



Aboriginal Cultural Heritage Assessment Report

Detailed and Concept Development

Kincoppal-Rose Bay School, 1A and 2 Vaucluse Road

Vaucluse

Woollahra LGA



January 2020

Report prepared for Kincoppal-Rose Bay School

Project Summary

Kincoppal-Rose Bay School proposes to undertake a program of works to upgrade the existing facilities of the school, and provide new facilities for the long-term growth and operation of the school. The proposed works are being assessed as State Significant Development, under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979*. Coast History & Heritage [Coast] has prepared this Aboriginal Cultural Heritage Assessment Report as part of the Environmental Impact Statement for the State Significant Development Application (SSD 10325), in accordance with the Planning Secretary's Environmental Assessment Requirements.

Our Aboriginal Cultural Heritage Assessment Report contains an Aboriginal archaeological assessment in accordance with the Office of Environment and Heritage *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ('the Code'), and documents Aboriginal community consultation in accordance with the *National Parks and Wildlife Regulation 2009* ('the Regulation'). The study area comprises the whole of the campus of Kincoppal-Rose Bay School, however the impact assessment is limited to the proposed works.

No Aboriginal objects have been identified within the study area, however one possible Aboriginal archaeological site was recorded; KRB Rockshelter (AHIMS #45-6-3754). It is likely that past Aboriginal occupation of the study area was more extensive than this one site, due to the natural resources associated with the shoreline to the west, and the watercourses running through the study area. This occupation is likely to have been focussed on sandstone outcrops, in particular where overhangs formed rockshelters suitable for occupation, and where flat platforms provided suitable surfaces for engraved art. Apart from these locations, it is considered unlikely that substantial Aboriginal archaeological sites would be present, as the remainder of the study area was steeply sloping and not well suited to occupation sites.

The study area has been subject to substantial modification as a result of historical occupation and development, and in particular since the establishment of the school in the 1880s. These works have included both cut and fill, to allow construction on the steep slopes of the land and are likely to have impacted some of the Aboriginal archaeological remains that may once have been present within the study area. Aboriginal objects are unlikely to have survived in those locations where previous excavation has removed the shallow upper part of the soil profile (A Horizon) and any outcropping sandstone. Aboriginal objects may be retained in locations where the introduction of fill has preserved areas of A Horizon soil and sandstone outcrops. Any sites are likely to be fairly discrete in extent, and with the exception of KRB Rockshelter (AHIMS #45-6-3754), their exact location is not currently known.

Based on our assessment, we have made some conclusions about the location and type of potential surviving Aboriginal archaeological remains within the study area. We have used this as the basis for our assessment of the specific proposals currently under consideration. These comprise two packages of work:

- Detailed Development works. Expansion of the Early Learning Centre, alterations and additions to the Junior School and the Senior School, and traffic management.

- Concept Development works. Construction of a boarding accommodation building, and alterations and additions to the Senior School.

In most cases, the proposed works are internal modifications to existing buildings, and will not result in Aboriginal heritage impact. The potential for impact has been identified in the following cases:

- Works that are likely to affect the possible Aboriginal archaeological site KRB Rockshelter (AHIMS #45-6-3754).
- Works that will involve ground disturbance in locations where remnant A Horizon and/or bedrock outcrops may be present.

A precautionary approach has been used in the impact assessment, given the uncertainties involved; the presence of Aboriginal archaeological remains within the study area has not been confirmed, and the full details of the proposed development have not yet been developed. In order to address the potential impact, Aboriginal heritage management strategies have been developed for the Detailed Development works and the Concept Development works.

The following recommendations are made:

Finalisation and distribution of the report

1. A copy of this report should be forwarded to the Registered Aboriginal Parties and to:

The Registrar
Aboriginal Heritage Information Management System
NSW Office of Environment and Heritage
Locked Bag 5020
Parramatta NSW 2220

Detailed Development Works

2. The Aboriginal heritage management measures outlined in **Section 6.4.1** should be incorporated into the development program. In summary, these include:
 - a. Aboriginal community consultation.
 - b. Aboriginal heritage management plan.
 - c. Aboriginal heritage induction.
 - d. Archaeological monitoring of works with moderate potential for impact.
 - e. Archaeological investigation and recording of any Aboriginal archaeological sites that will be subject to impact.
 - f. Reporting.

Concept Development Works

3. The Aboriginal heritage management measures outlined in **Section 6.4.2** should be incorporated into the development program. In summary, these include:
 - a. Aboriginal community consultation.
 - b. Updated impact assessment.
 - c. Aboriginal heritage induction.
 - d. Detailed design to avoid impact to KRB Rockshelter (AHIMS #45-6-3754).

- e. Archaeological monitoring of works with moderate potential for impact.
- f. Archaeological investigation and recording of any Aboriginal archaeological sites that will be subject to impact, under the conditions of an Aboriginal Heritage Impact Permit.
- g. Reporting.

Other Future Works

- 4. Any future works beyond the current Detailed Development and Concept Development proposals should consider the potential for Aboriginal heritage impact in relation to the assessed Aboriginal heritage sensitivity as shown in **Figure 49** and the potential impact categories outline in **Table 13**.

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1 Introduction to the project

Coast History & Heritage [Coast] has prepared this Aboriginal Cultural Heritage Assessment report to inform a development application for the future development of Kincoppal-Rose Bay School. The proposal is to be assessed as a State Significant Development (SSD-10325) under Part 4 (Division 4.7) of the *Environmental Planning & Assessment Act* (1979). The proposed works are divided into two packages; a development application will be submitted for the Detailed Development works, and a Concept Development application will be submitted for the remainder. The assessment and approval pathway for the individual components of the second package has not yet been determined.

The Department of Planning, Industry and Environment has released the Planning Secretary's Environmental Assessment Requirements (SEARs) for the project¹, and these require an Aboriginal Cultural Heritage Assessment report to be prepared to inform the Environmental Impact Statement (EIS) in accordance with current guidelines², including Aboriginal community consultation requirements.³ To meet the requirements for the EIS, Kincoppal-Rose Bay School has engaged us to complete these investigations.

Our Aboriginal Cultural Heritage Assessment contains an Aboriginal archaeological assessment in accordance with the guidelines issued by the Department of Planning, Infrastructure and Environment (DPIE); *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ('the Code'); and documents Aboriginal community consultation in accordance with the *National Parks and Wildlife Regulation 2009* ('the Regulation'). It details known and potential Aboriginal heritage ('objects') within the study area, and contains Aboriginal heritage management recommendations in relation to the current proposal.

1.1 What the report contains

This report contains:

- a description of the study area, the proposal and the background to our study (**Section 1**);
- an assessment of Aboriginal cultural values (**Section 2** and **Appendix 1**);
- an overview of the environmental, archaeological and historical information we considered (**Section 3** and **Appendix 2**);
- a description of the field inspection we completed (**Section 4**);
- our assessment of the study area and possible impacts from the proposal (**Sections 5 and 6**);
- an Aboriginal heritage management strategy for the project (**Section 6** and **Appendix 3**);
- our recommendations (**Section 7**); and

¹ SSD-10325, SEARs, issued 31/5/19, Requirement 9.

² Office of Environment and Heritage (OEH) 2011; Department of Environment, Climate Change and Water (DECCW) 2010c.

³ *National Parks and Wildlife Regulation 2009* (s80C), as detailed in DECCW 2010b.

- the references used in our report (**Section 8**).

1.2 Who contributed to the report

Authorship and acknowledgements

The report was written by Fenella Atkinson with the assistance of Rebecca Bryant (Archaeologist) and was reviewed by Dr Paul Irish (Director, Archaeologist and Historian). The survey was undertaken with David Ingreby (La Perouse Local Aboriginal Land Council). Information contributed by Registered Aboriginal Parties is acknowledged with thanks.

We would also like to acknowledge the generous assistance of Terry Mahady (Mahady Management), Scott Swann (Kincoppal-Rose Bay School), Kylee Nicholls (Provincial Archive, Sacred Heart Education Ministry), Anita Krivickas and Gilberto Polla (Design 5 Architects), Craig Burton (CAB Consulting), and Nick Jackson (historian).

1.3 What we are assessing

The property and proposal

The area we are assessing is the campus of Kincoppal-Rose Bay School, which is located in Vaucluse, on either side of Vaucluse Road to the west of its intersection with New South Head Road (**Figure 1**). The study area comprises Lot 104 in Deposited Plan 1092747, and is about 6.04 hectares in size (**Figure 2**). In the following report, 'eastern campus' will be used to refer to the study area to the east of Vaucluse Road, and 'western campus' for the area to the west.

The study area is around 5.7 kilometres east of the Sydney CBD and 2.6 kilometres south of Watsons Bay. It is situated within the Woollahra Local Government Area, Parish of Alexandria County of Cumberland, in the Metropolitan Sydney Region of the Department of Planning, Industry and Environment, and within the boundaries of the La Perouse Local Aboriginal Land Council.

The proposed works assessed in the report are within the western campus only, and are divided into two packages (**Figure 3**):

- Detailed development:
 - Alterations and additions to the Junior School and expansion of the Early Learning Centre.
 - Alterations and additions to the Senior School, including expansion and refurbishment of the North Wing.
 - Upgrades to the main entry to the Senior School including reconfiguration of the core administration and office administration facilities.
 - New driveway crossing at Vaucluse Road to provide for an internal circulation road.
 - Improvements and re-configuration of the main forecourt to provide greater landscaped areas, pedestrian-only zones, and dedicated areas for bus parking (set down/pick up) and car parking.

- Provision of an on-site bus parking bay and associated parking area adjacent to the main entrance.
- Concept development:
 - Internal refurbishment of the Senior School Main Building to create an integrated circulation hub.
 - Internal alterations to the Hughes Centre.
 - Construction of a new boarding accommodation building.



Figure 1. The study area (blue outline) in its topographic context.



Figure 2. The study area (red outline).

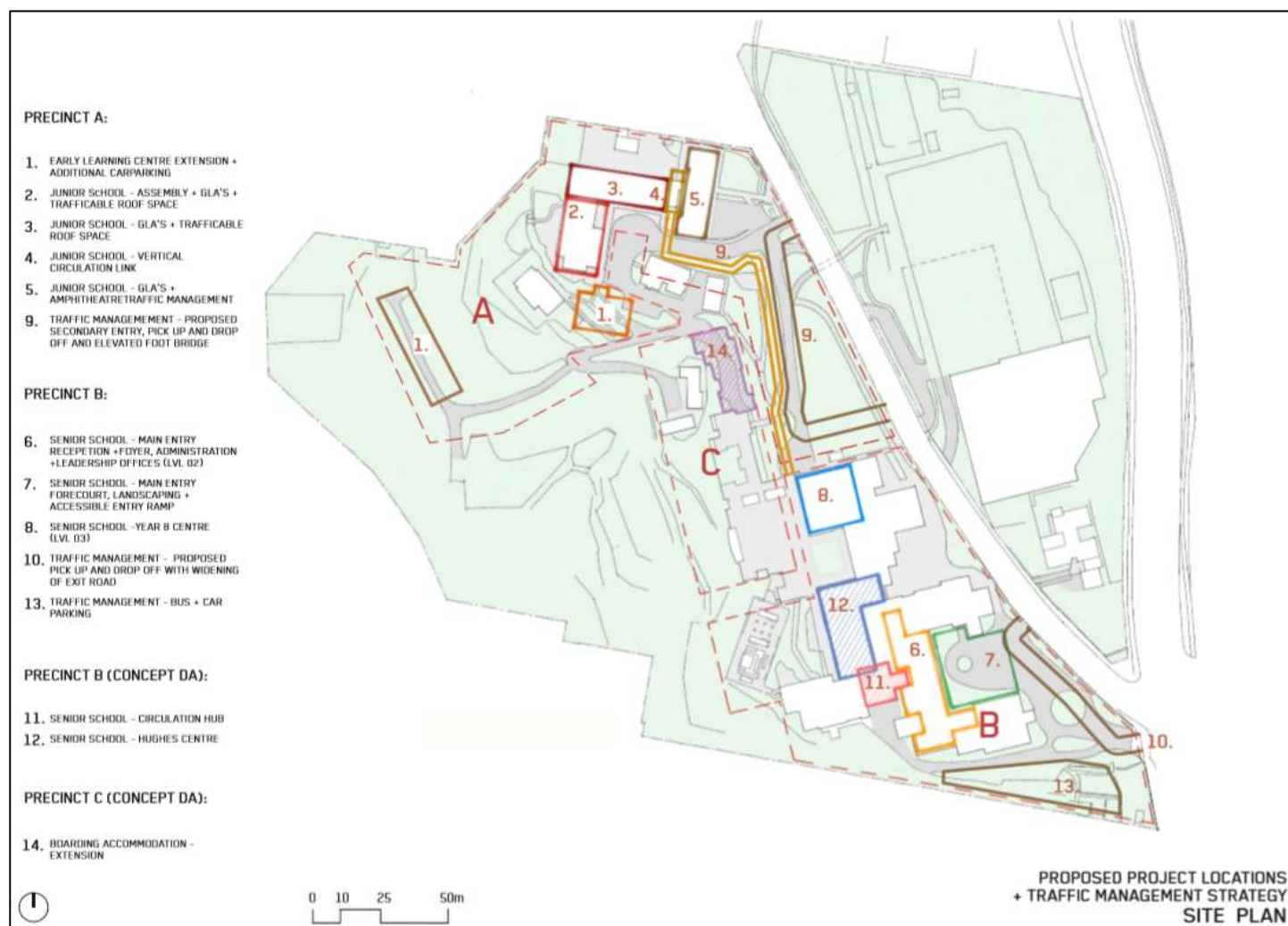


Figure 3. An overview of the proposed works locations.

[Source: BVN, Kincoppal – Rose Bay, SEARs Drawings: Design Report]

1.4 What we have considered

Legislative and policy requirements

The Detailed Development works and the Concept Development works will be assessed as State Significant Development by the Department of Planning, Industry and Environment under Part 4 Division 4.7 of the EP&A Act. The Planning Secretary's Environmental Assessment Requirements (SEARs) require the preparation of an Aboriginal Cultural Heritage Assessment Report in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*, the *Code of practice for archaeological investigation of Aboriginal objects in New South Wales* (the 'Code of Practice'), and the *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks & Wildlife Act 1974*.⁴ We have met the requirements of the SEARs by producing an Aboriginal Cultural Heritage Assessment Report which also documents Aboriginal community consultation in accordance with Section 80C of the *National Parks & Wildlife Regulation 2009* ('the Regulation').

In preparing this report and its recommendations, we are guided by the legal protections provided to Aboriginal heritage under the *National Parks & Wildlife Act* (1974) (the 'NPW Act'). The NPW Act is administered by the Department of Planning, Industry and Environment (DPIE)⁵, and gives statutory protection to all Aboriginal 'objects' and 'places' in New South Wales. The NPW Act defines 'objects' as '*any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains*' and defines Aboriginal places as those which '*in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture*'.⁶ Aboriginal objects are also commonly referred to as Aboriginal sites (e.g. campsites, scarred trees, rock engravings). There are no Aboriginal places registered within or near the current study area, so the protections given to these are not further considered.

Under the NPW Act there are offences for 'harm' to Aboriginal objects either knowingly (s86(1)) or unknowingly (s86(2)). *Harm* is defined in s5(1) of the NPW Act to mean any act or omission that:

- (a) destroys, defaces or damages the object or place, or*
 - (b) in relation to an object—moves the object from the land on which it had been situated, or*
 - (c) is specified by the regulations, or*
 - (d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c);*
- but does not include any act or omission that:*

⁴ SEARs issued 31/5/2019 (SSD 10325); DECCW 2010a; DECCW 2010b; OEH 2011

⁵ The NPW Act was managed by the Office of Environment and Heritage (OEH) until July 2019, when the functions of this agency were incorporated into the Department of Planning, Industry and Environment and the Department of Premier and Cabinet. Some references to OEH are retained from this earlier arrangement.

⁶ NPW Act Section 5(1) and Section 84 respectively,

- (e) desecrates the object or place, or*
- (f) is trivial or negligible, or*
- (g) is excluded from this definition by the regulations.*

There are defences and exemptions to the offence of ‘harm’, which include damage caused by ‘low impact activities’ (s87(4)) such as routine farm maintenance. It is also a defence to unknowing harm if you undertook a Due Diligence assessment that meets DPIE standards and concluded that the proposed activity would not result in harm.⁷ It is also not an offence to investigate Aboriginal objects through archaeological test excavations, but only if the methods used are strictly in accordance with the Code of Practice.

The most common way that harm to Aboriginal objects takes place is under the legal sanction of an Aboriginal Heritage Impact Permit (‘AHIP’) under s90 of the NPW Act. AHIPs can also be issued to enable archaeological test excavations that cannot be undertaken under the Code of Practice. AHIPs are issued by the DPIE based on a valid application and an accompanying Aboriginal Cultural Heritage Assessment Report.

Because the proposed development is being assessed as a State Significant Development, AHIPs are not required to enable investigation or harm to Aboriginal objects, once the approval has been issued. However all of the same investigations and considerations that would be undertaken in relation to an AHIP must be undertaken, including preparation of the same kind of Aboriginal Cultural Heritage Assessment Report. If subsequent stages of work are assessed by Council under Part 4.5(d) of the EP&A Act, the requirement for an AHIP will apply if harm to objects is likely.

The Aboriginal Cultural Heritage Assessment Report prepared for both State Significant Development proposals and AHIP applications must document Aboriginal community consultation in accordance with the Regulation. This involves seeking registrations of interest in the project from Aboriginal people who hold cultural knowledge relevant to the application through public notices and by contacting people identified through notices to Local Aboriginal Land Councils and government agencies who deal with Aboriginal communities in the area. People or organisations can register as ‘Registered Aboriginal Parties’ which provides them with a right to review and comment on project information and draft reporting, and to provide advice on Aboriginal cultural and historical significance.

The *Environmental Planning & Assessment Act 1979* (the ‘EP&A Act’) sets out the way the NPW Act protections for Aboriginal heritage are considered in relation to proposed developments. There are three main parts of the EP&A Act which outline how Aboriginal cultural heritage is to be considered. Part 3 governs the preparation of planning instruments such as Local Environmental Plans, Part 4 relates to development assessment and consent and Part 5 considers infrastructure and environmental impact assessment. Parts 4 and 5 are of most relevance to this project because they concern the process of obtaining development consent and the documentation required to support development applications. Under Part 4 (Division 4.7), projects can be deemed to be of State

⁷ DECCW 2010a or an equivalent standard.

Significance. In these cases, the DPIE takes over the role of the determining authority from a local Council.

There are also other state and federal laws which sometimes apply to Aboriginal heritage assessment, but they do not apply to this study and are not considered here.

2 Assessing Aboriginal cultural values

Aboriginal cultural assessment

In this section we outline the Aboriginal community consultation that has taken place in order to assess the Aboriginal cultural significance of the study area and Aboriginal objects within it. This has been done in accordance with s80C of the *National Parks and Wildlife Regulation* 2009 (s80C) [‘the Regulation’]. Each step in the consultation is described in order, starting with determining Registered Aboriginal Parties, and the information provided to, and received from, them.

2.1 Who we spoke with

Aboriginal community consultation

Public and direct notices were placed in order to identify ‘Registered Aboriginal Parties’ to the project as required by the Regulation (s80C(2a-c)). In addition we recognise the statutory responsibilities of Local Aboriginal Land Councils ‘to promote the protection of Aboriginal culture and the heritage of Aboriginal persons’ within their boundaries,⁸ as well as those of Registered Native Title Claimants and Registered Aboriginal Owners.⁹ For this reason the La Perouse Local Aboriginal Land Council was informed that they would automatically be listed as a Registered Aboriginal Party unless they chose to opt out.

2.1.1 Who we notified

We sent direct notifications about the project on 22 July 2019 to the agencies listed in **Table 1** and asked them to provide us with the contact details of any Aboriginal people they were aware of who may hold cultural knowledge relevant to the study area and any Aboriginal objects or places within it (see **Appendix 1A**). Their responses are shown in **Appendix 1B** and summarised in **Table 1**. We then sent notices to all of the Aboriginal people and organisations identified by those agencies. The list of who was sent these notices, and who responded their responses are shown in **Table 2**, and the responses are also in **Appendix 1C**.

We placed a public notice in the *Wentworth Courier* on 14 August 2019 calling for registrations of interest from Aboriginal people with cultural knowledge relevant to the project (see **Appendix 1A**). A deadline of 28 August 2019 was provided for responses. Several organisations responded to this notice as shown in **Table 3** and **Appendix 1C**.

Table 1. Direct agency notices.

Agency Contacted	Notice	Response and Who They Asked Us To Contact
Greater Sydney Local Land Services	22/7/19	Responded on 30/7/19 referring us to the Office of Environmental & Heritage for contact lists that may be relevant to the project.

⁸ *Aboriginal Land Rights Act 1983*, s52(1)(m).

⁹ *Aboriginal Land Rights Act 1983*, Division 3.

Agency Contacted	Notice	Response and Who They Asked Us To Contact
National Native Title Tribunal	22/7/19	Responded on 23/7/19 in relation to Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements within the entire Woollahra Local Government Area (LGA). No applications were found within the LGA.
Office of Environment & Heritage	22/7/19	Responded on 30/7/19 providing a list of 'Aboriginal stakeholders known to OEH ... who may hold cultural knowledge relevant to a proposal in a region'. Those stakeholders with an expressed interest in the Woollahra Local Government Area are: <i>A1 Indigenous Services, Aragung Aboriginal Cultural Heritage Site Assessments, Barking Owl Aboriginal Corporation, B.H. Heritage Consultants, Butucarbin Aboriginal Corporation, Callendulla, Darug Boorooberongal Elders Aboriginal Corporation, Darug Land Observations, Dharug, Didge Ngunuwal Clan, Goodradigbee Cultural & Heritage Aboriginal Corporation, Gulaga, La Perouse Local Aboriginal Land Council, Mura Indigenous Corporation, Ngambaa Cultural Connections, Thauaira, Walgalu, Murramarang, Biamanga, Gininderra Aboriginal Corporation, Wailwan Aboriginal Group, Thoorga Nura.</i>
Registrar of Aboriginal Owners	22/7/19	Responded on 7/8/18 to inform that there are no Registered Aboriginal Owners under the <i>Aboriginal Land Rights Act 1983</i> relevant to the project and suggesting contact with the La Perouse LALC.
Woollahra Municipal Council	22/7/19	Responded on 25/7/19 to recommend contacting the La Perouse Local Aboriginal Land Council.
NTS Corp	22/7/19	No response received
La Perouse LALC	22/7/19	No response received

Table 2. Direct notices and responses.

Person/Organisation Contacted	Date Contacted	Response Deadline	Response Received?	Seeking Registration?
A1 Indigenous Services	14/8/19	28/8/19	No	
Aragung Aboriginal Cultural Heritage Site Assessments	14/8/19	28/8/19	No	
B.H. Heritage Consultants	14/8/19	28/8/19	No	
Barking Owl Aboriginal Corporation	14/8/19	28/8/19	No	
Biamanga	14/8/19	28/8/19	No	
Butucarbin Aboriginal Corporation	14/8/19	28/8/19	No	
Callendulla	14/8/19	28/8/19	No	
Darug Boorooberongal Elders Aboriginal Corporation	14/8/19	28/8/19	No	
Darug Land Observations	14/8/19	28/8/19	14/8/19	Yes
Dharug	14/8/19	28/8/19	No	
Didge Ngunuwal Clan	14/8/19	28/8/19	15/8/19	Yes
Gininderra Aboriginal Corporation	14/8/19	28/8/19	No	
Goodradigbee Cultural & Heritage Aboriginal Corporation	14/8/19	28/8/19	No	
Gulaga	14/8/19	28/8/19	No	

Person/Organisation Contacted	Date Contacted	Response Deadline	Response Received?	Seeking Registration?
La Perouse Local Aboriginal Land Council	14/8/19	28/8/19	No	Registered automatically
Mura Indigenous Corporation	14/8/19	28/8/19	No	
Murramarang	14/8/19	28/8/19	No	
Ngambaa Cultural Connections	14/8/19	28/8/19	No	
Thauaira	14/8/19	28/8/19	No	
Thoorga Nura	14/8/19	28/8/19	No	
Wailwan Aboriginal Group	14/8/19	28/8/19	18/8/19	Yes
Walgalu	14/8/19	28/8/19	No	

2.1.2 Who registered an interest

Registered Aboriginal Parties

As a result of the public and direct notifications, a total of four Registered Aboriginal Parties were registered for the project, as summarised in **Table 3**. The names and contact details of all Registered Aboriginal Parties was provided to the OEH and the La Perouse LALC on 6 September 2019 as per the Regulation.

Table 3. Registered Aboriginal Parties for this project.

Registered Aboriginal Party	Date of registration
Darug Land Observations	14/8/19
Didge Ngunuwal Clan	15/8/19
La Perouse Local Aboriginal Land Council	n/a
Wailwan Aboriginal Digging Group	18/8/19

2.2 What we were told

Comments from Registered Aboriginal Parties

So far, no Registered Aboriginal Parties have provided any information about cultural or other values relating specifically to the current project. However, La Perouse LALC advised that the Vaucluse and Rose Bay area is significant to the La Perouse Aboriginal community due to the occupation of the area by their direct ancestors until c. 1880. Darug Land Observations also advised that members of the organisations have traditional and historical connections to the locality.

2.2.1 Responses to the project information and proposed methodology

We sent a document containing project information and our proposed assessment methodology to all Registered Aboriginal Parties on 3 September 2019 with a deadline of 1 October 2019 for responses (see **Appendix 1D**). We invited all Registered Aboriginal Parties to provide us with information or views about:

- any places or objects of cultural value to Aboriginal people which may be relevant to the current proposal;
- appropriate management for any Aboriginal objects that may be collected/retrieved from the study area should the sand extraction proposal be approved; and
- any other Aboriginal cultural or historical knowledge which is relevant to the Aboriginal cultural assessment of the study area in relation to the current proposal.

All Registered Aboriginal Parties were also asked to identify any information that may be of a sensitive nature so that appropriate protocols could be developed for assessing and discussing it, however no information provided was identified as sensitive in this way.

No responses were received about this document.

2.2.2 Comments on the draft report

This draft report was sent out to all Registered Aboriginal Parties on 23 October 2019. We asked for any comments or information to be provided to us by 20 November 2019 so that it could be considered in the final report. The comments received are included in **Appendix 1F** and summarised in **Table 4**.

Table 4. Comments received on the draft report.

Registered Aboriginal Party	Summary and Discussion (Coast comments in <i>italics</i>)
Darug Land Observations	n/a
Didge Ngunuwal Clan	n/a
La Perouse Local Aboriginal Land Council	La Perouse LALC provided support for the recommendations included in the draft report. They recommended that if any Aboriginal objects are unearthed during any activity on the property, the activity should cease and OEH and La Perouse LALC should be contacted immediately.
Wallwan Aboriginal Digging Group	n/a

2.2.3 Aboriginal cultural values in relation to this project

So far we have asked Registered Aboriginal Parties to provide any information which they believe is relevant to determined Aboriginal cultural values relevant to this study, whether in relation to particular Aboriginal objects (artefacts) or the history of the area more generally. No one has yet identified any specific Aboriginal cultural connections or significance relating to the study area except as part of a broader area with which they identify historically or culturally. However we know from other projects in the surrounding dune landscape, that any traces of past Aboriginal use have the potential to be both ancient and highly significant.

3 Information we have considered

Environmental, archaeological and historical context

3.1 Environmental context

Geology, soils and hydrology

If we want to understand how Aboriginal people may have used the local area in the past, and what traces of that use might still physically remain on and below the ground surface, we need to understand the local environment and how it has changed over time. This is particularly true in this study area, which sits in a landscape of outcropping sandstone, with overhangs and platforms, that has been substantially modified by development since colonisation. It is a landscape in which past Aboriginal use is likely to have been focussed on certain locations, and where evidence of that use is vulnerable to natural and human-induced erosion.

The study area is situated above the southern side of Sydney Harbour, on a peninsula of land which extends north to South Head, the southern headland at the harbour's entrance. It is on a steep slope leading down to a slight promontory that forms the eastern end of Rose Bay, on the western side of the peninsula. The underlying geology of the area is described as Hawkesbury Sandstone, a medium to coarse-grained quartz sandstone, with very minor shale and laminate lenses.¹⁰

The soils in the study area are formed from the weathering of the sandstone. Most of the eastern campus of the study area has been mapped as the Lambert Soil Landscape, while the western campus is within an area of the Hawkesbury Soil Landscape (**Figure 4**).¹¹ In both cases, outcropping sandstone covers over 50% of the ground surface, but the topography of the two landscapes is somewhat different, with the Hawkesbury being more rugged than the Lambert.

The Lambert Soil Landscape, in the east, is characterised by undulating to rolling rises and low hills, with broad ridges and gently to moderately inclined slopes; local relief is 20-120m and slopes are 20%. The outcropping bedrock consists of wide rock benches (10-100m) with low broken scarps of 1-4m in height. The vegetation consists of open heathlands, closed heathlands and scrublands, and patches of low eucalypt woodland. In contrast, the topography of the Hawkesbury Soil Landscape comprises rolling to very steep hills, with local relief of 40-200m and slopes greater than 25%. On steep sideslopes, rock outcrop consists of rocky benches, broken scarps up to 10m in height, and boulders. The vegetation includes areas of open-woodland (dry sclerophyll forest), tall open forest (wet sclerophyll forest) and closed-forest (rainforest).

Nineteenth-century plans showing the topography of the area indicate that the study area sloped down from east to west, with a break in slope between a gentler gradient to the east and a steeper gradient to the west (**Figure 5**). One of the plans indicates that the eastern campus may have included a second ridge or break in slope. Along the western boundary of the study area is a third steep slope, down to the water. Historical images of nearby locations in Vaucluse illustrate the nature of this landscape (**Figure 7** and **Figure 6**). Historical plans also show that three small

¹⁰ Herbert 1983.

¹¹ Chapman and Murphy 1989.

watercourses passed through the western campus (**Figure 8**). Two appear to rise within the study area and discharge into Rose Bay, while the third crosses the southernmost part of the study area.

In general, in both the Lambert and Hawkesbury Soil Landscapes, the soil profile is quite shallow. On crests, ridges and plateaux, the total soil profile (topsoil and subsoil) is up to 50cm in depth in the Hawkesbury Soil Landscape, and up to 100cm in the Lambert. On sideslopes and benches, soils are present in discontinuous patches. Deep soils may be present in crevices such as join lines. These soils are susceptible to sheet erosion if the ground cover is removed, and to gully erosion along unsurfaced tracks. The results of historical archaeological monitoring of excavation in the eastern campus tend to support this mapping. In this area, the exposed soils indicated that the ground surface originally sloped from the east down to the west.¹² The surface was undulating and was likely characterised by a thin topsoil with outcropping sandstone bedrock.

An understanding of the natural environment is important in working out what physical traces may remain of the past Aboriginal use of the area. Landforms identified within the study area that may have been a focus for Aboriginal occupation include low escarpments and other sandstone outcrops, the shoreline, and watercourses (**Figure 9**). Flat exposed boulders or outcrops of sandstone can contain rock engravings, or grooves from the sharpening of stone axes. In steeply sloping areas, Aboriginal people most likely camped in sandstone overhangs, which may still contain evidence of their use both as artefacts buried within the sandy floors of these shelters, or as painted artworks on the rear wall or roof. The physical evidence within sandstone overhangs is often better protected over time due to its sheltered location, but rain erodes soil from shelter floors, and this will get washed downslope.

Aboriginal people in the area would have been able to obtain freshwater from the creeks that ran through the study area. The natural vegetation in the area is mainly heath, scrub and trees including bottle brushes, acacias and eucalypts, which would have provided habitat for animals, and useful plants.¹³ And fish and shellfish would have been available in Rose Bay and other inlets around the peninsula. As the number of Aboriginal sites in the area show (see **Section 3.3**), this was a resource-rich and well-used area for Aboriginal people.

¹² Tuck 2009b: 1.

¹³ Benson 2011.



Figure 4. The study area in relation to soil landscape mapping, and contours.

The Hawkesbury Soil Landscape is shaded yellow, and the Lambert Soil Landscape is shaded pink.

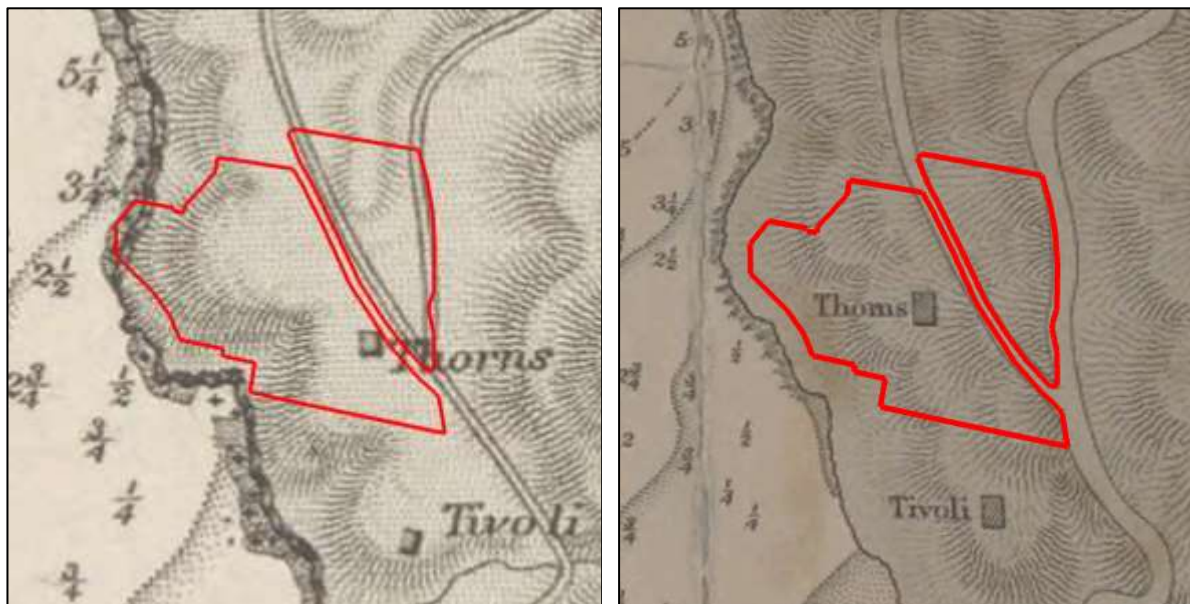


Figure 5. The approximate location of the study area in relation to two historical plans, giving an indication of the original topography of the area.

[Source: Left: Great Britain, Hydrographic Department, 1857, Australia, Port Jackson, National Library of Australia MAP British Admiralty Special Map Col./33; Right: Great Britain, Hydrographic Department, 1890, Australia – East coast, Port Jackson, National Library of Australia, MAP JOHNSTON SPECIAL COL./21]



Figure 6. An 1813 view of Sydney in the distance, with Vaucluse in the foreground, probably to the north of the study area.

[Source: Stephen Taylor, 1813, Sydney from Bell Mount, Dixon Galleries, State Library of NSW, DG 100, digitised item, <https://search.slnsw.gov.au/permalink/f/1cvjue2/ADLIB110328305>]



Figure 7. Detail of an 1824 image showing North and South Heads, to the north of the study area.

[Source: Joseph Lycett, 24, View of the heads at the entrance to Port Jackson New South Wales, National Library of Australia, PIC Volume 68 #U457 NK2707/10, digitised item, <http://nla.gov.au/nla.obj-135701554>]

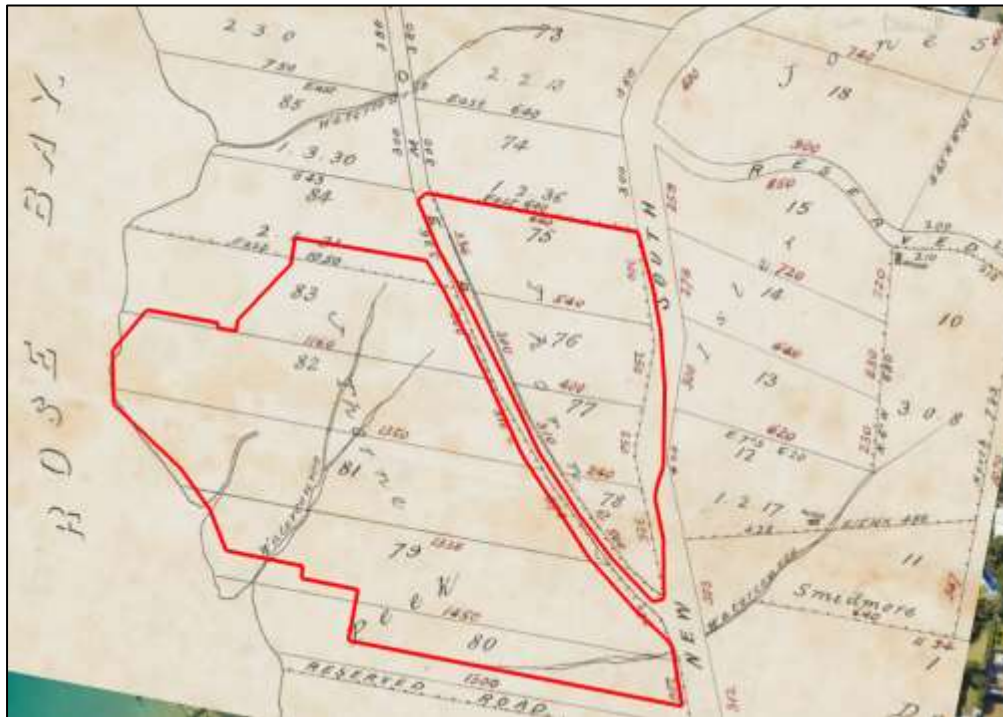


Figure 8. The study area in relation to watercourses shown on a plan of the subdivision of part of the Vaucluse Estate.

[Source: Resurvey of Vaucluse Estate (Part) traced from Mr F.H. Reuss Sr's plan, State Library of NSW, Subdivision Plans – Vaucluse, Z/SP/V1/17]

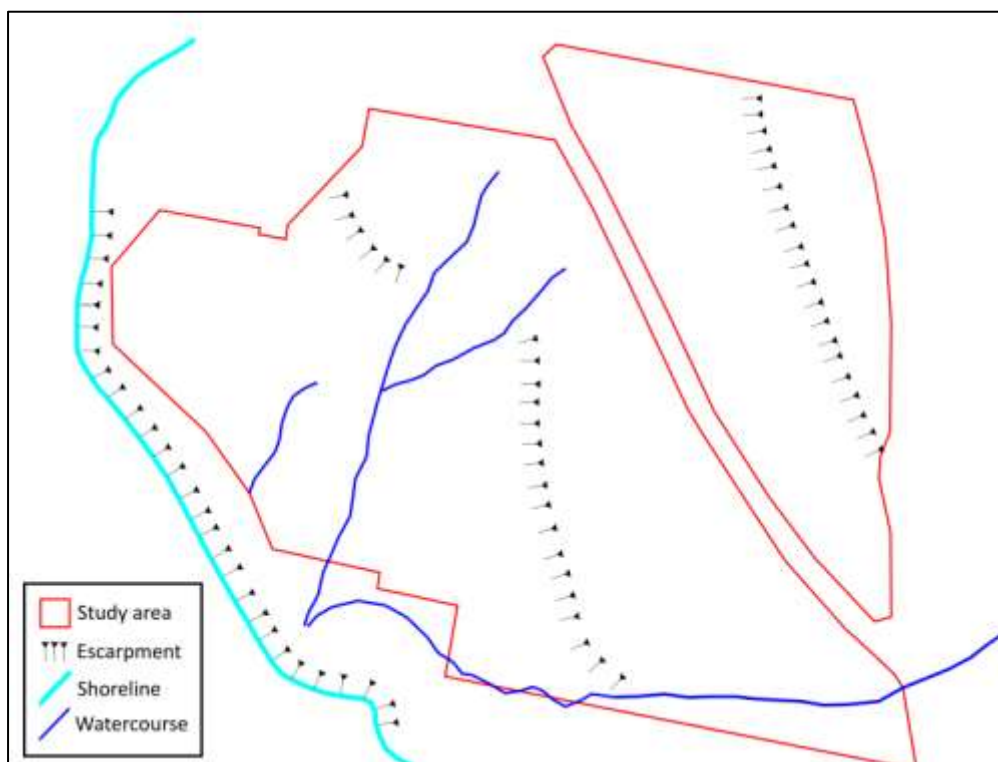


Figure 9. Diagram showing the approximate locations of landforms in relation to the study area.

These landforms may have been a focus of past Aboriginal occupation; watercourses, escarpments and the shoreline.

3.2 Historical context

Non-Aboriginal land use and impacts

In this section we consider the non-Aboriginal uses of the study area and their possible impacts on Aboriginal archaeological remains. The archaeological potential of the landscape features discussed above may be affected by processes of disturbance that have occurred as a result of natural process, or of historical occupation and development. The effects of natural processes, such as erosion due to rainfall, have been mentioned. To assess disturbance that may have resulted from historical occupation, we reviewed historical images, heritage assessments relating to the study area, and the evolution diagrams prepared by Design 5 Architects.

The study area is within the area of the Vaucluse Estate, which was acquired by W.C. Wentworth through grant and purchase by the late 1820s. Development of the study area in this period was limited; an 1840 plan shows a bridle path running through the western campus, parallel to the shoreline¹⁴, and an 1847 plan shows two 'Old Huts' in the eastern campus.¹⁵ Part of the Vaucluse Estate was subdivided for sale in the 1840s; the study area includes Lots 75-78 and 81-82, and parts of lots 79-80 and 83-84 of this subdivision. Most of the lots comprising the study area were bought by George Thorne between 1847 and 1850.¹⁶ During this period, Claremont House was built on the western campus, Claremont Cottage on the eastern campus, and a jetty on the foreshore. Thorne sold the property in 1879, and the new owner rebuilt Claremont House.

The Society of the Sacred Heart leased the study area in 1882, then purchased it in 1884.¹⁷ The existing buildings were converted for use as a Catholic education institution. Several phases of development have since occurred. The Main Building, Chapel and South Wing were built in the late nineteenth and early twentieth centuries, in the southern part of the western campus. A level building platform for these structures was created by construction of a massive sandstone retaining wall (**Figure 10** and **Figure 11**). Stone for the Chapel was quarried from the eastern campus and from the location now known as the Grotto in the western campus. A cemetery was established on the western boundary of the study area in the 1890s, and was enlarged in 1936.

In 1913, the eastern campus was levelled for construction of playing fields.¹⁸ Major landscaping works were undertaken in the 1920s. These included the creation of the Grotto, in the location of the former quarry.¹⁹ In 1923 Vaucluse Road was widened, and in 1930 New South Head Road was widened, in each case extending slightly into the school land.²⁰ Works in the 1930s include construction of an in-ground swimming pool, excavation of a tunnel under Vaucluse Road, and

¹⁴ P.L. Bemis, 1840, Part of the Estate of Vaucluse the property of W.C. Wentworth, Esq., sold by Mr. Lyons at his Mart George Street, Friday 31st July, 1840, State Library of NSW, M Z/M M2 811.1813/1840/1.

¹⁵ Book 13 No.662, NSW Land Registry Services, Historical Land Records Viewer.

¹⁶ Clive Lucas, Stapleton and Partners. 2002: 93.

¹⁷ Clive Lucas, Stapleton and Partners 2002:93-104.

¹⁸ Clive Lucas, Stapleton and Partners 2002: 104.

¹⁹ Clive Lucas, Stapleton and Partners 2002: 102.

²⁰ Tuck 2009a: 14; Clive Lucas, Stapleton and Partners 2002: 104.

landscaping including paths, bridges, retaining walls and culverts.²¹ A photograph from this period indicates that most of the native vegetation had been cleared (**Figure 10**). In the early 1950s, a residential property to the north of the school was incorporated into the western campus.²² The house was replaced in the mid-1960s with the Barat Burn building, for use as the Junior School.

In 1970, the Rose Bay school was merged with Kincoppal, a school at Elizabeth Bay.²³ Several new structures were built in the 1970s and 1980s to accommodate the amalgamated school, and the playing fields in the eastern campus were reconstructed at this time.²⁴ In 2009, substantial works were undertaken in the eastern campus for construction of an underground car park, sports courts, a play area and landscaping.²⁵

An overview of development within the study area shows that construction has been concentrated in the eastern campus and the eastern half of the western campus (**Figure 13**). Referring back to the topographical mapping shows that these are the more elevated parts of the study area, and were probably more gently sloping (**Figure 5**). Substantial development has not been undertaken in the western third of the study area, where the gradient of the slope is greater. It also appears that the courses of the former creeks have largely been avoided, probably because these were also steeper locations.

The documentary evidence indicates that historical development of the study area has involved both cut and fill, substantially altering the original topography. In particular, two locations are known to have been used as sandstone quarries: in the eastern campus, where quarrying may have targeted the former ridgeline/escarpment; and in the northern part of the western campus, where the quarry may have been located at the head of one of the creeks. A significant quantity of fill was introduced in the late nineteenth and early twentieth centuries, when the study area was redeveloped for use as a school. Fill was deposited across the south-eastern part of the western campus, in order to extend the Claremont House building platform for the Main Building, Chapel and South Wing. The western third of the study area appears to have been subject to relatively little historical development, probably because of the difficulties of building on a steep slope.

The results of historical archaeological monitoring of excavation in the eastern campus confirm that the landscape in this location has been considerably modified.²⁶ On the eastern side, the ground had been cut down to and into the C Horizon (sandstone) in many places, and on the western side there was evidence of both cut and fill. On the western side, the depth of fill ranged from 200 to 1700mm.²⁷ In a few locations, the original soil profile remained, mainly in the west and generally between bedrock fissures. Where present, this comprised a thin black brown soil (A Horizon),

²¹ Clive Lucas, Stapleton and Partners 2002: 102.

²² Clive Lucas, Stapleton and Partners 2002: 94.

²³ Clive Lucas, Stapleton and Partners 2002: 94.

²⁴ Clive Lucas, Stapleton and Partners 2002: 104.

²⁵ Tuck 2009a.

²⁶ Tuck 2009b: 1.

²⁷ Tuck 2009b: 2.

overlying a thin pale sandy soil (A2 Horizon), over increasingly sandy soils, decomposing bedrock and sandstone bedrock (B and C Horizons).

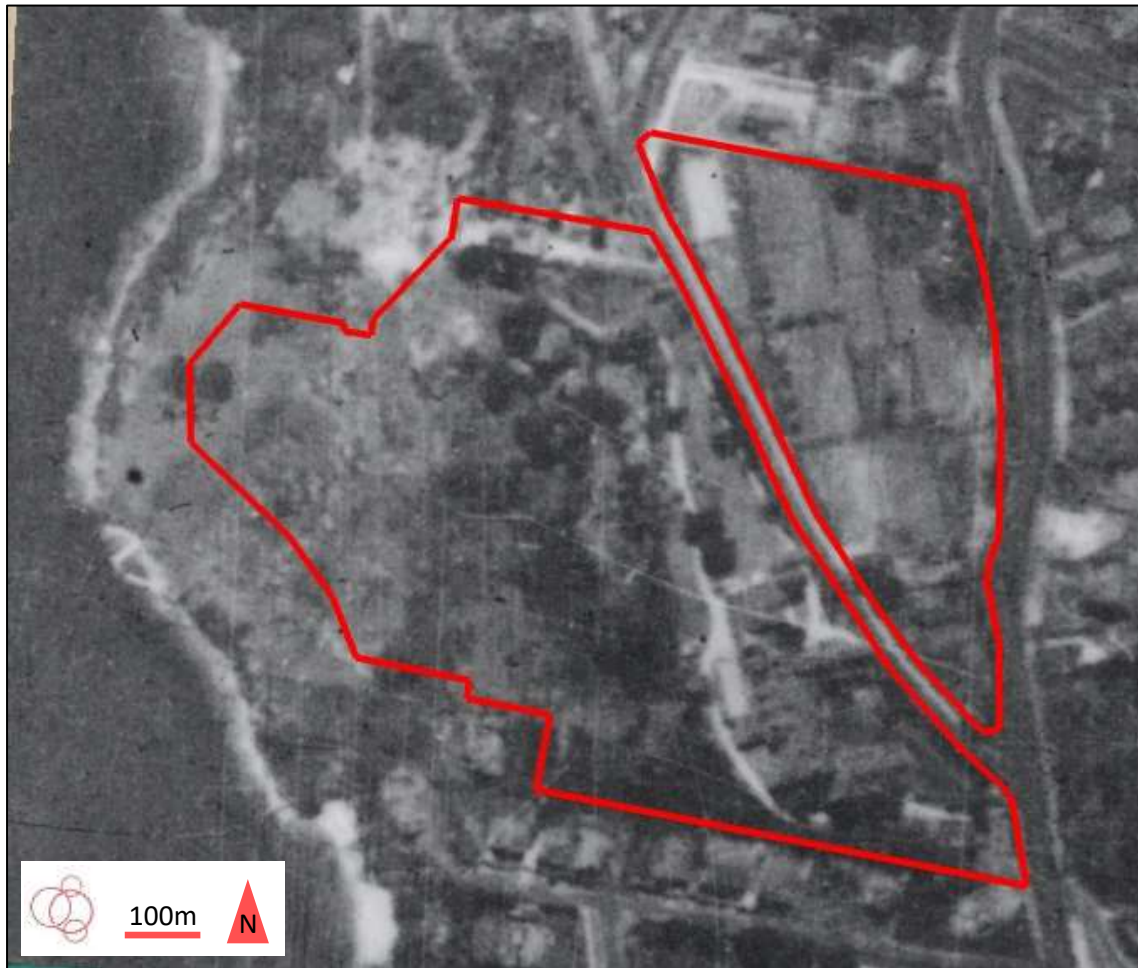


Figure 10. Detail of a 1930 image showing the study area after the initial stage of redevelopment as a school.



Figure 11. An undated image of the main group of school buildings, from the west.

Possible rockshelters are evident in two lines of sandstone escarpment below the building platform [Source: BVN 2013: 25].



Figure 12. Aerial image from 1943 showing the study area (red outline).

[Source: SIXMaps]



Figure 13. Overlay of current and former building locations (yellow outlines), as an indication of historical ground disturbance across the study area.

The drawing shows buildings only, not other features such as the cemetery and playing fields. The full footprint of some buildings is larger and includes levelled and filled areas in which they were constructed. The data is derived from Design 5 Architects, 10/09/2019, Kincoppal-Rose Bay School: Evolution Diagrams (Preliminary).

3.3 Heritage registers and sites

For this assessment we checked the main Aboriginal heritage database for New South Wales, the OEH Aboriginal Heritage Information Management System ('the AHIMS Register'). We searched the AHIMS Register over a 4km x 8km area centred on the study area (see **Appendix 2**).²⁸ While no Aboriginal sites are registered within the study area, there are 118 sites within the search area, which covers the South Head peninsula, but also a small part of the opposite foreshore.

Of these sites, 66 are on the peninsula (**Figure 14**). Twenty-five of these sites (38%) are listed as 'closed sites', indicating that they are within rockshelters or overhangs. Most of the remainder are

²⁸ AHIMS Search ID 433296, on 9/7/2019 within co-ordinates E337700-E341700, N6247200-N6255200 (GDA94 / MGA Zone 56).

midden sites located along the shoreline. OEH specifies a number of site features, one or more of which can be used to describe a site. For the 66 sites on the peninsula, 93 instances of seven site features are recorded (**Table 5**). There are three predominant features; shell and artefact, as a result of the presence of middens; and art, associated with both closed (rockshelter) and open (rock platform) sites.

There are 21 recorded sites within 1km of the study area (**Table 6** and **Figure 15**). The closest is recorded as a historical Aboriginal site; AHIMS #45-6-2650 (Emma's Well), located on the opposite side of New South Head Road, just south of the intersection with Towns Road. This site is a natural spring, and may have been named after an Aboriginal woman named Emma Collins, who lived nearby with her husband Peter in the nineteenth century.²⁹ The description in the site card notes that locals, in the 1960s, remembered that Collins was said to have lived in the area in the 1870s, and was thought to have lived in a slab hut on land within the land that is now part of the study area. Another reference places the hut 'opposite the site on which the Rose Bay Convent now stands'. This is discussed further below.³⁰

It is possible that a second AHIMS site also relates to historical Aboriginal occupation of the area. This is the rock engraving site AHIMS #45-6-1330 (Vaucluse House) recorded in 1980 within the present Vaucluse House property. The description in the site card notes that the engraving consists of three figures, interpreted as a person (possibly European), a kangaroo and a wallaby. At the time of recording a Wentworth family descendant born in the early twentieth century suggested that the engravings may have been made by Aboriginal people who visited Vaucluse House from other Wentworth family properties in western New South Wales up to the 1910s. However the engravings are consistent with the local style and were most likely made by local people.³¹

The other 19 sites within 1km of the study area comprise rock engravings, middens, rockshelters both with and without art, a grinding groove site, and archaeological deposits. The descriptions of the recorded middens indicate that this site type is located close to the water level, with the descriptions indicating locations on low rises or within rockshelters not far behind the shoreline. Rock engraving and rockshelter sites are more widely distributed, and relate to the presence of suitable outcropping bedrock.

Apart from middens, few open campsites (surface or subsurface artefact scatters) have been recorded. It may be that this site type is present, but has not been recorded as it is not easily visible. Elsewhere in the Sydney Basin, it has been found that the location of this site type is linked to the presence of fresh water, and this may also be the case in this locality. However, early historical maps indicate that there were several watercourses draining the peninsula, and it is unlikely that availability of freshwater was a significant constraint on site location. It is also possible that the lack of recorded open campsites in the Vaucluse area reflects the nature of past Aboriginal occupation of the locality. Much of the open ground is steep and is unlikely to have been suitable for camping.

²⁹ Irish and Ingrey 2013.

³⁰ Irish and Ingrey 2011: 35.

³¹ Irish and Ingrey 2011: 28.

With the exception of AHIMS #45-6-2650 (Emma's Well), all of these sites are located to the north of the study area, in locations that have been subject to relatively low levels of historical development; in Nielsen Park, along the foreshore, and in the properties associated with Vaucluse House and Strickland House. This is likely to indicate higher levels of preservation in such areas, but may also be a result of more intensive archaeological investigation. The second explanation is supported by the presence of a number of sites within smaller residential properties; these include rock engravings, a rockshelter with art, a rockshelter with deposit, and an open subsurface archaeological deposit.

As well as the AHIMS Register, we also searched some other heritage registers to see if any other sites or places of Aboriginal cultural or historical significance had been recorded. The Australian Heritage Database (incorporating the former Register of the National Estate) and the NSW State Heritage Inventory (incorporating the NSW State Heritage Register) were both searched on 9/7/2019 for the suburb of Vaucluse.

The study area is within the 'Sydney Harbour Landscape Area', which is an indicative place on the Register of the National Estate (Place ID 14308). The listing notes the rich Aboriginal heritage of the harbour, but does not list specific places or sites. The related listing, for 'Sydney Harbour National Park', which does not include the study area, notes that the park has Indigenous values of National Estate significance.

The adjacent Vaucluse House and grounds, run by Sydney Living Museums as a historical site, is listed on both the State Heritage Register and Australian Heritage Database. The State Heritage Register listing (Item #5045008) notes the ongoing presence of Aboriginal people within the original Vaucluse Estate area (which included the study area) through the nineteenth century

Table 5. Site features recorded for the 66 sites on the South Head Peninsula.

Site feature	Number	Percentage
Art (pigment or engraved)	33	36
Artefact	29	31
Shell	25	27
Potential archaeological deposit	3	3
Burial	1	1
Grinding groove	1	1
Water hole	1	1
Total	93	100

Table 6. Sites within 1km of the study area.

AHIMS No.	Name	Open or closed	Site features	Description
45-6-0001	Cabarita Park 1; Vaucluse; Milk Beach	Open	Shell, Artefact, Art	Engravings on a sandstone pavement occasionally buried under the sands of Milk Beach. Figures include six shields, three fish, and two other figures. Located between two extensive middens.
45-6-0560	Mt. Trefle Nelson Park Point 1 Mt. Trefle Midden Mt. Trefle Cave	Closed	Shell, Artefact, Art	Rockshelter located in a low cliffline on the side of Mt Trefle. A midden deposit is present on the floor of the shelter, no artefacts evident (apart from historical items). Some shell has washed down the hillside. There were two handstencils on the ceiling, and a small charcoal figure although this was thought not to be Aboriginal in origin. Excavation of the deposit recovered shell, fishbone and stone artefacts.
45-6-0704	Vaucluse Bay Vaucluse	Open	Art	Engravings on a small rock on a low ridge on the south side of Vaucluse Bay. Several figures including one thought to represent a kangaroo. Affected by weathering.
45-6-0903	Vaucluse Radcliffe Residence	Open	Art	Engravings on a flat rock in the backyard of a private property. There are two figures, thought to represent a boomerang and a fish. Some damage apparent.
45-6-1330	Vaucluse Vaucluse House	Open	Art	Engravings on an elevated sandstone ridge within the Vaucluse House property. There are three figures, thought to represent a person (possibly European), a kangaroo and a wallaby. In the opinion of one archaeologist these were not of Aboriginal origin.
45-6-1469	Vaucluse Park	Closed	Art	Rockshelter below the escarpment on the valley floor, within the Vaucluse House property. Two possible, but very faint, white clay hand stencils on the roof of the shelter. Sandy deposit on the shelter floor, but no artefacts or shell recorded.
45-6-1515	Diamond Bay (Vaucluse South)	Open	Art	Engravings on a sandstone outcrop above and adjacent to a cliff edge, within the Diamond Bay Reserve. There are four figures, described as semi-circles and circles. A later note describes them as mundoes (footprints).
45-6-1588	31 Olola Ave	Closed	Art	Rockshelter within a private property on Hopetoun Avenue. Art recorded on the back wall of the shelter.
45-6-1621	Vaucluse; Hermitage Reserve;	Open	Art, Grinding groove	Engravings and grinding grooves on a flat sandstone outcrop located on a slight slope about 75m from the shore and 20m above sea level.
45-6-1626	Milk Beach 3	Open	Shell, Artefact	Midden located on a low headland, with shell spilling down the rockface to the water level. No artefacts were recorded.
45-6-1627	Milk Beach 2	Open	Shell, Artefact	Midden eroding from a foredune behind Milk Beach. No artefacts were recorded.
45-6-1628	Milk Beach 1	Closed	Artefact	Rockshelter in a cliff face, with a possible archaeological deposit on the floor of the shelter and extending into the area in front. A midden was later recorded in front of the shelter. No art or artefacts were recorded.

AHIMS No.	Name	Open or closed	Site features	Description
45-6-1629	Vaucluse; Hermitage Reserve	Open	Shell, Artefact	Midden on the headland to the south of Milk Beach; just above the beach and in front of a line of low rockshelters, within the Hermitage Foreshore Reserve. The deposit included shell, a piece of burnt bone, and flaked stone artefacts.
45-6-1651	Milk Beach 5; Hermitage Reserve	Closed	Shell, Artefact	Rockshelter, with midden deposit on the floor of the shelter and extending downslope in front. Historical artefacts recorded.
45-6-1652	Milk Beach 4	Open	Shell, Artefact	Midden located below sandstone outcrop. No artefacts recorded, some historical disturbance noted.
45-6-1761	Hermit Bay	Open	Shell	Midden on a rock platform, just above the harbour, within the Hermitage Foreshore Reserve. The deposit included shell, and no artefacts were recorded. The condition of the site indicated that it was substantially disturbed, or that the shell had been introduced from elsewhere.
45-6-2089	Mt Trefle 2	Closed	Shell, Artefact	Rockshelter located on the side of Mt Trefle, with a small midden deposit on the floor of the shelter.
45-6-2352	Mt Trefle 3	Closed	Artefact	Rockshelter located on the site of Mt Trefle, with archaeological deposit on the floor of the shelter. One artefact was recorded, along with several historical artefacts indicating disturbance. A second area of PAD was recorded outside the shelter.
45-6-2650	Emmas Well	Open	Water hole	Well located in the New South Head Road reserve, near Towns Road and opposite the convent. Remembered in local oral history (in the 1960s) to have been used in the 1870s by Emma Collins, an old Aboriginal woman, who considered herself to be the custodian of the well. Collins is said to have lived in a slab hut on land within the Rose Bay Sacred Heart Convent property.
45-6-2797	28 Carrara Road Archaeological Deposit (formerly PAD)	Open	Potential archaeological deposit	Area of subsurface archaeological deposit within a private residential property. The site was recorded in association with the midden AHIMS 45-6-1761 (Hermit Bay), which had been recorded downslope. Test excavation resulted in the recovery of two artefacts (one quartz and one grey chert) from a disturbed natural soil profile sitting above bedrock. No midden material was found.
45-6-3624	The Wanderers Cave	Closed	Potential archaeological deposit	Rockshelter located within a sandstone escarpment running through several private residential properties. A sandy deposit is present on the floor of the shelter, but no artefacts or shell were evident. No art was evident



Figure 14. The results of the AHIMS search, showing the recorded sites on the South Head peninsula in relation to the study area (red outline).



Figure 15. The results of the AHIMS search, showing recorded sites within 1km of the study area (red outline).

3.4 Previous archaeological investigations

There have been no previous Aboriginal heritage investigations within the current study area, however several studies have been undertaken between Rose Bay and South Head in similar landforms, which are summarised below (and see **Figure 16**).

1978 and 1986 South Head and HMAS Watson³²

A survey was undertaken in the late 1970s to document the Aboriginal rock engraving sites on the military land at South Head. The investigation included documentary research into previous recordings as well as a survey. Twelve groups of engravings were identified, although several were no longer visible at the time of the survey.

In the mid-1980s, an investigation of the defence land at South Head was undertaken to review the 1978 report and provide additional heritage management recommendations if necessary. The survey resulted in the identification of one previously unrecorded rock engraving site, and an additional figure at a previously recorded site.

1984 Hermitage Foreshore Reserve³³

The Hermitage Foreshore Reserve forms part of Sydney Harbour National Park, and passes along the waterfront to the west of the study area. A survey was undertaken prior to construction of a walkway through the Reserve. At the time of the survey, there was one previously recorded site in the Reserve; an engraving (AHIMS #45-6-0001) located at Milk Beach, adjacent to two middens, although these had not been recorded. The survey resulted in the identification of three middens, a grinding groove site, and a potential archaeological deposit within a rockshelter (AHIMS #45-6-1629). The shelter was located in a sandstone escarpment running roughly parallel to the shoreline, about 20m back. Two of the middens were located on sloping ground in front of a line of sandstone outcrop or escarpment (AHIMS #45-6-1626 and #45-6-1628), and the third was in a sand dune behind the water (AHIMS #45-6-1627). The middens comprised shell, but a small amount of bone and several artefacts were also recorded at one site. The grinding groove site was located on a sandstone platform about 20m above sea level, and comprised four or five grooves, 5-22cm in length. No waterhole was observed. At the time of the survey, this was the only known grinding groove site in Vaucluse.

1988 and 2001 Coastal Cliff Walk, Dover Heights to Vaucluse³⁴

Two archaeological surveys were undertaken prior to the construction of a walkway along the cliff top on the eastern side of the South Head peninsula, about 1km to the east of the study area at its closest point. The route was planned through existing reserves and road reserves on the cliff top.

³² Negerevich 1978.

Koettig 1986.

³³ Rich 1984.

³⁴ Koettig 1988

Kate Sullivan and Associates. 2001.

The northern section, from Clarke Street to Belah Avenue in Vaucluse, was surveyed in the late 1980s. No sites were located, and it was found that much of the route had been altered by introduction of fill. The southern section, from Raleigh Street in Dover Heights to Clarke Street in Vaucluse, was surveyed in 2001. Again it was found that most of the reserves had been levelled with the introduction of fill. There was one previously recorded site along the route; a rock engraving within Diamond Bay Reserve (AHIMS #45-6-1515). An area of potential archaeological deposit within a rockshelter was recorded in Oceanview Reserve (AHIMS #45-6-2895). There was evidence of historical occupation of the shelter. No Aboriginal objects were found, but there was deposit within the shelter and it was considered that this may contain Aboriginal archaeological material.

1989 Port Jackson Archaeological Project

The Port Jackson Archaeological Project was intended to supplement early historic records of Aboriginal life in Sydney in the pre-contact (pre-1788), contact (1788) and post-contact (1788-1820) periods, through a series of detailed site recordings and archaeological excavations within the Port Jackson catchment.³⁵

A total of 369 sites were identified; comprising 126 open middens, 203 middens in rock shelters, six open middens associated with small rock shelters, 27 deposits in rock shelters, and seven open deposits.³⁶ Attenbrow noted a range of factors which may affect site distribution patterns, including greater visibility of shell in estuarine zones (compared to stone artefacts), greater visibility of rock shelters and rock platforms on Hawkesbury sandstone (compared to artefact bearing sediment on Wianamatta shales), and recording bias in estuarine and sandstone areas compared to the western half of the Port Jackson catchment where development has been concentrated.³⁷

Evidence from some excavated sites suggested that Aboriginal people have been occupying the harbour foreshores and collecting shellfish for at least 4,500 years, and indicated a change in the predominance of particular shellfish species over time from Sydney Cockle to Sydney Rock Oyster.³⁸ Surface evidence from middens indicated that the range and predominance of shellfish species varied, with rock platform and ocean species dominating midden assemblages near the mouth of Sydney Harbour. Middens further up the estuary contained fewer species and no ocean species.³⁹

The project included archaeological excavation of two rockshelter sites in Nielsen Park, within the original Vaucluse Estate, about 900m to the north of the present study area. The older of the two sites (Mt Trefle / #45-6-0560) was in use by around 200AD and contained a wide range of shellfish species, mammal and fish bones, along with a number of flaked stone artefacts. After cataloguing and analysing the fish bones from the site, it was concluded that fish may have been caught using fish traps such as stone tidal weirs as opposed to spearing or angling.⁴⁰

³⁵ Attenbrow 2010: 1-2.

³⁶ Attenbrow 1990: 42.

³⁷ Attenbrow 1990: 43-45.

³⁸ Attenbrow 1990: 61.

³⁹ Attenbrow 1990: 49.

⁴⁰ Attenbrow and Steele 1995.

1990 Strickland House⁴¹

The Strickland House property is located about 500m to the north of the study area. The location and topography of the property is similar to the current study area; it is located on a west-facing hillslope that falls from about 33m above sea level at the eastern corner to about 3m on the western boundary. A small watercourse runs through the centre of the property. The investigation confirmed the presence of a previously recorded midden (AHIMS #45-6-1652), located on a gentle slope about 10m from the shoreline. No additional sites were identified within the property, and it was considered unlikely that further significant archaeological remains would be present.

2008 Sydney Harbour National Park, South Head⁴²

The National Park addressed in this study consists of two areas located at the northern end of the peninsula, about 2.5km north of the study area. Eight sites were identified; five engraving sites, two middens, and a shelter with midden. Although additional sites had previously been recorded within the National Park, these could not be relocated. Several previously recorded engraving sites were thought likely to have been destroyed as a result of development and erosion. The descriptions of the middens indicate that the two on open ground were smaller, and more subject to damage, than the midden in the rockshelter.

2017 Gap Bluff Centre⁴³

This report addressed three locations at South Head, within the Sydney Harbour National Park, prior to proposed redevelopment of the existing buildings; at Gap Bluff, Laing Point, and the northern end of Camp Cove. Two sites were recorded; a rock shelter and midden (AHIMS #45-6-0096) and a midden on an outcrop at Laings Point (AHIMS #45-6-3351).

2018 24 Olola Avenue, Vaucluse⁴⁴

A due diligence assessment of a residential property was undertaken prior to proposed redevelopment. The property was a steeply sloping site above a gully, and incorporated a sandstone escarpment, about 7-8m in height, along the southern boundary. An overhang was present in one part of the escarpment, and this was recorded as an Aboriginal archaeological site (AHIMS #45-6-3624) comprising a rockshelter with potential archaeological deposit.

2019 32a Vaucluse Road, Vaucluse⁴⁵

A due diligence assessment of a residential property was undertaken prior to proposed works including excavation into the underlying bedrock. The property was a steeply sloping site, sitting above a sandstone escarpment that ran roughly parallel to Carrara Road. Two major phases of historical development were identified, which involved both cut and fill to allow construction on the

⁴¹ Haglund and Associates 1990.

⁴² Comber Consultants 2008.

⁴³ Comber Consultants 2017.

⁴⁴ Coast History and Heritage 2018.

⁴⁵ Coast History and Heritage 2019.

sloping site, and it was considered that the location of the proposed works had low archaeological potential. However, the previous development had not involved bulk excavation across the whole of the property; this only appeared to have been undertaken for the construction of Carrara Road.

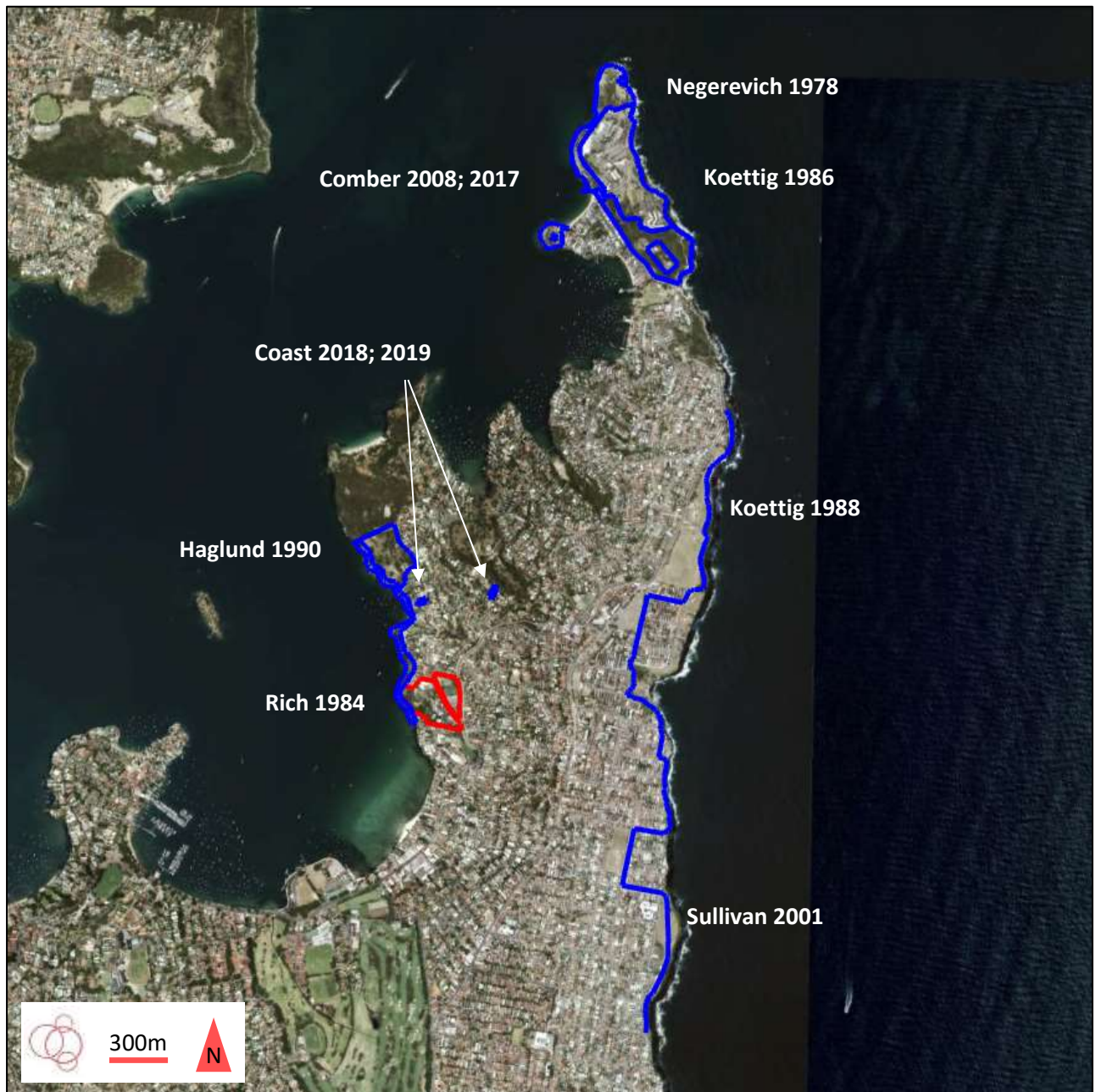


Figure 16. The locations of previous archaeological investigations in proximity to the study area.

3.5 Aboriginal land use

Although there have been very few detailed archaeological investigations of specific Aboriginal sites across Vaucluse and surrounding suburbs, it is clear from research around Sydney that Aboriginal people have been living in the region for tens of thousands of years, long before Sydney Harbour

existed.⁴⁶ At the end of the last ice age around 18,000 years ago, sea levels began to rise and flooded the deep valley we now know as Sydney Harbour.⁴⁷ The current harbour foreshore stabilised around 3,000 years ago and most Aboriginal sites around the harbour probably date from after this time.

The most common type of 'living place' in the Vaucluse area are middens, which are found around the Vaucluse shoreline, and mainly on the western side of the peninsula. They tend to be located near the shoreline on low rises or foredunes, or within and in front of rockshelters. Two excavated Aboriginal middens from Vaucluse give us a glimpse into the lives of Aboriginal people around the harbour. The first of these is a rockshelter within Nielsen Park, about 900m north of the study area (AHIMS #45-6-0560). It was excavated in the early 1990s and was found to have been used by Aboriginal people from around 1,300 years ago up until the arrival of Europeans in the late 1700s. The excavated remains from the shelter included a wide range of shellfish species, mammal and fish bones, along with a number of flaked stone artefacts. After cataloguing and analysing the fish bones from the site, archaeologists concluded that fish may have been caught using fish traps such as stone tidal weirs, as opposed to spearing or angling.⁴⁸

The second site is a coastal campsite or shell midden at Milk Beach, around 600m north of the study area, where a ground-edge stone hatchet was found.⁴⁹ It was interesting because it is very different from hatchets usually found within the Sydney area. Most Sydney hatchets were made from cobbles from creek beds and ground at one end to create a working edge. The Vaucluse hatchet however was made from a piece of stone and modified into an oblong shape and then pecked with another rock all over, a technique referred to as hammer-dressing. Apart from the ground edge that would have been used to cut through wood, the hatchet also had deep pits on both faces indicating it was used as an anvil - perhaps for grinding seed. When the hatchet was chemically analysed to determine the source of the stone, it was found to have come from the Bathurst district over 180km away. The hatchet probably travelled via the Blue Mountains along trade routes and between different language groups. It shows us that coastal Sydney Aboriginal people maintained extensive social networks and trading systems that existed beyond the Sydney area.

Apart from the rich records of middens, little other archaeological evidence of daily life has been found around Vaucluse, such rockshelters within stone artefacts (but not midden). Only a few stone artefacts have been recorded in the area; materials include silcrete, chert and quartz. The first two materials are likely to have been brought in from outside the area, although probably not from as far as the hatchet discussed above.

Despite the prevalence of outcropping sandstone across Vaucluse, only a single site with axe grinding grooves has been recorded. This was in association with one of a number of rock art sites found in Vaucluse. These art sites provide a rich record of the cultural and spiritual life of Aboriginal people in the area. They consist of numerous rock engravings, which tend to be located on fairly flat rock outcrops, as well as several rockshelters containing pigment art. Analyses of rock art in the

⁴⁶ Attenbrow 2010: 18-21.

⁴⁷ Attenbrow 2010: 38.

⁴⁸ Attenbrow and Steele 1995.

⁴⁹ Attenbrow et al. 2012.

Sydney Basin have tended to associate it with the creation and maintenance of group identity. McDonald has suggested that engraving sites may have been associated with ceremony, and may have functioned to encourage large-scale group cohesion.⁵⁰ She contrasts this with shelter art, which she suggests was associated with smaller local-group identifying behaviour.

The archaeological record from the local area and from around Sydney Harbour, shows that local Aboriginal people were very focussed in the lands and resources of the coast. Early historical observations confirm this. In the first year of the colony Aboriginal people were seen in large numbers both on the water in canoes, and camped around its jagged rocky edges. A devastating smallpox epidemic which swept around the harbour in 1789 claimed many Aboriginal lives, and decimated the harbour clans. But the survivors regrouped, and for the next century camped around the harbour, including at Vaucluse. Early historical observations include images such as **Figure 6** and **Figure 7**, routinely show groups of Aboriginal people, though often relatively few in number. There are also occasional brief written descriptions, such as Daniel Southwell's 1790 letter. He was walking from South Head to Sydney when he came across a group of eight or nine Aboriginal people at their fire, who ran and hid on his approach.⁵¹ He noted a new canoe on the beach nearby, and several bundles of spears and fishing tackle.

Ongoing Aboriginal connections across coastal Sydney, and in particular in the Vaucluse area, have been the subject of recent research.⁵² The study area was within the Vaucluse Estate until c.1850. Aboriginal people are known to have visited and stayed on the Estate during its ownership by the Wentworths throughout the nineteenth century. During this time Vaucluse and surrounding areas were only sparsely inhabited by Europeans, and retained extensive bushland (**Figure 17**). Aboriginal people set up camp in Vaucluse and surrounding areas and were a fact of life for the Wentworths and others.

This description from 1834 of a boat trip from Sydney to an Aboriginal camp at Vaucluse gives a sense of the environment at the time. Visiting Englishman William Proctor and a friend were rowed along the harbour by an Aboriginal man Salamander and a non-Aboriginal man and observed:

the scenery of Port Jackson always picturesque, was on this occasion heightened by the effect of a most glorious sunrise. The grey jutting rocks finely contrasted, with the green shrubbery scattered over and among them, while at intervals the gum tree towered up with its fantastically rugged trunk, and light airy foliage – and the wood land (being at a distance) a not unpleasant noise of the locusts was heard on all sides. After about an hours pull through this scenery, the more prominent features of which however kept perpetually changing as we rounded each headland, we reached Camp Cove a beautifully sequestered little spot – having a fine sandy beach surrounded by the bush – and from whence though there was no signs of habitations, blue smoke curled up at several different points.

⁵⁰ McDonald 2000.

⁵¹ Southwell 1893.

⁵² Irish and Ingrey 2011; Irish 2017.

After fishing and eating on the beach, Proctor travelled inland and found around a hundred Aboriginal men, women and children camped in gunyahs (bough and branch huts) around Camp Cove lagoon.⁵³



Figure 17. View west from Camp Cove to Vaucluse in the 1870s.

Vaucluse is the majority of the land in the middle of frame. The approximate location of the current study area (out of view on the western side of the Vaucluse peninsula) is indicated with the arrow. Source: American and Australasian Photographic Company, 1870-1875. *Gun emplacement and two artillerymen, Camp Cove & Watson's Bay* (SLNSW ON 4 Box 57 No 268). [extract of original image].

Aboriginal people continued to camp at Watsons Bay, Vaucluse, Rose Bay and Woollahra throughout the remainder of the century. Historical documentation relating to the early years of the Convent suggests that larger groups of Aboriginal people gathered at Rose Bay for the annual blanket distribution in the 1880s:

On May evenings the strange sounds of aboriginal corroborees added an exotic touch to the wilderness of Rose Bay. These occurred when aborigines made camp somewhere near the present Rose Bay shopping centre while they waited for the distribution of their yearly blanket apiece on Queen Victoria's birthday.⁵⁴

Detailed research into these documented has allowed the identification of a number of named individuals associated with the Rose Bay and Vaucluse areas in the period from the 1850s to the 1870s, including Johnny Baswick (alias Bankey) and his wife Rachel, William Warrell, William Lynes (Bungela), Black Charley, Bobby and Emma Collins.⁵⁵ Black Charley was recorded trading fish with the Wentworths in the 1840s, while Bobby worked for the family in the 1860s. Aboriginal people also

⁵³ Proctor 1834.

⁵⁴ Fisher n.d.. This is based on the memories of Mother Susan Hughes, who was one of the first pupils at the school.

⁵⁵ Irish and Ingrey 2011: 21, Irish 2017: 70-72 and Figure 4.5.

visited the Wentworths from their other properties across New South Wales into the early twentieth century (see also **Section 3.3**).⁵⁶ It was only with the formation of the Aborigines Protection Board in the late nineteenth century, and increasing government and police scrutiny of Aboriginal people, that these camps were abandoned as residents increasingly moved to the La Perouse Aboriginal fishing village at Botany Bay.

Immediately east of the Convent on the eastern side of South Head Road, a freshwater spring has been made into a fountain known as Emma's well. It has been registered as an Aboriginal site (AHIMS #45-6-2650) based on a local historical reminiscence from the 1930s suggesting that it was looked after by an Aboriginal woman named Emma Collins, who apparently lived nearby in a slab hut with her husband Peter. The hut is variously described as being within or near the study area.⁵⁷ There is a reference to Collins in an 1882 letter from Rev Mother Vercruysse; 'Then at the gate an old man named Collins lives with his wife and family in a wooden house', although she does not mention Emma or describe the family as Aboriginal.⁵⁸ Other local residents challenged the suggested location of the house and could not recall Emma, and the scant available records are contradictory.⁵⁹

A rockshelter just to the north-west of the study area was known as Black Man's Cave.⁶⁰ It was assumed that this name was related to occupation of the shelter by Aboriginal people, and that they fished from the Hermit Bay beach below, but no definite evidence of this has been found.

3.6 What may remain within the study area

Having considered past archaeological recordings, Aboriginal community knowledge, and the natural environment and historical use of the study area, we can make some predictions about what kinds of Aboriginal heritage sites may be present within the study area. The known archaeology of the local area, in conjunction with the natural environment of the study area specifically, indicates that the following site types may be present:

- **Middens** may be present near the shoreline, on low rises or dunes close to the water level. Along the western boundary, closest to the shoreline, the ground level within the study area is at about 13-14m AHD, or above the mean sea level; to the west is a steep slope down to the shore. This suggests that middens associated with the shoreline would likely be located outside the study area, however no sites were identified in this area during the previous investigation.⁶¹ Middens may also be present within and in front of rockshelters (see below).
- **Rockshelters** that have been occupied may be present where rock overhangs exist in escarpments of outcropping sandstone, and possibly also where a sandstone floater has created an overhang. Rockshelters may include art, which is likely to be pigment art. They

⁵⁶ AHIMS 45-6-1330.

⁵⁷ Irish and Ingreys 2011: 35.

⁵⁸ Barlow, n.d.

⁵⁹ Ruffels 2019. See in particular Bertie 1939: 21; Rowland 1951: 225; Barracluff 1960: 2.

⁶⁰ Barlow, n.d.

⁶¹ Rich 1984.

may contain middens, surface artefacts and archaeological deposits. Historical images indicate that there were three main escarpments running roughly north-south through the study area: two in the western campus, to the west of the Senior School and to the west of the Junior School; and the third in the eastern campus. Rockshelters appear to have been present within one of these escarpments (see **Figure 11**).

- **Rock engravings** may be present where flat, or relatively level, areas of bedrock were exposed, either as outcrops or floaters. As noted above, outcropping bedrock is known to have been present within the study area, along the three escarpments. Floaters are also likely to have been present, but the exact location of these features in the undeveloped landscape is more difficult to determine.
- **Surface artefacts and archaeological deposits.** These site types may be present within the study area in locations that are within or in close proximity to rockshelters (see above), and where the upper part of the natural soil profile (the A Horizon) remains. They are unlikely to be present elsewhere in the study area, due to the steep slope of the ground.
- **Historical Aboriginal places.** The only known site potentially within the study area is the site of the hut in which Emma Collins and her husband Peter lived in the later nineteenth century. Even leaving aside the ambiguities about Emma's identity, it is unlikely that any remains of the hut will have survived the degree of historical impact documented in the area. However, as we have discussed, a number of other Aboriginal people also used the Vaucluse area throughout the nineteenth century. Archaeological evidence of this use is likely to be scant, but would be highly significant if it has survived. In general, this possibility should be considered in relation to any apparently non-Aboriginal relics from the nineteenth century that may be found within the study area.

The Aboriginal archaeological assemblage that may have been present within the study area is likely to have been affected by natural processes. In particular, the soil landscapes within the study area are known to be subject to erosion, and this is likely to have had some impact on any archaeological deposits. Pigment art within rockshelters, and rock engraving sites are likely to have been affected by weathering.

The known historical development and occupation of the study area, as outlined in **Section 3.2**, will also have resulted in the removal of part or all of the archaeological sites that were present. The most substantial impact is the sandstone quarrying that is known to have been undertaken in the eastern campus, and also in the present location of the Grotto in the western campus. This would have removed any sites associated with the quarried sandstone, such as rockshelters and rock engravings, and any sites within or overlying the natural soil profile, such as artefact scatters. This would be similar in other areas subject to deep excavation, for instance for subsurface services and for levelling. In addition, clearing the land for development and landscaping is likely to have exacerbated the natural processes of erosion.

However, in some locations across the study area, the natural landform appears to have been retained, and in other locations fill has been introduced. In these places, any Aboriginal archaeological sites that may have been present are likely to remain. This interpretation is supported by the previous identification of a range of site types within properties that have been developed for residential use in the Vaucluse area.

4 What we have observed

Site survey

The results of the documentary research, detailed in the above sections, did not identify any known Aboriginal archaeological sites within the study area, but did indicate the presence of landforms that are known, in other locations, to be associated with archaeological sites. An archaeological inspection of the study area was therefore undertaken on 5 August 2019 by Paul Irish, Rebecca Bryant and Fenella Atkinson of Coast, and La Perouse Local Aboriginal Land Council Senior Site Officer David Ingrey.

4.1 Survey methods

The survey covered the whole of the study area (eastern and western campuses), but did not include areas inside or underneath buildings. It was focussed on an examination of areas of exposed ground and bedrock, to identify any sites that may be visible; and an assessment of impacts to the broader landform, to determine the degree to which underlying dune deposits may have been impacted by the construction and occupation of the school. We used this information to assess the archaeological potential of the study area, and also to determine the estimated effective survey coverage of our inspection, so that this could be tabulated as required by the Code of Practice (see **Section 4.3**).

Survey observations were recorded using a combination of written notes and photographs, linked to GDA coordinates obtained using a handheld GPS. We also recorded GPS track logs of where we went. All mature trees within the study area were inspected to determine whether any may have scars of Aboriginal cultural origin. Determining whether scars have a cultural or natural origin can be difficult, but is evaluated based on attribute guides and knowledge of the specific land use history of the area in question.⁶²

Stone artefacts can represent the remains of former Aboriginal living spaces, or the casual or accidental discard of individual artefacts. Though arbitrary it is common practice to define 'open campsites' as being two or more artefacts within 50m of one another, unless they are obviously not related. Single artefacts more than 50m from other artefacts are typically recorded as 'isolated finds', unless we can see that they are somehow related to artefacts further away than this.

This information is recorded about any artefacts we find on our inspections:

- How big the artefact is – its maximum length, width and thickness.
- What it was made from - raw materials such as silcrete, quartzite and quartz.
- The type of artefact - flakes, blades, cores, flaked pieces etc.
- Any other information about its context or perhaps evidence of use such as retouching etc.

As well as recording the archaeological evidence we can see, we also think about whether there is any potential for evidence to survive beneath the surface. This can be determined by thinking about

⁶² Irish 2004; Long 2005.

the type of landform, what we know of how Aboriginal people used these types of landforms, the archaeological evidence we can see, and the level of disturbance that is either observed during the inspection or known from historical records. If we think an area might have subsurface archaeological evidence, it is identified as an area of Potential Archaeological Deposit. These areas may not be associated with any surface evidence such as stone artefacts.

4.2 Survey observations

In the following description, the study area is divided into four survey units which were defined following the current areas of use of the school (**Figure 18**). Survey Unit 1 consists of the eastern campus. Survey Units 2-4 are within the western campus. Survey Unit 2 consists of the area of the senior school, Survey Unit 3 comprises the junior school and adjacent areas, and Survey Unit 4 is the lower (western) part of the western campus, and is relatively undeveloped.



Figure 18. The four survey units within the study area.

Survey Unit 1 includes two detached single-storey houses with detached garage in the south, then the Maureen Tudehope Centre (MTC), a grassed playing field overlying a basement carparking level,

and in the north, four sports courts laid out in two pairs. On the northern boundary of the Survey Unit, New South Head Road, to the east of Survey Unit 1, is about 15m higher than Vaucluse Road, to the west, indicating that the area originally sloped down from east to west.

Substantial modifications to the original topography are evident. There is a large cutting along New South Head Road (**Figure 20**). Construction of the sports courts has involved terracing to create level areas (**Figure 21**). Due to the slope of the ground, the ground floor of the MTC including the swimming pool and the adjacent carpark are at ground level on the western (Vaucluse Road) side, but below ground on the eastern side. Outcropping sandstone is apparent in the north-east corner of the Survey Unit, and along the New South Head Road cutting (**Figure 22**). However, it is possible that this may have been exposed by excavation. In addition, there is evidence of a substantial stormwater system, installed to contain drainage from New South Head Road, and carry it down through the study area.

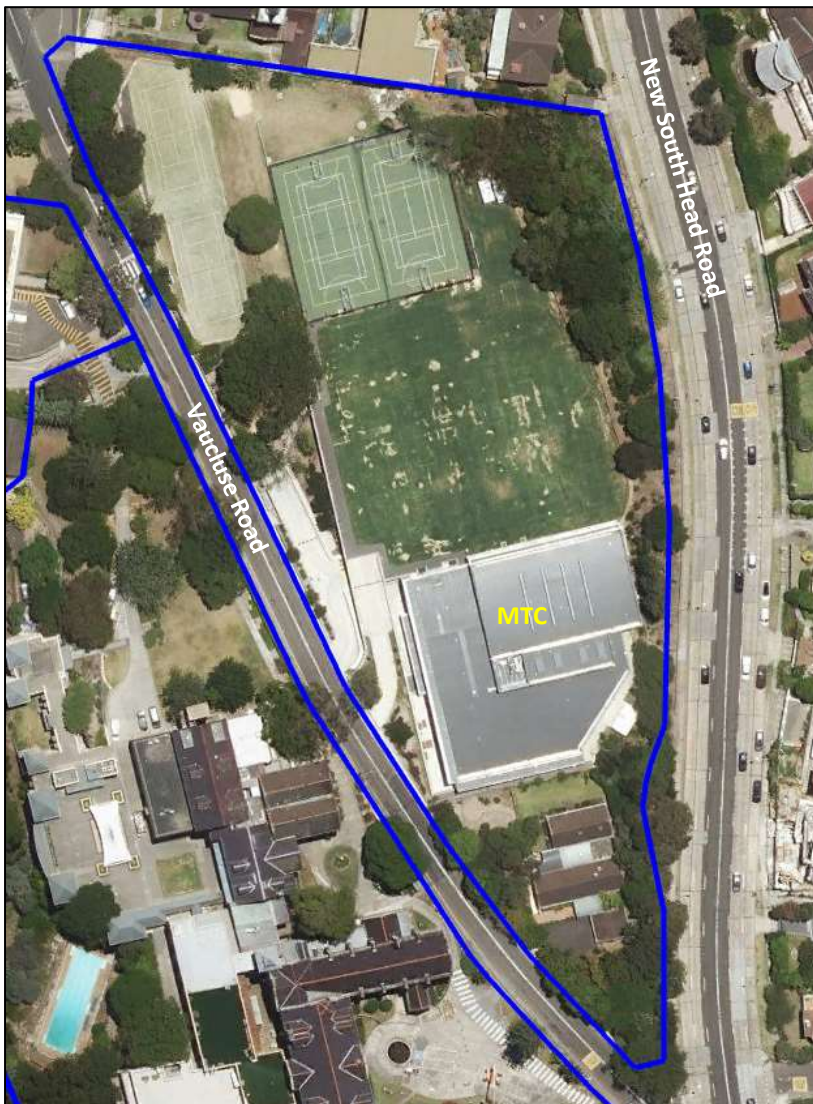


Figure 19. Survey Unit 1.



Figure 20. Survey Unit 1: cutting along New South Head Road.



Figure 21. Survey Unit 1: showing terracing for the sports courts.



Figure 22. Survey Unit 1: sandstone outcrop behind (to the north of) the MTC.

Survey Unit 2 is located in the western campus, and contains the main senior school buildings; the Main Building, South Wing and Chapel, the Science Block, the Hughes Building, Claremont, North Wing, the O'Neil Library, Sheldon House, two boarding staff accommodation buildings, and the former pool (now an outdoor learning space).

The southern boundary of the Survey Unit is characterised by a steep slope down to the south, supported by retaining walls (**Figure 24**). This may reflect the line of the former watercourse (see **Figure 8**). Along the eastern boundary, the ground level within the survey unit is roughly level with Vaucluse Road, then slopes down to the west (**Figure 25**). At the northern end of the Survey Unit, a tunnel runs under Vaucluse Road leading to the eastern campus (**Figure 26**).

Three substantial benches or escarpments of outcropping bedrock are evident in this Survey Unit. One extends from just to the south of the Sacred Heart Education Ministry (SHEM) Building in the north, south behind Sheldon House, to the Science Block in the south (**Figure 27** and **Figure 28**). A second line extends from the Grotto in the north, and runs south to join the first outcrop (**Figure 29**). A third runs along the western boundary of the Survey Unit, from adjacent to the Boarding Staff Accommodation in the north to the southern boundary of the study area (**Figure 30**). All three of these outcrops have been modified to various degrees for construction of the school buildings, terracing and landscaping. The most substantial impact that is presently evident is the cutting behind Sheldon House (**Figure 27**). An overhang was identified in the outcrop to the north of Sheldon House; this has been recorded as a potential Aboriginal archaeological site (see **Section 4.4**).

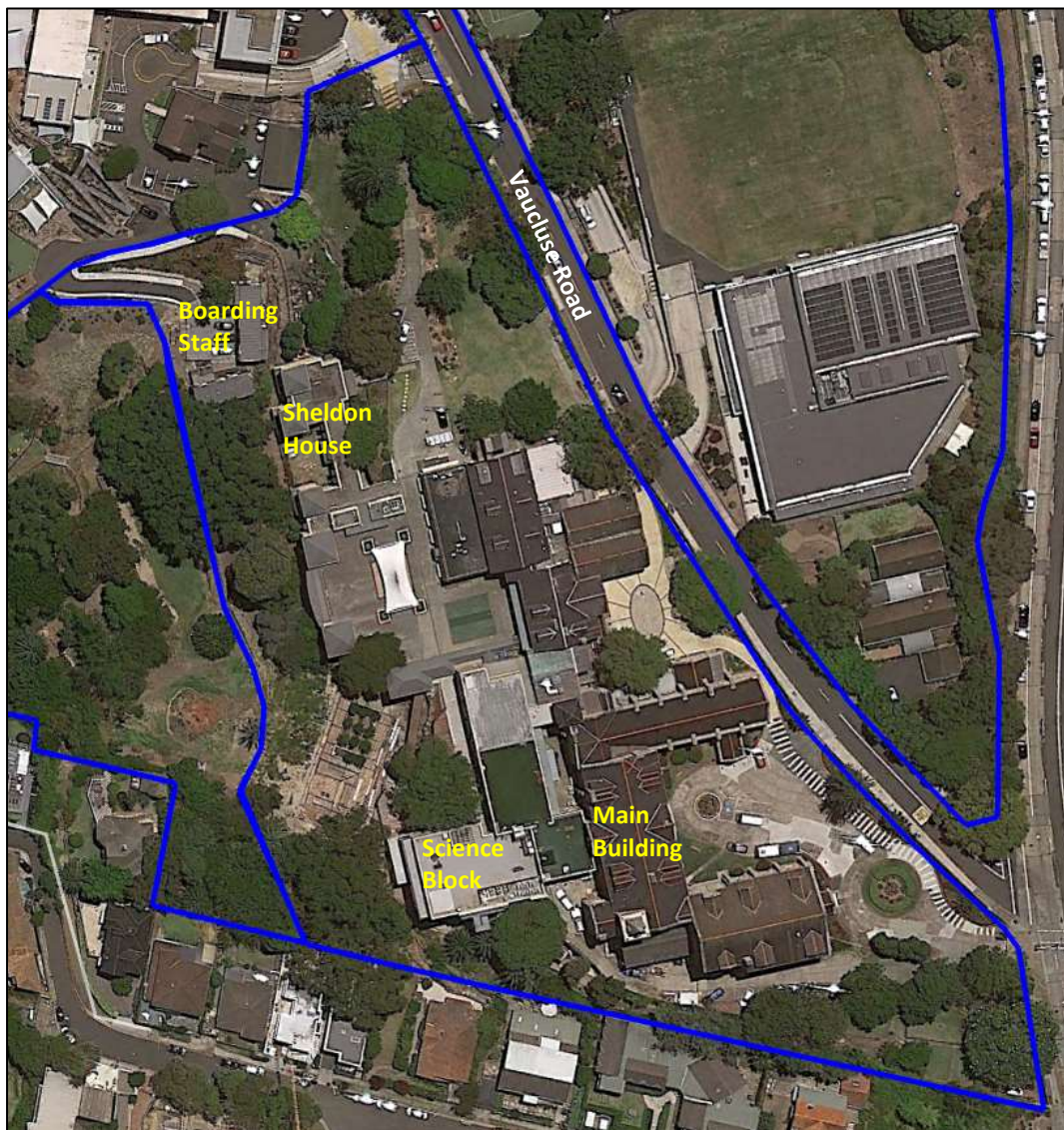


Figure 23. Survey Unit 2.



Figure 24. Survey Unit 2: the southern boundary of the study area.



Figure 25. Survey Unit 2: looking south, and showing the slope of the ground.



Figure 26. Survey Unit 2: looking north-east to the tunnel passing under Vaucluse Road.

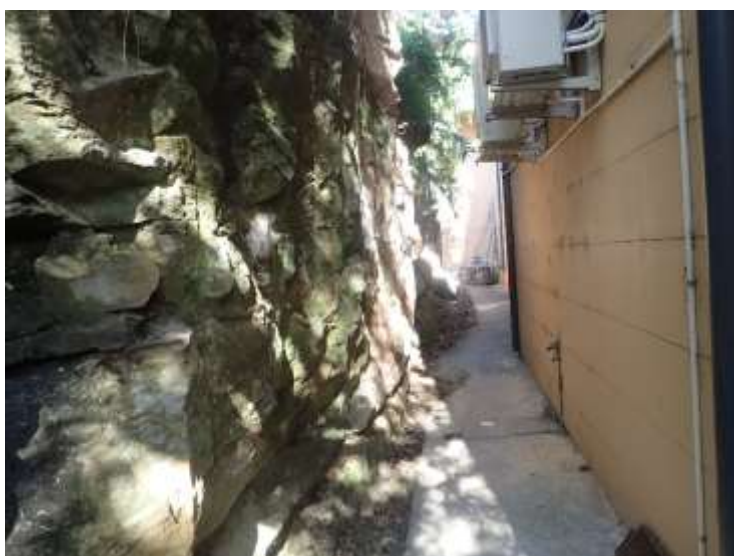


Figure 27. Survey Unit 2: sandstone outcrop behind (to the east of) Sheldon House.



Figure 28. Survey Unit 2: sandstone outcrop behind (to the east of) the outdoor learning area (former pool).



Figure 29. Survey Unit 2: sandstone outcrop running south from the Grotto.



Figure 30. Survey Unit 2: looking south along the sandstone outcrop on the western boundary of the Survey Unit.

Survey Unit 3 comprises the northern part of the western campus. It includes the junior school buildings; the Early Learning Centre, and the East, North and West Wings of the Barat Burn Building; and the SHEM Building and SHEM Archive. Much of the area surrounding the buildings has been paved for internal roads and carparking, or covered with artificial grass for play areas (**Figure 32**). The ground slopes steeply from north-east to south-west, and has been terraced for construction of the buildings and surrounding landscaping (**Figure 33** and **Figure 34**). Areas of outcropping sandstone are apparent in places that have not been entirely covered (**Figure 35** and **Figure 36**).



Figure 31.Survey Unit 3.



Figure 32. Survey Unit 3: looking north.



Figure 33. Survey Unit 3: looking east and showing the slope of the entrance drive.



Figure 34. Survey Unit 3: play area.



Figure 35. Survey Unit 3: sandstone outcrop.



Figure 36. Survey Unit 3: sandstone outcrop.

Survey Unit 4 covers the lower part of the western campus. This part of the study area does not contain any buildings, but has been subject to earthworks for landscaping and terracing. In general, the ground slopes down steeply from east to west (**Figure 38**). It is fairly densely vegetated, with both native and exotic species. Frequent sandstone outcrops are apparent, and the ground surface otherwise comprises a very sandy soil, where apparent (**Figure 40**). The alignment of the watercourse running through the Survey Unit has been substantially modified, including lining the upper bank with sandstone rubble, and construction of a bridge (**Figure 41** and **Figure 42**). A small cemetery is located in the north-western part of this Survey Unit (**Figure 43**).



Figure 37. Survey Unit 4.



Figure 38. Survey Unit 4: view south.



Figure 39. Survey Unit 4: view south-west along the line of the watercourse.



Figure 40. Survey Unit 4: outcropping bedrock, and sandy soil exposed along a path.



Figure 41. Survey Unit 4: sandstone rubble lining the bank of the watercourse.



Figure 42. Survey Unit 4: bridge across the watercourse.



Figure 43. Survey Unit 4: cemetery.

4.3 Survey coverage

It is a requirement of the Code of Practice to assess the effective survey coverage according to the formula shown in **Table 7** and **Table 8**. These tables are based on summaries of ground visibility and archaeological sampling observed during the survey. As you can see, overall there is very low visibility and therefore little ‘effective survey coverage’ across the study area, which might suggest that we do not have sufficient information to extrapolate and assess archaeological potential. However these calculations place undue emphasis on the current observable ‘surface’ as an indicator of archaeological potential, and overlooks the value of observations of erosional processes, soil type and nature, and historical disturbance. In this study in particular, these are essential factors, as a substantial part of the study area has been highly impacted by the construction of the school buildings.

Table 7: Summary table of effective archaeological survey coverage.

Area (m ²)	Visibility	Exposure	Effective Coverage Area (m ²)	Effective Coverage %
60,400	10%	10%	604m ²	1.0%

Table 8: Landform summary - sampled areas.

Landform	Landform Area (m ²)	Visibility	Exposure	Area effectively surveyed (m ²) (= effective coverage of area)	% of landform effectively surveyed (= area effectively surveyed/ landform area x 100)	Number of sites	Number of artefacts or features
Mid slope	55,300	10%	10%	553m ²	1%	1	0
Drainage line	5,100	10%	10%	51m ²	1%	0	0

4.4 Survey results

During the survey, we found no stone artefacts or other Aboriginal cultural materials. No scarred trees were identified, and there appeared to be no trees within the study area of sufficient age to contain scars of potential Aboriginal cultural origin. In general, ground surface visibility was low, due to structures, hard surfaces, lawn, and garden beds. However, there were areas of exposure in the lower part of the western campus; no shell or artefacts were evident in these locations.

Three main lines of outcropping sandstone, or low escarpment were identified. The first of these was along the eastern side of the eastern campus. This appeared to be the remnant of a former escarpment, substantially affected by excavation, likely to have resulted from the quarrying and levelling known from the documentary records.

The other two lines were located in the western campus, to the west of the main group of Senior School buildings. The escarpments were roughly parallel, one higher and one lower. The upper line has been affected by the development of the school to a much greater degree than the lower line; the face of the escarpment has been cut away along almost the whole of this line to allow construction of the current buildings. Some small overhangs were evident along both lines of escarpment in the western campus, but these did not appear to be large enough to be habitable or usable, and in general the ground surface in these locations was either very steep or had been cut away. It is unlikely that any midden material or other archaeological deposit is associated with these overhangs.

One surviving rockshelter of habitable size was noted during the survey. It is located at the northern end of the upper escarpment, to the north of Sheldon House (**Figure 44** to **Figure 46**). It is approximately 14m in length; at the north the shelter may have been affected by quarrying, and rockfall is present at the southern end. The shelter is 0.5 to 1.5m in depth, from the dripline to the back wall, and 2.5m in height at the highest point, from the ceiling to the floor. The shelter faces west. No art was evident on the back wall or ceiling. There was no ground surface visibility, as the

floor of the shelter is covered with mulch, and the area in front is presently in use as a surfaced road. However, the area does not appear to have been subject to bulk excavation, and there is some potential for the presence of subsurface archaeological deposit within the shelter and under the road surface in front. No Aboriginal objects, as defined in the NPW Act, have been identified in association with the shelter, however it has been registered on the AHIMS Register as a shelter with potential archaeological deposit (**Table 8**).

Smaller sandstone outcrops or large floaters were apparent in the lower part of the western campus. No rock engravings or rockshelters were apparent in this part of the study area. However, it is likely that there has been some soil movement due to erosion in this location, and it is possible that areas of sandstone that were originally exposed have now been covered.

In general, the survey confirmed the results of the documentary research indicating that the study area had been substantially modified as a result of historical development. The most substantial impact appears to have occurred across the eastern campus. On the western campus, substantial excavation appears to have been undertaken in association with the construction of the lower level buildings in the Senior School (Sheldon House, O'Neil Library, Science Block). The extent of impact across the Junior School area is more difficult to assess, as almost the whole of this area is covered with buildings, hard surfaces and artificial grass. The lower part of the western campus has been subject to lower levels of impact, but terracing has been carried out for landscaping.

Table 9. Summary of the identified Aboriginal archaeological site within the study area.

AHIMS No.	Site name	Location	Site context	Site features
45-6-3754	KRB Rockshelter	340012E 6251770N	Closed	Potential archaeological deposit



Figure 44. KRB Rockshelter, looking south-east.



Figure 45. KRB Rockshelter, looking east.



Figure 46. KRB Rockshelter, looking north-east.



Figure 47. The location of KRB Rockshelter (AHIMS #45-6-3754), in relation to the sandstone escarpments and outcrops identified during the survey.

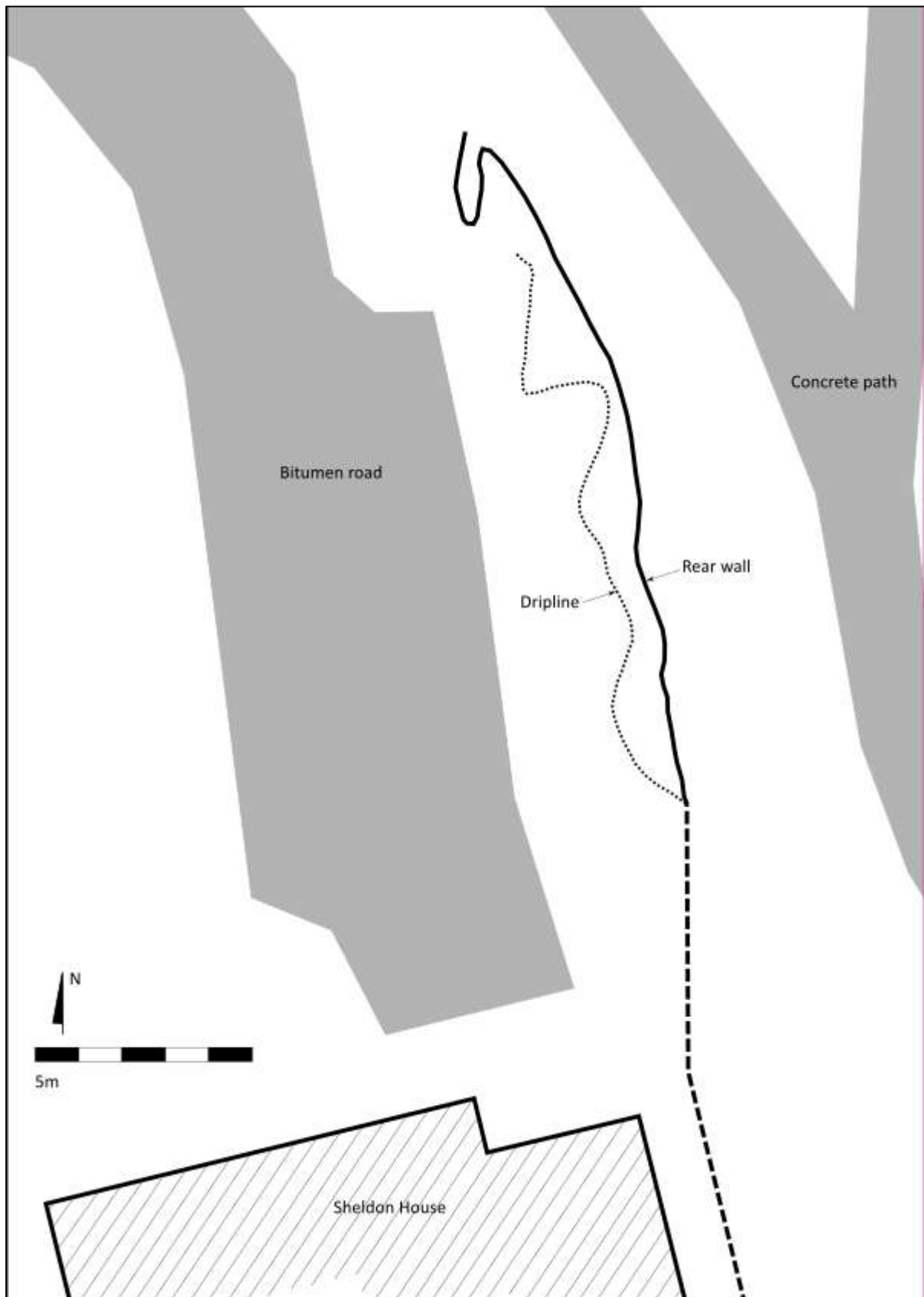


Figure 48. Plan of KRB Rockshelter (AHIMS #45-6-3754).

5 Our assessment

5.1 *What is (or may be) present within the study area*

No Aboriginal archaeological sites have previously been recorded within the study area, and no Aboriginal objects were found as a result of the investigation carried out for this assessment. One possible Aboriginal archaeological site has been recorded; this is a rockshelter with a potential archaeological deposit.

Based on our background research and field survey, we can assess the likelihood for archaeological remains to be present. The results of the documentary evidence indicated that four site types were likely to be present within the study area (see **Section 3.6**). The results of the archaeological survey have allowed this assessment of potential to be revised as follows:

- **Middens.** No middens were identified within the study area. The survey confirmed that the western boundary of the study area, closest to the shoreline, sits high above the current water level. Given the known locations of middens in the local area, the potential for the presence of middens within the study area is considered to be low.
- **Rockshelters.** One rockshelter was recorded within the study area, but the remainder of the escarpment including the shelter has been modified for construction, and it is unlikely that any further shelters are present in this line. No rockshelters were evident in the lower escarpment in the western campus. Historical images indicate that escarpments may have been present in the eastern campus and below the Junior School buildings in the western campus. The former has since been removed, and the latter could not be seen, but rockshelters within this escarpment may have survived underneath buildings or fill.
- **Rock engravings.** No rock engravings were identified within the study area, and no suitable rock platforms were evident. However, this site type can easily be concealed by deposition of soil or by construction, and it remains possible that rock engravings are present within the study area. Engravings are unlikely to be present where deep excavation has taken place, in particular in the eastern campus, but there is some potential across the remainder of the study area.
- **Surface artefacts and archaeological deposits.** No artefacts were identified within the study area. Outside of areas of potential archaeological deposit located in association with the KRB Rockshelter or any other surviving shelters, there is some potential for open deposits of surface and subsurface artefacts where the upper part of the natural soil profile (the A Horizon) remain in flatter areas such as above rock outcrops.

In addition it is possible that archaeological remains of historical Aboriginal use of the area in the nineteenth century have survived, however these likely to be present only as isolated artefacts rather than in situ 'sites'.

The identified Aboriginal archaeological sensitivity of the study area is shown in **Figure 49**. The management implications of this assessed sensitivity are considered in **Section 6**. One potential

Aboriginal archaeological site has been identified; KRB Rockshelter (AHIMS #), the rockshelter with PAD to the north of Sheldon House. In general, areas of low sensitivity are steeply sloping and retain no outcrops of sandstone of sufficient size or character to contain rockshelters or rock engravings. Areas of moderate sensitivity are partially impacted but have the potential to contain rock outcrops and other flatter areas in which some remnant original topsoil horizons may have survived.



Figure 49. Assessed Aboriginal archaeological sensitivity within the study area.

The eastern campus is not considered to have Aboriginal archaeological potential. This area has been cut down, and into, to bedrock. In the western campus, the footprints of the existing buildings are similarly considered to have no potential; construction is likely to have involved removal of the shallow topsoil and impact to the surface of any exposed bedrock.

In the remainder of the western campus, there is some potential for the presence of archaeological deposits, where the upper part of the soil horizon remains in a location that is (or was) within a rockshelter or in close proximity to one. There is also some potential for rock engravings, where suitable rock platforms have been covered over rather than removed. This archaeological potential

is considered to be moderate in the upper part of the western campus; sandstone platforms are more likely to have been present in the relatively gentle slopes alongside Vaucluse Road, and the area is bordered by an escarpment. Low archaeological potential has been identified across the lower part of the western campus; this steeply sloping area is unlikely to have been suited to occupation, and no rockshelters have been identified.

Any unidentified sites that may be present within the study area are likely to be fairly discrete in extent, and it has not been possible to focus the identified potential on specific locations. With the exception of KRB Rockshelter, archaeological test excavation is therefore unlikely to be a useful method of further investigation.

5.2 The significance of Aboriginal heritage in the study area

Significance assessment

The management of a heritage places is based on an understanding of the values of that place. DPIE specifies that heritage significance should be assessed according to four criteria, social or cultural, historic, scientific (archaeological), and aesthetic.⁶³ These are based on the five criteria outlined in the Burra Charter; aesthetic, historic, scientific, social and spiritual.⁶⁴ These criteria are defined in **Table 10**.

In relation specifically to archaeological sites, aspects such as rarity and representativeness and the integrity (sometimes referred to as the intactness of the site) must be considered. The scientific significance, or research potential, of such sites is often assessed in relation to three questions:⁶⁵

- Can the site contribute knowledge that no other resource can?
- Can the site contribute knowledge that no other site can?
- Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

As no Aboriginal objects have been identified within the study area, and no areas of potential archaeological deposit have been confirmed, only a preliminary assessment of significance can be made at this stage.

If KRB Rockshelter is in fact an Aboriginal archaeological site, containing relatively intact archaeological deposit, it would be of high heritage significance. The site has aesthetic significance, as it represents the remnant of an escarpment that is likely to have been occupied by Aboriginal people in the past, and allows an appreciation of the former landscape context of this occupation. It would have scientific significance, as the archaeological evidence could provide information about past Aboriginal lives in this area, about which relatively little is presently known.

No comments were received from the Registered Aboriginal Parties regarding the social and spiritual

⁶³ OEH 2011: 7.

⁶⁴ Australia ICOMOS 2013.

⁶⁵ Bickford and Sullivan 1984.

significance of the site specifically. However, La Perouse LALC advised that the Vaucluse and Rose Bay area more generally is of heritage significance to the La Perouse Aboriginal community, due to the occupation of the area by their direct ancestors until about 1880 (see **Appendix 1F**). KRB Rockshelter may provide tangible evidence of this occupation.

Table 10: Significance criteria considered in the assessment of the study area.

Criterion	Definition
Aesthetic	Refers to the sensory and perceptual experience of a place—that is, how we respond to visual and non-visual aspects such as sounds, smells and other factors having a strong impact on human thoughts, feelings and attitudes. Aesthetic qualities may include the concept of beauty and formal aesthetic ideals. Expressions of aesthetics are culturally influenced
Historic	Is intended to encompass all aspects of history—for example, the history of aesthetics, art and architecture, science, spirituality and society. It therefore often underlies other values. A place may have historic value because it has influenced, or has been influenced by, an historic event, phase, movement or activity, person or group of people. It may be the site of an important event. For any place the significance will be greater where the evidence of the association or event survives at the place, or where the setting is substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of such change or absence of evidence.
Scientific	Refers to the information content of a place and its ability to reveal more about an aspect of the past through examination or investigation of the place, including the use of archaeological techniques. The relative scientific value of a place is likely to depend on the importance of the information or data involved, on its rarity, quality or representativeness, and its potential to contribute further important information about the place itself or a type or class of place or to address important research questions. To establish potential, it may be necessary to carry out some form of testing or sampling. For example in the case of an archaeological site, this could be established by a test excavation.
Social	Refers to the associations that a place has for a particular community or cultural group and the social or cultural meanings that it holds for them
Spiritual	Refers to the intangible values and meanings embodied in or evoked by a place which give it importance in the spiritual identity, or the traditional knowledge, art and practices of a cultural group. Spiritual value may also be reflected in the intensity of aesthetic and emotional responses or community associations, and be expressed through cultural practices and related places. The qualities of the place may inspire a strong and/or spontaneous emotional or metaphysical response in people, expanding their understanding of their place, purpose and obligations in the world, particularly in relation to the spiritual realm. The term spiritual value was recognised as a separate value in the Burra Charter, 1999. It is still included in the definition of social value in the Commonwealth and most state jurisdictions. Spiritual values may be interdependent on the social values and physical properties of a place.

6 How Aboriginal heritage could be managed

6.1 What are the proposed works?

BVN has prepared masterplans for both the Junior and Senior Schools at Kincoppal - Rose Bay.⁶⁶ The masterplans are intended to provide a framework for the planning, design and construction of works to occur through to 2025. Certain components of the program of works outlined in the masterplans have been completed.

Kincoppal – Rose Bay School is now preparing a development application for the components that will be undertaken in the next stages of works over the coming years. The proposed works are divided into two packages:

- An SSD development application will be submitted for the Detailed Development works, and
- An SSD concept development application will be submitted for the remainder. The subsequent assessment and approval pathway for the individual components of the second package has not yet been determined.

All of the proposed works are located in the western campus, divided among three precincts; Precinct A comprises the Junior School and Early Learning Centre, Precinct B comprises the Senior School and the Chapel, and Precinct C comprises the Boarding and Staff Accommodation. An overview of the works locations is provided at **Figure 50** and a summary in **Table 11** and **Table 12**.

Table 11. Summary of the Detailed Development works.

Precinct	Building/Location	Proposed works
A	Early Learning Centre	Construction of a new building
		Construction of joint entry and vertical circulation for the existing ELC and the new building
		Outdoor play area
		Groundworks, landscaping, retaining walls
A	West Wing (Harbourside)	Expansion of existing West Wing
		Internal modifications to the existing West Wing
		Modifications to outdoor play area
		Landscaping
A	North Wing (Courtyard)	Expansion of existing North Wing
		Internal modifications to the existing North Wing
		Outdoor play area
		Ground works, retaining walls, landscaping
A	Between North and East Wings	Vertical circulation link
A	East Wing (Streetside)	Internal modifications to the existing building

⁶⁶ BVN Donovan Hill 2013; BVN 2016.

Precinct	Building/Location	Proposed works
A	Amenities block (to the north of the existing North Wing)	Demolition of existing structure
B	Main Building	Refurbishment and upgrade of the Reception and Main Entrance – internal works
B	Main forecourt	Landscaping
		Construction of entry ramp
		Construction of pedestrian paths
B	North Wing (West)	Expansion and refurbishment of Level 3
Traffic plan		Creation of a secondary vehicle entry off Vaucluse Road, to the north of the Senior School North Wing (West)
		Construction of internal road
		Construction of pedestrian bridge overpass over the internal road, between the SHEM Building and the Junior School East Wing (Streetside)
Traffic plan		Construction of pick-up and drop-off areas
		Modification to existing internal road
		Widening of exit road
B	To the south of the South Wing	Bus and car parking Retaining walls

Table 12. Summary of the Concept Development works.

Precinct	Building/Location	Proposed works
B	Between Main Building, Science Block and Hughes Centre	Integrated circulation hub, Levels 1-4
B	Hughes Centre	Internal alterations
		Harbour side expansion (to west)
		New stair on north side, connecting to the northern courtyard
		External walkway on east
C	To the east of Boarding Staff Accommodation, to the north of Sheldon House	New boarding accommodation building

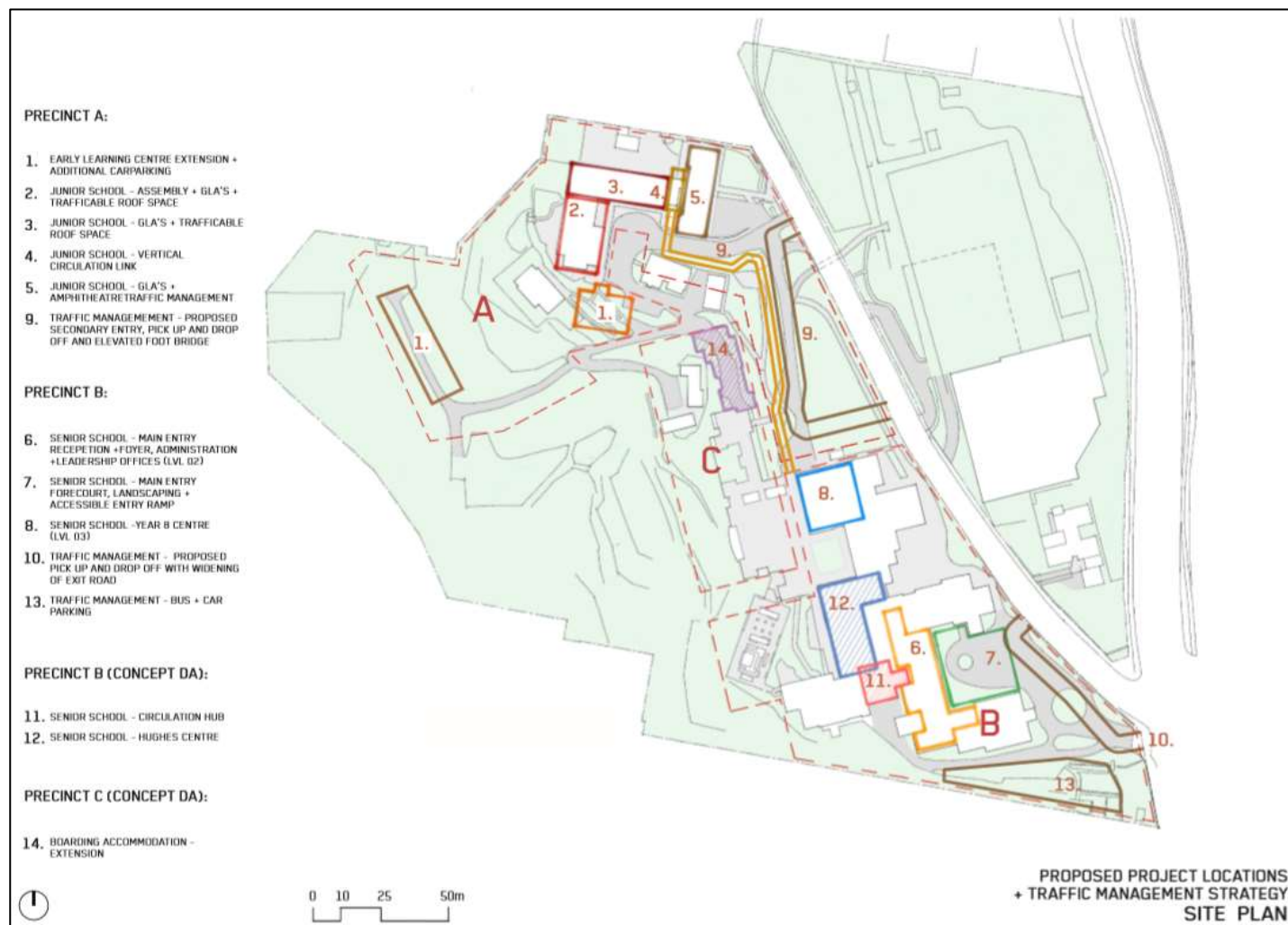
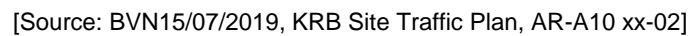


Figure 50. An overview of the proposed works locations.

[Source: BVN, Kincoppal – Rose Bay, SEARs Drawings: Design Report]



6.2 What impacts are possible to Aboriginal heritage?

Based on our assessment of the Aboriginal heritage sensitivity of the study area, we can assess the potential impacts of the Detailed Development proposals (**Table 11**). We can also consider the Concept Plan proposals (**Table 12**) and other possible future works, though specific details are not yet known for these. By considering the known and possible scope of works in each case, in relation to the assessed Aboriginal heritage sensitivity of different parts of the study area, we can classify the potential impacts of each proposal as shown in **Table 13**.

Table 13. Potential impact categories

Potential impact	Description
None	The development is in an area of No Sensitivity as summarised in Figure 49 . It will not involve any disturbance to ground that has not previously been disturbed. There will be no impact to in situ A-horizon soils and/or to bedrock that was originally visible on the ground surface.
Low	The development is in an area of Low Sensitivity as summarised in Figure 49 . It will involve disturbance to the ground in an area that is likely (but not confirmed) to have previously been disturbed.
Moderate	The development is in an area of Moderate Sensitivity as summarised in Figure 49 . It will involve disturbance to the ground in an area that has not been previously substantially disturbed. There is likely to be impact to in situ A-horizon soils and/or to bedrock that was originally visible on the ground surface.
High	The development will affect a potential Aboriginal site. At present, the only specific potential site is KRB Rockshelter (AHIMS #45-6-3754).

6.2.1 Detailed development

The potential Aboriginal heritage impact of the Detailed Development works is summarised in **Table 14** and **Figure 52**, and outlined below.

Precinct A

Within Precinct A, the main component of the Detailed Development works comprises construction of a new two-storey building to the east of the existing Early Learning Centre (ELC). This location presently slopes steeply from the north-east down to the south-west. Construction will require excavation into this slope, so that the lower level of the new building corresponds to the present ground floor of the existing ELC, while the upper level corresponds to the present ground floor of the West Wing (Harbourside).

The location of the new building has recently been redeveloped for extension of the ELC and construction of a ramp leading down from the West Wing (Harbourside) to the ELC. Evidence of previous works includes terracing for construction of internal roads and carparks. Former structures comprise a small building in the north of this area, built in c1900, but there is otherwise no evidence of structures or large-scale excavation. It is therefore possible that excavation for the construction of the new building will result in removal of remnant natural soil profile and/or outcropping bedrock.

The Detailed Development works also include smaller areas of construction; comprising extensions to the West Wing (Harbourside) and the North Wing (Courtyard), and a vertical circulation link between the North Wing (Courtyard) and the East Wing (Streetside). The extensions to the West and North Wings will affect the upper levels only, and will not involve ground disturbance. Deep excavation is likely to be required for construction of the lift (in the vertical circulation link), and for subsurface services for the amenities block (in the extension to the North Wing). These works locations are within, the footprints of the existing buildings, and it is likely that they have previously been subject to substantial disturbance for construction of these structures.

Demolition of the existing amenities block, to the north of the North Wing (Courtyard) will require excavation to remove footings. However, it is likely that the area to be affected has already been disturbed by construction of the present building. It is unlikely that this component of the works will result in impact to previously undisturbed upper soil profiles or outcropping bedrock.

Construction of the new buildings and extensions, and demolition of the amenities block, will be accompanied by landscaping in the surrounding areas, including modifications to the outdoor play areas and terracing. These locations have already been subject to impact as a result of the construction of the present buildings, internal roads and landscaping. However, the full extent of this impact is not known, and any earthworks associated with the proposed development have potential to result in Aboriginal heritage impact if they extend into undisturbed areas of upper soil profile or outcropping bedrock.

The Detailed Development works in Precinct A include internal modifications to the West Wing (Harbourside), the North Wing (Courtyard) and the East Wing (Streetside). It has been assumed that these works will not require any ground disturbance, and are therefore unlikely to result in Aboriginal heritage impact.

Precinct B

Within Precinct B, the Detailed Development works comprise three main components. Two of these are internal modifications to existing structures; the Main Building and the North Wing (West). It has been assumed that these works will not require any ground disturbance, and are therefore unlikely to result in Aboriginal heritage impact.

The third component consists of the reconfiguration of the main forecourt, including construction of pedestrian paths and an entry ramp, and landscaping. No previous structures are known to have been located in this area, but it is likely to have been impacted during construction of the main Senior School buildings, and has since been subject to several phases of modification. However, the exact extent of previous disturbance is not known. It is possible that the proposed works will result in impact if they extend into undisturbed upper soil horizon or outcropping bedrock.

Traffic plan

The proposed modifications to the internal traffic network include:

- Construction of a bus and carparking area to the south of the Senior School South Wing.

- Modifications to the existing internal road within the Senior School, including widening of the exit onto Vaucluse Road.
- Creation of a vehicle entry off Vaucluse Road, to the north of the Senior School North Wing (West), and upgrading of an internal road from this entrance to the existing vehicle entry/exit point within the Junior School.
- Construction of a pedestrian path from Sheldon House to the Junior School East Wing (Streetside), incorporating a pedestrian bridge over the internal road within the Junior School.

These works will be undertaken in locations that have already been subject to impact for the construction of similar features; internal road and carparking areas. For the most part, it is likely that the works will be contained within areas that have already been disturbed. However, there are three exceptions.

The first is the proposed bus and carparking area. This location includes an existing carparking area, part of the c1890 retaining wall, and an area of sunken garden. The garden was previously the location of the former conservatory, constructed prior to 1894 and moved in 1932. Given the present topography, and the evidence of historical images, this location is likely to be on or near the line of one of the former watercourses that ran through the study area. The proposed works will involve excavation, to create additional parking space and support the upper level of parking. It is possible that it will result in Aboriginal heritage impact, if the excavation is deeper or more extensive than the area of fill that is thought to fill the former watercourse.

The second exception is the new vehicle entry off Vaucluse Road, to the north of the Senior School North Wing (West). The available documentation indicates that this area has not previously been developed, although it may have been affected by construction and use of the neighbouring buildings. There is some potential for heritage impact if the works involve excavation into undisturbed subsurface layers.

The third exception is the location of the proposed pedestrian bridge. This location has been subject to disturbance for construction of the existing internal road, the Junior School East Wing (Streetside) and the SHEM Archives and SHEM Building. However, the construction of a bridge is likely to require deep excavation for footings, and this may extend into undisturbed subsurface layers.

Table 14. Summary of the potential Aboriginal heritage impact of the Detailed Development works.

Precinct	Building/Location	Proposed works	Potential impact
A	Early Learning Centre	Construction of a new building	Moderate
		Construction of joint entry and vertical circulation for the existing ELC and the new building	Moderate
		Outdoor play area	Moderate
		Groundworks, landscaping, retaining walls	Moderate

Precinct	Building/Location	Proposed works	Potential impact
A	West Wing (Harbourside)	Expansion of existing building	None
		Internal modifications to the existing building	None
		Modifications to outdoor play area	Moderate
		Landscaping	Moderate
A	North Wing (Courtyard)	Expansion of existing building	None
		Internal modifications to existing building	None
		Outdoor play area	Moderate
		Ground works, retaining walls, landscaping	Moderate
A	Between North and East Wings	Vertical circulation link	Low
A	East Wing (Streetside)	Internal modifications to existing building	None
A	Amenities block (to the north of the existing North Wing)	Demolition of existing structure	Low
B	Main building	Refurbishment and upgrade of the Reception and Main Entrance	None
B	Main forecourt	Landscaping	Moderate
		Construction of entry ramp	Moderate
		Construction of pedestrian paths	Moderate
B	North Wing (West)	Expansion and refurbishment of Level 3	None
Traffic plan		Creation of a secondary vehicle entry off Vaucluse Road, to the north of the Senior School North Wing (West)	Moderate
		Construction of internal road	Moderate
		Construction of pedestrian bridge overpass	Moderate
Traffic plan		Construction of pick-up and drop-off areas	Moderate
		Modification to existing internal road	Moderate
		Widening of exit road	Moderate
B	To the south of the South Wing	Bus and car parking Retaining walls	Moderate

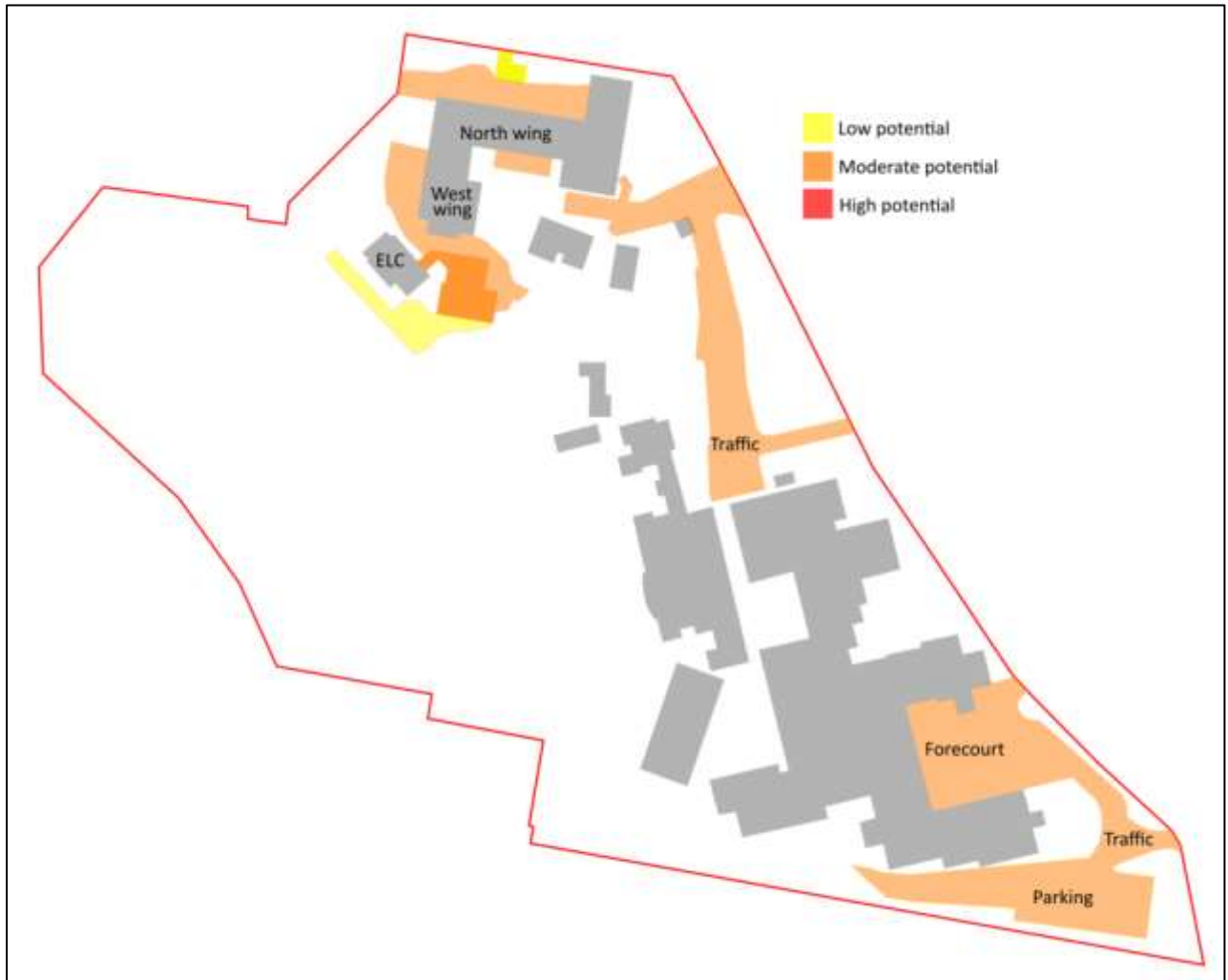


Figure 52. Detailed Development works: potential Aboriginal heritage impact.

6.2.2 Concept development

The potential Aboriginal heritage impact of the Concept Development works is summarised in **Table 15** and **Figure 53**, and outlined below.

Precinct B

Within Precinct B, the Concept Development works comprise two main components. The first consists of construction of an internal circulation hub between the Main Building, the Science Block and the Hughes Centre. These are internal modifications to the existing buildings, and will not involve ground disturbance. The potential for Aboriginal heritage impact is considered to be low.

The second component consists of internal alterations and minor expansions to the Hughes Centre. The expansion consists of a small additional area on the western side of Level 2 of the building. A new stair will also be built on the northern side of the building. In both cases, the works are expected to be confined to existing structural elements, and there is no potential for Aboriginal heritage impact.

Precinct C

Within Precinct C, the Concept Development works consist of construction of a new three-storey boarding accommodation building. The proposed location does not appear to have been subject to substantial levels of previous disturbance, with the exception of the construction of an internal road and carparking for Sheldon House. The potential Aboriginal archaeological site KRB Rockshelter (AHIMS #45-6-3754) is located at the northern end of the proposed building, and the escarpment continues along the eastern side of the building.

Construction of the building is likely to require excavation into the existing escarpment, including KRB Rockshelter (AHIMS #45-6-3754). Although the building will sit at the level of the existing internal road, excavation will be required for construction of footings and installation of subsurface services. This has the potential to impact any Aboriginal archaeological deposits that may be present within or in the vicinity of KRB Rockshelter (AHIMS #45-6-3754).

Table 15. Summary of the potential Aboriginal heritage impact of the Concept Development works

Precinct	Building/Location	Proposed works	Potential impact
B	Between Main Building, Science Block and Hughes Centre	Integrated circulation hub, Levels 1-4 Internal works	None
B	Hughes Centre	Internal alterations	None
		Harbour side expansion (to west)	None
		New stair on north side, connecting to the northern courtyard	None
		External walkway on east	None
C	To the east of Boarding Staff Accommodation, to the north of Sheldon House	New boarding accommodation building	High

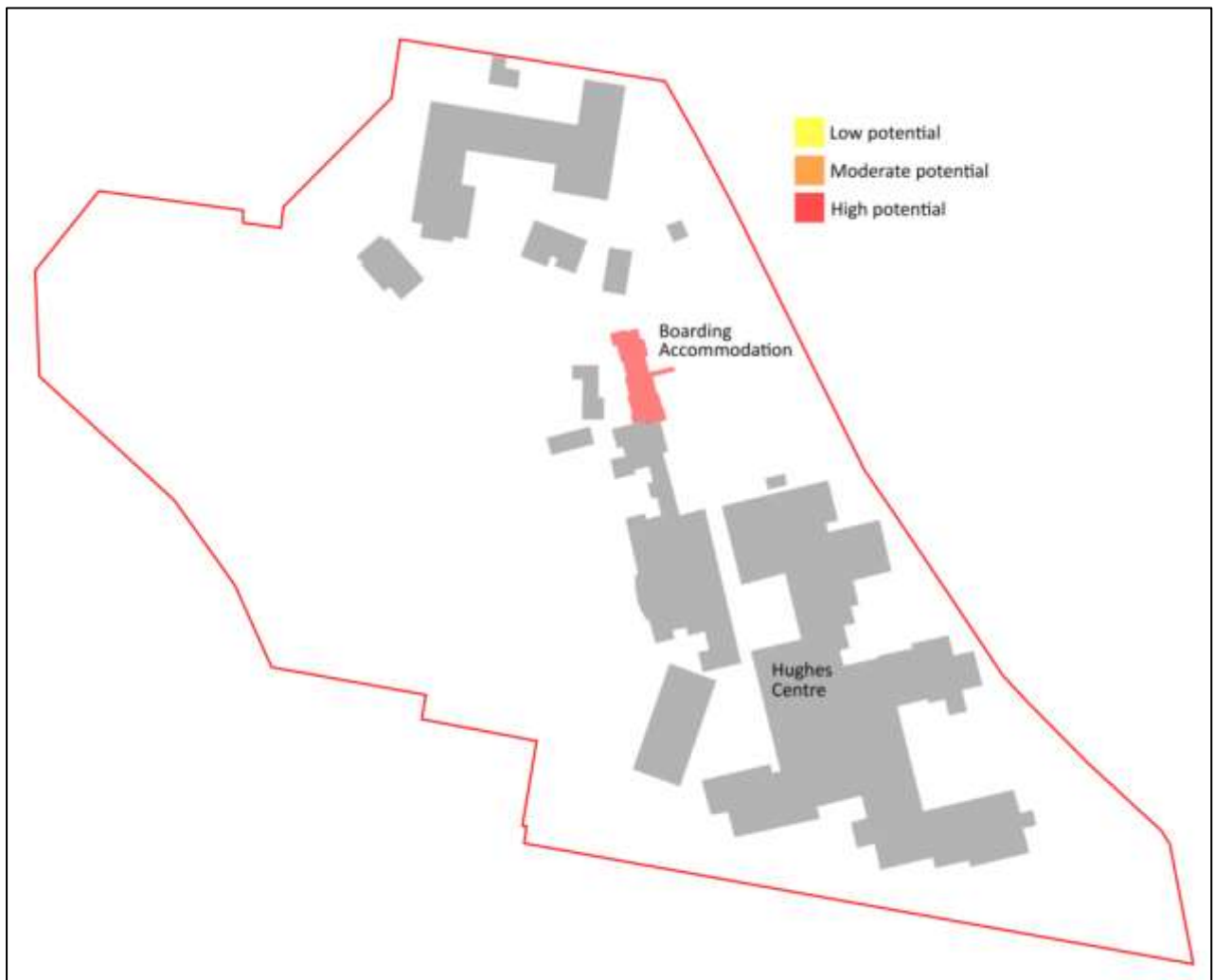


Figure 53. Concept Development works: potential Aboriginal heritage impact.

6.2.3 Other future impacts

No additional works, beyond the programs outlined in the Masterplans, are proposed at present. For any future works, the potential for impact may be assessed against the Aboriginal archaeological sensitivity mapping indicated in **Figure 49** and **Table 13**.

6.3 *Can those impacts be avoided or minimised?*

No Aboriginal objects have been recorded within the study area.

In general, the potential for the presence of objects has been identified in those locations where areas of remnant upper soil profile and/or bedrock outcrop may survive. The potential for Aboriginal heritage impact has therefore been identified where the proposed works may result in impact to one or both of these two features. However, in most cases, the exact location and nature

of the features is not known; this limits the usefulness of further investigation such as archaeological test excavation (see **Section 5.1**). Therefore, for most of the proposed works, the potential to avoid or minimise impact is equally limited.

However, one component of the proposed works has been assessed as having a high potential for Aboriginal heritage impact. This is the new boarding accommodation building, construction of which is likely to affect the potential site KRB Rockshelter (AHIMS #45-6-3754). In this instance, a program of archaeological test excavation would have a good chance of confirming whether or not the location is an Aboriginal archaeological site. The information to be derived from this investigation may allow modification of the works in this location to allow the potential heritage impact to be avoided or minimised.

6.4 What management strategies will be in place to mitigate Aboriginal heritage impact?

The Aboriginal heritage management strategy outlined in the following section has been based on the identified potential for impact, and on the expected development approval pathways. The potential for impact has been categorised as none, low, moderate and high, following the criteria outlined in **Section 6.2**.

It is expected that the Detailed Development works will be undertaken as State Significant Development (SSD). The development assessment pathway for the Concept Development works is not yet known, but these may be undertaken in subsequent stages that will be submitted to Council for assessment and approval. The main difference between the two processes relates to the requirement for an Aboriginal Heritage Impact Permit (AHIP). In most cases, an AHIP is required if an activity will result in impact to Aboriginal objects, and the conditions of the AHIP govern the impact. In the SSD process, the requirement for an AHIP is waived, but the consent includes equivalent conditions, where relevant.

The timing of the proposed works is also relevant, in particular in relation to requirements for Aboriginal community consultation. The Detailed Development works are likely to be undertaken shortly after development consent. The Concept Development works will be undertaken over a number of years, as the requirement arises, and as the funding is available.

6.4.1 Detailed development

The Aboriginal heritage management requirements associated with the Detailed Development works are outlined below, and summarised in **Figure 54**.

1. Aboriginal community consultation

The Aboriginal community consultation process should be maintained until the program of works (including any heritage management component) has been completed. This will involve the following steps:

- Providing the Aboriginal heritage management plan to the Registered Aboriginal Parties (RAPs) for their review, allowing a review period of 28 days in each instance (Point 2 below).
- Involving RAP representative(s) in development and delivery of the Aboriginal heritage induction (Point 3) and any archaeological fieldwork (Points 5-7).
- Providing the draft report to the RAPs for their review (Point 8).
- Providing project updates to the RAPs if there are any breaks in communication of six months or more.

2. Aboriginal heritage management plan

Following determination of the State Significant Development Application, and development of detailed design for the Detailed Development works, an Aboriginal heritage management plan (AHMP) should be developed. The AHMP should contain an updated impact assessment, based on the detailed design and any additional relevant information that is available, such as geotechnical data. It should contain a detailed program for the Aboriginal heritage management strategies to be incorporated into the works program, based on the updated impact assessment.

A draft of the AHMP should be provided to the Registered Aboriginal Parties (RAPs) for their review. Any comments and recommendations made by the RAPs should be incorporated into the final document. The relevant actions from the AHMP should be incorporated into the Construction Environmental Management Plan or equivalent.

3. Aboriginal heritage induction

All workers involved in demolition and excavation and construction works onsite should undertake an Aboriginal Cultural Heritage Induction as part of their overall OH&S induction for the site. This will explain the nature of the sensitive landforms and the types of features that are being looked for, the legislative requirements associated with Aboriginal heritage, and the procedures for archaeological management that are to be followed.

The induction should be developed by a suitably qualified archaeologist in conjunction with the La Perouse LALC. For works with no and low potential for heritage impact, the induction should be incorporated into the standard site induction. For works with moderate and high potential for impact, the induction should be delivered by a suitably qualified archaeologist in conjunction with the La Perouse LALC.

4. Archaeological monitoring

For works with moderate potential for Aboriginal heritage impact, the program should incorporate monitoring. The monitoring should be undertaken by a suitably qualified archaeologist in

conjunction with the La Perouse LALC. It should address those components of the works that may result in exposure of, or impact to, areas of intact upper soil horizon and/or outcropping bedrock. If the presence of an Aboriginal object is identified, options to avoid impact should be investigated (Point 5), failing which archaeological investigation and recording should be undertaken (Point 6).

5. Unexpected finds procedure

For works with no and low potential for Aboriginal heritage impact, once the AHMP and induction have been completed, no further Aboriginal heritage management measures are required prior to commencement of the works. However, the works should incorporate an unexpected finds procedure. If an Aboriginal object, or possible Aboriginal object, is found during the works, work should stop in the vicinity of the find, and DPIE, La Perouse LALC and a suitably qualified archaeologist should be contacted for advice. If the presence of an Aboriginal object is confirmed, options to avoid impact should be investigated (Point 6), failing which archaeological investigation and recording should be undertaken (Point 7). If any human remains, or potential human remains, are found, work should cease in the vicinity, and DPIE should be contacted for advice.

6. Avoid impact

If an Aboriginal object is identified during the works, the object should be investigated and assessed by a suitably qualified archaeologist in conjunction with La Perouse LALC, in order to determine the nature and extent of the site. The Aboriginal object will be registered on the AHIMS database. Options to avoid impact to the object should be investigated, and implemented if possible.

7. Archaeological investigation and recording

If an Aboriginal object is identified during the works, and impact cannot be avoided, a program of archaeological investigation and recording should be undertaken prior to impact. The exact scope of the archaeological works will depend on the nature of the identified object, but the following can be expected:

- If an archaeological deposit is found, archaeological salvage excavation will be undertaken.
- If a rock engraving or grinding grooves are found, the bedrock will be cleared and the feature will be recorded.

The Aboriginal object will be registered on the AHIMS database.

8. Reporting

Following completion of the Aboriginal heritage management measures associated with the Detailed Development works, a report should be prepared to describe the results of the work. The report should be distributed to the RAPs for their records, and lodged with the AHIMS Registrar.

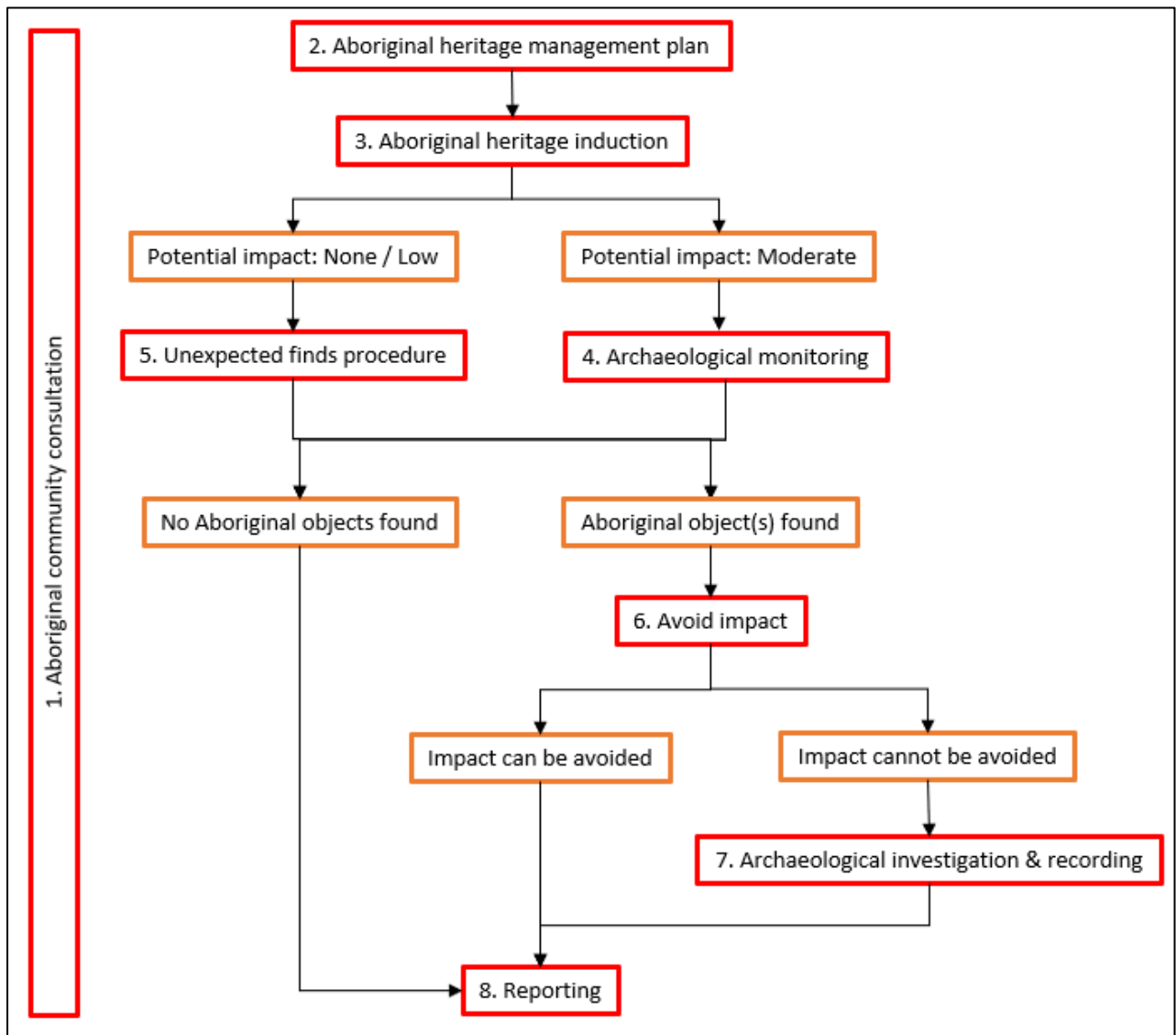


Figure 54. Detailed Development works: Aboriginal heritage management flowchart.

6.4.2 Concept development

The Aboriginal heritage management requirements associated with the Concept Development works are outlined below, and summarised in **Figure 55**. The Aboriginal heritage management process would commence with the development of the detailed design of these works.

1. Aboriginal community consultation

The Aboriginal community consultation process should be maintained until the program of works (including any heritage management component) has been completed. This will involve the following steps:

- Consultation should continue with the present Registered Aboriginal Parties, unless they would prefer to cease their involvement at any stage. Prior to each stage of development,

contact DPIE for a list of known Aboriginal stakeholders for the locality. If the list includes any potential stakeholders who are not already Registered Aboriginal Parties, an opportunity should be provided for these groups or individuals to register an interest in the project. A period of 14 days should be allowed for any new registrations.

- Providing heritage impact assessments and methodologies to the Registered Aboriginal Parties for their review, allowing a review period of 28 days in each instance.
- Providing project updates to the Registered Aboriginal Parties if there are any breaks in communication of six months or more.

2. Update impact assessment

As the detailed design for each stage of the Concept Development works is undertaken, an updated Aboriginal heritage impact assessment should be prepared as an appendix to the present ACHAR. This would be based on the detailed design and any additional relevant information that is available, such as geotechnical data and the results of the Detailed Development works. It should contain a detailed program for the Aboriginal heritage management strategies to be incorporated into the works program, based on the updated impact assessment.

A draft of the updated impact assessment should be provided to the Registered Aboriginal Parties (RAPs) for their review. Any comments and recommendations made by the RAPs should be incorporated into the final document. The relevant actions from the assessment should be incorporated into the Construction Environmental Management Plan or equivalent.

3. Aboriginal heritage induction

All workers involved in demolition and excavation and construction works onsite should undertake an Aboriginal Cultural Heritage Induction as part of their overall OH&S induction for the site. This will explain the nature of the sensitive landforms and the types of features that are being looked for, the legislative requirements associated with Aboriginal heritage, and the procedures for archaeological management that are to be followed.

The induction should be developed by a suitably qualified archaeologist in conjunction with the La Perouse LALC. For works with no and low potential for heritage impact, the induction should be incorporated into the standard site induction. For works with moderate and high potential for impact, the induction should be delivered by a suitably qualified archaeologist in conjunction with the La Perouse LALC.

4. Unexpected finds procedure

For works with no and low potential for Aboriginal heritage impact, once the AHMP and induction have been completed, no further Aboriginal heritage management measures are required prior to commencement of the works. However, the works should incorporate an unexpected finds procedure. If an Aboriginal object, or possible Aboriginal object, is found during the works, work should stop in the vicinity of the find, and DPIE, La Perouse LALC and a suitably qualified archaeologist should be contacted for advice. If the presence of an Aboriginal object is confirmed, options to avoid impact should be investigated (Point 2), failing which archaeological investigation

and recording should be undertaken (Point 7). If any human remains, or potential human remains, are found, work should cease in the vicinity, and DPIE should be contacted for advice.

5. Archaeological monitoring

For works with moderate potential for Aboriginal heritage impact, the program should incorporate monitoring. The monitoring should be undertaken by a suitably qualified archaeologist in conjunction with the La Perouse LALC. It should address those components of the works that may result in exposure of, or impact to, areas of intact upper soil horizon and/or outcropping bedrock. If the presence of an Aboriginal object is identified, options to avoid impact should be investigated (Point 2), failing which archaeological investigation and recording should be undertaken (Point 7).

6. Avoid impact

The proposed location and/or design of the Boarding Accommodation Building should be revised in order to avoid, or minimise, the potential for impact on KRB Rockshelter (AHIMS #45-6-3754). If it is not possible to entirely avoid impact, then a program of archaeological investigation and recording should be undertaken (Point 7).

If an unexpected Aboriginal object is identified during the works, the object should be investigated and assessed by a suitably qualified archaeologist in conjunction with La Perouse LALC, in order to determine the nature and extent of the site. The Aboriginal object will be registered on the AHIMS database. Options to avoid impact to the object should be investigated, and implemented if possible.

7. AHIP and archaeological investigation and recording

If the potential for harm to RKB Rockshelter (AHIMS #45-6-3754) or any Aboriginal object cannot be avoided, it will be necessary to apply for an Aboriginal Heritage Impact Permit (AHIP) before works can proceed. The work will then be undertaken in accordance with the AHIP conditions and the relevant Aboriginal heritage management methodology that has been prepared for the development.

A program of archaeological investigation and recording should be undertaken prior to impact. The exact scope of the archaeological works will depend on the nature of the identified object, but the following can be expected:

- If an archaeological deposit is found, archaeological excavation will be undertaken.
- If a rock engraving or grinding grooves are found, the bedrock will be cleared and the feature will be recorded.

The Aboriginal object will be registered on the AHIMS database.

8. Reporting

Following completion of the Aboriginal heritage management measures associated with the Concept Development works, a report should be prepared to describe the results of the work. The report should be distributed to the RAPs for their records, and lodged with the AHIMS Registrar.

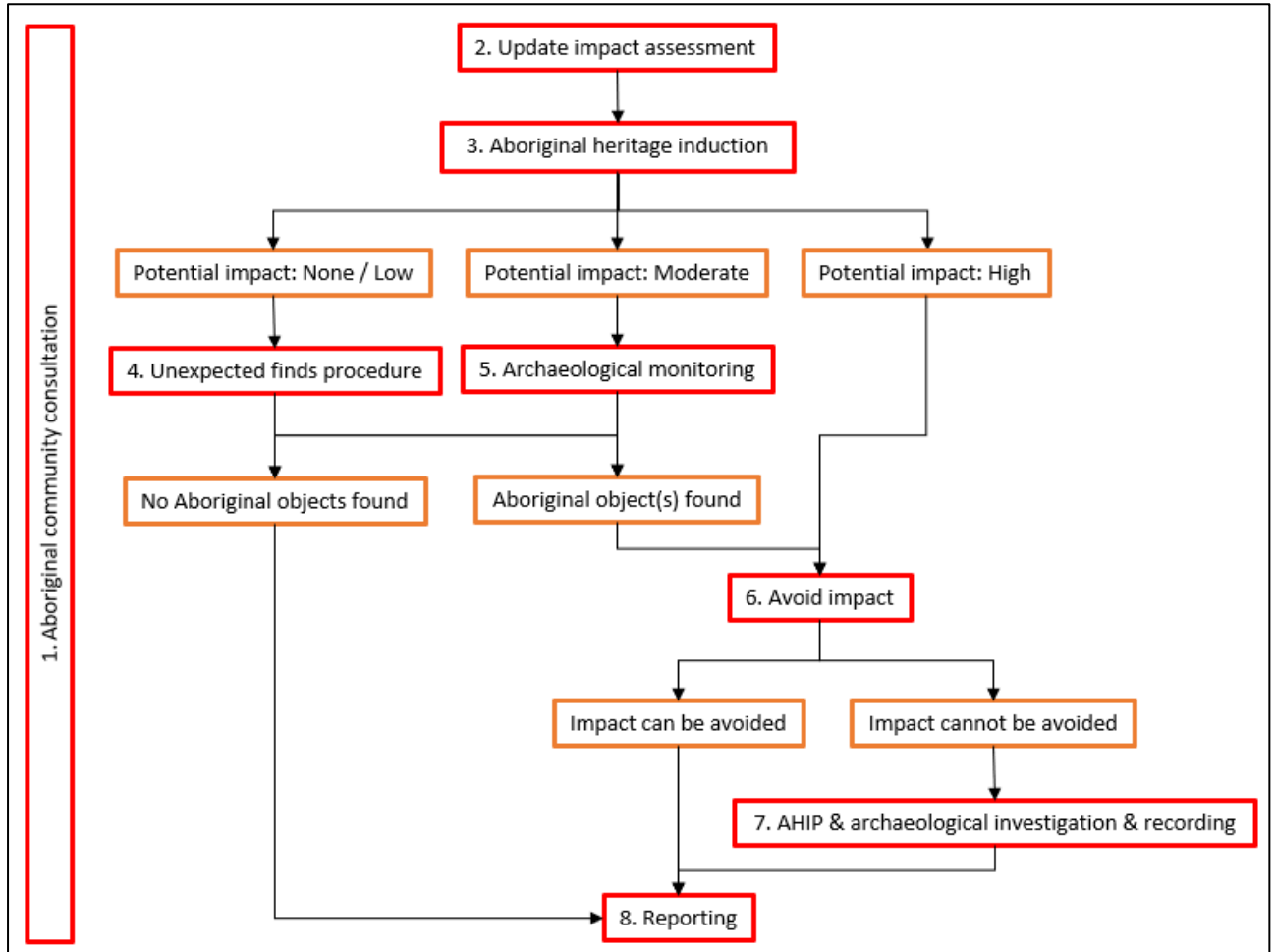


Figure 55. Concept Development works: Aboriginal heritage management flowchart.

6.4.3 Other future impacts

Aboriginal heritage management measures required for any future works will be guided by the potential for heritage impact, as assessed against the Aboriginal archaeological sensitivity mapping indicated in **Figure 49**, the potential impact categories outlined in **Table 13**, and the development approval pathway. The requirements would be similar to those outlined in **Sections 6.4.1** and **6.4.2**, in summary:

- Works with no or low potential for impact should incorporate an Aboriginal heritage induction, and an unexpected finds procedure.
- Works with moderate potential for impact should incorporate an Aboriginal heritage induction and archaeological monitoring.
- Works with high potential for impact should incorporate redesign to avoid impact if possible, and may require a program archaeological investigation.

It should be noted that the assessed Aboriginal archaeological sensitivity of the study area is likely to require modification as a result of the information derived from the heritage management measures undertaken as part of the Detailed Development and Concept Development works.

7 Our recommendations

We have based our recommendations on:

- the research and conclusions of our assessment as outlined in this report;
- the views expressed by the Registered Aboriginal Parties to this project as documented in **Section 2** and **Appendix 1**;
- the legal protections provided to Aboriginal 'objects' and 'places' under s.86 of the *National Parks and Wildlife Act 1974*;
- current policy and regulatory requirements relating to the assessment of Aboriginal heritage, and in particular the OEH 2010 *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* and the *National Parks & Wildlife Regulation 2009*.

The following recommendations are made:

Finalisation and distribution of the report

1. A copy of this report should be forwarded to the Registered Aboriginal Parties and to:

The Registrar
Aboriginal Heritage Information Management System
NSW Office of Environment and Heritage
Locked Bag 5020
Parramatta NSW 2220

Detailed Development Works

2. The Aboriginal heritage management measures outlined in **Section 6.4.1** should be incorporated into the development program. In summary, these include:
 - a. Aboriginal community consultation.
 - b. Aboriginal heritage management plan.
 - c. Aboriginal heritage induction.
 - d. Archaeological monitoring of works with moderate potential for impact.
 - e. Archaeological investigation and recording of any Aboriginal archaeological sites that will be subject to impact.
 - f. Reporting.

Concept Development Works

3. The Aboriginal heritage management measures outlined in **Section 6.4.2** should be incorporated into the development program. In summary, these include:
 - a. Aboriginal community consultation.
 - b. Updated impact assessment.
 - c. Aboriginal heritage induction.
 - d. Detailed design to avoid impact to KRB Rockshelter (AHIMS #45-6-3754).
 - e. Archaeological monitoring of works with moderate potential for impact.

- f. Archaeological investigation and recording of any Aboriginal archaeological sites that will be subject to impact, under the conditions of an Aboriginal Heritage Impact Permit.
- g. Reporting.

Other Future Works

- 5. Any future works beyond the current Detailed Development and Concept Development proposals should consider the potential for Aboriginal heritage impact in relation to the assessed Aboriginal heritage sensitivity as shown in **Figure 49** and the potential impact categories outline in **Table 13**.

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Appendix 1A

Public and Direct Notice Examples

Registration of Interest -
Aboriginal Cultural Heritage Assessments

Kincoppal – Rose Bay School is undertaking Aboriginal Cultural Heritage Assessment(s) for several redevelopment projects within parts of the school campus (Lot 104 DP 1092747) at New South Head Road, Rose Bay NSW. These may include both State Significant Development applications, and development applications to Woollahra Council that may result in application(s) for Aboriginal Heritage Impact Permits [AHIPs] under s90 of the *National Parks & Wildlife Act 1974*. Contact details for the proponent are: Kincoppal – Rose Bay School (New South Head Road, Rose Bay).

Registrations of interest are sought from Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects at this location. This will assist the proponent in preparing Aboriginal Cultural Heritage Assessment(s) and if required, assist the preparation of AHIP application(s) and the OEH (now within the Department of Planning, Industry and Environment) in determining the application(s). Registrations must be received in writing by 28th August 2019, include a postal address and contact details and be sent to project consultants Coast History & Heritage at P.O. Box A74, Arncliffe, NSW 2205, admin@coasthistory.com.au or fax (02) 8311 1478. For enquiries call 1800 450 995. Details of Registered Aboriginal Parties will be forwarded to OEH and the La Perouse LALC unless explicitly requested otherwise.

OPTUS

PROPOSAL TO UPGRADE EXISTING OPTUS
MOBILE PHONE BASE STATION AT THE
ADDRESS BELOW WITH 5G

418A Elizabeth Street , Surry Hills NSW 2010
(Optus Ref: S5765 Strawberry Hills, RFNSA Ref: 2010007)

1. The proposed facility consists of the addition of new 5G equipment and associated works as follows: the installation of three (3) new panel antennas (not more than 0.81m in height) together with the installation of three (3) new remote radio units (RRUs) all to be mounted on new and replacement mounts on existing mounting poles; internal configuration and upgrade works in the equipment cabinet, and associated ancillary equipment necessary for the safe operation of the facility
2. Optus regards the proposed installation as a Low-impact Facility under the *Telecommunications (Low-impact Facilities) Determination 2018* ("The Determination") based on the description above
3. In accordance with Section 7 of C564:2018 Mobile Phone Base Station Deployment Code, we invite you to provide feedback about the proposal. Further information and/or comments should be directed to: Optus' representative c/- Archie Aparicio, Catalyst ONE Pty Ltd, PO Box 1119, Crows Nest NSW 1585 on +61 2 9439 1999, at aaparicio@catalystone.com.au and at www.rfnsa.com.au/2010007 by Monday, 2 September 2019.

TEMPORARY ROAD
CLOSURE
NIMROD STREET,
KINGS CROSS
SUNDAY 25 AUGUST,
2019

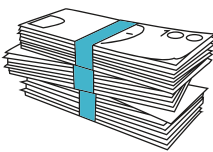
Nimrod Street will be temporarily closed to traffic from **Craigend Street to Caldwell Street** on **Sunday 25 August 2019 from 1pm to 4pm** for a community event. There will be additional access restrictions from **8.00am -1pm and 4pm to 6pm**.

For further information contact **rita@griffintheatre.com.au**

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Entries open 01/08/2019 at 9:00am (AEST) and close 29/09/2019 at 11:59pm (AEST). Australian residents aged 18 years and over only. Winner determined 30/09/19 at 10:00 am at Cnr Mayne Rd and Campbell St, Bowen Hills, QLD, 4006. Winner's name published October 14, 2019 on buysearchsell.com.au/compwinners. Total prize pool valued at \$2000. Full terms and conditions available at buysearchsell.com.au/competitionterms



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Doc 19/623672

SSDA + AHIP



P: 1800 450 995
E: admin@coasthistory.com.au
W: www.coasthistory.com.au

Suite 9 & 10, 136 Marrickville Rd,
Marrickville NSW 2204
PO Box A74, Arncliffe NSW 2205

ACN: 625442480

22 July 2019

ATTN: Planning Greater Sydney Region
Office of Environment and Heritage
P.O. Box 644
PARRAMATTA NSW 2124

Dear Sir or Madam,

**RE: Notification of Aboriginal people in relation to Aboriginal cultural heritage assessment
at Kincoppal - Rose Bay School, New South Head Road, Rose Bay NSW**

Proponent: Kincoppal – Rose Bay School [New South Head Road, Rose Bay]

Kincoppal – Rose Bay School are planning to undertake Aboriginal Cultural Heritage Assessments for several redevelopment projects within parts of the school campus at Lot 104 DP 1092747, New South Head Road, Rose Bay. These may include State Significant Development Applications under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979* as well as other Development Applications to Woollahra Council that may result in applications for Aboriginal Heritage Impact Permits [AHIPs] under s90 of the *National Parks & Wildlife Act 1974*. Registrations of interest are sought from Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects at this location. This will assist the proponent in preparing any Aboriginal Cultural Heritage Assessments and if required, will assist with the preparation of any AHIP applications and the OEHL in determining the applications.

Coast History & Heritage has been engaged by the proponent to undertake Aboriginal community consultation in accordance with the *National Parks and Wildlife Regulation 2009*. We are contacting you, as per S80C(2) of the *National Parks and Wildlife Regulation 2009*, to seek the names and current contact details of any Aboriginal people of whom you are aware may hold cultural knowledge relevant to determining the significance of Aboriginal objects at this location, so that we can notify them directly about these projects.

Please forward us the details of any such Aboriginal people in writing before 6 August 2019 to:

(Email) admin@coasthistory.com.au
(Post) PO Box A74 Arncliffe NSW 2205
(Fax) 02 8311 1478

Please ensure that you provide us with current postal addresses and contact names. Any enquiries should be directed to our office on 1800 450 995.



Yours sincerely,

A handwritten signature in black ink that reads "Paul Irish". The signature is written in a cursive style with a large, stylized 'P' and 'I'.

Dr Paul Irish

Director

E: paul@coasthistory.com.au

W: www.coasthistory.com.au

Appendix 1B

Agency Responses to Direct Notices



Our reference: Doc19/623672

Dr Paul Irish
Director
Coast History & Heritage
Suite 9 & 10, 136 Marrickville Road
Marrickville NSW 2204

Dear Paul,

Thank you for your letter dated 22nd July 2019 to the Office of Environment and Heritage (OEH) regarding obtaining a list of the Aboriginal stakeholders that may have an interest in an Aboriginal Cultural Heritage Assessment for a proposed development for the Kincoppal Rose Bay School, New South Head Road, Rose Bay NSW.

Before making an application for the issue of an Aboriginal Heritage Impact Permit, the applicant must carry out an Aboriginal community consultation process in accordance with the National Parks and Wildlife Regulation 2009 and completed to the stage described in subclause 80C.

Please find attached the list of Aboriginal stakeholders known to OEH that may have an interest in the project. OEH's list of regional stakeholders is a list of groups, organisations or individuals who may hold cultural knowledge relevant to a proposal in a region. You should contact the stakeholders who have indicated an interest in the Local Government Area (LGA) relevant to your project. Contact details are correct as at the time of registration. Consultation with Aboriginal people should not be confused with employment. Inclusion on the OEH's list is not an automatic right to employment. It is the decision of a proponent on who they choose to engage to deliver services based on a range of considerations including skills, relevant experience, and WHS considerations. To be clear, the proponent is under no obligation to employ Aboriginal people registered for consultation.

Further, receipt of this information does not remove the requirement of a proponent/consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties. Consultation with Aboriginal stakeholders must be in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* which can be found on the Office of Environment and Heritage (OEH) public website by accessing the following link:

<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>

If you wish to discuss any of the above matters further please email gs.ach@environment.nsw.gov.au.

Please note that subclause 80C(4) of the NPW Reg 2009 requires that the notification of potential stakeholders by letter and newspaper **must include the name and contact details of the proponent**. Any consultation undertaken that does not comply with the consultation requirements may not be considered sufficient to support an application for an AHIP. In this case OEH may require a new consultation process be undertaken in accordance with the consultation requirements before issuing an AHIP.

As the Department of Planning and Environment may also be the approval authority for this project, the consultation process should be in accordance with the relevant guidelines as stipulated by the Department of Planning and Environment.

Yours sincerely

S. Harrison 24/07/19

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Communities and Greater Sydney Division

LIST OF ABORIGINAL STAKEHOLDERS FOR THE GREATER SYDNEY BRANCH HELD BY OEH FOR THE PURPOSES OF THE ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010

These lists are provided to proponents in accordance with section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the "Consultation Requirements") which commenced on 12 April 2010.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

A copy of the Consultation Requirements can be found on the OEH website at: <http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>.

Under the Consultation Requirements: a proponent is required to provide Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places as relevant to the proposed project area, with an opportunity to be involved in consultation. Section 3.3.1 of the Consultation Requirements states that Aboriginal people who can provide this information are, based on Aboriginal lore and custom, the traditional owners or custodians of the land that is the subject of the proposed project.

The Consultation Requirements also state that:

- Traditional owners or custodians with appropriate cultural heritage knowledge to inform decision making who seek to register their interest as an Aboriginal party are those people who:*
- *continue to maintain a deep respect for their ancestral belief system, traditional lore and custom*
 - *recognise their responsibilities and obligations to protect and conserve their culture and heritage and care for their traditional lands or Country*
 - *have the trust of their community, knowledge and understanding of their culture, and permission to speak about it.*

Please note: the placement of an organisation's name on any OEH Aboriginal stakeholder list for the Consultation Requirements does not override a proponent's requirement to also advertise in the local newspaper and to seek from other sources the names of any other Aboriginal people who may hold cultural knowledge as required under clause 80C of the National Parks and Wildlife Regulation 2009.

How to use this list

1. Determine which Local Government Areas (LGAs) your project area falls into
2. Identify which organisations and individuals on the list have an interest in the LGAs relevant to your project – identified in column 6 of the list
3. Contact the organisations/individuals who have indicated an interest in the relevant LGAs and invite them to register an interest in your project

Do not reproduce the attached list in publicly available reports and other documents. Your report should only contain the names of the organisations and individuals who you have invited to register an interest in your project and those who have registered as stakeholders for your project.

PLEASE NOTE: THE STAKEHOLDER LIST HAS NOT BEEN UPDATED TO INCLUDE THE RECENT

COUNCIL MERGERS AND NAME CHANGES. PLEASE CONSIDER THE PRE-MERGER COUNCIL

BOUNDARIES WHEN DETERMINING WHO SHOULD BE INVITED TO REGISTER FOR YOUR

PROJECT. Last update is 23rd July 2019

7 August 2019

By email: admin@coasthistory.com.au

Dr Paul Irish
Director
Coast History & Heritage
PO Box A74
ARNCLIFFE NSW 2205

Dear Dr Irish,

Request - Search for Registered Aboriginal Owners

We refer to your letter dated 22 July 2019 regarding an Aboriginal Cultural Heritage Assessment for the proposed development at Lot 104 DP 1092747, New South Head Road, Rose Bay NSW known as Kincoppal Rose Bay School.

Under Section 170 of the *Aboriginal Land Rights Act 1983* the Office of the Registrar is required to maintain the Register of Aboriginal Owners (RAO). A search of the RAO has shown that there are not currently any Registered Aboriginal Owners in the project area.

We suggest you contact La Perouse Local Aboriginal Land Council on 02 9311 4282 as they may be able to assist you in identifying Aboriginal stakeholders who wish to participate.

Yours sincerely



Elizabeth Loane
Project Officer, Aboriginal Owners
Office of the Registrar, ALRA



Overlap Analysis

Disclaimer
This information product has been created to assist in understanding the spatial characteristics and relationships of this native title matter and is intended as a guide only. Spatial data used has been sourced from the relevant custodians in each jurisdiction, and/or the Tribunal, and is referenced to the GDA94 datum.

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that neither the NNTT, the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise your own judgment and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used.
The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date.
The NNTT and Registrar expressly disclaim any liability arising from the use of this information.
This information should not be relied upon in relation to any matters associated with cultural heritage.

- Please note:**
- Calculated areas may not be the same as the legal area of a parcel.
 - Where shown, NNTT Tenure Class for a non freehold parcel refers to a tenure grouping derived for the purposes of the Tribunal, and does not necessarily represent the jurisdictional tenure type.
 - Overlap results are returned only for the currently active jurisdiction.
 - Where shown, overlap results are returned for 'current' future act notices. These are notices within six months of the notification date, notices subject to a current future act application or state deed and those notices where the right to negotiate applies and are within five years of the notification date.
 - Where shown, overlap results are returned for Future Act Objections that are currently active, or that have been subject to an NNTT determination.

Selected Feature from Local Government Area

Name	Woollahra
Full Name	Woollahra Municipal Council
Selection Area (sq km)	12.192



Reporting overlapping features in New South Wales

Schedule of Native Title Determination Applications

No overlap found

Register of Native Title Claims

No overlap found

Native Title Determinations

No overlap found

Native Title Determination Outcomes

No overlap found

* Note: Outcomes identified as "Native title extinguished" are generally outside the determination area. Refer to the determination document for more information.

Indigenous Land Use Agreements

No overlap found

RATSIB Areas

Name	Organisation	Area (sq km)	Overlap Area (sq km)	% Region Overlapped
New South Wales	NTSCORP Limited	1,719,932.3173	12.1917	100.00%

Local Government Areas

Name	Full Name	Area (sq km)	Overlap Area (sq km)	% Region Overlapped
Woollahra	Woollahra Municipal Council	12.1917	12.1917	100.00%

Rebecca Bryant

From: Flavia Scardamaglia <Flavia.Scardamaglia@woollahra.nsw.gov.au>
Sent: Wednesday, 24 July 2019 2:28 PM
To: Rebecca Bryant
Cc: Coast History and Heritage
Subject: RE: Notification of Registered Aboriginal Parties in relation to an Aboriginal Cultural Heritage Assessment at Kincoppal-Rose Bay School.

Dear Rebecca,

I believe the best people to consult with would be Mr Chris Ingrey and La Perouse Local Aboriginal Land Council.

Warm regards,



Flavia Scardamaglia
Strategic Heritage Officer

Woollahra Municipal Council
536 New South Head Road, Double Bay NSW 2028

t: 02 9391 7084

f: 02 9391 7044

e: flavia.scardamaglia@woollahra.nsw.gov.au **w:** www.woollahra.nsw.gov.au

Our Values: Respect for People | Integrity and Excellent Performance | Professional Quality Service | Open Accountable Communication

From: Rebecca Bryant <rebecca@coasthistory.com.au>
Sent: Monday, 22 July 2019 1:28 PM
To: Records <Records@woollahra.nsw.gov.au>
Cc: Coast History and Heritage <admin@coasthistory.com.au>
Subject: Notification of Registered Aboriginal Parties in relation to an Aboriginal Cultural Heritage Assessment at Kincoppal-Rose Bay School.

Dear Flavia,

Please find attached a letter regarding notification of Registered Aboriginal Parties in relation to an Aboriginal Cultural Heritage Assessment at Kincoppal-Rose Bay School New South Road, Rose Bay, NSW for potential building works.

Warm regards,

Rebecca Bryant

Archaeologist



P: 1800 450 995 / **M:** 0405 236 821

Rebecca Bryant

From: Margaret Bottrell <margaret.bottrell@lls.nsw.gov.au>
Sent: Tuesday, 30 July 2019 8:21 AM
To: Rebecca Bryant
Subject: Notification of Aboriginal people in relation to Aboriginal cultural heritage assessment at Kincoppal - Rose Bay School, New South Head Road, Rose Bay NSW

To Rebecca Bryant,

RE: Notification of Aboriginal people in relation to Aboriginal cultural heritage assessment at Kincoppal - Rose Bay School, New South Head Road, Rose Bay NSW

Thank you for your letter dated 22 July 2019, requesting assistance with identifying Aboriginal stakeholder groups or persons who may have an interest in your project area.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services have been listed in *Section 4.1.2 (g)* of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, under *Part 6, National Parks and Wildlife Act 1974* as a source of information to obtain the “names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal *objects* and/or *places*”.

GS LLS is a partner with many Aboriginal communities in the region on many natural resource management (NRM) projects. However, GS LLS is not the primary source for contacting or managing contact lists for Aboriginal communities or persons that may inform or provide comment on planning issues. GS LLS considers cultural heritage issues that relate to land-use planning in general and only considers culture and heritage issues in the context of NRM.

We strongly recommend that you make contact with the Office of Environment and Heritage (OEH), Cultural Heritage Division, for all-inclusive contact lists of persons and organisations that may assist with your investigation.

Note: Hawkesbury Nepean Catchment Management Authority (HNCMA) no longer exists. All work previously carried out by HNCMA is now delivered by Greater Sydney Local Land Services (GS LLS).

Regards,

--

Margaret Bottrell Senior Strategic Land Services Officer
(Aboriginal Communities)

Greater Sydney Local Land Service

Level 4, 2-6 Station Street Penrith

PO Box 4515 Penrith Westfields NSW 2750

T: 02 47242111

E: margaret.bottrell@lls.nsw.gov.au

W: <http://www.lls.nsw.gov.au>

Appendix 1C

Registrations of Interest

Rebecca Bryant

From: Phillip Boney <Waarlan12@outlook.com>
Sent: Sunday, 18 August 2019 7:25 PM
To: Rebecca Bryant
Subject: Kincoppal Rose Bay School

Hi Bec,

Phil here. I would like to register for this project Thanks please Bec.
Family's all good hope your family is good. Thank you.

With regards, Phil Boney
Wailwan Aboriginal Group

Rebecca Bryant

From: Rebecca Bryant
Sent: Thursday, 15 August 2019 8:00 AM
To: lilly carroll
Subject: RE: Notification of Aboriginal People for Kincoppal – Rose Bay School, R

Thank you Paul.

I have registered you for this project.

Enjoy your day.

Warm regards,

Rebecca

From: lilly carroll <didgengunawalclan@yahoo.com.au>
Sent: Thursday, 15 August 2019 7:59 AM
To: Rebecca Bryant <rebecca@coasthistory.com.au>
Subject: Re: Notification of Aboriginal People for Kincoppal – Rose Bay School, R

Hi Rebecca

DNC would like to register an interest into
Kincoppal- rosebay school Rosebay

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC
[Sent from Yahoo Mail for iPhone](#)

On Wednesday, August 14, 2019, 10:05 am, Rebecca Bryant <rebecca@coasthistory.com.au> wrote:

Dear Ms Carroll,

Please see attached a notification in relation to Aboriginal cultural heritage assessment(s) being undertaken at

Kincoppal – Rose Bay School, New South Head Road, Rose Bay, NSW. If you would like to be a Registered Aboriginal Party for this project, please contact our office in writing by **Wednesday 28th August 2019**.

Warm regards,

Rebecca Bryant

Archaeologist



P: [1800 450 995](tel:1800450995) / M: [0405 236 821](tel:0405236821)

E: rebecca@coasthistory.com.au

W: www.coasthistory.com.au

Suite 9 & 10, 136 Marrickville Rd, Marrickville

PO Box A74, Arncliffe NSW 2205

Rebecca Bryant

From: Darug Land Observations <daruglandobservations@gmail.com>
Sent: Wednesday, 14 August 2019 12:58 PM
To: Rebecca Bryant
Subject: Re: Notification of Aboriginal People for Kincoppal – Rose Bay School, Rose Bay, NSW
Attachments: Expressions of Interest letter COAST (RoseBaySchool).docx

Hi Rebecca,

Please find attached Expressions of Interest letter for the proposed upgrade of Rose Bay School, located on New South Head Road, in Rose Bay.

Look forward to working with you on this project.

Kind Regards,

Anna

On Wed, Aug 14, 2019 at 10:04 AM Rebecca Bryant <rebecca@coasthistory.com.au> wrote:

Dear Jamie and Anna,

Please see attached a notification in relation to Aboriginal cultural heritage assessment(s) being undertaken at

Kincoppal – Rose Bay School, New South Head Road, Rose Bay, NSW. If you would like to be a Registered Aboriginal Party for this project, please contact our office in writing by **Wednesday 28th August 2019**.

Warm regards,

Rebecca Bryant

Archaeologist



P: 1800 450 995 / M: 0405 236 821

E: rebecca@coasthistory.com.au

W: www.coasthistory.com.au

Suite 9 & 10, 136 Marrickville Rd, Marrickville

PO Box A74, Arncliffe NSW 2205



**DARUG LAND
OBSERVATIONS PTY LTD
ABN 27 602 765 453**

EMAIL: DARUGLANDOBSERVATIONS@GMAIL.COM
PO BOX 173 ULLADULLA NSW 2539
MOBILE: 0413 687 279

14th August 2019

Paul Irish
Coast History & Heritage
PO Box A74
ARNCLIFFE NSW 2205

Notification and Registration of ALL Aboriginal Interests

RE: PROPOSED UPGRADE OF ROSE BAY SCHOOL -
LOT 104 DP 1092747, NEW SOUTH HEAD ROAD, ROSE BAY, NSW

Aboriginal Cultural Heritage Assessment

Dear Paul,

Please be advised that Darug Land Observations Pty Ltd is seeking to be involved in any and all consultation meetings and fieldwork.

This office specialises in Aboriginal and community consultations, and has a membership that comprises of Traditional owners from the area in question. Those retain strong story, song lines, oral history and continued contact.

We would also like to state that we do not accept or support any person or organisation that are NOT from the DARUG Nation that comments regarding the said area.

Please also be advised that this Aboriginal organisation does not do volunteer work or attend unpaid meetings. I hope that you advise your client of this so that, 'This Group', will not be discriminated against and refused paid fieldwork. DLO's rate is [REDACTED], including GST.

All correspondence should be emailed to: daruglandobservations@gmail.com, or mailed to: PO Box 173 Ulladulla NSW 2539, and any further consultation during this project can be directed to Anna O'Hara on mobile 0413 687 279.

Yours sincerely,

Jamie Workman
Darug Land Observations Pty Ltd

The Late Uncle Gordon Workman
Darug Elder

Appendix 1D

Information and Methodology Document

3 September 2019

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr and Mrs [REDACTED]

**RE : Aboriginal Cultural Heritage Assessment Information and Methodology
for Kincoppal – Rose Bay School, New South Head Road, Rose Bay, NSW**

Thank you for expressing your interest in these projects. We have recorded your organisation as a 'Registered Aboriginal Party' to the projects and are now providing you with further information on the first of the projects, in accordance with section 80C (6) & (7) of the *National Parks and Wildlife Regulation* 2009. Specifically, this letter contains:

- a description of the proposed works that are currently being considered for Kincoppal – Rose Bay School;
- a consideration of the types of potential impacts that this may have on Aboriginal objects and places;
- the methodology we propose to use to complete an Aboriginal cultural heritage assessment of the proposed works; and
- potential management options for identified and potential Aboriginal objects.

The letter also invites you to provide any knowledge or information about the cultural significance of Aboriginal objects or places which you believe should be considered in relation to the proposed works. We also welcome your comments on the proposed methodology and management options. As outlined in this letter, any comments you provide will be considered in the Aboriginal cultural heritage assessment report for the proposal, may be used in support of an Aboriginal Heritage Impact Permit or Permits, and to assist Woollahra Council, the Office of Environment and Heritage and the Department of Planning, Industry and Environment in their assessment of any future proposal.

If you wish to provide us with any comments, please send them to us in writing (or contact us if this is not possible), by **1 October 2019** at one of the following:

(Email) admin@coasthistory.com.au

(Post) PO Box A74 Arncliffe NSW 2205

(Phone) 1800 450 995

(Fax) 02 8311 1478

We note that in accordance with current Office of Environment and Heritage guidelines¹, any proposal you may wish to submit for engagement in fieldwork is a commercial matter which the proponent will consider separately from the comment and consultation we are currently undertaking.

1 What we are assessing

The property and proposal

The area we are assessing is the Kincoppal – Rose Bay School, which is described as Lot 104 in Deposited Plan 1092747, and the address is New South Head Road, Rose Bay, or 1A and 2 Vaucluse Road, Vaucluse (see **Figure 1** and **Figure 2**). Kincoppal - Rose Bay School is planning a program of works to guide development within the school campus over the coming years.

The initial proposal is to be assessed as a State Significant Development (SSD-10325) under Part 4 (Division 4.1) of the *Environmental Planning & Assessment Act* (1979). The proposed works are divided into two packages; a development application will be submitted for the Stage 1 works, and a concept development application will be submitted for the remainder. The assessment and approval pathway for the individual components of the second package has not yet been determined.

The proposed works are all located within the western part of the campus, to the west of Vaucluse Road. An overview of the proposed works location is shown in **Figure 3**, and the works are summarised below:

Stage 1 works:

- Alterations and additions to the Junior School and expansion of the Early Learning Centre.
- New driveway crossing at Vaucluse Road to provide for an internal circulation road.
- Alterations and additions to the Senior School, including expansion and refurbishment of the North Wing.
- Upgrades to the main entry to the Senior School including reconfiguration of the core administration and office administration facilities.
- Improvements and re-configuration of the main forecourt to provide greater landscaped areas, pedestrian-only zones, and dedicated areas for bus parking (set down/pick up) and car parking.

Concept works:

- Internal refurbishment of the Senior School to create an integrated circulation hub.
- Internal alterations to the Hughes Centre.
- Provision of an on-site bus parking bay and associated parking area adjacent to the main entrance.

¹ As outlined in Section 3.4 (page 9) of the *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks & Wildlife Act 1974* (DECCW 2010).

- Extension and expansion of the existing student boarding house.

The Department of Planning, Industry and Environment has released the Planning Secretary's Environmental Assessment Requirements (SEARs) for the project², and these require an Aboriginal Cultural Heritage Assessment Report (ACHAR) to be prepared in accordance with current guidelines³, including Aboriginal community consultation requirements.⁴ Coast History and Heritage has been engaged by Kincoppal – Rose Bay School to prepare the ACHAR as required. The ACHAR will assess the potential Aboriginal heritage impact of the Stage 1 works, and provide advice on the Aboriginal heritage sensitivity of the study area as a whole to inform planning for the concept and other future works.

Although no Aboriginal sites have been recorded within the study area, no investigations have previously been undertaken. The study area includes landforms that are often associated with evidence of past Aboriginal occupation; watercourses, and areas of outcropping sandstone bedrock. This makes it possible that an Aboriginal Heritage Impact Permit or permits under s90 of the *National Parks & Wildlife Act 1974* may be required in association with Aboriginal heritage management for the proposed works.

² SSD-10325, SEARs, issued 31/5/19, Requirement 9.

³ Office of Environment and Heritage (OEH) 2011 *Guide to investigating, assessing and reporting on Aboriginal cultural heritage*; Department of Environment Climate Change and Water (DECCW) 2010 *Code of practice for archaeological investigation of Aboriginal objects in New South Wales*.

⁴ *National Parks and Wildlife Regulation 2009* (s80C), as detailed in OEH 2010 *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks & Wildlife Act 1974*.



Figure 1. The study area (blue outline) in its topographic context.



Figure 2. The study area (red outline).



Figure 3. An overview of the proposed works locations.

[Source: BVN, 27/03/2019, Kincoppal – Rose Bay, SEARs Drawings: Design Report]

Description of the study area

The study area is situated above the southern side of Sydney Harbour, on the South Head peninsula which forms the southern headland at the harbour's entrance. It is on a steep slope leading down to a slight promontory that forms the eastern end of Rose Bay, on the western side of the peninsula. The slope comprises several roughly parallel horizontal bands of outcropping Hawkesbury Sandstone bedrock, exposed in places as lines of low escarpment. Soils in the study area are formed from the weathering of the underlying sandstone; the soils are highly susceptible to erosion, especially in steeply sloping areas. A small watercourse runs through the western part of the study area, and a second watercourse formerly crossed the southernmost part of the study area

The study area was within the Vacluse Estate, which was bought by W.C. Wentworth in c1830. Aboriginal people continued to live within the property and interact with the Wentworths, and were still visiting and camping on the estate in the early twentieth century. However, no documentary evidence has been found of associations with the study area specifically. Development began in c.1850, with the construction of a large house. From the early 1880s, the study area was occupied by the Society of the Sacred Heart, and has been subject to several phases of development for use as a convent and school.

Historical records indicate that past development has included sandstone quarrying within the study area. The historical images show that substantial terracing has been undertaken across much of the study area to allow development of the sloping site (see **Figure 4** and **Figure 5**). The impact of these activities on Aboriginal cultural heritage is hard to determine from the documentary records but is likely to have impacted sites associated with outcropping sandstone, such as rockshelters and engravings. However, in those locations where fill has been introduced, any underlying archaeological evidence may have been preserved.

We conducted a site inspection in August 2019 with the La Perouse Local Aboriginal Land Council. The results of the inspection confirmed that there have been substantial impacts to the original profile of the study area, in particular in the eastern part of the campus, and in the eastern half of the western campus (see **Figure 6** and **Figure 7**). However, this has not affected the whole of the study area, and it is possible that some areas retain the potential to contain Aboriginal remains or Aboriginal objects.

We are going to do further research, but at this stage it appears unlikely that it would be useful to incorporate test excavation into the current assessment process for the Stage 1 works. Most of the proposed works comprise modifications to existing buildings and areas that have already been disturbed. However, in some cases, the works may involve excavation in less disturbed locations. The ACHAR will provide guidance and recommendations for incorporation of Aboriginal heritage management measures into the various phases of the proposed works, where there is some possibility that they may involve impact to areas of potential.



Figure 4. The study area in 1943.

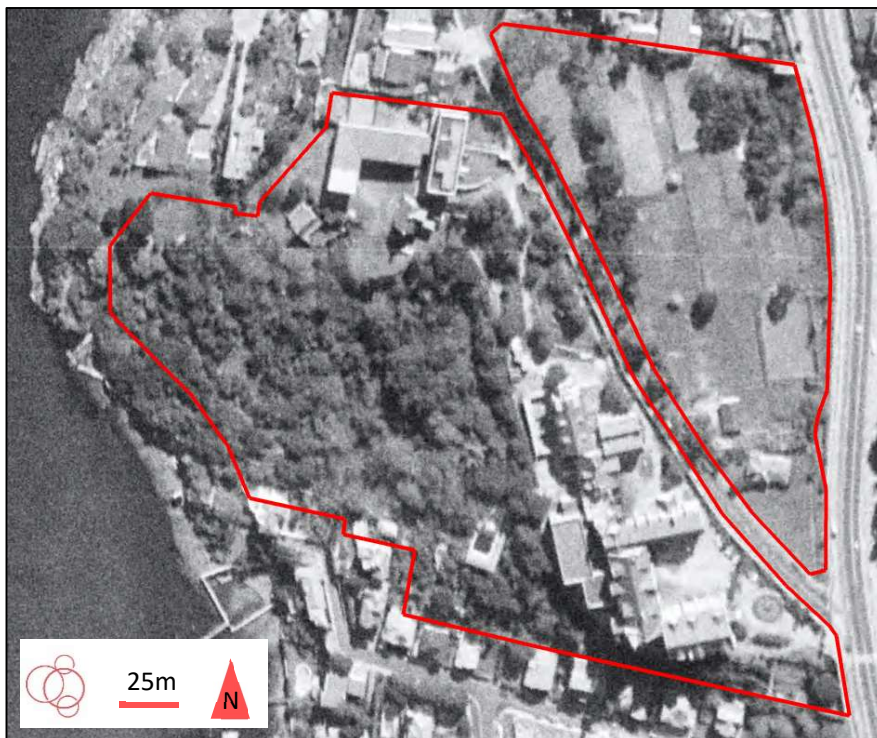


Figure 5. The study area in 1975.

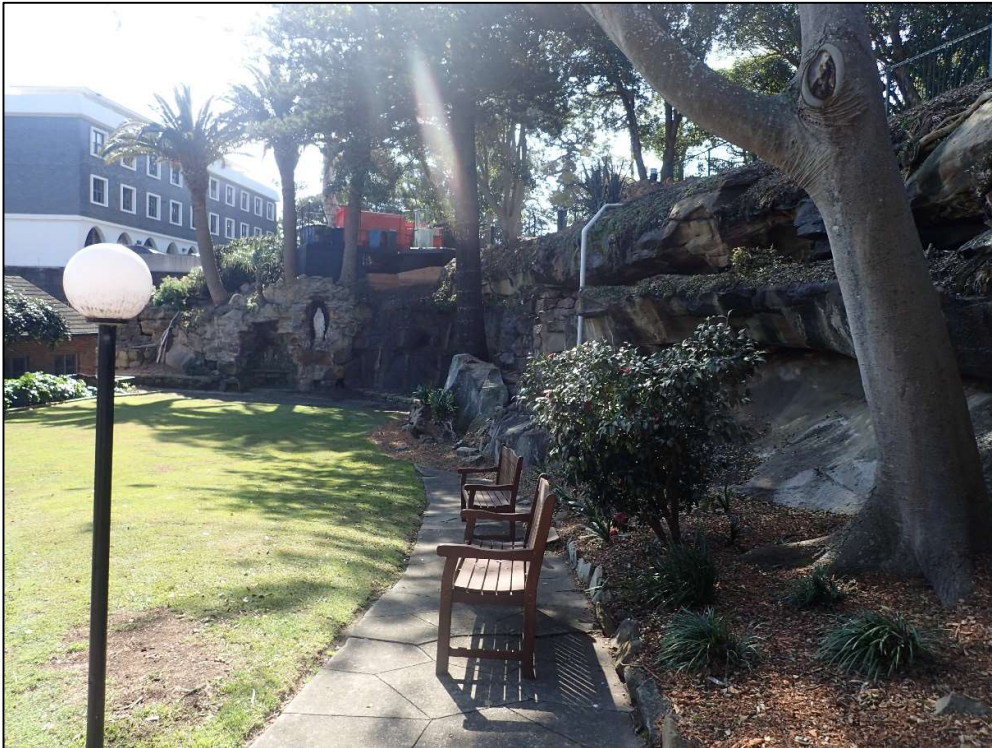


Figure 6. The location of a former quarry.

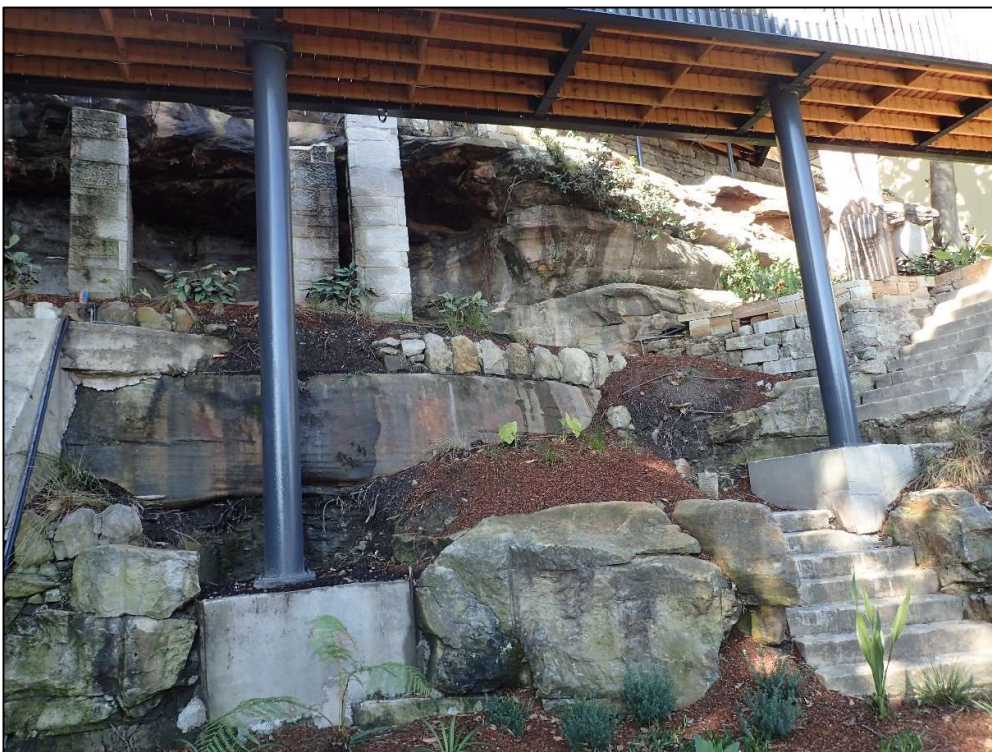


Figure 7. Modification of the outcropping sandstone.

2 Project timing and opportunities for comment

To meet the Aboriginal community consultation requirements of the Aboriginal cultural heritage assessment process, Coast History and Heritage has undertaken public and direct Aboriginal community notification on behalf of the proponent in accordance with Section 80C of the *National Parks and Wildlife Regulation* 2009. As a result, a number of Registered Aboriginal Parties to the project have been identified.

All Registered Aboriginal Parties have two main opportunities to comment on the proposal and the Aboriginal Cultural Heritage Assessment Report; in relation to this Information and Methodology document, and in relation to the draft Aboriginal Cultural Heritage Assessment Report. All Registered Aboriginal Parties have been sent a copy of this document by email or post on 2 September 2019 and provided 28 days to make any comments. We have asked for any comments you may wish to make in relation to the project, its methodology and any Aboriginal cultural information that may be relevant to assessment the potential impacts of the proposal.

These comments will be forwarded to the proponent for their consideration, and will be incorporated into the draft Aboriginal Cultural Heritage Assessment Report which is to be prepared. This draft report will also be provided to all Registered Aboriginal Parties and 28 days provided to make any comments. Any comments received will be considered and incorporated into the final report. The report will be provided to the Department of Planning, Industry and Environment as part of the Environmental Impact Statement for the State Significant Development Application, and may be used as supporting documentation for an AHIP and/or development application for components of the proposed works in future. A copy of the final Aboriginal Cultural Heritage Assessment Report will also be made available to all Registered Aboriginal Parties.

Please note that if any information that you wish to provide to Coast History & Heritage is culturally sensitive, please let us know so that appropriate protocols of access and use can be developed. If you do not inform us, we will assume that the information you provide can be included and discussed in the Aboriginal Cultural Heritage Assessment report.

3 Proposed assessment methodology

We propose to use the following methodology to assess the archaeological and Aboriginal cultural values relevant to the project.

Archaeological assessment

Our archaeological assessment will be undertaken and documented in the Aboriginal Cultural Heritage Assessment Report that is to be produced for the project. It will consider relevant background environmental, historical and archaeological context, including the results of the field survey already undertaken. It will look at the context of the recorded Aboriginal sites nearby, consider how likely it is that other undocumented artefacts may be present, and in what condition. Based on this, it will provide an assessment of their *archaeological* significance, as the basis for proposed management.

Aboriginal Cultural Assessment

The Aboriginal cultural assessment will consider:

1. our knowledge of previously documented Aboriginal cultural and historical associations with the study area; and
2. any information provided by Registered Aboriginal Parties about:
 - the Aboriginal cultural significance of any identified Aboriginal remains or Aboriginal objects;
 - any other places or objects of cultural value to Aboriginal people which may be relevant to the current proposal;
 - the management of as yet undocumented Aboriginal objects that may be uncovered either during Aboriginal archaeological test excavations (if undertaken) or as may be uncovered during any future upgrade works; and
 - any other Aboriginal cultural or historical knowledge which is relevant to the Aboriginal cultural assessment of the study area in relation to the current proposal.

Any information you provide us with will be considered and included in the Aboriginal Cultural Heritage Assessment report that is to be produced for the project. And as we noted above, appropriate protocols can be developed for sensitive information if you let us know.

4 Proposed management of Aboriginal objects

At this stage no Aboriginal objects have been identified within the study area. It is possible that Aboriginal objects may be found during subsequent stages of investigation or during the proposed works. In order to develop management recommendations for you to consider in the draft Aboriginal Cultural Heritage Assessment Report we need to do some further research, hear your comments based on this document, and assess the archaeological and cultural values relevant to this project. Specifically, we would like you to tell us which of the following three options you would prefer for the long-term management of any Aboriginal objects that may be uncovered:

1. Transferring the objects to the Australian Museum or a local museum with appropriate storage facilities. The Australian Museum is the default repository for Aboriginal archaeological remains but will only take objects which meet a certain threshold of significance; or
2. Transferring the objects to an Aboriginal organisation with appropriate storage facilities under a Care and Control agreement. This should be with the agreement and consent from other Registered Aboriginal Parties, and the OEHL can refuse Care and Control where this cannot be demonstrated; or
3. Reburial of the objects at an appropriate location within the study area or broader surrounding campus area with the consent of the proponent.

Any comments you provide on these three possible options will help us to work out a management strategy for you to consider in the draft Aboriginal Cultural Heritage Assessment Report.

5 Conclusions

This letter has provided you with information about the project, our proposed assessment methodology and proposed management of Aboriginal objects that might be impacted by the current proposal.

We have sought:

- Your comments on the assessment methodology that we have proposed.
- Any information about Aboriginal objects or places of cultural value to Aboriginal people which may be located within the study area, and any other Aboriginal cultural or historical information that you feel is relevant to the current assessment and proposal and should be considered.
- Your views on the possible long-term management of Aboriginal stone artefacts that might be collected from the study area.

As noted above, where requested and appropriate, protocols can be developed for culturally sensitive information provided to Coast History and Heritage. It is however essential that comments and information, preferably in writing, be received by Coast History & Heritage no later than **1 October 2019** if they are to be considered in the draft Aboriginal Cultural Heritage Assessment report.

If you have any questions or require any additional information, please contact our office on 1800 450 995 or admin@coasthistory.com.au.

Yours sincerely,



Fenella Atkinson

Archaeologist

E: fenella@coasthistory.com.au

W: www.coasthistory.com.au

Appendix 1E

Responses to Information and Methodology

No responses were received

Appendix 1F

Responses to Draft Report

17 December 2019

Dr Paul Irish
P.O. Box A74
ARNCLIFFE NSW 2205

Email: admin@coasthistory.com.au

Dear Dr Irish

Aboriginal Cultural Heritage Assessment Report - Kincoppal-Rose Bay School, 1A and 2 Vaocluse Road

I write in regards to the above mentioned report dated October 2019. I have reviewed the report provide the following information and recommendations on behalf of the La Perouse Local Aboriginal Land Council (**La Perouse LALC**).

As you may be aware, the La Perouse LALC was established and operates within the provisions of the *Aboriginal Land Rights Act 1983* (NSW) (**ALRA**) and currently represents a membership of approximately 470 Aboriginal persons who reside within or have an association with the La Perouse LALC area. In accordance with Section 52 of the ALRA the La Perouse LALC has a statutory function to "*take action to protect the culture and heritage of Aboriginal persons in the Council's area*".

The Vaocluse and Rose Bay area holds heritage significance to the La Perouse Aboriginal community due to the occupation of the area by our direct ancestors until circa 1880. The La Perouse LALC can provide further significance information on request.

Following the review of the report, I can provide the following recommendations:

Recommendation 1:

The La Perouse LALC agrees with the recommendations as set out on pages 89 and 90 of the draft report.

Recommendation 2:

The La Perouse LALC advises that if any Aboriginal objects (such as human or animal bone, shell material or stone artifacts) are impacted or unearthed during any activity on the property, the activity must cease and the NSW Office of Environment and Heritage and La Perouse LALC be contacted immediately.

If you would like to discuss this issue further please don't hesitate to contact the La Perouse LALC office on 9311 4282 during business hours.

Yours sincerely,



Chris Ingre
Chief Executive Officer

LA PEROUSE



LOCAL ABORIGINAL LAND COUNCIL

PO Box 365, Matraville
New South Wales, 2036

T: (02) 9311 4282

E: admin@laperouse.org.au

ABN: 89 136 607 167

Appendix 2

OEH Aboriginal Heritage Information Management System Records

Coast History and Heritage

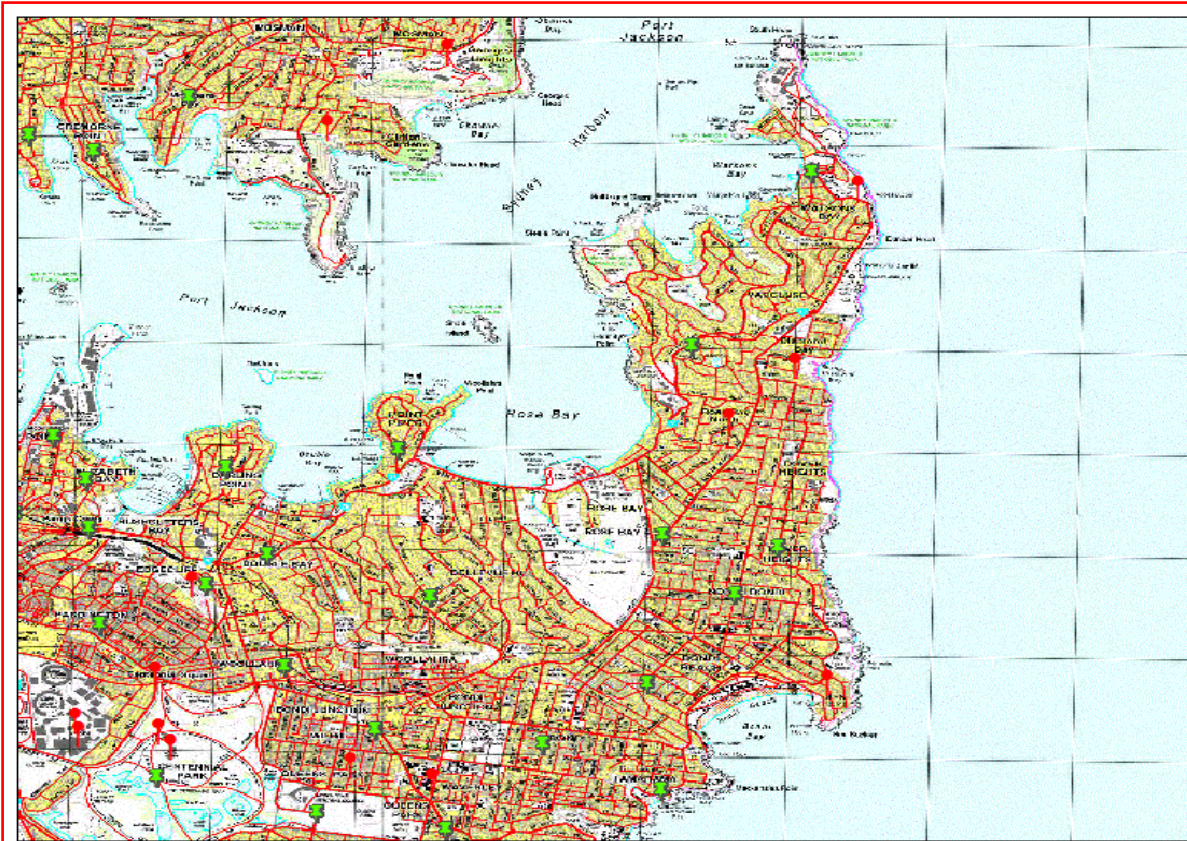
Date: 09 July 2019

PO Box A74
Arncliffe New South Wales 2205
Attention: Fenella Atkinson
Email: fenella@coasthistory.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 337700 - 341700, Northings : 6247200 - 6255200 with a Buffer of 0 meters, conducted by Fenella Atkinson on 09 July 2019.

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



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

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

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

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

Important information about your AHIMS search

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

Aboriginal Site Recording Form

AHIMS Registrar
PO Box 1967, Hurstville 2220 NSW

AHIMS site ID: 45-6-3754

Date recorded: 03-11-2019

Site Location Information

Site name: KRB Rockshelter

Easting: 340012 Northing: 6251770 Coordinates must be in GDA (MGA)

Horizontal Accuracy (m): 5

Zone: 56 Location method: Non-Differential GPS

Recorder Information

(The person responsible for the completion and submission of this form)

Title Surname First name
Ms. Atkinson Fenella

Organisation: Coast History and Heritage

Address: PO Box A74, Arncliffe NSW 2205

Phone: 0415941628 E-mail: fenella@coasthistory.com.au

Site Context Information

Land Form Pattern: Steep Hills Land Use: Established Urban

Land Form Unit: Cliff Vegetation: Cleared

Distance to Water (m): 5 Primary Report: Coast 2019 ACHAR: Kincoppal Rose Bay School Vaucluse WoollahraLGA

How to get to the site: In the west campus of Kincoppal Rose Bay School, Vaucluse Rd, Vaucluse. In a low escarpment running north-south, to the north of Sheldon House and south of the SHEM building.

Other site information:

Site location map



Site contents information

open/closed site:

Site condition:

Features:

1.

Potential Archaeological Deposit

Number of
features

Length of
feature(s)
extent (m)

Width of
feature (s)
extent (m)

14

1.5

Scarred Trees

Scar Depth
(cm)

Regrowth
(cm)

Scar shape Tree Species

Description:

A rockshelter of habitable size, facing west. No ground surface visibility, but no evidence of bulk excavation. No art or Aboriginal objects were observed.

Features:

2.

Number of
features

Length of
feature(s)
extent (m)

Width of
feature (s)
extent (m)

Scarred Trees

Scar Depth
(cm)

Regrowth
(cm)

Scar shape Tree Species

Description:

Features:

3.

Description:

Scarred Trees

Scar Depth (cm) Regrowth (cm) Scar shape Tree Species

Features:

4.

Description:

Scarred Trees

Scar Depth (cm) Regrowth (cm) Scar shape Tree Species

Features:

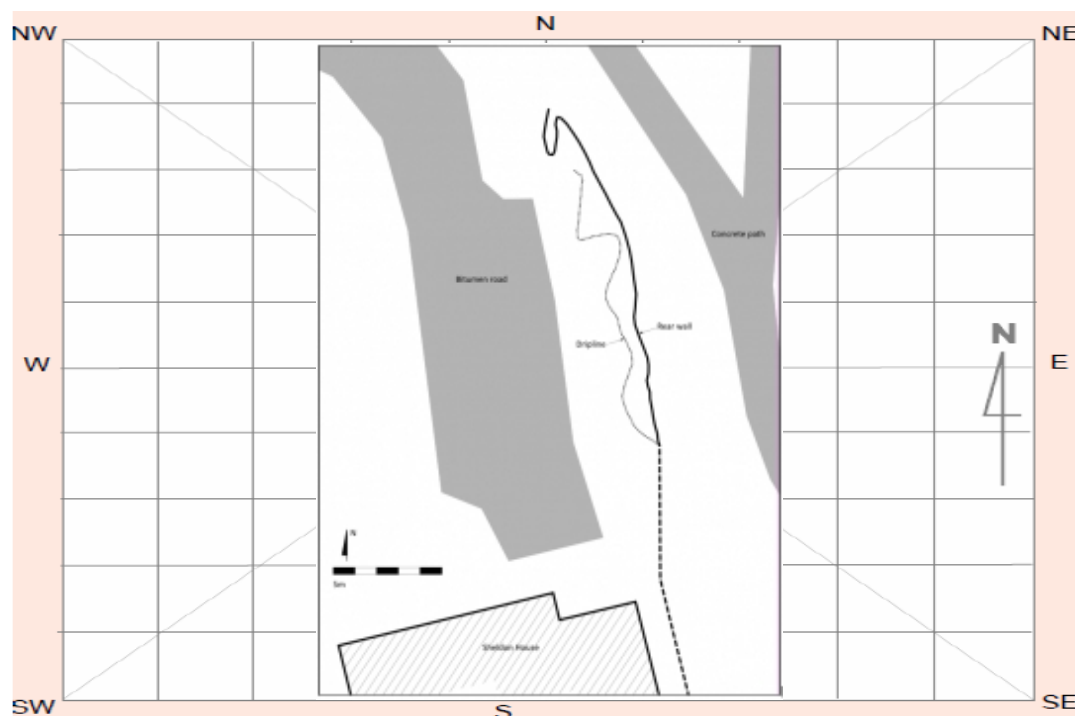
5.

Description:

Scarred Trees

Scar Depth (cm) Regrowth (cm) Scar shape Tree Species

Other Site Info:

Site plan

Site photographs



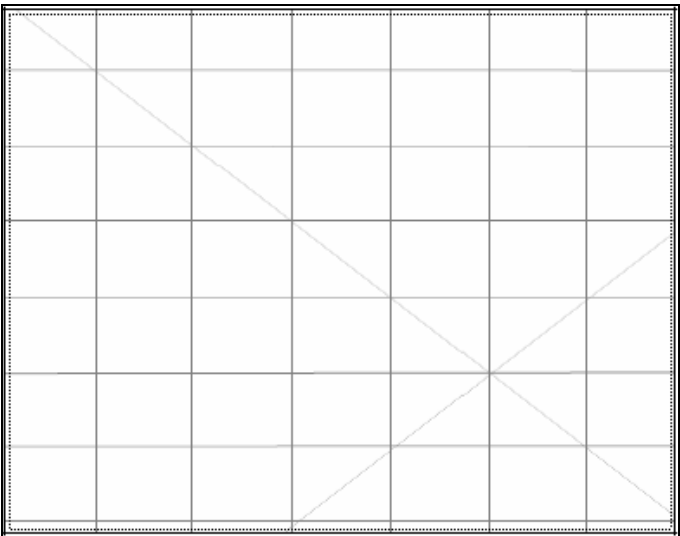
Description: KRB Rockshelter, looking south-east.



Description: KRB Rockshelter, looking east.



Description: KRB Rockshelter, looking north-east.



Description:

Site restrictions

Do you want to Restrict this site?: ☐

Restriction type: Gender ☐ General ☐ Location ☐

Why is this site restricted?:

Further information contact

Title

Surname

First name

Organisation:

Address:

Phone: E-mail: