under the NPW Act

EXECUTIVE SUMMARY

- This report has been undertaken by Archaeological and Heritage Management Solutions Pty Limited (AHMS) on behalf of EG Funds Management, and presents the findings of an assessment undertaken on the Allied Flour Mills site, Summer Hill, Sydney, prior to a proposed mixed residential/commercial re-development;
- The assessment was conducted in accordance with the Department of Environment and Climate Change (DECC) (2004) *Interim Community Consultation Requirements for Applicants,* and involved ongoing consultation and involvement with the Metropolitan LALC and Marrickville Aboriginal Consultative Committee (MACC);
- The assessment combined geo-technical information, historical research, local Aboriginal heritage investigations and a site visit to identify likely Aboriginal heritage constraints and issues within the study area. These analyses identified that much of the study area was significantly impacted by existing structures and landscape modification that included cutting and filling in excess of 3 m. Only the western area of the study area appeared to retain the potential for substantially unmodified landforms and soil profiles because historical use of the area for residential housing dating from the 19th Century may have protected original soil profiles in backyards and between house footings;
- A map of archaeological sensitivity (i.e. archaeological potential when overlain by existing disturbance) has been developed (**Figure 18**), which identifies the western section of the study area as of moderate sensitivity – or a potential archaeological deposit (identified as AFM PAD 1) – and the remainder of the study area as of low archaeological sensitivity;
- A significance assessment was attempted for AFM PAD 1, but given the absence of known Aboriginal objects or condition of the soil profile, it can only indicate the high research potential of the area;
- Currently, the proposed development design has yet to be finalised, and hence potential impacts are yet to be confirmed. However, based on discussions with EG Funds Management, it seems likely that AFM PAD 1 will be impacted, and management recommendations below have been made accordingly; and
- Recommendations from this report are as follows:
    1. should development impacts be proposed within areas of moderate Aboriginal archaeological sensitivity (shaded orange in Figure 18) in the western section of the study area, subsurface investigation will be required to identify and assess the significance of any Aboriginal objects that may be present within this area. The investigation should be undertaken prior to development and will require a section 87 Preliminary Research Permit to be obtained from the DECC. Following subsurface investigations, should Aboriginal objects be identified, consideration to re-designing the proposed development impacts to avoid Aboriginal objects and/or a section 90 Aboriginal Heritage Impact Permit from DECC may be required;

2. areas to the north, east and south of the study area, considered to be of low Aboriginal archaeological sensitivity (shaded blue on Figure 18) are unlikely to retain intact Aboriginal objects due to the significant landscape modifications that may have occurred within these areas. No further Aboriginal archaeological investigations are required in these areas prior to development;

3. Aboriginal skeletal remains are not included within the ambit of standard Section 90 AHIPs. If human skeletal remains are identified during work on site, excavation should cease, the remains should be covered with clean fill (e.g. sand) and the site should be secured. The following tasks should be undertaken immediately:

   a. Briefing of the development's archaeologist, followed by liaison with DECC, Metropolitan LALC, and MACC, and the Office of the NSW Coroner;

   b. Amendment of the design (if possible) to avoid the burial remains; and

   c. Discussion of appropriate management and mitigation measures with DECC and the Aboriginal community. Ultimately, the management of Aboriginal burials will be a matter for the DECC in consultation with the local Aboriginal community. In situ conservation of any such burial(s) may be required.

4. two copies of this report should be forwarded to the *NSW Department of Environment & Climate Change – Planning and Aboriginal Heritage Section, Metropolitan Branch, Environment Protection and Regulation Group*. DECC PAHS address is:

   DECC Planning and Aboriginal Heritage Section
   Metropolitan Branch
   PO BOX 1967,
   HURSTVILLE, NSW 2220.

5. one copy of the report should be forwarded to the Metropolitan LALC and Marrickville Aboriginal Consultative Committee at the following addresses:

   Metropolitan LALC
   Attn: Allen Madden
   PO Box 1103
   Strawberry Hills NSW 2016

   Marrickville Aboriginal Consultative Committee
   Attn: Caroline Glass-Pattison
   Marrickville Council
   PO Box 14
   PETERSHAM NSW 2049

1. INTRODUCTION

1.1 Background

EG Funds Management engaged Archaeological & Heritage Management Solutions Pty Ltd (AHMS) to undertake an Aboriginal Heritage Impact Assessment (AHIA) of the Allied Mills site, Summer Hill.

This AHIA was recommended by a Preliminary Aboriginal Archaeological Assessment, prepared by AHMS on behalf of EG Funds Management in 2008[1], which identified a number of potential archaeological deposits (PAD) within the study area.

The purpose of this AHIA is to provide more detailed assessment of the archaeological potential and cultural heritage significance of any Aboriginal objects/sites and places within the study area, given the results of AHMS' previous study. The AHIA will also provide advice for the management of any identified sites and places during any future possible development of the subject land.

This report also documents the Aboriginal consultation process that AHMS undertook, and provides information and responses from the Aboriginal individuals and/or groups that are involved in the assessment.

Importantly, this document provides the required documentation to obtain section 87 and/or 90 permits, which allows for investigation, disturbance and/or destruction of Aboriginal objects, under the *National Parks and Wildlife Act, 1974,* should they be required.

1.2 Project Aims and Objectives

The principal objectives of the investigation were to:

1. Determine the nature and extent of Aboriginal sites and objects within the proposed development area;
2. Assess the archaeological (scientific), public and Aboriginal (social) significance of any Aboriginal sites or objects;
3. Develop a map of archaeological sensitivity of the study area based on the report findings;
4. Develop a constraints analysis to identify key Aboriginal heritage issues or *risks* within the proposed study area;
5. Provide management recommendations that ensure development complies with the requirements of State and Federal heritage legislation; and
6. Undertake the study in close and ongoing consultation with the relevant Aboriginal communities.

[1] *AHMS, 2008a.*

The assessment was undertaken in accordance with the:

- Legislative requirements of the NSW National Parks and Wildlife Act (1974);
- Procedures for Aboriginal heritage assessments and management outlined in the Aboriginal Cultural Heritage Standards and Guidelines Kit (National Parks and Wildlife Service, 1997);
- Aboriginal consultation requirements as outlined in DECC's (2004) *Interim Community Consultation Requirements for Applicants;* and
- Australia ICOMOS 'Burra' Charter for the conservation of culturally significant places and associated guidelines regarding significance assessment, conservation policy and processes.

1.3 Study Area

The study area is located at Summer Hill, in the inner west of Sydney. The site is bounded on the east by Hawthorne Canal and the Dulwich Hill Goods line, the north by Smith Street, the west by Edward Street and to the south by a residential area fronting Edward Street. The total site area is approximately 24,738 m^2 or 24.7 ha.

The study area is currently intensively used for the production, storage and distribution of flour. Therefore, the study area has extant buildings, other facilities, hard stand areas and driveways for the operating flour mill, which cover about 80% of the site. The remainder of the site consists of an open grassed area situated along the site's northern boundary. As will be discussed below, for levelling purposes, the study area appears to have been truncated to the south and extensively built up in the north.

The site consists of the following allotments within the Parish of Petersham, County of Cumberland (**Figures 1, 2** and **3**):

- Lots 1 and 2 /DP131120;
- Lot 1/DP171676;
- Lot 1/DP302585;
- Lot B/DP171931;
- Lot B/DP172600;
- Lot 1/DP182276;
- Lot 16/DP130884;
- Lots 11, 13, 14 and 15/DP315;
- Lots A and B/DP302421;
- Lot 1/DP955001;
- Lot 1/DP951124;
- Lot 100/DP221222; and
- Lot 1/DP900501.

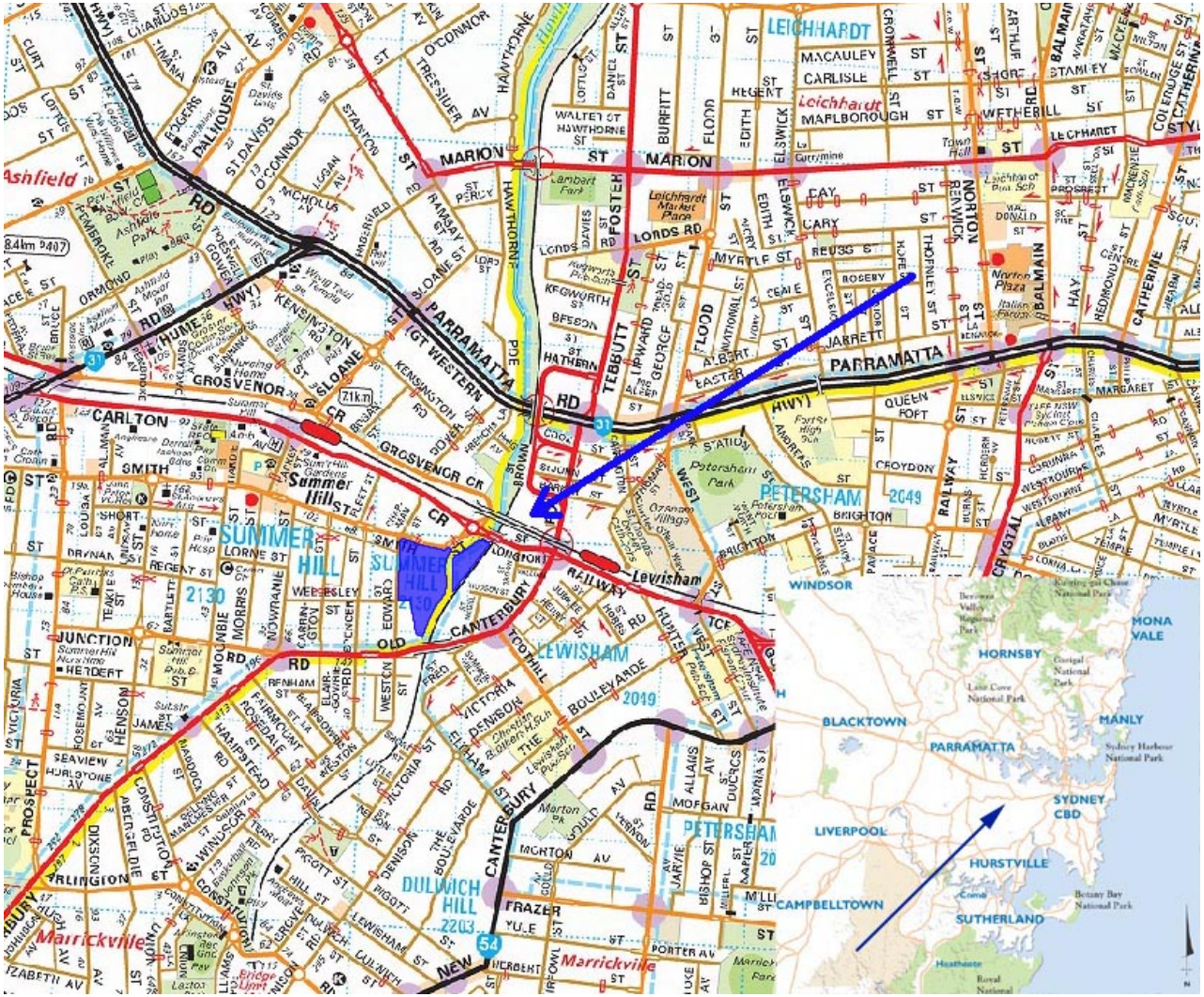

Figure 1. **Location Plan** *(study area is shaded blue). Source: Syd-ways Street Directory.*

Figure 2. Aerial photograph of Allied Flour Mills site (NSW Lands Department).

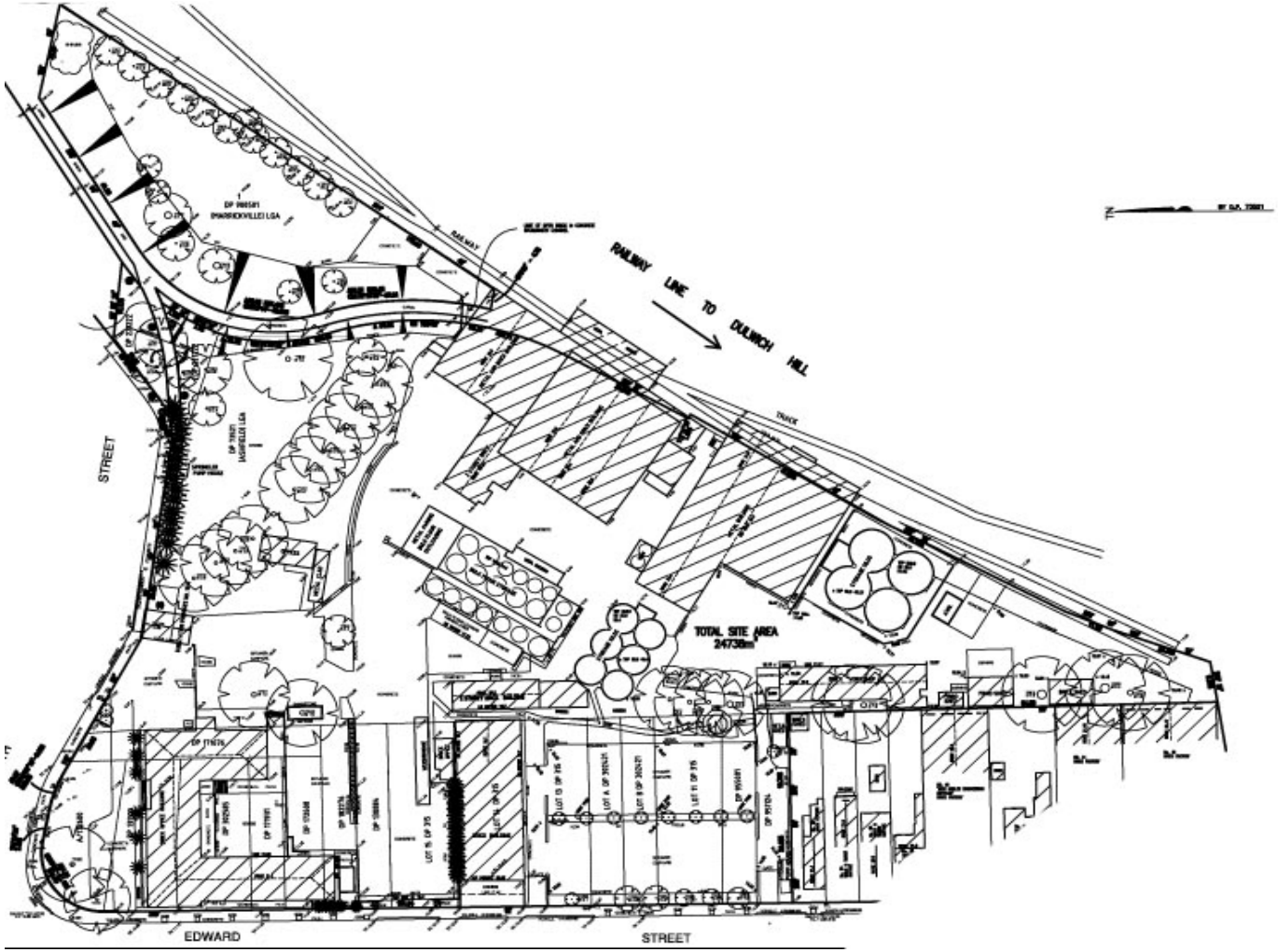

Figure 3. Site Survey of Allied Flour Mills site (Watson Buchanan Pty Ltd

1.4 Report Structure

The remainder of the report is set out as follows:

- **Section 2:** provides a brief description of the project and reason for undertaking this study;
- **Section 3:** provides information on the applicable legislation and policies in relation to Aboriginal heritage in NSW;
- **Section 4:** provides information upon the existing environment, including soils, geology, vegetation, regional and local archaeological context, previous land use and ethno-historical research;
- **Section 5:** presents the results of the field survey and an indication of the archaeological sensitivity of the study area;
- **Section 6:** presents a description of the Aboriginal community consultation that was undertaken as part of this project;
- **Section 7:** provides a significance assessment of the sites identified;
- **Section 8:** outlines the potential impacts that the development may cause to areas of archaeological sensitivity; and
- **Section 9:** presents a management strategy and recommendations regarding management of Aboriginal heritage within the study area.

1.5 Authorship

This report was prepared by Alan Williams and Felicity Barry (AHMS Archaeologists), who also undertook the site survey. Information regarding the historical occupation of the site was obtained from a report prepared by Matthew Kelly (AHMS Archaeologist). Jim Wheeler, Manager Aboriginal Heritage AHMS, undertook quality review of this report.

1.6 Acknowledgements

The authors acknowledges the valuable assistance of Mark Syke, EG Funds Management, Allen Madden and Rebecca McHugh (Metropolitan LALC) for their participation and input into this study. The assistance of Caroline Glass-Pattison as the contact for the Marrickville Aboriginal Consultative Committee (MACC) is also gratefully acknowledged.

2. PROJECT DESCRIPTION

Due to increasing production and the need for additional capacity, Allied Flour is moving their operations from Summer Hill to southwest Sydney. For this reason, they have sold the existing Summer Hill site for re-development.

The re-development of the site is still at concept, but will include residential and commercial zones of much of the study area presented in **Figures 1 -3** inclusive. This development will be situated around several of the existing Allied Mills structures, most notably the large silos, which will remain following social and/or historical studies.

3. APPLICABLE POLICY & LEGISLATION

3.1 Statutory Protection

The National Parks & Wildlife Act (1974) (NPW Act), the NSW Heritage Act (1977) and the Environmental Planning and Assessment Act (1979) (EP&A Act) provide the statutory tools for archaeological and cultural heritage management in New South Wales. The Aboriginal and Torres Strait Islander Heritage Protection Act 1984 and the Environment Protection and Biodiversity Conservation (EPBC) Act 1999 also provide heritage protection at a Federal level. The implications of these statutes for the proposal are outlined below.

3.2 Environmental Planning & Assessment Act, 1979

The *EP & A Act 1979* requires that environmental and heritage impacts are considered by consent authorities prior to granting development approvals. Under *Part IV* of the Act, specific approval from state agencies may be required in certain circumstances. This mechanism is known as an 'integrated development application' or IDA.

The DECC is an approval body in the IDA process when a development will impact on an Aboriginal object / place and thereby require Consent from DECC under section 90 of the *National Parks and Wildlife Act, 1974*, in addition to consent from Council. In such circumstances, consent in the form of 'general terms of approval' must be issued by DECC prior to Council determining the development application.

3.3 National Parks & Wildlife Act, 1974

The provisions of the NPW Act provide blanket protection for Aboriginal objects (material evidence of Indigenous occupation) and Aboriginal places (areas of cultural significance to the Aboriginal community). The following sections are particularly pertinent:

- Section 91 states that anyone who discovers an Aboriginal object is obliged to report the discovery to the NSW Dept of Environment & Climate Change (DECC).
- Section 90 states that it is an offence to destroy, deface, damage or desecrate, or cause or permit the destruction, defacement, damage or desecration of, an Aboriginal object or Aboriginal place.
- Section 86 and 87 state that it is an offence to collect or disturb objects or excavate, or in any way disturb land for the purpose of discovering objects without a permit authorised by the Director-General DECC.
- Section 84 makes provision for protection of 'Aboriginal Places' or locations of special significance to Aboriginal culture.

In practical terms, the provisions of the Act require an archaeological assessment of any land where there is potential that Aboriginal sites or objects may be impacted by development. Archaeological assessments are guided by the DECC (1997, 2004) guidelines. These guidelines require consultation with Aboriginal communities and relevant representative bodies such as LALCs and Traditional Owner groups. This includes Aboriginal community participation in all archaeological survey and excavation work and consideration of the Aboriginal cultural significance of sites and places.

In accordance with section 90 of the NPW Act, all Aboriginal objects are protected and cannot be destroyed or disturbed without Consent under section 90 of the NPW Act from DECC. Protection is provided irrespective of both the level of significance of the objects and issues of land tenure.

In 2004 DECC released *Interim Community Consultation Requirements for Applicants* that require a series of formal Aboriginal community consultation and notification procedures for sites that require applications under section 87 or section 90 of the NPW Act.

In summary, the following procedures are required:

Notification and Registration of Interests: The consultant must actively seek to identify stakeholder groups by:

providing written notification to Local Aboriginal Land Council(s), Registrar of Aboriginal Owners, Native Title Services, Local Council(s), and DECC; and
placing an advertisement in the local print media. The closing date for registration of interest must allow at least 10 working days for groups to respond.

Preparation of the Assessment Methodology: The consultant must present and/or provide Registered Stakeholders with a proposed methodology for the assessment / testing methodology. The stakeholders must be allowed at least 21 days to review and provide feedback to the consultant.

Drafting, Review and Finalisation of the Assessment Report: Following completion of the survey a draft AHIA report on the cultural and archaeological significance of the study area should be made available to all Registered Stakeholders and the LALC for comment. After considering comments received, the consultant must then finalise the report and submit to DECC for consideration with their application.

3.3.1 Potential Archaeological Deposits (PAD)

Archaeologists use the term 'Potential Archaeological Deposit' (PAD) to describe areas that have potential to contain intact sub-surface Aboriginal objects or sites. Surface survey results, predictive modelling, and assessment of past site formation processes are commonly used to identify PAD.

The concept of PAD was developed during the 1980's, primarily as a response to mechanisms and procedure for protection of Aboriginal cultural heritage enshrined in the NSW NPW Act. While Section 90 of the NPW Act 1974 provides protection for known physical evidence of Aboriginal occupation (such as stone artefacts that may be identified on modern ground surfaces), areas that contained sub-surface archaeological deposits not visible on ground surfaces were often overlooked in consulting reports produced during the 1980's. This represented poor archaeological practice and potentially exposed

development proponents to breaching the NPW Act by disturbing and/or destroying sub-surface Aboriginal deposits during site development works.

As a result, the concept of PAD was developed to identify potential sub-surface deposits during initial surface survey and assessment work. NPWS allowed for PADs to be recorded and registered on the NSW Aboriginal Sites Register (now the Aboriginal Heritage Information Management System – AHIMS). Even though PADs do not have any legally protected status under the NPW Act, they provide DECC (as the statutory authority) with information that Aboriginal deposits may be present in an area and provide development proponents with due warning that development works in areas of identified PAD may disturb Aboriginal deposits. PADs have therefore evolved to become an important and useful heritage management tool during the assessment process, particularly across landscapes that have little or no ground surface visibility.

3.4 Aboriginal Torres Strait Islander Heritage Protection Act, 1984

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* was enacted at a Federal level to preserve and protect areas (particularly sacred sites) and objects of particular significance to Aboriginal Australians from damage or desecration. Steps necessary for the protection of a threatened place are outlined in a gazetted *Ministerial Declaration (Sections 9 and 10).* This can include the prevention of development.

As well as providing protection to areas, it can also protect objects by *Declaration*, in particular Aboriginal skeletal remains (Section 12). Although this is a Federal Act, it can be invoked if a State is unwilling or unable to provide protection for such sites or objects.

There are no Aboriginal sites or places within the study area currently subject to a *Declaration*.

3.5 Environment Protection & Biodiversity Conservation Act, 1999

The *EPBC Act* provides protection for natural and cultural heritage places at a Federal level. The *Act* established three heritage registers: World heritage, Commonwealth heritage and National heritage. World heritage items are those listed for outstanding international heritage values. National heritage items are assessed as having natural or cultural significance at a national level. The World and National lists may include items on private or State crown land. The Commonwealth list only includes items on land owned (or leased) by the Commonwealth.

Items on the registers described above are protected under the terms of the *EPBC Act.* The Act requires approval before any action takes place which has, will have, or is likely to have, a significant impact on the heritage values of a listed place. Proposals for actions which could affect such values are rigorously assessed. The *EPBC Act* is administered by the Australian Heritage Council.
There are no items within the study area currently listed as items of National or World heritage.

4. ENVIRONMENTAL CONTEXT

4.1 Background

Archaeological heritage impact assessment reports include information about the environmental context of study areas because of the important role environmental characteristics play in influencing the types of archaeological sites that may be found in any given area. Physical environments influence both the type and availability of natural resources and the types of cultural activities that were carried out in the past. As a result, this also influenced the types of archaeological sites that may be found.

A determination of the former environmental context is essential to develop accurate models of cultural activity, site distribution patterns and the archaeological potential of any given area. The environmental setting of the study area is discussed below.

4.2 Landscape Characteristics

The study site is bounded by Edward Street on the west, Smith Street to the north and the Summer Hill Goods line to the east, with a small portion of the study area between Hawthorne Canal and the railway. The canal is open for only a short length at the north east corner of the site and until the 1890s, was a natural drainage line, formerly known as Long Cove Creek. The canal drains into Iron Cove approximately 2.75km to the north (**Figures 1, 2** and **3**).

The site is currently an operating flour mill with extensive standing buildings and industrial structures associated with the milling processes. In addition the site contains grassed amenities areas, concrete and bitumen surfaces and a car parking area along the Edward Street frontage and at the corner of Edward and Smith Streets.

The site slopes gently from the south west to the north east, with levels dropping from about 13m AHD to 9m AHD. The landform encompassing the study area consists of lower slopes. Chapman et al.'s soil landscapes of the Sydney 1:100 000 map sheet[2] indicate the study area encompasses both the Blacktown (residual) and Birrong (fluvial) soil landscapes.

4.3 Soils and Geology

The site is situated within the Sydney Foreshore Physiographic region which covers both the Blacktown and Birrong soil landscapes. These soils are underlain by the Wianamatta group shale parent material. This consists of laminate shale and siltstone. Rock outcrop is rare across this landscape.

Blacktown soil landscape, which encompasses most of the site, is typified by gently undulating relief, 10m to 30m, on Wianamatta Shales and Hawkesbury Shales, whereas the Birrong soil landscape (encompasses the soil around the Hawthorne canal. The Birrong soil

[2] *Chapman et al., 1989.*

landscape is also a gently undulating relief, although with a lower relief of less than 5m and low slope gradients.

Chapman and Murphy[3] describe the general pattern of soils in the Blacktown landscape as:

- Friable grey-brown loam to sandy loam A-horizon topsoil occurs across the landscape except where it has been removed by erosion. The A horizon varies in depth depending on the landform, and can be found to a depth of up to 30cm on crests, slopes and areas with poor drainage; overlying:

- Hardsetting brown clay loam to silty clay loam subsoil B-horizon. This material bleaches when dry and ranges from moderately to slightly acidic; and

- In areas of poor drainage and drainage depressions the B-horizon may be observed to be strongly pedal, mottled brown, light clay subsoil. This horizon ranges from strongly to slightly acidic in pH.

Whereas Chapman and Murphy describe the Birrong soil landscape as follows[4]:

- Dark brown pedal silty or clay loam which generally occurs as A-horizon topsoil. As A-horizon it can range in depth from 10 to 40cm along drainage lines; and overlies

- Bleached Hardsetting clay loam which occurs as an A2-horizon (topsoil). This material contains large amounts of silt and fine sand and can extent up to 35cm in depth (again along drainage lines); which overlies

- Orange mottled silty clay to silty clay often occurs as B-horizon (sub-soil). This soil type is often found to extend less than 100cm and overlies heavier clay (B-horizon subsoil).

4.3.1 Geotechnical Information

A geotechnical investigation of the study area was undertaken by Brink & Associates in May 2008[5]. The investigation undertook six boreholes across the study area ranging between 0.8 and 7.3 m deep.

At the southern end of the site, Borehole 4 indicates an 80 cm layer of fill overlying a residual soil profile, before bedrock is reached at 2.6 m below the present day surface. At the northern end of the site, Borehole 1 indicates over 3 m of fill – a mixture of clay, sand and gravels - overlying residual clay before bedrock was reached at 3.9 m below present day surfaces[6].

From these two boreholes, we can suggest that the entire study area is covered in historical and more modern fill, which has been used to broadly level the study area. Based on the differences in depth of fill between the two boreholes, we can further surmise that

[3] *Chapman and Murphy, 1989:30-33.*

[4] *Chapman and Murphy, 1989: 82-85.*

[5] *Brink & Associates, 2008.*

[6] *Ibid.*

the northern parts of the study area were originally lower and have been built up more than to the south (where bedrock is reached some 2 m higher than towards the northern end). Visual observations of the canal in the northeast corner further suggest this level of fill with significant soil sections evident, which indicate a lack of *in situ* stratigraphy.

Of interest, was evidence from Borehole 3, which is located to the west of the study area. This area is known historically to have been the back yards and gardens of a row of terrace houses that once lined Edwards Street, and hence the potential impact of the soil profile is thought to be minimal. The borehole data suggests that underneath the bitumen (5-15 cm in thickness) is situated 1.1 m of fill. Although this 'fill' changes in colour at 0.6 m from a dark brown/grey to an orange brown[7]. Below this is a clayey sand residual soil before bedrock is reached at 1.6m.

We consider the 'fill' identified within Borehole 3 as representing a complete, albeit disturbed and partially impacted, natural soil profile. The presence of a dark silty clay, overlying an orange brown silty clay, overlying a clayey sand, all with high plasticity (and hence compacted) all indicate natural deposits rather than recently introduced fill. Hence, we believe that some areas to the west of the study area may retain natural deposits, which are all within 100 m of the canal (formerly Long Cove Creek).

4.4 Vegetation

The early slopes and crests of the suburb of Ashfield/Summer Hill were formerly part of a large Turpentine (*Syncarpia glomulifera*) and Ironbark (*Eucalyptus paniculata*) forest. This also encompassed blackbutt (*Eucalyptus pilularis)* and Smooth-barked apple (*Angophora costata*)[8]. Sydney Blue Gum (*Eucalyptus saligna*) is also noted within the Birrong and Blacktown soil landscapes[9].

In 1804, Surveyor Charles Grimes undertook a survey which included the northern portion of the study area and noted the presence of "oak" (*Casurina*) and "stringybark"[10]. Mangroves and Swamp Oak (*Casurina glauca)* forest would have been present along the alignment of Long Cove Creek[11].

Evidence from a 1943 RTA Aerial photograph of the site[12] indicates that no original vegetation now exists within the study area.

4.5 Previous Land Use

Historical research undertaken by AHMS[13] indicates several activities have taken place since the mid nineteenth century which have disturbed, and in some places removed

[7] *Ibid.*

[8] *Benson and Howells, 1995: 46ff as cited in AHMS (Kelly) 2008b:13.*

[9] *Chapman and Murphy, 1989: 83 and 31.*

[10] *SRNSW Surveyor Charles Grimes, 1804 Field Book 23, as cited in Pratten 1999: 7.*

[11] *Pratten, 1999:7 as cited in AHMS (Kelly), 2008b: 13.*

[12] *RTA, 2005.*

[13] *AHMS (Kelly), 2008b.*

original topsoils across the subject land. These activities included erosion, particularly along the creekline due to vegetation clearance; the use of the site for brick manufacturing during the later part of the nineteenth century; the construction of several railway bridges; and the canalisation of Long Cove Creek.

Erosion is clearly visible in historical photographs of the site (**Figures 4, 5** and **6**) in the 1880s. This is most likely to have been caused by vegetation removal undertaken by early land owners and occupiers (i.e. post 1788).

Clay was extracted from both the eastern and western banks of Long Cove Creek during the mid to late nineteenth century for brick manufacture, which also took place within the study area. Brick making (and associated clay extraction) may have occurred from as early as the 1840s on site until the 1880s. Terracing visible along the creekbanks in the 1880s is also likely to be the extent to which clay was excavated and removed from site. This terracing appears to extend over an area scaled at approximately 20m on either side of the creekline (**Figures 4, 5** and **6**). Clay extraction would have involved the removal of substantial topsoil (A-horizon) deposits to extract the lower clay deposits (B-horizon or subsoils). As a result topsoils are not expected to be intact within approximately 20m of the existing canal system.

Figure 4. Late 19th Century photo looking south down the valley of Long Cove Creek. Note the encroachment of habitation to the very creek edge and the terracing on the eastern bank. (Macleay Museum Hunt Coll. July 1886, 811060158).

Figure 5. View down the creekline from the south. Compare with figure 4 and note the level of disturbance to the areas adjacent to the line of the creek the result of clay extraction during the mid to late 19th Century for the Fyle Brickworks. The study area is the left of photograph. (Macleay Museum Hunt Coll. July 1886, 811060157).

Figure 6. View of the Petersham overpass and construction of the canal c.1890-1. Note the level of disturbance associated with the construction of the canal. (SR: NRS 17420 item 621/14)

Several bridges (or viaducts) have been constructed across Long Cove Creek for the Main Western Rail line to the north of the study area from the 1850s onwards. The main phases of construction included the 1850s, 1880s, 1890s and 1990s. While these bridges were positioned along the same alignment and circa 76 metres north of the study area, their construction will have disturbed both existing topsoils on adjacent land and the existing creekline through excavation and associated erosion (**Figures 4, 5** and **6**).

The next greatest impact to Long Cove Creek through the study area involved the canalisation of Long Cove Creek into the Hawthorne Canal which took place in the 1890s. Figure 6 indicates excavation to lay formwork for the canalisation took place along the existing terraced banks (which were formed by both the existing creekline and by removal of topsoils and clay for brick-making).

Areas to the west of the study area, along Edward Street, are characterised by mid 1880 - 1890's houses, which were only destroyed in the late part of the 20th Century (**Figure 7**). These houses each retained an extensive back yard/garden, and indicate that impacts to the soil profile in these areas may have been limited.

In 1912 part of the study area was resumed by the Railways and Tramways Construction Authority, who built a goods line which currently marks the eastern boundary of the study area[14]. The construction of the goods line would have impacted the existing soil in this portion of the study area through activities such as excavation and laying of ballast, sleepers and rail line.

Activities associated with the site's use as a flour mill have extended since 1921[15]. Impacts associated with the construction and activity of the site as a flour mill has involved the construction of a number of structural features including offices, concrete silos, a mill and storage areas, a car park, weighbridge and site landscaping, some of which survives today.

A study by AHMS on the historical issues of the site identified a number of key areas of archaeological potential (**Figures 8** and **9**). Of note for this study, is the believed retention of the remains of the 1880's and 1890's structures along Edward Street. The potential presence of these structures along with their gardens, provide high likelihood for intact (or only partially disturbed) soil profiles in these areas of the study area.

[14] *Howard, 1998:5.*

[15] *Howard, 1998:6.*

Figure 7. Allied Flour Mills in 1943. Note the relatively open nature of the site and the surviving housing along Edward Street from the 1880s and 1890s. (RTA, 2005).

Figure 8. Overlay of historical plans on the Allied Flour Mills current survey (blue) indicating features which have the potential to survive. The overlay consists of the 1865 plan (light green), Green 1895-1930 water board (green), 1943 aerial photo (pink).

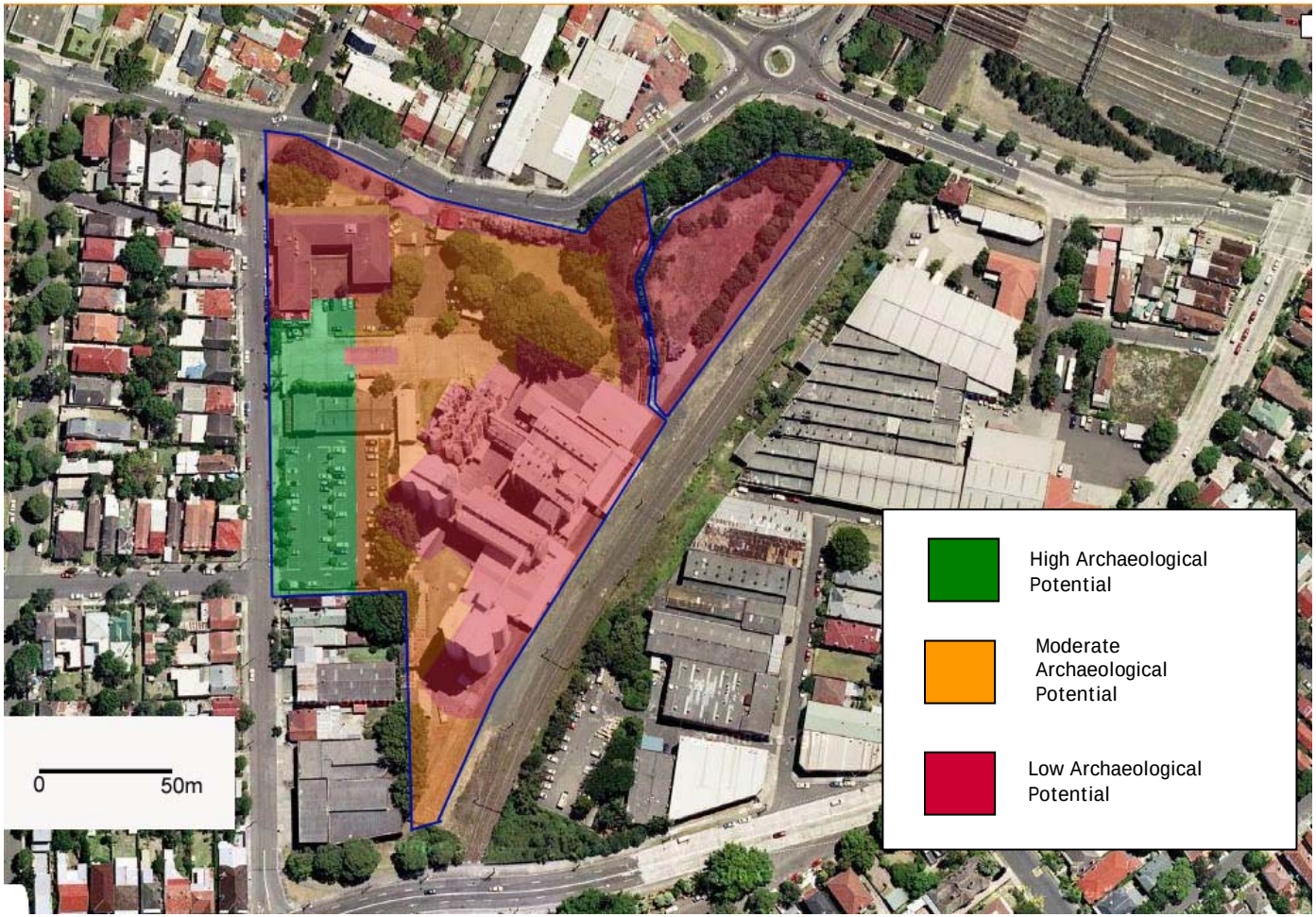

Figure 9. Plan of the site with historical archaeological potential indicated.

4.6 Regional Archaeological Context

For the purposes of determining settlement and site location patterns, archaeologists examine regional and local trends in the distribution of known sites in relation to environment and topography. This provides evidence about economic and social systems in the past and also assists archaeologists in predicting likely site types, site locations and the nature of the archaeological resource in any given area.

4.6.1 General Background

The archaeology of the Sydney region has been well documented through a large number of academic studies, regional management studies and impact assessment investigations over the past 30 years. More than 4,500 sites have been recorded and registered with the DECC Aboriginal Heritage Information Management System (AHIMS) for Sydney, reflecting both the wealth of archaeology in the region and the number of archaeological investigations undertaken. The Cumberland Plain is the most intensively investigated archaeological landscape in Australia.

The dominant site types in the Sydney region (in the 15 - 20 % frequency range) are rock shelters with midden deposit, rock shelters with art, rock art engravings and open artefact scatters[16]. Site types in the 5 - 15 % range include rock shelters with artefacts, grinding grooves and open middens[17]. The distribution, density and size of sites are largely dependent on environmental context. For instance, middens are found in close proximity to marine, estuarine and less often, freshwater bodies. Rock shelters are only found in areas of exposed sandstone escarpment and grinding grooves are found on areas of exposed flat bedded sandstone near a source of water.

4.6.2 Early Occupation

Aboriginal occupation in the region dates back well into the Pleistocene period (i.e. before 10,000 years ago). This evidence comes from radio carbon (C14) dates retrieved from excavated sites at Cranebrook Terrace (41,700 years before present [BP]), Shaw's Creek K2 (14,700 BP)[18] and George & Charles St Parramatta (c.25,000 – 30,000 BP)[19]. The dating of Cranebrook Terrace deposits have been revised and the identification of stones from the terrace as artefacts has also been challenged , so at this time the George and Charles Street site is considered as the oldest reliable date for Aboriginal occupation in the Sydney region. The oldest coastal site in the Sydney region is Prince of Wales Hospital (8,400BP), closely followed by Curracurrang Rockshelter in the Royal National Park (7,450BP)[20].

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[16] *Attenbrow, 2002:49.*

[17] *Attenbrow, 2002:49.*

[18] *Shaws Creek and Cranebrook Terrace are both located in the Penrith LGA.*

[19] *As cited in Attenbrow, 2002:18-19; Cranebrook Terrace [41 700+3000±2000 ANU-4016]; Shaw's Creek [14700±250 Beta-12423] and JMcCHM 2005; [30,735±407 Wk-17435].*

[20] *Prince of Wales Hospital [8400±800 lacks a lab no. from source] and Curracurrang 1 [7 450±180 Gak-482].*

The early occupation sites dating to the late Pleistocene /early Holocene have been found in deep stratified rockshelter deposits and within alluvial deposits, particularly on the margins of large rivers such as the Hawkesbury-Nepean and Parramatta Rivers. Drawing on this evidence, McDonald has recently argued that early occupation of the Sydney basin was focused on these primary river systems and characterised by a high degree of 'residential mobility' between small numbers of sites. In our opinion it is unclear whether these patterns are real or biased by the exceptional preservation conditions found in deep alluvial deposits created by the large rivers. More work is required to test McDonald's model, specifically identifying and investigating landforms and deposits with potential to contain intact Pleistocene evidence, particularly those further away from the primary river systems.

4.6.3 Intensification during the Holocene Period

The vast majority of dated sites in the Sydney region are less than 5,000 years old (35 out of a total of 48 dated sites). It has been argued that this is a result of increased populations and 'intensification' of cultural activity during this period. The prevalence of sites dating to the last 5000 years may also be a result of the last significant rise in sea level, approximately 6000 years ago. The sea level rise would have submerged many of the older sites along the coastal fringe and forced Aboriginal groups westward to the current coastline.

In an attempt to better understand changes in use and occupation during the Holocene period, Val Attenbrow undertook a detailed study of the Upper Mangrove Creek catchment to the north of Sydney[21]. Attenbrow's study found significant changes in site patterning during the Holocene, notably, a gradual increase in habitation sites during the early Holocene followed by a dramatic increase after 2,000 BP. During the study, sites were classified as either base camps or activity locations/transit camps based on comparative millennial artefact accumulation rates.
Using these criteria Attenbrow found that:

1. Very few base camps were established during the early Holocene. It was not until the 4th millennium B.P. that more base camps were established; at the same time as ground-edged implements were introduced into the assemblage;

2. During the 3rd millennium BP base camps substantially increased with a reversal in the ratio of base camps to activity/transit camps; and

3. During the last 2,000 years a dramatic increase in activity/transit camps occurred, but no new base camps were established - suggesting a dramatic increase in residential mobility.

Continually changing distribution patterns indicated a re-organisation of mobility patterns of occupation and use at frequent intervals, particularly during the last 4,000 years. Although more detailed studies are required, particularly in regard to the classification of 'base camps', the Mangrove Creek investigations demonstrate at a broad level that:

The number of occupation sites increased over time, particularly after 2000 BP; and shifts in site patterning indicate periodic re-organisation of residential mobility.

[21] *Attenbrow, 2006.*

4.6.4 Regional Site Patterns

A study of the regional archaeology of the Cumberland Plain by Dr Jim Kohen made a number of findings about site location patterns in the Sydney area. The study demonstrated that proximity to water was an important factor in site patterning. Kohen found that 65 % of open artefact scatter sites were located within 100 metres of permanent fresh water. Only 8 % of sites were found more than 500 metres away from permanent fresh water[22]. In short, Kohen argued that open artefact scatters are larger, more complex and more densely clustered along permanent creek and river lines. Kohen's study also found that Silcrete (51 %) and Chert (34 %) are the most common raw materials used to manufacture stone artefacts[23]. Other raw materials include quartz, basalt and quartzite.

Although the patterns described above have been generally supported by subsequent investigations, Kohen's study was limited by a reliance on surface evidence. Extensive excavation across the Cumberland Plain has since shown that areas with no surface evidence often contain sub-surface deposits buried beneath current ground surfaces. This is a critical consideration in aggrading soil landscapes, such as those commonly found across the Cumberland Plain and Woronora Ramp. In a 1997 study of the Cumberland Plain, McDonald[24] found that:

1. 17 out of 61 excavated sites had no surface artefacts prior to excavation;
2. The ratio of recorded surface to excavated material was 1:25; and
3. None of the excavated sites could be properly characterised on the basis of surface evidence. In short, surface evidence (or the absence of surface evidence) does not necessarily indicate the potential, nature or density of sub-surface material.

The results of McDonald's study clearly highlight the limitations of surface survey in identifying archaeological deposits in this landscape. The study also shows the importance of test excavation in establishing the nature and density of archaeological material on the Cumberland Plain.

McDonald developed a predictive Aboriginal site location model based on previous archaeological studies across the Cumberland Plain and the results of archaeological survey and excavation across the Australian Defence Industries (ADI) site near St Marys. McDonald predicted that archaeological evidence is likely to occur across the entire landscape. Areas of archaeological potential were predicted wherever there has been limited prior surface disturbance[25]. It was predicted the size (density and complexity) of archaeological sites will vary according to permanence of water (stream order), landscape unit and proximity to stone sources as follows[26]:

[22] *Kohen, 1986: 229-275.*

[23] *Kohen, 1986: 280-281.*

[24] *McDonald, 1997.*

[25] *McDonald, 1997: 56.*

[26] *McDonald, 1997: 56-57.*

1. In the headwaters of upper tributaries (first order creeks) archaeological evidence will be sparse and represent little more than background scatter;
2. In the middle reaches of minor tributaries (second order creeks) , archaeological evidence will comprise sparse but focused activity (one-off camps, single event knapping etc);
3. In the lower reaches of tributary creeks (third order) , there will be evidence of more frequent occupation including repeated occupation by small groups, knapping floors and evidence of more concentrated activities;
4. On major creeks (fifth order), archaeological evidence will reflect more permanent or repeated occupation. Sites will be complex and may be stratified;
5. Creek junctions may have been a particular focus of occupation;
6. Ridge top locations between drainage lines will usually contain limited archaeological evidence although isolated knapping floors or other forms of one-off occupation may be present; and
7. Sites in close proximity to an identified stone source will include stone artefacts with a range of size and cortex characteristics. The general size of artefacts and percentage of cortex will both decrease with distance from source.

Although the patterns described above may provide a useful general guide to site patterning and inferred cultural behaviour, there are always exceptions such as large waterholes or wetlands on upper tributaries that were important resource zones and attracted repeated and complex Aboriginal occupation. This point is illustrated by McDonald's recent work across the Rouse Hill Development Area (RHDA)[27] which found similarity in the composition of lithic assemblages across different landforms. Comparison of 'Marginal' sites (further away from permanent water) with those adjacent to Seconds Pond Creek (a 2nd order permanent water source) showed only subtle variations, such as slightly lower cortical lithics and higher frequencies of modified artefacts in marginal site assemblages. In short, although lithic assemblages decreased in scale and repetition further away from water, the composition of assemblages remained fairly consistent across the entire landscape.

McDonald concludes that classifying various landscape evidence according to site types (such as residential base camps, dinnertime camps etc) is not a useful framework for interpreting the archaeology of the Cumberland Plain.

4.6.5 Stone Artefacts

Aboriginal stone artefacts are an important source of archaeological information because stone is preserved for long periods of time whereas organic materials such as bone, shell, wood and plant fibres decay. Stone artefacts provide valuable information about technology, economy, cultural change through time and settlement patterning. Stone has also been used for 'relative' dating of sites where direct methods such as Carbon dating cannot be applied. A technological sequence for stone artefacts for the region was first described in the late 1940s by Fred McCarthy and has since been refined[28]. Known as the 'Eastern Regional Sequence' it was based on direct dating of excavated sequences. Some

[27] *McDonald, 2005.*

[28] *The ERS is currently being re-examined by Hiscock and Attenbrow.*

debate about the precise nature and significance of the technological changes described continues[29], therefore the ERS should be regarded only as a general guide to technological change. The ERS phases are as follows[30]:

- *Capertian* – is distinguished by large uniface pebble tools, core tools, horsehoof cores, scrapers and hammerstones. Backed artefacts are occasionally present. Generally dates to before 5,000 years before present (BP).
- *Early Bondaian* – Aspects of the Capertian assemblage continue, but backed artefacts and ground-edged artefacts increase. Artefacts during this period were predominantly made from fine-grained siliceous stone such as silcrete and tuff. Generally dated from 5,000 BP to 2,800 BP.
- *Middle Bondaian* – Characterised by backed artefacts, particularly Bondi Points and ground-edged artefacts. Artefacts made from siliceous materials, however quartz becomes more frequent. Generally dated from 2,800 BP to 1,600 BP.
- *Late Bondaian* – characterised by bipolar technology, eloueras, ground-edged artefacts, and bone and shell artefacts. Bondi points are virtually absent and artefacts are predominantly made from Quartz. Generally dated from 1,600 BP to contact.

4.7 Ethno-Historical Context

The traditional owners of the Summer Hill area were the *Wangal*[31] People, a Darug language speaking 'clan' group. The Darug language group originally extended from the eastern suburbs of Sydney as far south as La Perouse, west beyond the Blue Mountains and north as far as the mouth of the Hawkesbury River[32]. The *Wangal* were a sub-group (often referred to as 'clans'), based upon religious and/or totemic associations to country. Ethnohistoric sources indicate the *Wangal* occupied the south side of Sydney Harbour from Sydney Cove (or Darling Harbour) westerly to Parramatta (Rose Hill)[33].

The traditional life of the *Wangal* (and its sub-group 'clans') was broken through the course of the early 19th century. The impact of smallpox and influenza decimated the Aboriginal population, with individual epidemics killing large numbers of people. Early white settlement of traditional hunting lands deprived Aboriginal groups of sources of food and access to camping and ceremonial sites. This forced individuals to either relocate into the potentially hostile lands of neighbouring Aboriginal groups, partially integrate into colonial society as fringe dwellers, or to resist. Resistance by Aboriginal groups was often met with retaliatory action by white settlers and the colonial administration. A combination of these factors led to the demise of traditional lifestyles and a decrease in the Aboriginal population.

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[29] *Hiscock and Attenbrow, 2002; Hiscock and Attenbrow, 1998; Hiscock and Attenbrow, 2005.*

[30] *Based on Attenbrow, 2002: 152-159.*

[31] *Attenbrow, 2002: 22-23, 26.*

[32] *Eades, 1976 and Tindale's Tribal Boundaries Map:* www.samuseum.sa.gov.au/tindale/HDMS/tindaletribes/daruk.htm

[33] *Attenbrow, 2002 Table 3.2: 26.*

By studying accounts of early settlers, we can reconstruct aspects of the Darug lifestyle. The subsistence and economy of Aboriginal groups depended largely on the environment in which they lived. While coastal groups exploited marine and estuarine resources, hinterland groups relied on freshwater and terrestrial animals and plants. A distinction between the two lifestyles is clearly made in early European accounts. During a trip along the Hawkesbury-Nepean during 1791, Watkin Tench wrote that:

> *[hinterland people] depend but little on fish, as the river yields only mullets, and that their principal support is derived from small animals which they kill, and some roots (a species of wild yam chiefly) which they dig out of the earth*[34]*.*

In contrast, Collins wrote that for coastal people such as the Gadigal (another subgroup/ clan of the Darug who lived near the Wangal people):

> *Fish is their chief support…the woods, exclusive of the animals which they occasionally find in their neighbourhood, afford them but little sustenance; a few berries, the yam and fern root, the flowers of the different Banksia, and at times some honey, make up the whole vegetable catalogue*[35]*.*

Tench also noted the importance of marine foods in the economy of coastal groups. According to Tench, the task of fishing was divided between husband and wife, the woman using a hook and line and the man using a fish gig (spear)[36]. Bark canoes were often used by both men and women for fishing and fires were commonly placed in the middle of these canoes. When fish were scarce or the weather was foul, coastal groups turned their attention to gathering shellfish, hunting reptiles and small animals, digging fern roots, or gathering berries[37].

Although early observations have provided much useful information about Aboriginal society at contact, archaeological investigations have shown clear deficiencies. Archaeological excavations on the NSW coast have clearly shown that coastal people exploited a wide range of hinterland terrestrial resources, which sits in contradiction to early records that coastal people were almost exclusively 'fishers' and inland people were 'hunters'. The contradiction is probably accounted for by the visibility of fishing and gathering activities on and near the water as opposed to the relative invisibility of hunting and foraging activities in the hinterland.

From the historical record it is clear that quite large populations were supported along the coast. One such account comes from Tench and is worth quoting in full:

> *…on the north west arm of Botany Bay stands a village which contains more than a dozen houses and perhaps five times that number of people…Governor Phillip, when on an excursion between the head of the harbour and that of Botany Bay, once fell in with a party which consisted of more than 300…*[38]

[34] *Tench, 1789, 1793 [1979].*

[35] *Collins, 1798 [1975].*

[36] *Tench, 1793 [1979].*

[37] *Ibid.*

[38] *Ibid.*

Aboriginal groups in the Sydney Basin lived in bark huts and within rockshelters formed from natural overhangs in sandstone. Tench described how native huts were constructed by laying pieces of bark together in the form of an oven. The end result consisted of a low shelter, which was opened at one end and sufficient to accommodate one person lying down[39]. Tench[40] goes on to conclude that "there is reason, however, to believe that they depend less on them (huts) for shelter than on the caverns with which the rocks abound".

Plant management practices that bear remarkable similarity to those reported in northern Australia were also conducted in the Sydney area. For instance, there is good evidence that the Darug practiced fire-stick farming in and around Sydney. When the first fleet arrived in Sydney, Captain John Hunter found an environment where:

> *the trees stand very wide of one another, and have no underwood; in short the woods ... resemble a deer park, as much as if they had been intended for such a purpose[41].*

This is the classic result of Aboriginal firing of the landscape. Ethnographic evidence from Northern Australia suggests that the systematic burning of the landscape was carried out for a variety of reasons. 'Fire-stick farming' opened up access to land and created pockets of early succession vegetation that increased the amount of important plant foods. Early regrowth vegetation, particularly grasses, attracted animals, which in turn made them easier to hunt. Aboriginal firing of the landscape was an important tool in manipulating the environment to increase food sources.

Plant management was not just restricted to the manipulation of the environment though. Plant processing also figured prominently and enabled the *Wangal* and other groups to broaden their range of food sources. Hunter provides an interesting account of trying to eat a poisonous yam (probably *Dioscorea bulbifera*) and getting violently sick. Hunter had seen Aborigines digging this same yam and concluded, "They no doubt have some way of preparing these roots, before they can eat them".

According to George Washington Walker's journal of 1836, the Illawarra Aborigines processed Zamias. Walker recorded that the Aborigines:

> *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[42].*

Such plant management and processing practices were an important part of the economies of Aboriginal groups.

4.8 AHIMS Search Results

A search of the DECC AHIMS database found one (1) site recording within a five (5) kilometre radius around the study area. This site consisted of an open camp site with

[39] *Ibid.*

[40] *Ibid.*

[41] *Hunter, 1793 [2006].*

[42] *As cited in Organ, 1990: 208.*

potential archaeological deposit (#45-6-2654) (**Figure 10**). No sites have been previously recorded within the study area (**Figure 10**).

Open camp sites and potential archaeological deposit are common site types in western Sydney, mainly because scatters of stone artefacts tend to be the only remaining indicators of Aboriginal occupation in these areas.

The limited number of recorded sites within proximity of the study area is reflective of the amount of development which has occurred in the inner suburbs of Sydney over the past 200 years rather than evidence Aboriginal people were not living in this area. Aboriginal sites such as middens located along the foreshores, streams and bays of Sydney Harbour (such as Long Cove Creek) as well as evidence of past camping activities have been destroyed by non-Indigenous development. Examples of this impact can be seen in the practice of excavating Aboriginal middens to extract shell as a source of lime for use in construction activities in the early colony[43].

The majority of Aboriginal sites identified in Sydney's inner western suburbs have been recorded along major creeklines such as the Parramatta, Cooks and Georges Rivers, which feed into Sydney Harbour and Botany Bay[44]. Evidence of Aboriginal occupation in these areas has tended to include middens along these creeklines which are now located in parklands[45].

Discussion of local archaeological context, which considers the Marrickville Local Government area and the Sydney Central Business District (CBD) are outlined below.

[43] *As cited in Attenbrow, 2002:5.*

[44] *Attenbrow, 2002: Figure 12, Chapter 10.*

[45] *For example AMBS, 2000; AMBS, 2001a; AMBS 2001b.*

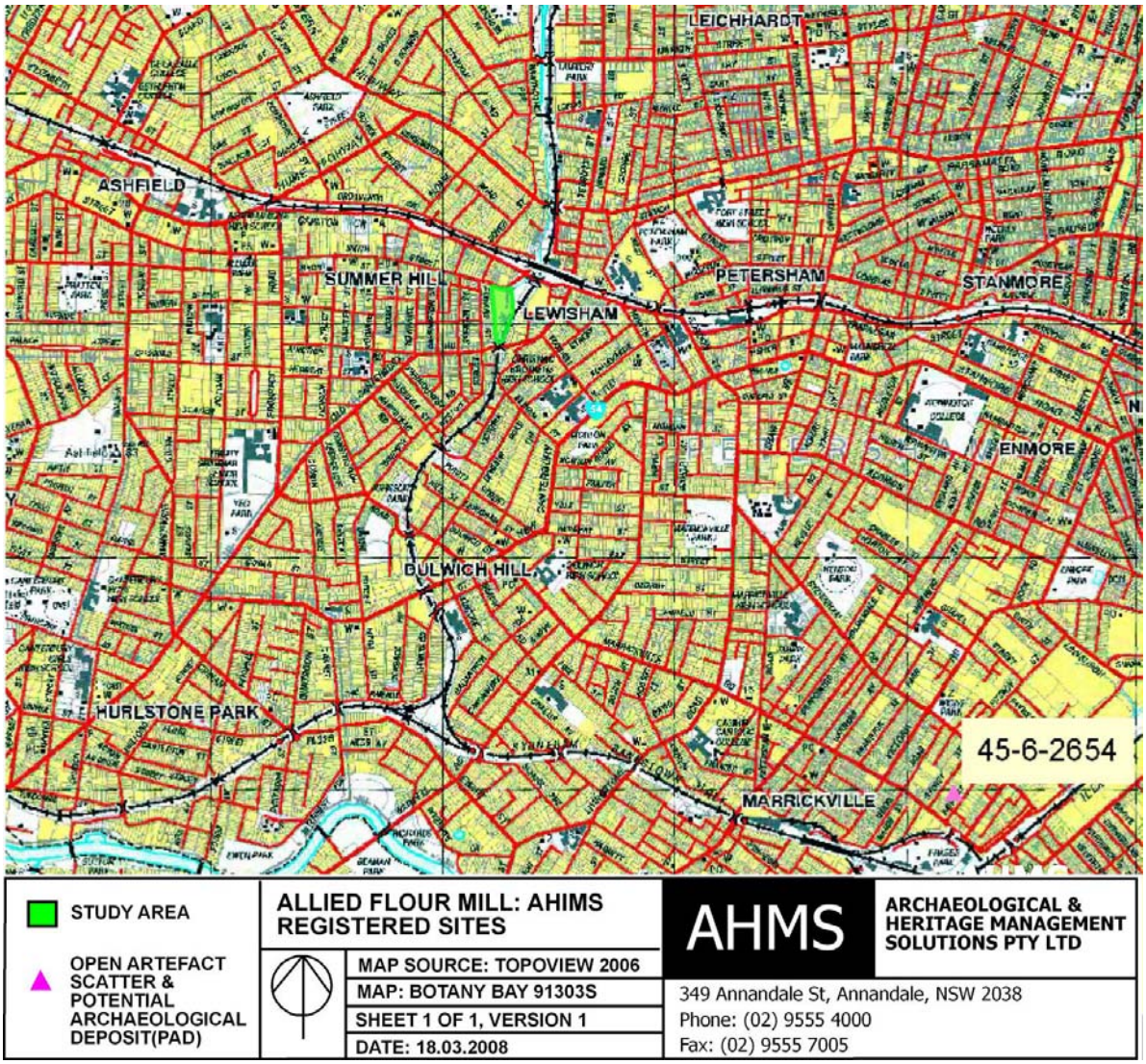

Figure 10. Topographic map showing Aboriginal sites recorded on the AHIMS database within 5km of the study area (marked green). Source: Topoview - CMA 1:25,000 map sheets.

4.9 Local Archaeological Context

The following information outlined results of investigations into Aboriginal sites undertaken with the Marrickville Local Government Area (LGA).

4.9.1 Buried Shell-bed, Fraser Park Marrickville (McIntyre-Tamwoy 2003)

In 2003 test excavation was undertaken of a sub-surface shell bed at Fraser Park in Marrickville, NSW. The site was situated over 1 kilometre from the Cooks River and when the shell bed formed it would have been much closer to both the river and Botany Bay. Research also revealed that a small unnamed tributary of the Cooks River once ran close to Fraser Park.

Test excavation determined the shell deposit was not an Aboriginal midden but a natural shell-bed. This was confirmed by the presence of a silty sand layer overlaying the shell layer which indicates the shell bed was formed underwater.

4.9.2 Cooks River Corridor Study, Marrickville (AMBS, 2000, 2001a and 2001b)

In 2000 and 2001 AMBS investigated the Cooks River corridor within open parkland, the foreshores of the Cooks River and Marrickville Golf Course within Marrickville Local Government Area.

The survey identified a midden (which had been previously recorded in the AHIMS database) at Kendrick Park in addition to an area of PAD within the Marrickville Golf Course. AMBS also identified a number of sites (7) of importance to the local Aboriginal community. A search conducted by AMBS of a 5km radius from the Kendrick Park Midden (which overlooks the Cooks River) revealed 13 sites, 11 of which were rock shelters and 2 which were open archaeological deposits.

Results of investigation at locations within the Sydney CBD (approximately 6km from the study area) are outlined below:

4.9.3 National Indigenous development centre (NIDC), Redfern, (AHMS [Wheeler and Campbell], 2007)

AHMS undertook an AHIA as part of the development of the National Indigenous Development Centre (NIDC) in 2007. The study area was once situated on a series of sand dunes and the assessment identified an area of potential archaeological deposit was likely to be found there.

Excavations were undertaken of a small heavily disturbed section of the sand dunes, but revealed truncation of the upper soil profile. Additional work is ongoing in other areas of

the dune system during the construction activities. The results from this latest stage of works are yet to be determined[46].

4.9.4 Phoenician Club, Broadway, Ultimo (AHMS, 2004)

AHMS undertook archaeological test excavation of a proposed development of the (former) Phoenician Club also known as the Broadway Picture Theatre, in 2004. The testing sought to investigate an area of potential archaeological deposit (PAD), which had been identified within the site based on results of geotechnical investigation of the study area and of archaeological and palaeo-environmental investigations at the adjacent 'Quadrant' site. The excavation involved the investigation of 10 pile sites across the site (in areas of proposed development). No Aboriginal objects were recovered from any of the auger holes. The results also identified the presence of partially intact A-horizon (topsoils) and evidence of a fluvial terrace and alluvial sediments typical of a former creek margin. However evidence of the site also indicated some disturbance or removal of topsoils due to historical use of the site[47].

4.9.5 Quadrant Site, Broadway, Ultimo (Steele & Czastka, 2003)

Between 2001 and 2002 Steele undertook test excavation of remnant A-horizon (topsoils) across the Quadrant site. Steele identified an area of remnant topsoils underneath introduced fills[48] and test excavation found a truncated A horizon containing 13 stone artefacts comprising quartz and silcrete stone raw materials, one of which was a backed artefact[49]. Although the distribution of stone artefacts was interpreted as a low density scatter, it was also noted the distribution of artefacts was a function of post 1788 site formation processes and Steele concluded there were still areas with higher archaeological potential contained within the site within areas of upper slope topography adjacent to Blackwattle creekline[50].

4.9.6 Angel place, Sydney CBD (Steele, 1997)

During an historical archaeological investigation at Angel Place in 1997, 54 Aboriginal artefacts were recovered from remnant topsoils immediately below the earliest historical levels on site[51]. The results from Angel Place demonstrated the even in areas of earliest European settlement, Aboriginal objects and sites may still survive, buried at depth within remnant soils. Although evidence from Angel Place included isolated pockets of remnant topsoils, the range of artefact types and stone raw materials recovered provided evidence

[46] *pers com J. Wheeler 2008*
[47] *AHMS, 2004: 37, 31, 27.*
[48] *Steele, 2003: 60.*
[49] *Steele, 2003: 66-67.*
[50] *Steele, 2003: 70.*
[51] *Steele, 1997.*

to argue that the site once contained evidence of complex occupation along the banks of the Tank Stream.

4.9.7 Allied Flour Mills Site, Summer Hill (AHMS, 2008a)

AHMS undertook a preliminary Aboriginal heritage assessment of the study area. Using extensive historical research, and a brief site visit AHMS identified two areas of potential archaeological deposit (PAD) to the north of the study area. One of these areas of PAD was thought to represent a relatively undisturbed landform being situated on the western side of Long Cove Creek, within a grassed area and a seemingly undisturbed portion of the site. The remaining area of PAD was located in the western portion of the site and was partially truncated by extant buildings. Note that this assessment was undertaken before the geotechnical information was received by AHMS, and these views have subsequently been altered within this report.

4.9.8 Summary of Local Archaeological Context

Although only one recorded Aboriginal site is known within five kilometres of the study area, evidence for Aboriginal occupation has been recorded within the Sydney CBD and provides a parallel for heavily developed landscapes such as Sydney's inner west. Most of the Aboriginal sites identified in the Sydney CBD were recorded during the course of historical archaeological excavations for recent development projects[52]. Where present, these sites were identified in areas of remnant topsoils either beneath or between historical archaeological layers. These sites provide evidence that Aboriginal people were occupying this portion of Sydney prior to the arrival of the First Fleet in 1788. They also demonstrate this evidence continues to exist in some urban sites which contain remnant portions of the original soil profile. Based on these results, it is likely that similar evidence of Aboriginal occupation will also be present within original and/or intact topsoils throughout Sydney's inner western suburbs.

4.10 Predictive Modelling

4.10.1 Site Types

Based upon information compiled within the DECC AHIMS, and background archaeological data reviewed above, the types of sites that may be expected to occur within the study area are as follows:

- Open artefact scatters;
- Isolated finds; and
- Potential archaeological deposits (PAD).

[52] *AHMS (Wheeler and Campbell), 2007: 36-37; Steele and Barton, 1998; Steele, 2003; Steele, 2002; Steele and Czastka, 2003; and Steele and Czastka, 2005.*

Open *artefact scatters* occur almost anywhere that Aborigines travelled in the past. The cultural activity represented by these sites may be associated with hunting or gathering activities, domestic camps, or the manufacture and maintenance of stone tools.

The density of artefacts present in these scatters can vary dramatically and may relate to either transient or short stay camps, or base camps of long term and/or repeated occupation. These types of sites are commonly referred to as 'open campsites'.

Similarly, *isolated finds* occur anywhere in the landscape and may represent the random loss, deliberate discard or abandonment of artefacts, or the remains of dispersed artefact scatters.

PADs can occur anywhere that a partial or intact soil profile is present. They represent an area where archaeological deposits that retain Aboriginal objects or material may occur. PADs represent buried archaeological material, and can represent similar activities to artefact scatters and isolated finds above. In addition, PADs have the potential to provide temporal information in relation to a site.

While Aboriginal middens are relatively common along creeklines and shorelines, **Sections 4.3.1** and **4.5** clearly show that Long Cove Creek (now Hawthorne Canal) within the study area has been extensively modified, and is therefore unlikely to retain any of these forms of deposit.

4.10.2 Aboriginal Site Predictions

The topography and distribution of natural resources near the study area generally indicates a potential for:

- Open artefact scatter sites;
- Potential archaeological deposits within intact topsoils; and
- Isolated finds anywhere across the landscape.

Previous land clearance and use through activities such as brick manufacturing, the construction of several successive railway bridges and the canalisation of Long Cove Creek are likely to have heavily disturbed original topsoils across the study area.

Other activities such as the construction of the Flour Mill and associated infrastructure are also likely to have caused impact to varying degrees. The integrity of stone artefact and/or archaeological deposits will depend on the degree that topsoils were disturbed.

Based on the historical mapping (**Figures 8** and **9**) and geotechnical information (**Section 4.3.1**), there is potential for intact, or only partially disturbed, soil profiles to exist within the western section of the study area. This area was formerly gardens and outbuildings associated with a 19th Century row of houses along Edward Street that have subsequently been overlain by a modern car park. Given the lack of significant disturbance within this area, we consider the potential for archaeological material that may have once related to Long Cove Creek as high.

Open artefact scatters may be found buried below current ground surfaces in areas where intact A horizon soils remain. In areas where A horizon soils have been removed or substantially disturbed by erosion and other more invasive activities, it is unlikely that sub-

surface deposits remain. Isolated finds may be found anywhere across the landscape, and represent the random loss, deliberate discard or abandonment of artefacts, or the remains of dispersed artefact scatters.

There is no potential for scarred and/or carved trees because the study area does not contain remnant old growth trees (**Figure 2**).Further, there is limited to nil potential for midden deposits, due to the intense modification and levelling of the creek line area.

No natural outcrops of rock such as sandstone are known within the local area and are not common in areas with dominant Wianamatta shale geology. This means there is no potential for axe grinding grooves, rock engravings or rockshelters across the study area.

In summary, we predict that:

1. Areas to the west of the study area, formerly gardens of the 19th Century houses adjacent Edward Street have a high probability of containing intact or partially disturbed soil profiles, and therefore the potential for archaeological material is considered good;
2. Areas to the north of the study area adjacent Long Cove Creek (now Hawthorne Canal) retain significant fill deposits (>3 m), as well as historical clay extraction and are unlikely to retain archaeological materials; and
3. Areas that are currently within the main operations of the Flour Mill are likely to have been significantly impacted by the existing structures and their footings, and are unlikely to retain archaeological remains.

5. FIELD INVESTIGATION

5.1 General

Alan Williams and Felicity Barry (Archaeologist AHMS) carried out a field survey of the study area in partnership with Allen Madden (Metropolitan LALC) on the 15 July 2008.

The objectives of the field survey were to relocate known Aboriginal heritage sites from the DECC AHIMS register and to identify any unknown Aboriginal archaeological sites, objects or places and to identify areas of high, moderate and low to nil archaeological sensitivity.

5.2 Survey Methodology and Coverage

The study area was traversed on foot, with the aim of locating and examining areas of ground surface visibility and identifying the potential for archaeological materials/deposits, as well as existing disturbances and their extent. Photographs and written documentation were used to document the site investigation.

The study area was split into three broad areas (**Figure 11**):

- Transect 1 - northern area encompassing administration buildings, Hawthorne Creek and surrounding slopes and clearings;
- Transect 2 - eastern area encompassing the existing Allied Flour Mills structures, including silos and warehouses; and
- Transect 3 - western area encompassing car park and southern structures and clearings of the study area.

Investigation was undertaken on the two areas of previously identified PAD identified by AHMS initial preliminary study of the site[53]. Although these were quickly dismissed as having potential to retain Aboriginal objects following review of available geotechnical information and a more detailed investigation of the soil sections evident along the creek.

Areas of erosion and ground exposure were examined for archaeological evidence such as stone artefacts, charcoal and shell. Ground surfaces were also examined to determine the degree of soil disturbance, erosion and potential for archaeological deposits below current ground.

[53] *AHMS, 2008a.*

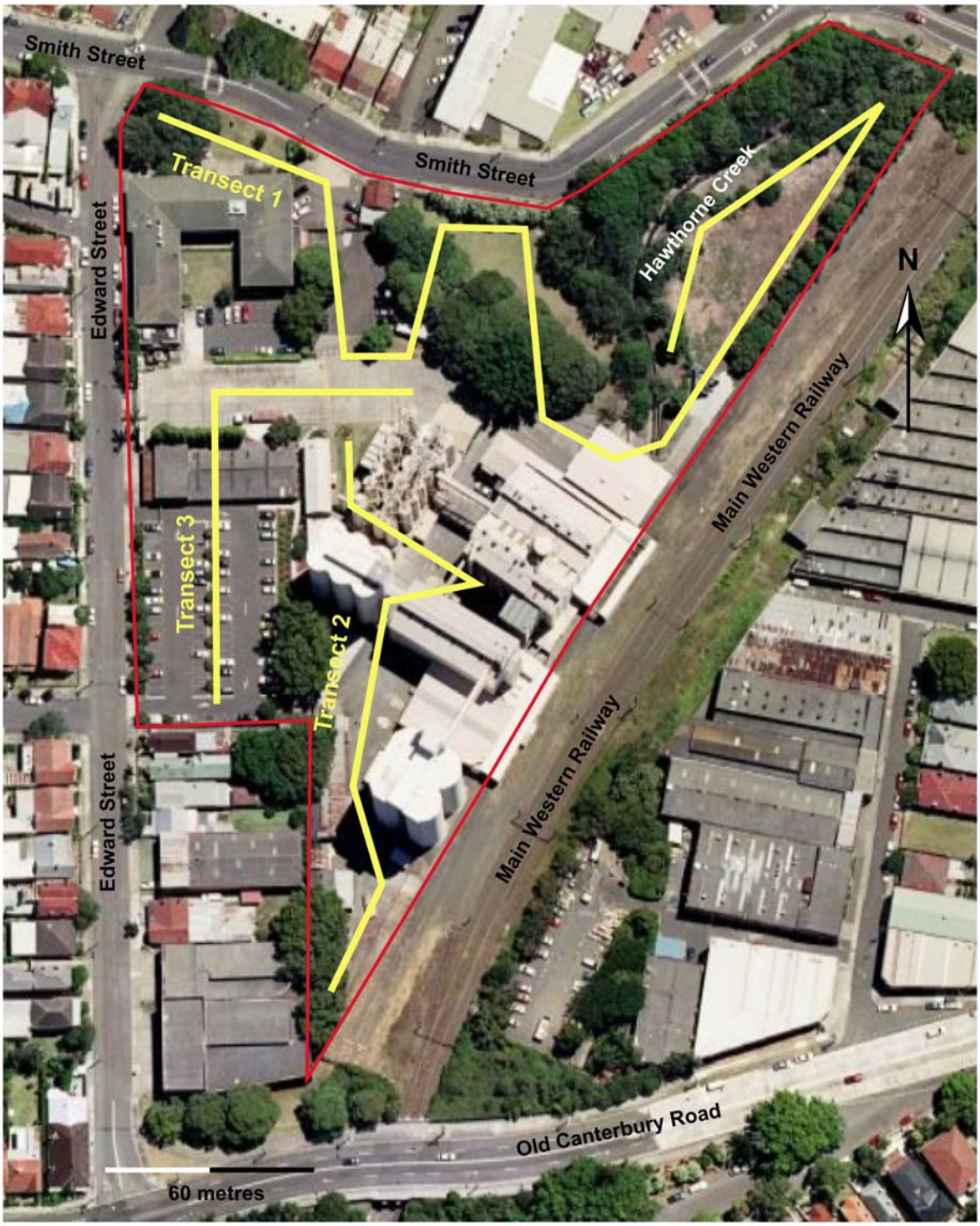

Figure 11. Aerial photograph showing general transects investigated as part of this assessment. (source: Google Earth).

5.3 Survey Results

Due to the intense development and use of the area, effective coverage was generally poor. The majority of the study area retains either structures or was landscaped. Further, the geotechnical information indicated that much of the study area was under several metres of fill.

In summary, the site investigation confirmed much of the conclusions developed from review of the available geotechnical information, most notably that the entire study area appeared to be broadly levelled. This process required a mixture of cutting and minor filling in the southern end and significant filling to the north and northeast corner of the site. We believe that the areas within transect 3 broadly reflects the natural landform topography and height prior to these extensive landscape modifications, with the southern area of the site (represented by parts of transect 2) originally being higher and the northern and eastern parts of the study area (represented by transects 1 and 2) being much lower. Based on the varying depth of fill overlying the residual soil profile, prior to these landscape modifications, the study area is likely to have been a series of lower slopes surrounding Long Cove Creek, rising up to a surrounding ridge or spur top currently represented within transect 3 and southern parts of transect 2.

Existing impacts to the site were significant. While originally believed to have been a series of lower slopes surrounding Long Cove Creek, the site is now level (albeit some 2 m higher than the pre-European ground surface) and has administration and industrial buildings situated within it. The railway line directly east of the study area is also thought to have caused significant modification to the eastern side of the site.

Transect 1 comprised the northern portion of the site, encompassing several administrative buildings, the areas surrounding the Hawthorne Canal, the main vehicle entry/exit and a large grassy area in the northeast of the site (**Figure 12**). This area was largely flat but, as outlined above has clear evidence of extensive filling. Visual observations indicate that Hawthorne Canal is some 2 m below the land surface level (**Figure 13**), which is in contrast the creek's profile historically (see **Figures 4, 5** and **6**). While some of this transect was originally identified as of archaeological interest due to a small parkland retaining cultural plantings/trees that could be identified in early 20th Century photographs, extensive services and minor structures (such as a BBQ) were visible within this area. In addition, as outlined above the park is situated upon an extensive fill layer. The remaining areas of the transect were completely covered by roads, buildings and structures with no visibility.

Transect 2 was only partially investigated due to the extensive mill structures that are situated within it. To the north, the transect is entirely covered by the commercial structures of the mill, most notably the large silos and warehouses (**Figure 14**). The footings of these buildings are likely to have significantly impacted any natural deposits that may have occurred beneath. To the south of the transect, the study area has not been developed, but shows evidence of an uneven fill layer intermixed with small structures. In this area cultural plantings/trees can also be related to early 20th Century photographs, but the geotechnical boreholes indicate that some 70 cm of fill is situated above the residual soils, which is believed to have been truncated in this area. Truncation of the natural soil profile within the study area is based on observations of the adjacent train track, which shows numerous cuttings of the surrounding landforms (**Figure 15**).

Transect 3 was a short transect that investigated the western side of the study area. Geotechnical and historical information outlined above suggest that this area may retain natural deposits beneath several of the structures and car park (**Figures 16** and **17**). While no specific evidence could be identified that potential deposits were evident, the general sloping nature of the car park to the east (i.e. towards the former Long Cove Creek) did suggest that levelling and cutting in this area may be minimal.

Figure 12. Photograph of transect 1, looking northwest. The area in the foreground was initially considered of archaeological interest prior to geo-technical information. Administration buildings can be seen in the background. The trees present to the left of the photograph are all cultural plantings from the 1920s.

Figure 13. Photograph showing Hawthorne Canal and the depth of fill, some 2 m deep, surrounding it. When comparing this photograph with Figures 4, 5 and 6 of this report, the difference in landscape above the creek can clearly be discerned.

Figure 14. Photograph of transect 2, looking east. Note the extensive infrastructure and building that has occurred in this area of the site.

Figure 15. Photograph of the south section of transect 2, looking southeast. Note the cutting of the natural soil profile by the railway line behind the fence, indicating that this area of the site may have been truncated historically.

Figure 16. Photograph of the southern end of the car park within transect 3, looking west. Note the sloping nature of this part of the site, suggesting a natural landform shape, rather than significant levelling as demonstrated elsewhere.

Figure 17. Photograph of the car park within transect 3, looking northwest.

Hence, while visibility was restricted due to fill, the lack of significant structures or levelling in this area further suggests the potential for buried archaeological deposits within this area.

Overall, the effective coverage of the study area was low to nil (**Table 1**) due to the extensive modifications and development of the area. This is unsurprising given the study area's location

within the inner west of Sydney and the historical and geotechnical information obtained in relation to the study area's history. The field inspection did however provide key interpretations in the likely shape and position of the former landscape (i.e. pre-European period) which indicated the western section of the study area is likely to have been only minimally altered.

Table 1 Survey Coverage Data

Transect no.	Transect Area (m^2)	Ground Exposure %	Visibility %	Degree of Soil Disturbance	Effective Coverage % (m^2)
1	18,054	10	20	Very High	2 (361)
2	9,185	5	5	Very High	0.25 (23)
3	3,567	0	0	Low to Moderate	0 (0)
Average	*10,268*	*5*	*8*		*0.75 (128)*
Total	**30,806**				**2.25 (384)**

5.4 Archaeological Sensitivity

5.4.1 General

The assessment of archaeological sensitivity within the subject land is based on:

- an understanding of Aboriginal settlement patterning in the area (i.e. the pattern of site distribution across the landscape); and
- an assessment of landscape and soil disturbance (using the results of survey and analysis of historic aerial photographs).

Hence, the archaeological sensitivity of the study area is based on the existing disturbances overlying areas of assessed archaeological potential. Conclusions about settlement patterning and site disturbance are described below, as well as an identification of the sensitivity of the study area.

5.4.2 Aboriginal Settlement Patterns

The frequency, density and complexity of Aboriginal sites generally increase with proximity to water sources (particularly within 100 m of water). Sites generally reduce in size and frequency as associated stream order decreases, therefore on higher order streams (third order and above) sites are more common and larger. They often reflect more permanent or repeated occupation with evidence of more concentrated activities. Creek junctions, wetlands and resource intersection zones were a particular focus of Aboriginal occupation and use.

As discussed above, the study area contains Hawthorne Canal, formerly Long Cove Creek, which would have provided water sources and would have provided habitat for many aquatic and littoral species used for food and/or materials in traditional Aboriginal social and economic life. This water course was tidal further north, indicating more resources and possibly also a resource intersection zone would have been located approximately 700m north of the study area. This indicates a potential for Aboriginal sites associated with use of those resources along the margins of this creek, particularly on adjacent dry, slightly elevated locations, such as those within transect 2.

5.4.3 Disturbance

As outlined above, the study area has been significantly affected by the past activities. Impacts include levelling of the site, which involved cutting the southern end and filling up to 3 m in the northern end. Long Cove Creek, which runs through the study area, has been modified both from clay extraction and through canalisation (concrete lining) of the Hawthorne Canal. In addition, significant structures, such as the silos and warehouses and the rail alignment, are present across much of the site.

Visual observations suggest that this site may once have been a series of lower slopes leading down to Long Cove Creek, prior to these significant land modifications. Transect 2, located to the west of the study area does not appear to retain such significant landscape modifications based on the historical photographs and geo-technical information (discussed below).

It appears that much of the study area has undergone extensive landscape modification and impact, and hence the potential for *in situ* archaeological material (with the exception of transect 2) is considered low to nil.

5.4.4 Conclusions

As outlined above, the effective coverage and extensive disturbance within the study area removed the likelihood of identifying surface evidence of Aboriginal objects or sites that may be present. However, our review of the geotechnical data and historical research undertaken for the site indicate that much of the western portion of the study area has been subject to only minimal historical impact.

Within the western part of the site (identified as transect 2 above) there is evidence of 1880s – 1890's terrace housing adjoining Edward Street. These houses are unlikely to have caused significant impact to the deposits beneath due to the strip footing foundations that would have likely retained and sealed underfloor deposits. Furthermore, behind this housing adjacent to the edge of the existing silos were large undeveloped backyards, and hence impact to these areas was probably minimal. All of these 19th century features have been capped by a 5 – 15 cm bitumen car park, which is unlikely to have significantly removed any of the archaeological deposit beneath.

The geotechnical information also indicates the presence of residual soils and orange brown fill within 0.6 m of the current ground level. This changing fill is common in other sites where historic and recent activities have modified/impacted the upper soil layers while retaining elements of it beneath.

Visual observations further indicate that the area has not been significantly truncated or levelled.

For these reasons, we have identified an area to the west of the study area, presented in **Figure 18**, as of moderate archaeological sensitivity – a PAD. To allow further discussion, the PAD has been identified as *AFM PAD 1*.

Based on the above observations and combining evidence drawn from our understanding of settlement patterning and assessment of site disturbance, the study area is characterised in accordance with the following classes of archaeological sensitivity (with reference to **Figure 18**):

- **High Archaeological Sensitivity**: Due to the significant disturbance to the site no areas have been identified as of high archaeological sensitivity;
- **Moderate Archaeological Sensitivity**: A large part of the western section of the study area has been identified as of moderate archaeological sensitivity (or PAD) due to the potential presence of a partially intact soil profile and lack of significant impact to this area historically;; and
- **Low to nil Archaeological Sensitivity**: With the exception of those areas identified as having moderate archaeological sensitivity, the entire study area is considered to have low archaeological sensitivity. This assessment is based on the significant cutting and filling (>3 m) that has occurred within the study area, in addition to extensive historical exploitation and modification to Long Cove Creek.

Figure 18. Aerial photograph showing areas of moderate (orange) and low (blue) archaeological sensitivity. Orange areas can be considered to represent AFM PAD 1.

6. ABORIGINAL COMMUNITY CONSULTATION

6.1 General

Consultation with the Aboriginal communities within the study area has been undertaken in accordance with procedures set out in *DECC's Interim Community consultation Requirements for Applicants 2004.* The following procedures were undertaken (a complete log of actions and correspondence regarding Aboriginal community consultation is present in **Appendix 1**).

The consultation process for this project has two aims. Firstly to comply with the DECC notification and consultation procedures to obtain input on our proposed assessment methodology and comment on our assessment report and management recommendations. Secondly, to identify cultural places and values that may be affected by the proposed future development of the site through consultation with knowledge holders.

6.2 Notification and Registration of Interest

Stakeholder groups were identified by:

1. placing an advertisement in the following local print media on 3 June 2008:

   Inner West Courier

2. providing written notification on 30 May 2008 to the following organisations:

   a. Ashfield Municipal Council;
   b. Marrickville Municipal Council;
   c. Executive Director Operations, DECC;
   d. Metropolitan LALC; and
   e. NSW Native Title Tribunal.

AHMS received responses registering Interest in this project from the following Aboriginal groups:

1. Marrickville Aboriginal Consultative Committee (MACC); and
2. Metropolitan LALC.

Ashfield Municipal Council advised that although they have an Indigenous and Multicultural Committee (IMC) they do not currently have any members of Aboriginal descent and as the MLALC will be involved in this AHIA, the IMC did not wish to identify an interest in this project.

6.3 Results of Notification and Consultation

Following the cessation of the Notification period, Metropolitan LALC and Marrickville Aboriginal Consultative Committee (MACC) were provided with a copy of the proposed methodology for the survey of the Allied Mills site. This was provided via post on 20 June 2008 to both registered groups.

The methodology proposed to target the two areas identified in the preliminary Aboriginal assessment as having potential archaeological deposit, as well as a general investigation of the remainder of the site. Both groups were given 21 days to provide comments on the proposed methodology for the Allied Mills survey.

Following the completion of the comment period, both groups were invited to attend a site inspection with AHMS personnel. Despite several conversations with a representative speaking on behalf of the MACC, no member of this group identified an interest in attending the site investigation. This investigation was undertaken with Allen Madden of the Metropolitan LALC on the 15 July 2008.

6.4 Outcomes of Consultation

Comments from the registered Aboriginal community groups were sought following the distribution of this draft report. AHMS received two sets of written comments from the Metropolitan local Aboriginal Land Council. These comments were provided prior to the release of the AHIA to the community and in response to a request for comment on the AHIA. No written advice was provided by the MACC, however discussion with a spokesperson of the MACC identified that this group had no particular comments to add to the AHIA and were satisfied with the input from MLALC. Copies of the written correspondence are present in **Appendix 2** and summarised below.

The Metropolitan Local Aboriginal Land Council initially provided written advice following the survey of the Allied Mills site in August. The MLALC stated at this time that they had no objections to the proposed development. They requested that if any cultural material or relics are identified during any stages of the development, work should cease and MLALC and DECC should be notified.

MLALC provided additional comment in September following their review of the draft AHIA as follows:

- The MLALC supports the recommendations outlined in paged 58 and 59 of this report; and
- The MLALC has requested to be informed 'immediately should any development impacts be proposed within the western section of the study area (recommendation 1)' (i.e. any development proposed within the area of moderate archaeological potential as identified in orange on Figure 18 of this report).

The MACC was contacted seeking any written comments regarding the AHIA and its recommendations, however AHMS received no comments following this request. A spokesperson for the MACC advised that they were satisfied with the input of the MLALC and the 'Aboriginal Heritage Council'.

7. SIGNIFICANCE ASSESSMENT

This significance assessment is based on our current understanding of study area. This assessment may require revision following further investigation of the study area (should it be required) and characterisation of AFM PAD 1 identified in **Section 6**.

7.1 Basis for Assessment

The significance of Aboriginal archaeological sites is assessed using three criteria: Scientific archaeological (scientific), Cultural (Aboriginal) and Public Significance. These criteria recognise that Aboriginal sites are valuable in a number of ways. Namely:

- to the Aboriginal community as an aspect of their cultural heritage and as part of continuing traditions;
- to the broader community, for educational, historical and cultural enrichment values; and
- to the scientific community for potential research value.

The guidelines outlined in the NSW National Parks and Wildlife (now DECC) (1997) *Aboriginal Cultural Heritage: Standards and Guidelines Kit* provide the basis and background for the following evaluation of site significance.

7.2 Cultural Significance

This area of assessment concerns the relationship and importance of sites to the Aboriginal community. Aspects of cultural significance include people's traditional and contemporary links with a given site or landscape as well as an overall concern by Aboriginal people for sites and their continued protection.

Unmodified natural features in the landscape can signify sacred sites/places of significance. As such they are archaeologically invisible and can only be identified with the aid of Aboriginal interpretation. If such sites are known they hold particular cultural significance to contemporary Aboriginal people. Furthermore, sites of significance are not restricted to the period prior to contact with Europeans. Often events related to the Contact-period, and at times to the period since European settlement, may be so important to the local Aboriginal communities that they become significant. If these events relate to a specific place in the landscape, then that place (i.e. the site) may become sacred or highly significant to the local Aboriginal communities.

The perspectives of the Aboriginal community will be sought following the distribution of this report as a draft. Cultural values identified by the Aboriginal communities during this process will be incorporated into this section of the report, as well as comments presented in an **Appendix 2**.

7.3 Public Significance

This category of the assessment process concerns using a site or a site's potential to educate people about the past. It also relates to the heritage value of particular sites as being representative examples of past lifestyles, why they are important, and why they should be preserved.

The lack of any identified Aboriginal objects does not permit a definitive assessment of this criterion. Should Aboriginal objects be identified within AFM PAD 1, they may provide interest to the general public as an indication of Aboriginal occupation within the area. However, the extent, condition and integrity of these deposits will dictate the extent to which the site is of public significance or not.

At this stage, the presence of a PAD is of low public significant, since it cannot demonstrate the presence or absence of Aboriginal occupation within the area. The position of the PAD beneath an existing car park also reduces the public interest or significance of the site.

7.4 Scientific Significance

Scientific value is assessed according to the research potential of a site. Rarity and representativeness are also related concepts taken into account. Research potential or demonstrated research importance is considered according to the contribution that a heritage site can make to present understanding of human society and the human past. Heritage sites, objects or places of high scientific significance are those which provide an uncommon opportunity to inform us about the specific age of human occupation in an area, or provide a rare glimpse of artistic endeavour or provide a rare chronological record of changing life through deep archaeological stratigraphy.

The comparative rarity of a site is a consideration in assessing scientific significance. A certain site type may be "one of a kind" in one region, but very common in another. Artefacts of a particular type may be common in one region, but outside the known distribution in another.

The integrity of a site is also a consideration in determining scientific significance. While disturbance of a topsoil deposit with artefacts does not entirely diminish research value, it may limit the types of questions that may be addressed. A heavily cultivated paddock may be unsuited to addressing research questions of small-scale site structure, but it may still be suitable for answering more general questions of implement distribution in a region and raw material logistics.

The capacity of a site to address research questions is predicated on a definition of what the key research issues are for a region. In this region the key research issues revolve around the chronology of Aboriginal occupation and variability in stone artefact manufacturing technology. Sites with certain backed implements from the Holocene are very common, but sites with definite Pleistocene evidence are extremely rare, and hence of extremely high significance if found.

Our assessment of the scientific significance is set out below.

Research Potential

The presence of a potentially *in situ*, albeit disturbed, soil profile in the western end of the study area provides potential for Aboriginal objects to be present, and hence its assignation as a PAD. The research potential of this site is therefore considered high until it can be provided otherwise.

Condition / Integrity

The condition and integrity of Aboriginal objects that may be present in AFM PAD 1 cannot be made at this time. Further characterisation of this site is required prior to an assessment based on this criterion.

There is evidence of fill layers, strip footings and possible truncation in places across this area, and hence the site may be significantly impacted, but equally some areas may be undisturbed since pre-1880.

Representativeness

An assessment of the representativeness of Aboriginal objects that may be present in AFM PAD 1 cannot be made at this time. Further characterisation of this site is required prior to an assessment based on this criterion.

Rarity

An assessment of the rarity of Aboriginal objects that may be present in AFM PAD 1 cannot be made at this time. Further characterisation of this site is required prior to an assessment based on this criterion.

The lack of Aboriginal archaeological excavations within the inner west of Sydney, generally due to significant development, indicates that any Aboriginal objects recovered from this area may be considered rare.

Summary

At this stage the significance of AFM PAD 1 cannot be identified due to the lack of information on the presence/absence of Aboriginal objects and their condition. There is some potential that the PAD may retain high research potential based on the presence of a potentially intact soil profile buried beneath historical fills.

However, a re-assessment of AFM PAD 1 would be undertaken following subsurface investigation should it be required.

With the exception of AFM PAD 1, the study area is not considered likely to retain any intact Aboriginal objects or archaeological deposits and is therefore not considered to have Aboriginal archaeological significance.

8. POTENTIAL IMPACTS

8.1 General

The results of the site survey identified one area, AFM PAD 1, as having potential to retain Aboriginal objects and/or sites.

This section provides consideration of the potential impacts of proposed development on Aboriginal sites and/or objects. The purpose of this report is to identify the location and significance (heritage values) of archaeological sites so that planning can proceed in a manner that minimises impact. Furthermore, this section provides guidance as to the definition and management of *impacts*. This section also assesses areas of potential and how they can best be investigated and managed prior to and during any future development of the site.

An *impact* is defined here as an action or activity that results in the disturbance, damage or destruction of an Aboriginal object or Aboriginal site. Not all actions or activities disturb, damage or destroy Aboriginal sites and therefore not all actions or activities may be considered as *impacts*.

For the purposes of this discussion an activity on, under or in the vicinity of an Aboriginal object or Aboriginal site may be classified as having no impact, low impact, moderate impact or high impact. These classes are described in **Table 2** below.

Table 2. Impact Ranking in Relation to Aboriginal Objects and/or Sites.

Impact Rank	Definition	Management Action
No Impact	No change in heritage value e.g. no displacement of Aboriginal objects.	No action required.
Low Impact	Negligible displacement of individual objects, no disruption of archaeological deposit or spatial distribution of artefact assemblage and no negative affect on heritage value e.g. change in elevation via subsidence without vertical displacement.	No action required.
Moderate Impact	Partial loss of heritage value or potential for activating erosive effect which will degrade heritage values over time, e.g. activation of changed erosion regime through hydrological changes resulting in accelerated erosion of archaeological deposit. The Aboriginal site will remain after cessation of the impacting activity, but in a degraded state e.g. with an eroded and dispersed stone artefact assemblage instead of intact archaeological deposit.	Appropriate level of mitigation measures required to ensure the Aboriginal objects/sites are appropriately investigated and/or documented before impact, and potential monitoring to occur after impacts to ensure no further impact is occurring through environmental modification.
High Impact	Removal or displacement of an Aboriginal object or Aboriginal site resulting in the loss of Aboriginal heritage values	Detailed and comprehensive mitigation measures required to ensure the Aboriginal objects/sites are appropriately investigated and/or documented before impact, and potential monitoring to occur after impacts to ensure no further impact is occurring through environmental modification.

8.2 Impact Assessment

At this stage, only a preliminary concept design for the study area has been developed. Therefore, specific impacts to AFM PAD 1 cannot be readily discerned.

This section will be modified following the development of a final concept design.

9. MANAGEMENT STRATEGY

This section has been developed prior to the development of the final concept design for the study area and may therefore require modification prior to finalisation.

This section provides a summary of the assessment, the perceived impacts to any Aboriginal objects/sites that can be discerned, and a summary of recommendations to appropriately manage these impacts.

This assessment has identified one area of moderate Aboriginal archaeological sensitivity – a PAD - within the study area. This area, AFM PAD 1, is situated within the western section of the study area (**Figure 18**) and has been identified on the basis of historical evidence, geo-technical studies and visual observation. Our assessment concluded that this area has been subject to minimal impact historically and has potential to retain a partially intact soil profile buries below historical fills up to 1.5 m in depth below current ground. With the exception of AFM PAD 1, evidence indicates that the remainder of the study area has been levelled and truncated.

Significant impacts to the remainder of the study area indicate there is no potential for intact Aboriginal archaeological deposits to be found. Areas of the study area to the north, east and south have been extensively cut and filled by up to 3 m. In addition, the existing creek (Long Cove Creek) has been canalised into Hawthorne Canal, and significant structures with deep extensive footings (and sub-ground levels) are present in portions of the study area.

Should impact be proposed in the vicinity of AFM PAD 1, subsurface investigations of this site area (shaded orange on Figure 18) will be required to identify and assess the significance of any Aboriginal objects that may be present. This investigation would require the development of a section 87 Preliminary Research Permit (PRP) and associated research design (excavation methodology) to be lodged with DECC for consideration and endorsement[54]. Following this investigation, and dependent on the findings, consideration may be required to re-design the proposed development configuration (should the site be highly significant) and/or the development of a section 90 Aboriginal Heritage Impact Permit (AHIP), which permits the destruction of Aboriginal objects/sites. The latter may require additional salvage excavation dependent upon the level of investigation undertaken previously and/or the significance of the site. Should no Aboriginal objects be identified within the PAD, no further Aboriginal archaeological works or permits would be required prior to development.

Please note that DECC has an eight week processing time for each permit application. Therefore, the process above, assuming both a section 87 and 90 permit are required, can take up to 16 weeks excluding excavation or reporting time. Therefore a period of four to

[54] *A section 87 permit requires the development of a research design and permit application, and associated excavation. This will also require Aboriginal community consultation. The development of a research design with consultation can be undertaken between 2 to 3 weeks, depending on the Aboriginal communities involved and any controversy surrounding the site. Obtaining the permit from DECC can take up to 8 weeks. Excavation and associated analysis/reporting of those results can take a further 4 to 6 weeks. In the event that Aboriginal cultural material is found, a section 90 permit would be required, which involves a similar process to that outlined above for a section 87 approval.*

six months should be considered in any work program prior to development to investigate and address Aboriginal heritage issues.

No further Aboriginal archaeological constraints are present within areas of low Aboriginal archaeological sensitivity shaded blue on **Figure 18**. No further Aboriginal archaeological investigations are warranted in these areas.

Please note that Aboriginal skeletal remains are highly significant both archaeologically and culturally, and are not encompassed within any permits issued by DECC. Should such remains be identified at any time during the development and regardless of any permits in place, all work must cease and the NSW Coroners Office and DECC notified immediately.

It is also noted that historical archaeological issues for the Allied Mills Site, Summer Hill have been raised in a separate report and have not been considered in the recommendations provided below.

9.1 Recommendations

The following recommendations are based upon:

- the legal requirements of the National Parks and Wildlife Act of 1974 (as amended) in conjunction with;
- the assessments of significance and potential heritage impacts which are presented in this report; and
- the views expressed by the local Aboriginal community.

It is recommended that:

1. should development impacts be proposed within areas of moderate Aboriginal archaeological sensitivity (shaded orange on Figure 18) in the western section of the study area, subsurface investigation will be required to identify and assess the significance of any Aboriginal objects that may be present within this area. The investigation should be undertaken prior to development and will require a section 87 Preliminary Research Permit to be obtained from the DECC. Following subsurface investigations, should Aboriginal objects be identified, consideration to re-designing the proposed development impacts to avoid Aboriginal objects and/or a section 90 Aboriginal Heritage Impact Permit from DECC may be required;
2. areas to the north, east and south of the study area, considered to be of low Aboriginal archaeological sensitivity (shaded blue on Figure 18) are unlikely to retain intact Aboriginal objects due to the significant landscape modifications that may have occurred within these areas. No further Aboriginal archaeological investigations are required in these areas prior to development;
3. Aboriginal skeletal remains are not included within the ambit of standard Section 90 AHIPs. If human skeletal remains are identified during work on site, excavation should cease, the remains should be covered with clean fill

(e.g. sand) and the site should be secured. The following tasks should be undertaken immediately:

a) Briefing of the development's archaeologist, followed by liaison with DECC, Metropolitan LALC, and MACC, and the Office of the NSW Coroner;

b) Amendment of the design (if possible) to avoid the burial remains; and

c) Discussion of appropriate management and mitigation measures with DECC and the Aboriginal community. Ultimately, the management of Aboriginal burials will be a matter for the DECC in consultation with the local Aboriginal community. In situ conservation of any such burial(s) may be required.

4. two copies of this report should be forwarded to the *NSW Department of Environment & Climate Change – Planning and Aboriginal Heritage Section, Metropolitan Branch, Environment Protection and Regulation Group*. DECC PAHS address is:

DECC Planning and Aboriginal Heritage Section
Metropolitan Branch
PO BOX 1967,
HURSTVILLE, NSW 2220.

5. one copy of the report should be forwarded to the Metropolitan LALC and Marrickville Aboriginal Consultative Committee at the following addresses:

Metropolitan LALC
Attn: Allen Madden
PO Box 1103
Strawberry Hills NSW 2016

Marrickville Aboriginal Consultative Committee
Attn: Caroline Glass-Pattison
Marrickville Council
PO Box 14
PETERSHAM NSW 2049

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APPENDIX 1

Aboriginal Community Consultation Information

Aboriginal Community Consultation Information

Group	Representative Contacted	Date	Description /Comments	AHMS Contact
Inner West Courier	Angie Djordjevic	30.05.08	Confirmation of public advertisement to be placed in the public notices section of the Inner West Courier on Tuesday 3 June 2008	Felicity Barry
Native Title Tribunal	NSW Native Title Services Ltd	30.05.08	Notification seeking registration of Aboriginal interest for AHIA sent	Felicity Barry
DAA - Office of Registrar	Mr Steve Wright (Registrar)	30.05.08	Notification seeking registration of Aboriginal interest for AHIA sent	Felicity Barry
DECC	Director of Operations	30.05.08	Notification seeking registration of Aboriginal interest for AHIA sent	Felicity Barry
Ashfield Municipal Council	General Manager	30.05.08	Notification seeking registration of Aboriginal interest for AHIA sent	Felicity Barry
Marrickville Municipal Council	General Manager	30.05.08	Notification seeking registration of Aboriginal interest for AHIA sent	Felicity Barry
Metropolitan LALC	Mr. Allen Madden	30.05.08	Notification seeking registration of Aboriginal interest for AHIA sent	Felicity Barry
Inner West Courier	n/a	3.06.08	Advertisement in print media	Felicity Barry
Office of the Registrar *Aboriginal Land Rights Act, 1983*		5.06.08	Confirmation the subject land does not have Registered Aboriginal Owners	Felicity Barry
Marrickville Council – Marrickville Aboriginal Consultative Committee (MACC)	Ms. Caroline Glass-Pattison	15.06.08	Verbal enquiry and registration of interest of the MACC. Identified would provide follow up email/letter confirming this. (Note no correspondence of this nature was received by AHMS)	Felicity Barry
Ashfield Council	General Manager Mr. K. G. Grainger	2.06.08	Generic response from Council File No. is 028621	Felicity Barry
Ashfield Council - Indigenous and Multicultural Committee (IMC)	Mr. Gerard Howard	18.06.08	AHMS contacted Council via phone and verbal enquiry as to whether Ashfield Council would register. Advised that day by phone that as MLALC are involved in this project and there are no people of Aboriginal descent currently on the IMC, AMC will not register an interest in this project.	Felicity Barry
MLALC	Rebecca McHugh	18.06.08	Registration of interest provided by MLALC via email	Felicity Barry
MLALC MACC		17.06.08	Notification period ended – two groups have registered	

MLALC and MACC	Allen Madden Caroline Glass-Pattison	20.06.08	Letters posted seeking comment on the survey methodology proposed for the site	Felicity Barry
MACC	Caroline Glass-Pattison	10.06.08 14.06.08	Contacted MACC regarding participation in survey – no representative of MACC to attend, however Caroline verbally advised the MACC wish MLALC and the 'National Aboriginal Heritage Office' to be advised for notification purposes. Ms. Glass-Pattison was verbally advised that MLALC was already a registered stakeholder in this project and confirmation of the second party was requested by AHMS, however no following written confirmation was provided by the MACC (via email, post or fax).	Felicity Barry
MLALC	MLALC	10.06.08 14.06.08	Contacted MLALC regarding participation in survey, 1 representative confirmed to attend via phone and email	Felicity Barry
		11.06.08	Period for comment on proposed methodology closed – no responses from registered stakeholders	Felicity Barry
MLALC	Allen Madden	15.06.08	Survey undertaken at Allied Mills site, Summer Hill	Felicity Barry and Alan Williams (AHMS) and Craig Roberts (Allied Mills)
MLALC	Allen Madden	11.08.08	Received letter response from survey advising that MLALC have no objection to the proposed development, but if any cultural material or relics are unearthed during any stages of the development, all work should cease and the MLALC and DECC are to be notified immediately.	Felicity Barry
MLALC and MACC	Allen Madden Caroline Glass-Pattison	15.09.08	Letters posted seeking comments on the draft AHIA for the Allied Mills site, Summer Hill	Felicity Barry
MLALC	Rebecca McHugh	22.09.08	AHMS phoned MLALC to enquire whether comments may be forthcoming regarding the AHIA. Rebecca advised she will speak with Allen and provide any further comments via letter	Felicity Barry
MACC	Caroline Glass-Pattison	22.09.08	AHMS phoned MACC to enquire whether comments may be forthcoming regarding the AHIA. Caroline advised that the MACC are happy with the input of the MLALC and the Aboriginal Heritage Office. However she will table the document at the next meeting of the MACC and should any committee members	Felicity Barry

			have any questions or concerns they will contact AHMS to discuss.	
MLALC	Allen Madden	26.09.08	Received letter response from MLALC stating they have no further comments on the draft AHIA and the MLALC supports the recommendations outlined in pages 58 and 59 of the report	Felicity Barry
MACC	Caroline Glass-Pattison	30.09.08	Left Phone message to confirm that the MACC have not further comments to make on the AHIA, will call again tomorrow to confirm this	Felicity Barry
MACC	Caroline Glass-Pattison	1.10.09	AHMS phoned the MACC to enquire whether they had any comments on the draft document following the meeting last week. The spokesperson advised that the previous meeting was not held, however the document will be tabled at the next meeting of the group on 13th of October. She confirmed the previous verbal advice that the MACC had not raised any issues regarding the report as previously expressed to AHMS (i.e. during a phone conversation on 22.09.08).	Felicity Barry

APPENDIX 2

Aboriginal Community Statements

METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL

36-38 George Street, Redfern NSW 2016
P.O. Box 1103 Strawberry Hills, NSW 2012
Telephone: (02) 8394 9666 Fax: (02) 8394 9733
Email: metrolalc@metrolalc.org.au

11th August 2008

Felicity Barry
AHMS
349 Annandale Street
ANNANDALE NSW 2038

Re: Aboriginal Site Survey

Lots 1 and 2 /DP131120; Lot 1/DP171676;Lot 1/DP302585; Lot B/DP171931;Lot B/DP172600;Lot 1/DP182276;Lot 16/DP130884;Lots 11, 13, 14 and 15/DP315; Lots A and B/DP302421;Lot 1/DP955001;Lot 1/DP951124;Lot 100/DP221222; and Lot 1/DP900501.

Allied Mills – Smith Street Summer Hill NSW

Dear Felicity

An Aboriginal site survey was carried out on the proposed development of Lots 1 and 2 /DP131120; Lot 1/DP171676;Lot 1/DP302585; Lot B/DP171931;Lot B/DP172600;Lot 1/DP182276;Lot 16/DP130884;Lots 11, 13, 14 and 15/DP315; Lots A and B/DP302421;Lot 1/DP955001;Lot 1/DP951124;Lot 100/DP221222; and Lot 1/DP900501 at Allied Mills – Smith Street Summer Hill NSW for the purposes of identifying any Aboriginal heritage constraints to the proposed development.

The investigation was undertaken by me cultural education officer of Metro Local Aboriginal Land Council (MLALC).

Prior to the work commenced for the compiling of this report the MLALC was informed about the land and discussions took place with Felicity Barry about the proposal. A registered search was undertaken for any known sites in the area of the proposed development and subject to this no sites were identified.

The Aboriginal site survey was carried out on foot, the area surveyed within in the boundaries were carefully examined for cultural material. On this site there are numerous buildings, wheat silos, a water canal runs through the site and railway lines run adjacent to the site. The buildings and the silos have occupied this site since circa 1930. There where no signs of Aboriginal relics, engravings or art in the surveyed area.

MLALC have no objection of the proposed development, if any cultural material or relics are unearthed during any stages of the development all work should cease and the MALLC & DECC are to be notified immediately.

If you require any further information please do not hesitate to call me on 0411 229 217.

Yours sincerely

Allen Madden
Acing CEO & Cultural Education Officer

METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL
36-38 George Street, Redfern NSW 2016
P.O. Box 1103 Strawberry Hills, NSW 2012
Telephone: (02) 8394 9666 Fax: (02) 8394 9733
Email: metrolalc@metrolalc.org.au

26th September 2008

Felicity Barry
Archaeologist & Heritage Consultant
AHMS
349 Annandale Street
ANNANDALE NSW 2038

Allied Mills Site, Summer Hill

Dear Felicity

The Metropolitan Local Aboriginal Land Council (MLALC) has reviewed the draft AHIA for the Allied Mills site, Summer Hill.

Currently there are no further comments to be added to the draft report and MLALC support the recommendations outlined on page 58 & 59 of the report.

MLALC would like to be informed immediately should any development impacts be proposed within in the western section of the study area (recommendation 1).

If you require any further assistance please do not hesitate in contacting MLALC on 02 8394 9666 or metrolalc@metrolalc.org.au.

Regards

A J Madden.

Allen Madden
Cultural Education Officer