

ARCHAEOLOGY – HERITAGE – MEDIATION – ARBITRATION

# **244 CLEVELAND STREET, SURRY HILLS**

## **Aboriginal Cultural Heritage Report**

PREPARED BY:	JILLIAN COMBER
REPORT TO:	OCP ARCHITECTS ON BEHALF OF THE DEPARTMENT OF EDUCATION
LGA:	CITY OF SYDNEY COUNCIL
VERSION NO:	D.2017
DATE:	MAY 2017

## DOCUMENT CONTROL

---

**PROJECT NO.** OA296      **STATUS** FINAL

REV	DATE	PREPARED	EDITED	APPROVED
A	20/03/2017	Jillian Comber	Tory Stening	Jillian Comber
B	16/4/2017	Jillian Comber	Tory Stening	Jillian Comber
C	04/05/2017	Jillian Comber	Tory Stening	Jillian Comber
D	07/05/2017	Jillian Comber	Tory Stening	Jillian Comber

## INTEGRATED MANAGEMENT SYSTEM

Comber Consultants has a certified integrated management system to the requirements of ISO 9001:2008 (quality), ISO 14001:2004 (environmental), OHSAS 18001:2007 (health and safety) and AS/NZS 4801:2001 (health and safety). This is your assurance that Comber Consultants is committed to excellence, quality and best practice and that we are regularly subjected to rigorous, independent assessments to ensure that we comply with stringent Management System Standards.

# EXECUTIVE SUMMARY

The Department of Education (DoE) propose to redevelop the former Cleveland Street Primary School (also known as the Cleveland Street Intensive English High School) into a new inner city comprehensive high school with 1,200 places. Due to limited availability of land in high density areas, DoE proposes to construct one of the State's flagship high-rise public schools on the site.

This report supports State Significant Development SSD 7610 to be submitted to the Minister for Planning & Environment pursuant to Section 78A(8A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

OCP Architects on behalf of the DoE have commissioned Comber Consultants to prepare this Aboriginal Cultural Heritage Assessment Report (ACHAR) to inform the Environmental Impact Statement and to ensure the best practice management of Aboriginal cultural heritage. This report also addresses The Secretary's Environmental Assessment Requirements (SEARs).

This report was undertaken in accordance with OEH's *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and consultation undertaken in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. As a result of that consultation the following organisations are Registered Aboriginal Parties:

- Metropolitan Local Aboriginal Land Council
- Darug Land Observations
- Murramarang
- Gulaga
- Biamanga
- Cullendulla
- DuncanSuey & Associates
- Goobah Developments
- Didge Ngunawal
- Darug Cultural Heritage Assessments

In consultation with the above organisations measures were developed to conserve Aboriginal cultural heritage on the site and to mitigate against harm through a program of archaeological testing and salvage of the portion of the site where bulk excavation or disturbance to the natural ground surface will occur, to provide information for educational and interpretation programs.



# CONTENTS

---

<b>1.0</b>	<b>INTRODUCTION</b>	<b>2</b>
1.1	BACKGROUND	2
1.2	LOCATION	2
1.3	STATUTORY CONTROLS	5
<b>2.0</b>	<b>ABORIGINAL HISTORY</b>	<b>8</b>
2.1	THE DARUG	8
2.2	THE GADI (CADI) CLAN OF THE DARUG	8
2.3	ABORIGINAL OCCUPATION	8
2.4	EUROPEAN CONTACT	9
2.5	SYDNEY TRIBES AND CLANS	10
2.6	LANGUAGE AND BOUNDARIES	11
2.7	FOOD AND SUBSISTENCE	11
<b>3.0</b>	<b>ENVIRONMENTAL CONTEXT</b>	<b>14</b>
3.1	TOPOGRAPHY	14
3.2	STREAM ORDER MODELLING	16
3.3	GEOLOGY AND SOILS	16
3.4	VEGETATION	16
3.5	CURRENT LAND USE AND DISTURBANCE	17
<b>4.0</b>	<b>ARCHAEOLOGICAL CONTEXT</b>	<b>21</b>
4.1	THE CUMBERLAND PLAIN	21
4.2	SYDNEY	21
4.3	STUDY AREA	24
4.4	SITE PREDICTION	24
<b>5.0</b>	<b>CONSULTATION</b>	<b>26</b>
<b>6.0</b>	<b>SUMMARY</b>	<b>32</b>
<b>7.0</b>	<b>CULTURAL HERITAGE VALUES AND STATEMENT OF SIGNIFICANCE</b>	<b>34</b>
7.1	PREAMBLE	34
7.2	CRITERIA	34
7.3	ASSESSMENT	34
7.4	STATEMENT OF SIGNIFICANCE	35
<b>8.0</b>	<b>PROPOSED ACTIVITY</b>	<b>37</b>
<b>9.0</b>	<b>AVOIDING AND MINIMISING HARM</b>	<b>39</b>
<b>10.0</b>	<b>RECOMMENDATIONS</b>	<b>41</b>
	<b>REFERENCES</b>	<b>43</b>
	<b>GLOSSARY</b>	<b>45</b>
	<b>APPENDIX A: CONSULTATION DOCUMENTATION</b>	<b>49</b>
	<b>APPENDIX B: TECHNICAL REPORT: ABORIGINAL ARCHAEOLOGICAL ASSESSMENT</b>	<b>82</b>

# 1.0 INTRODUCTION

BACKGROUND

LOCATION

STATUTORY CONTROLS



## 1.0 INTRODUCTION

### 1.1 Background

The Department of Education (DoE) propose to redevelop the former Cleveland Street Primary School (also known as the Cleveland Street Intensive English High School) into a new inner city comprehensive high school with 1,200 places. Due to limited availability of land in high density areas, DoE proposes to construct one of the State's flagship high-rise public schools on the site.

This report supports State Significant Development SSD 7610 to be submitted to the Minister for Planning & Environment pursuant to Section 78A(8A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

OCP Architects on behalf of the DoE have commissioned Comber Consultants to prepare this Aboriginal Cultural Heritage Assessment Report (ACHAR) to inform the Environmental Impact Statement and to ensure the best practice management of Aboriginal cultural heritage. This report also addresses The Secretary's Environmental Assessment Requirements (SEARs) as detailed below:

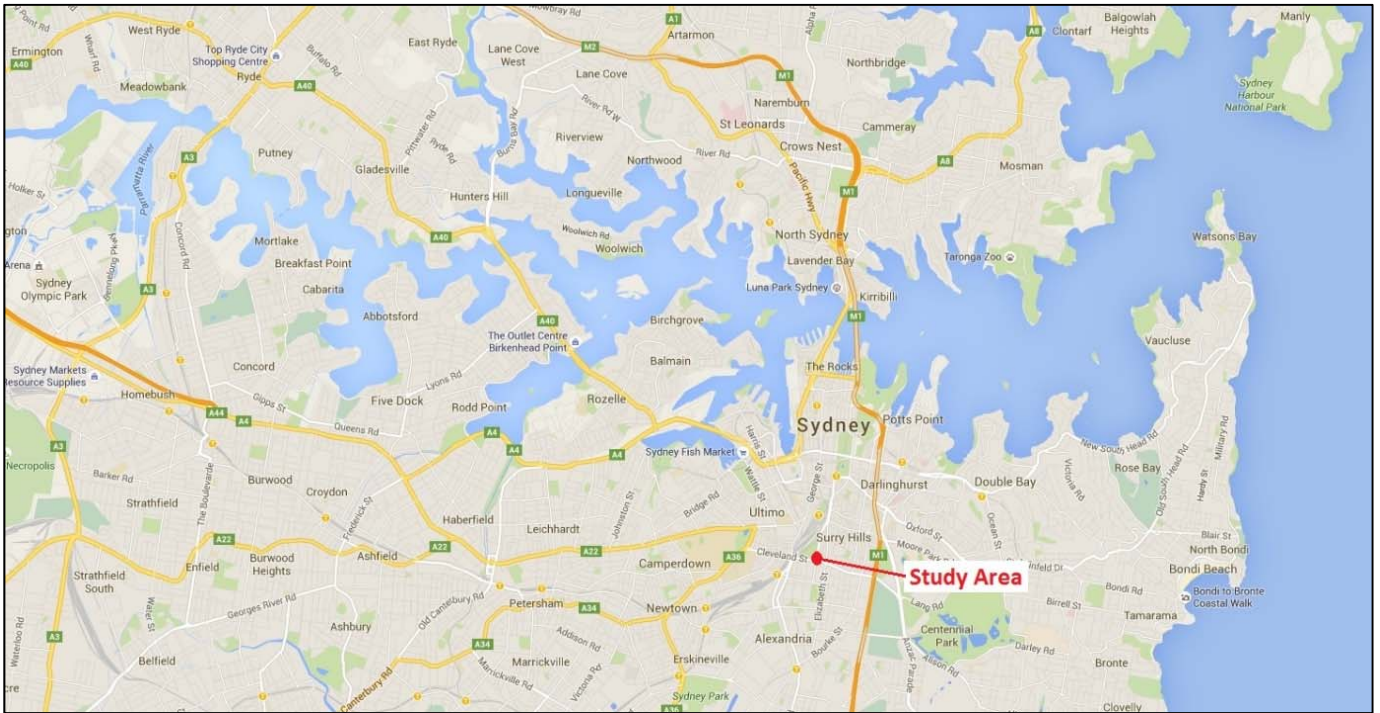
#### "9. Aboriginal Heritage

- Address Aboriginal cultural heritage in accordance with the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.
- The EIS must demonstrate attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts."

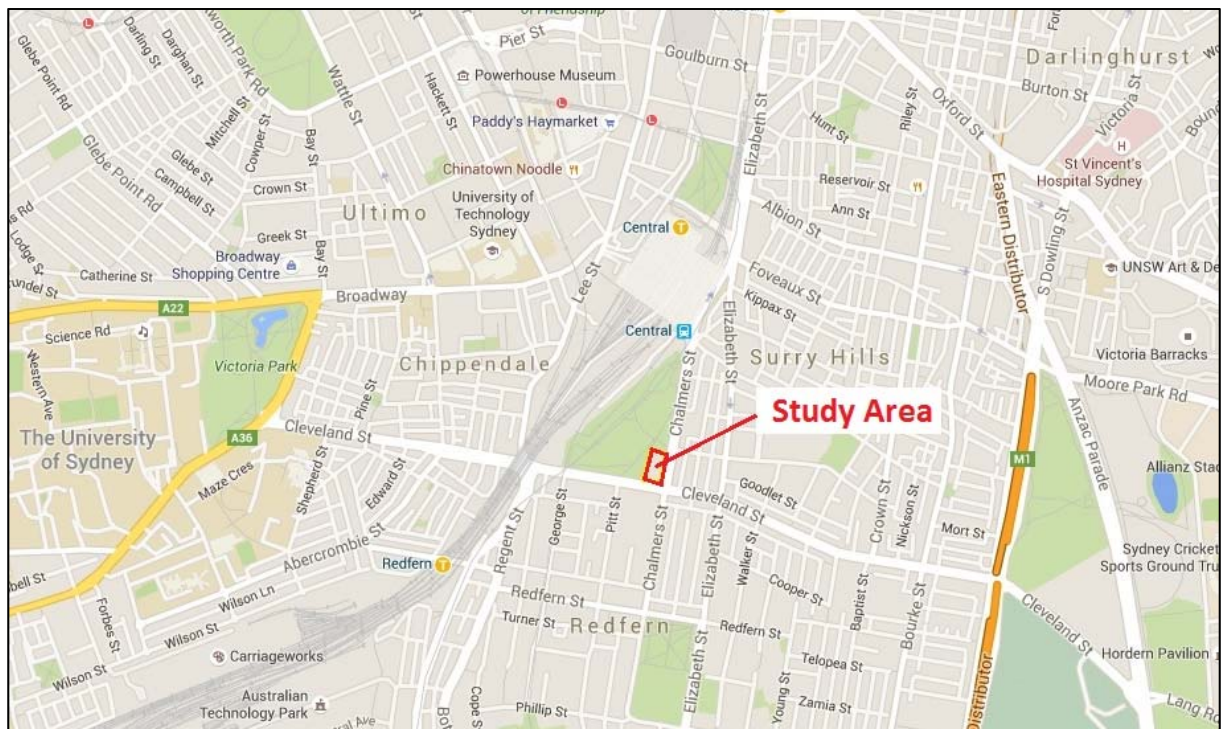
### 1.2 Location

The former Cleveland Street Public School, 244 Cleveland Street, Surry Hills is located immediately south-east of the Sydney Central Business District (Figure 1) in the Local Government Area of the City of Sydney. It is located on the north-west corner of Cleveland and Chalmers Streets, and is bound by Prince Alfred Park to the north and east (Figure 2). The site comprises three parcels of land, known as Lot 1 DP 797483, Lot 1 DP 797484 and Lot 8 DP 821649.

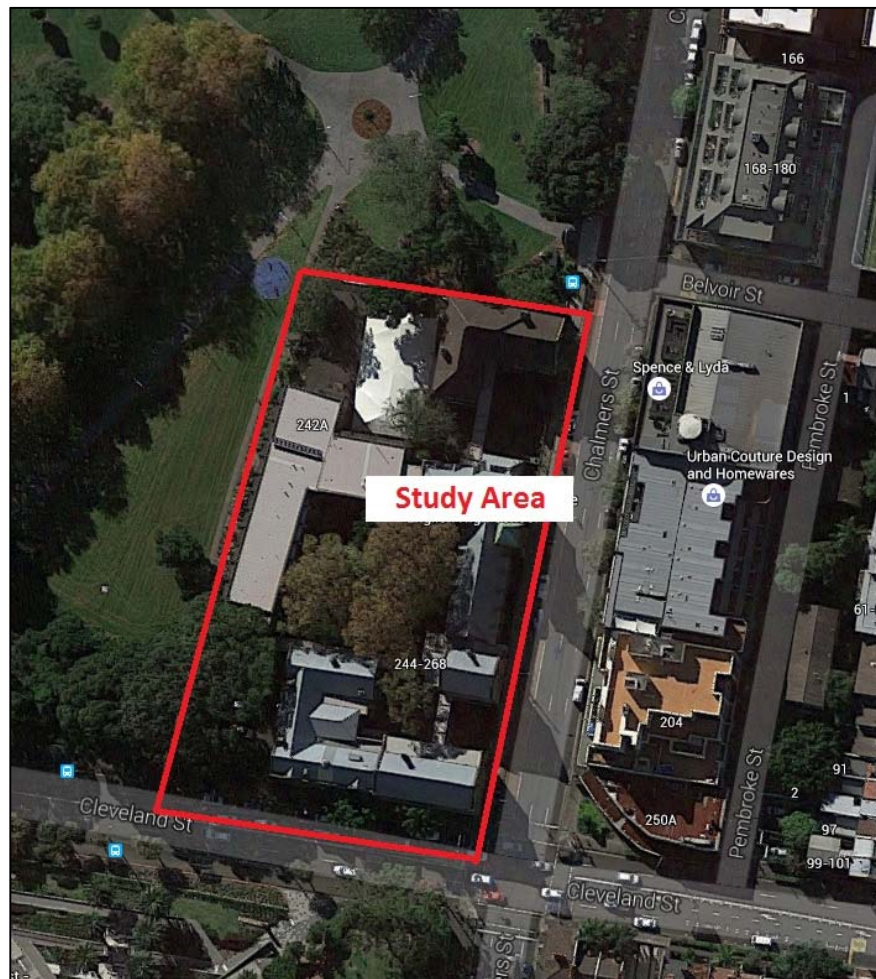




**Figure 1:** Study area, Surry Hills, south-east of the Sydney Central Business District (Google Maps).



**Figure 2:** Study area edged in red (Google Maps).



**Figure 3:** Study area edged in red (Google Maps).





### 1.3 Statutory Controls

#### ***National Parks & Wildlife Act***

The *National Parks & Wildlife Act 1974* (NPW Act) provides statutory protection to all Aboriginal sites within New South Wales. The Office of Environment and Heritage is the State Government agency responsible for the implementation and management of this Act.

Part 6 of the NPW Act provides provision for the protection of all “Aboriginal objects” which are defined 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”. Part 6 of the Act states that it is an offence to harm or desecrate an Aboriginal object or Aboriginal place, without an Aboriginal Heritage Impact Permit (AHIP).

However, as detailed below as this project is being undertaken as a State Significant Development authorisation under the *National Parks & Wildlife Act* is not required.

#### ***Environmental Planning & Assessment Act 1979***

This project is being undertaken as a State Significant Development under Part 4, Division 4.1 of the *Environmental Planning & Assessment Act 1979* (EPA Act). Section 89J of the EPA Act (see below) does not require that a State significant development seek approval under the NPW Act as.

Section 89J of the EPA Act states the following:

##### **89J Approvals etc legislation that does not apply**

The following authorisations are not required for State significant development that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such as authority do not apply):

- (a) the concurrence under Part 3 of the *Coastal Protection Act 1979* of the Minister administering that Part of that Act,
  - (b) a permit under section 201, 205 or 219 of the *Fisheries Management Act 1994*
  - (c) an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
  - (d) an Aboriginal heritage impact permit under section 90 of the *National Parks and Wildlife Act 1974*
  - (e) an authorisation referred to in section 12 of the *Native Vegetation Act 2003* (or under any Act repealed by that Act) to clear native vegetation or State protected land,
  - (f) a bush fire safety authority under section 100B of the *Rural Fires Act 1997*,
  - (g) a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the *Water Management Act 2000*.
- (2) Division 8 of Part 6 of the *Heritage Act 1977* does not apply to prevent or interfere with the carrying out of State significant development that is authorised by a development consent granted after the commencement of this Division.
- (3) A reference in this section to State significant development that is authorised by a development consent granted after the commencement of this Division includes a reference to any investigative or other activities that are required to be carried out for the purpose of complying with any environmental assessment requirements under this Part in connection with a development application for any such development.

The EPA Act is administered by the Department of Planning and Environment who will provide the consent for this project and for any impact on Aboriginal objects. Section 89J(d) does not require the consent of the Office of Environment & Heritage.

The Secretary’s Environmental Assessment Requirements (SEARS) (SSD 7610) were issued on 18<sup>th</sup> May 2016, and require:

#### **9. Aboriginal Heritage**

- Address Aboriginal cultural heritage in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.
- The EIS must demonstrate attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts.



This report satisfies the requirement to address Aboriginal cultural heritage issues in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* and *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. This report also considers the impact upon cultural heritage values of the project and outline measure to mitigation impacts.

# 2.0 ABORIGINAL HISTORY

THE DARUG

THE GADI (CADI) CLAN OF THE DARUG

ABORIGINAL OCCUPATION

EUROPEAN CONTACT

SYDNEY TRIBES AND CLANS

LANGUAGE AND BOUNDARIES

FOOD AND SUBSISTENCE



## 2.4 European Contact

In 1788 Europeans began the colonisation of the area known as Sydney with the arrival of the first fleet and Governor Phillip. It is from diaries and records from the first European contact, colonisation and later anthropological research that much of our understanding of Aboriginal people in the Sydney area comes from. Due to the consequences of colonisation and lack of systematic recording of Aboriginal lifeways, pre-contact Sydney is inadequately understood.

However, it is well documented that the Aboriginal population was dramatically affected by British colonisation. First, due to sickness when in 1789 a smallpox epidemic took around half of the population and then the continued alienation of people from their land and food sources, other introduced diseases and massacres. Although Aboriginal people were dislocated from their original way of life many remained to live in Sydney in places such as the Mulgoa Valley, Emu Plains, Plumpton, Manly, La Perouse, Salt Pan Creek and Campbelltown (Attenbrow 2010:21-22).

An image engraved of a camp north of the study area at Cockle Bay in 1813 demonstrates people continuing to live in the area (Figure 5) after European settlement.



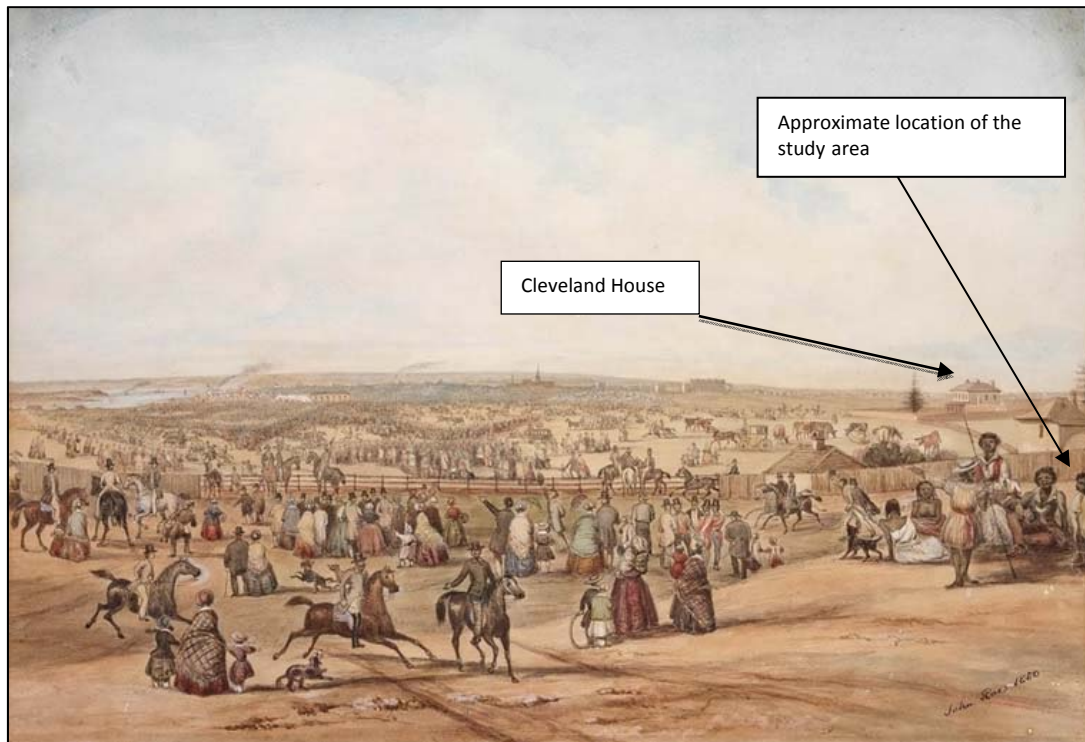
**Figure 5:** A native camp near Cockle Bay, New South Wales 1813. Philip Slaeger, engraver; after John Eyre. Engraving reproduction. From Absalom West, Views in New South Wales, 1813-1814 [and] historical account of the colony of New South Wales, 1820-1821. Bequest of David Scott Mitchell, 1907. PX\*D 65, plate.

The area presently comprising Central Train Station, Belmore Park and Prince Alfred Park was used as an important meeting point for Aboriginal people throughout the 1790s. Collins records that in December 1793

*The natives who lived about Sydney appeared to place the utmost confidence in us, choosing a clear spot between the town and the brickfield for the performance of any of their rites and ceremonies, and for three evenings the town had been amused with one of their spectacles...* (Collins 1798: Dec 1793).



The area, including the study area, continued to be used as a ceremonial meeting place for Aboriginal people throughout the following years and as “a place whence they {Aboriginal people} derived so many comforts and so much shelter in bad weather” (Collins 1802:Oct 1796). Figure 6 is a painting from 1850 showing Aboriginal people still camping in the area.



**Figure 6:** Turning the sod, of the first railway in the Australasian colonies at Redfern, Sydney, N.S.W. 3rd July 1850. John Rae 1813-1900 (Mitchell library ML 244).

A road from Cockle Bay to Botany Bay was noted by the early settlers as an important corridor for trade and movement for Aboriginal people in early Sydney. The area along this corridor between Cockle Bay and Botany Bay is described by Governor Arthur Phillip in 1788 as occupied by wood and beyond that a kind of heath, sandy, and full of swamps and later described by Atkins in 1792 as immense trees, lofty branches, flowering shrubs, blossoms of vivid and beautiful colours (AHMS 2015:13). The study area is located within this corridor.

## 2.5 Sydney Tribes and Clans

At the time Governor Phillip arrived, it was reported that not less than 1,500 people were seen living around the area of Port Jackson. However, in the more recent estimates, numbers are known to be more significant and are believed to have been between 2,000 and 3,000 people (Attenbrow 2002:21).

The earliest colonial records generally refer to groups of people as ‘tribes’. These groups are identified as local descent groups and are referred to as local or territorial ‘clans’ in modern anthropological terms. Different clan groups were seen hunting, fishing or gathering together. These combined clan land-using groups are referred to as ‘bands’ and although not from the same clan were more than likely related by marriage (Attenbrow 2002:22).

From 1788 to 1800, thirty individual clans were recorded. However, it is difficult to ascertain the number of clans due to variances in spelling used by the authors of the various records. Some may be describing the same clan and it is quite likely that some were not recorded. Documentary sources provide little detailed information about the boundaries of the traditional ‘country’ with which Sydney Aboriginal clans identified (Attenbrow 2002:24-29). However, it was understood that clans identified with areas of land. Clans identified with an area of residence and members were named after the area they resided with the suffix ‘-gal’ (man) or ‘-galleon’ (woman) added (Phillip 13 Feb 1790 in HRA 1(1) cited in Attenbrow 2002:22-24; Kass et al. 1996:6).



Governor Phillip Gidley King made observations about Aboriginal territories, noting Aboriginal place names. He wrote that:

*...the tribe of Cadi inhabit the south side, extending from the south head to Long Cove; at which place the district of Wanne, and the tribe of Wangal, commences, extending as far as Par-ra-mata, or Rose Hill... I have already observed that the space between Rose-Hill and Prospect-Hill is distinguished by eight different names, although the distance is only four miles (King 1793 cited in Attenbrow 2002:22).*

Anthropological studies indicate that clan sizes varied widely, consisting of between thirty to sixty people who moved through their territory using seasonal routes to access food, shelter and other resources necessary for survival as well as ceremonial sites. Generally, people camped, travelled, foraged, fished and hunted in smaller, extended family groups, coming together at times with the larger group for ceremonies and ritual combats (Attenbrow 2002:29).

## 2.6 Language and Boundaries

British colonists in the earlier years of the colony recorded languages and locations of where they were spoken. The methods at the time did not record the variations systematically, however a body of dialects and geographical proximity were recorded.

Watkin Tench (c.1758-1833), a naval officer, noted that people spoke 'different dialects of the same language; many of the most common and necessary words, used in life, bearing no similitude, and others being slightly different'. It was observed that although individuals from the coast and from the Hawkesbury were using different dialects to converse, they understood each other without difficulty (Tench 1793:122 in Fitzhardinge 1979:230). Tench was bemused by the variance in the languages considering the geographical proximity of the places, noting that 'these diversities arise from want of intercourse with the people on the coast, can hardly be imagined, as distance inland is but thirty-eight miles; and from Rose Hill not more than twenty, where the dialect of the sea coast is spoken' (Tench 1793:122 in Fitzhardinge 1979:231).

William Dawes (1762-1836), David Collins (1756-1810) and Governor Phillip Gidley King (1758-1808) made lists of words spoken by the coastal people (Attenbrow 2002:31). Dawes, a naval officer and scientist recorded details about pronunciation, verb tenses and sentence construction. A significant characteristic of the Aboriginal language recorded in eighteenth-century colonial records is the use of the suffix '-gal' (man) or '-galleon' (woman). In some areas the suffix was added to a word descriptive of the country in which the community lived (Phillip 13 Feb 1790, in Attenbrow 2002:22).

It was not until the late nineteenth and early twentieth-century that more methodical attempts to record Aboriginal languages were made by individuals such as R.H. Mathews, an anthropologist and linguist. Much of the information we have on languages was gathered by Mathews, by this time however there were few fluent speakers of the languages and dialects in Sydney (Turbet 1989:29, Attenbrow 2002:31-32). In the late 1960 linguist Arthur Capell found unpublished information and his research mapped new boundary alignments (Capell 1970).

Since the 1970s anthropologists and archaeologists have presented new theories about the boundaries of linguistic and tribal groups in and around the Sydney Basin, and debate on the subject continues. In a summary by Attenbrow (2002:34), three Language groups are recognised in the Sydney region; Dharawal, Gundungurra and Darug (see Figure 4). The people within the current study area were coastal Darug speakers.

## 2.7 Food and Subsistence

Port Jackson is one of the largest estuaries along the New South Wales coast. Access to Port Jackson and the former Botany Swamps that formed within the sand dunes would have provided a variety of possible food sources. The vast water body and freshwater tributaries provide a range of environments in their intertidal and tidal shorelines. These areas contain extensive rock-platforms, sandy beaches and mudflats as well as mangrove forests and seagrass beds. These diverse habitats are feeding grounds for a wide range of fish, shellfish, crustacean, marine mammals, marine turtles, tortoises and water birds. Rivers draining into Port Jackson have freshwater flows and the estuary is fully tidal, with a marine dominated biota (Attenbrow 2002:40). The local environment was also the source of raw materials for tool and weapon-making, clothing and shelter (Attenbrow 2002:71).

Bark canoes are known to have been used to access waterways and travel up the rivers. Colonial observers noted that coastal Aboriginal people obtained bark for canoes during excursions to Parramatta (Collins 1798: Vol 1 App 6). The shallow-draught, water craft made of bark and two to three metres in length were skilfully manoeuvred around the river. Bangalay (*Eucalyptus*



*botryoides*), large River Oak (*C. cunninghamiana*) and species of Stringybark (*Eucalyptus agglomerata*) are thought to have been used for canoe construction (Attenbrow 2002:112; Turbet 1989:50).

The ample fresh water sources attracted native animals which were hunted or trapped. The hunting of tree-dwellers such as possums and gliders is thought to have been a common activity. Kangaroo and wallaby were hunted less often and most likely when several clans came together for ceremonies (Brook & Kohen 1991:3-4). Aboriginal people of the district used traps and snares to catch animals to eat. In 1789 on a journey between Rose Hill and the Nepean, observations were made that traps were used to catch ducks which were plentiful and snares were used to catch “opossums” and other tree and small ground dwelling animals (Bradley c.1802, SLNSW Manuscripts, Electronic transcript, p.166). Other food resources included bull ants and the eggs and larvae of the longicorn beetle or witchetty grub (Kass *et al* 1996:6).

Botany Bay was named after the profusion of plant species, over 250 of these have been identified as being edible. There were extensive areas between Port Jackson and Botany Bay where freshwater and estuarine wetlands with saltmarsh and mangrove communities occurred in the lower stretches of the rivers and bays along the coast. Seasonal plant foods including fruits, tubers, shoots, flowers, berries, seeds and nectar of local trees, and grasses were also prominent in the diet. Food collection required a detailed knowledge of each plant’s properties as well as of the local environment, seasonal variations and preparation methods. Macrozamia for example is poisonous unless prepared in a particular way. Plants also provided ingredients for medicinal preparations (Attenbrow 2002:40-41; Brook & Kohen 1991:5).

Aboriginal people relied on an extensive knowledge of their land and its resources and the acquisition of diverse skills essential to their survival in an environment that could be unpredictable. By 1814 it was increasingly difficult for Aboriginal people to catch or procure food using traditional methods. Similarly, food-gathering patterns were altered by the lack of access to their traditional lands, which were now farmed by the new settlers. Limited opportunities were offered by Europeans willing to barter spirits and tobacco, and even food, for fish (Barratt 1981:71-2).

# 3.0 ENVIRONMENT

TOPOGRAPHY

STREAM ORDER MODELLING

GEOLOGY AND SOILS

VEGETATION

CURRENT LAND USE AND DISTURBANCE



### 3.0 ENVIRONMENTAL CONTEXT

#### 3.1 Topography

The study area is located within the central portion of the Sydney Basin. The Sydney Basin is characterised by contrasting landscapes of rugged sandstone escarpments and gently undulating hills over shale (Herbert 1980:21; Sydney 1:100,000 geological map).

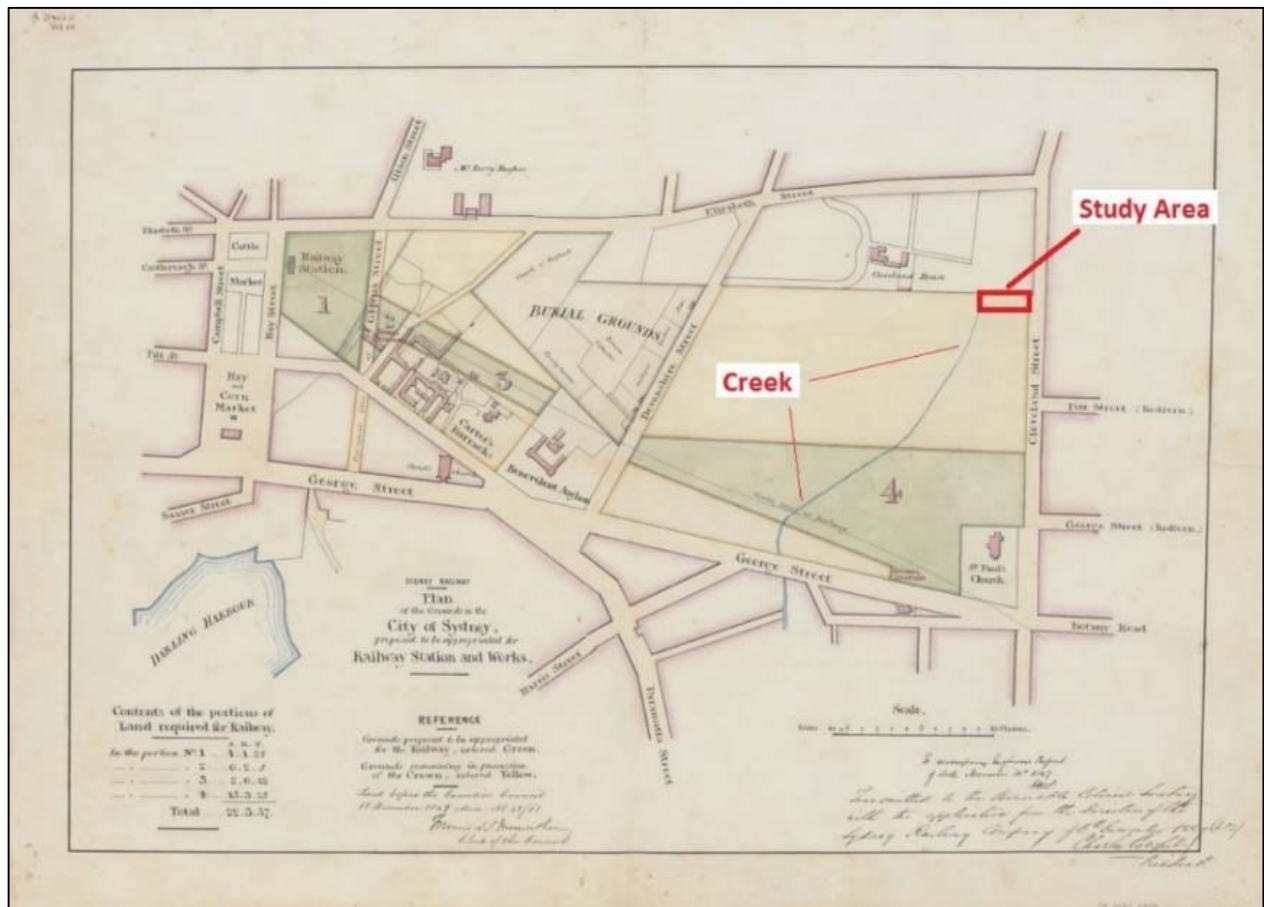
Surry Hills is defined by gently undulating rolling hills and crests and ridges with gently inclined slopes (Sydney 1:100,000 geological map). The suburbanisation of the local area has generally followed the topography of the original surface however some modification has been undertaken to build roads and structures (McIntyre 1946). Cleveland Street follows the ridgeline, with the study area sloping down toward Central Railway Station. The study area is within an area which was historically known as “The Sandhills”, a sand dune system extending from Sydney to Botany Bay. This Botany Lowlands dune system was once stabilised with vegetation, however European removal of the vegetation and prevailing winds shifted the sand northwards towards Sydney. In later years, the problem was alleviated by bitumen paving, residential and industrial development which helped re-stabilise the dunes (Kass 2016:7). Rainfall runoffs throughout the Botany Lowlands dune system collected in swamps, lagoons and depressions.

Prior to the more recent modification of this area, a tributary of Blackwattle Creek flowed through Prince Alfred Park and the study area (AHMS 2015; City of Sydney 2016). Blackwattle Creek was originally called Black Wattle Swamp Creek as it began in the swamplands of the present day University of Sydney and ran past the former Carlton United Brewery on Broadway serving as the brewery’s water source. Black Wattle Swamp Creek then rose in a swamp in Prince Alfred Park and then followed the line of Blackfriars Street and entered into Blackwattle Bay in a large swamp at the site of the Sydney City Council Depot on William Henry Street (<http://www.visitsydneyaustralia.com.au/lost-waterways.html>, accessed 25/07/2016). The Sydney railway plan “Plan of the Grounds in the City of Sydney, proposed to be appropriated for Railway Station and Works” created for the preliminary rail shows a creek running to the north west, adjacent to the study area (Figure 7). The later 1855 detailed survey for the Sydney Council indicates the creek ran directly through the school grounds (Figure 8).

The present study area is located approximately 2km to the north west of Centennial Park and approximately 1km to the north west of Moore Park, both of which historically were swamplands. It is located approximately 1km east of the University of Sydney, which historically was also swamplands and was the head of Blackwattle Creek. The study area is located approximately 1.5km north of Shea’s Creek, a small truncated tributary at the end of the Alexandria Canal. Historically Shea’s Creek ran from just to the south of Redfern Railway Station through Alexandria into the Cook’s River (GML 2012:72). The study area is also located 1.5km south of Cockle Bay, Darling Harbour.

The presence of swamplands and creeks indicates that the study area would have been part of a rich wetland area with a wealth of resources with access to the coastal rocky foreshore of Cockle Bay.





**Figure 7:** Railway Station and works 1849 [SR Map 6408], indicating study area and creek.



**Figure 8:** The 1855 Detail Survey completed for Sydney Council of the school on the site and indicating the creek. Source: 1855 Detail Survey, CCSA, Sheet 23.



### 3.2 Stream Order Modelling

Stream order can be used to predict Aboriginal land use patterns. Blackwattle and Shea's Creek would historically be classified as second order streams.

A first order stream is the smallest and is a small tributary that feeds larger streams but does not normally have any water flowing into it. The joining of two first order streams creates a second order stream and when two second order streams join, they form a third order stream. In addition, first and second order streams generally form on steep slopes and flow quickly until they slow down and meet the next order waterway. First order streams are intermittent.

Modelling undertaken by McDonald and Mitchell (1994) indicates that stream order can be used to predict areas of archaeological potential. The model hypothesis is that in any particular climate and landscape, a threshold catchment area is necessary to allow permanent stream flow or the establishment of waterholes with extended longevity (i.e. months to years). The critical point where these conditions are met appears to be at the junction of two second or third order streams. Such a location is likely to contain more complex sites with a high density of artefacts, whilst second and third order streams are also likely to contain large sites within 100 metres of the watercourse.

The study area is located adjacent to Blackwattle Creek and approximately 1.5km to the north of the now truncated Shea's Creek, both second order streams. As the study area is located between two second order streams it could be predicted to contain high archaeological potential.

### 3.3 Geology and Soils

The study area is found in the dune systems of the Botany Lowlands, an Aeolian landscape, formed during the Quaternary (Holocene and Pleistocene) period (Sydney 1:100,000 geological map). This environment, built by onshore winds forms transgressive dunes which originate from the remobilisation of beach and foredune sand blown inland. These dunes have been reworked from older sand surfaces well removed from coastal processes and have usually formed during periods when the sea level was lower than at present. Much of the dune sand in the Botany Basin is of Pleistocene age. These dunes are typically composed of fine to medium, well-sorted marine sand (Herbert 1983:55). Adjacent to the west and east the landform consists of the Ashfield Shale from the Wianamatta Group of shales which overlays the Hawkesbury Sandstone, formed during the Middle Triassic period. The sequence contains siltstone and laminate (Sydney 1:100,000 geological map).

The Wianamatta Group does not provide a good variety of material highly siliceous lithic materials suitable for stone tool manufacture. These thin shales are not strong enough for use in stone tool manufacture. Deposits of silcrete and chert are available from western Sydney at Plumpton, Penrith, St Clair and Prospect, all a considerable distance from Surry Hills. As a result, people of the Sydney region favoured shell, rather than stone, for tool manufacture. If stone was required, it would have been necessary to travel great distances or trade to obtain chert or silcrete (Comber 2012:10).

The dune systems in the vicinity of the study area also does not contain outcrops of stone material suitable for stone tools manufacture, such as tuff, chert, flint, silcrete or quartz. As there are no immediate outcrops of stone in the study area or surround areas, the likelihood of raw material for stone tools is minimal. However, stone would have been available from nearby areas and any finds would indicate material being introduced into the area.

### 3.4 Vegetation

The vegetation surrounding the study area would once have consisted mainly of dry sclerophyll or open woodland. The alluvial soils would have supported a river-flat forest, including various *Eucalypt* species and *Angophoras*. The open woodland species would have included *Eucalyptus siberi* (Silvertop Ash), *Eucalyptus piperita* (Sydney Peppermint), *Eucalyptus sclerophyllia* (Scribbly Gum), plus *Corymbia* with an understorey of *Banksia serrata* (Old Man Banksia), *Banksia spinulosa* (Hairpin Banksia), *Banksia integrifolia* (Coast Banksia) and various *Acacia* spp., including *Acacia longifolia*. Flowering shrubs would have included *Telopea speciosissima* (Waratah) and *Boronia serrulate* (Native Rose), whilst groundcover species would have included *Grevillia laurifolia* and *Persoonia chamaepitys*. Clumps of *Lomandra longifolia* would also have grown on headland areas. In addition, various heathland communities would have existed along coastal areas (Baker 1986).

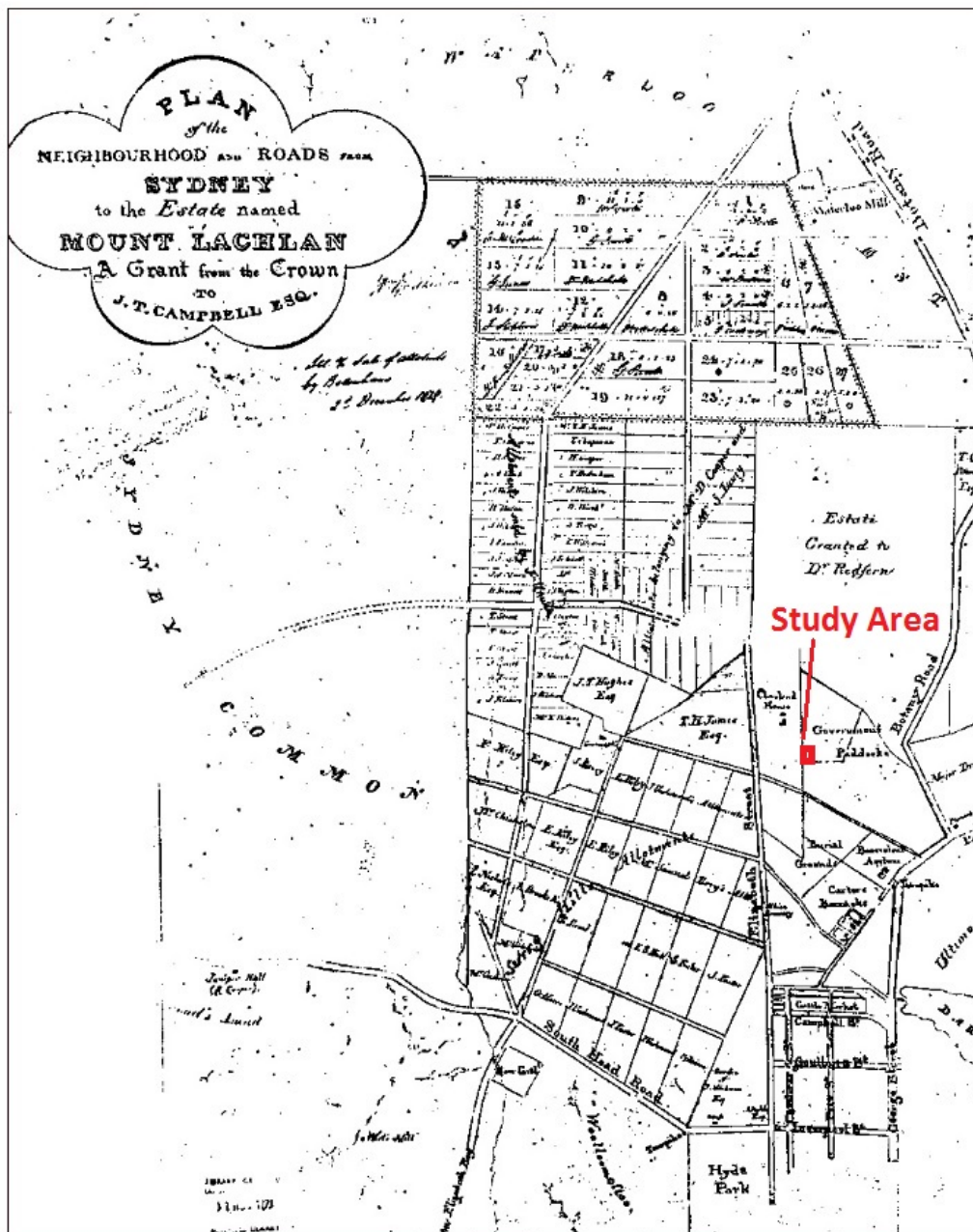
Such vegetation would have provided a rich and varied food source. Flowers from the *Eucalyptus* and *Banksias* provide a rich nectar. *Acacia* pods can be eaten and the bark used medicinally. This vegetation also supported a variety of animal life associated with Aboriginal diet. This included possums, various wallabies and other small marsupials, as well as birds and

lizards. Bark and wood suitable for spears, shields, water and/or food vessels (coolamons) and other implements would have been available from large trees (Low 1989).

However, the urbanisation of Sydney has ensured that the landscape and its vegetation has been dramatically altered and no longer resembles the pre-contact landscape.

### 3.5 Current Land Use and Disturbance

The study area is located in an area first named the Government Paddocks. In 1790 much of the land in Surry Hills was granted for grazing and became privately owned, however the Paddocks remained government property. On the 1829 ‘Plan for the neighbourhood and roads from Sydney to the estate named Mount Lachlan’ (Figure 9) the study area was located within the Government Paddocks. The Paddocks was later named Cleveland Paddocks after Cleveland House was built in the 1820’s, by the wealthy ex-convict and merchant Daniel Cooper, on the grant ‘Cleveland Gardens’ (Keating & Wotherspoon 2009:109).



**Figure 9:** The 1829 ‘Plan for the neighbourhood and roads from Sydney to the estate named Mount Lachlan’ including the Government paddocks (State Library of New South Wales).

The 1849 'Plan of the Grounds in the City of Sydney, proposed to be appropriated for Railway Station and Works', was created prior to the construction of the major railway terminus. The map shows the grounds proposed for the Sydney Railway in green with the crown lands in yellow. The study area is found within the Cleveland Paddocks near Cleveland House (Figure 7).

In an image created by John Rae (Figure 6) showing the turning of the sod in 1850 for the commencement of the railway, a variety of the city's population is seen at the event. Cleveland House can be seen at the far right of the image, with the study area located approximately in the vicinity of the fence and buildings. In this image, Aboriginal people can be seen camped adjacent to the present study area.

In 1855 land was excised from the Paddocks to be used for the Cleveland Street Public School. The site bordered the area of Sydney known at that time as "The Sandhills", between Sydney and Botany Bay.

On 25 February 1858, William Wilkins of the Board reported that the school fence was no longer effective as Council had raised the level of Castlereagh Street (which was later renamed Chalmers Street) about 6 feet above the ground level of the school site and the school buildings. This resulted in the school being positioned in a hollow next to the street corner (Kass 2016:8).

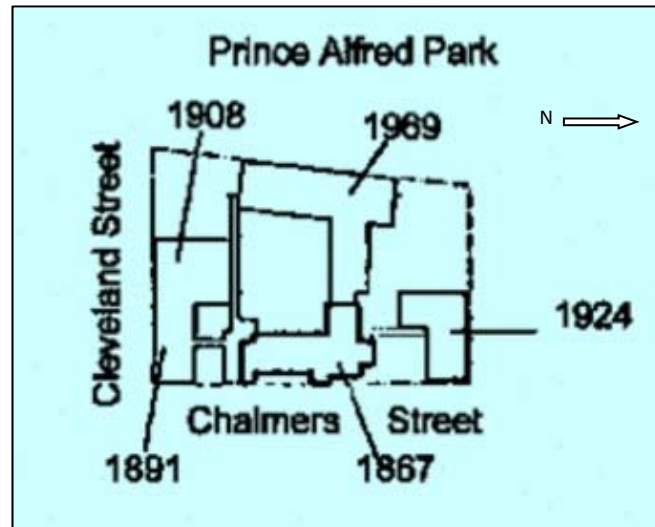
The former Cleveland Street Public School established in 1855 began as iron structures which became permanent in 1867 (Figure 10) and remain on the site to this day. The original building occupied a long narrow site and was then extended in 1891 when a site to its west was also resumed to allow expansion of the School (Perumal Murphy Alessi 2015:7).



**Figure 10:** Cleveland Street Public School 1867-68 [State of New South Wales, Department of Education and Training] (Government Schools 2016).

The school requirements for space grew with the student attendance and over the period of the school's history there have been four additions to the original building and changes in grounds. Figure 11 below shows the growth of the school with the original building being constructed in 1867 and subsequent additions in 1891, 1908, 1924 and 1969 (City of Sydney 2016).





**Figure 11:** Cleveland School, 1867 the original building, with additions in 1891, 1908, 1924 and 1969 (City of Sydney 2016).

The remaining area of Cleveland Paddocks was gazetted as a public reserve on 22 December 1865, although it was described in 1869 by Jules Joubert as ‘a quagmire with a filthy drain running across it – a plague spot’ (City of Sydney 2016). Nevertheless, in 1868 it was named after Queen Victoria’s second son, Prince Alfred, then visiting Sydney (City of Sydney 2016). Prince Alfred Park is bounded by Chalmers Street, Cleveland Street and Central Railway, Surry Hills. The study area sits at the corner of the park at the intersection of Cleveland Street and Chalmers Street. Figure 12 shows the study area in 1943.

It would appear that disturbance prior to the construction of the school was minimal. Prior to construction of the school, the site was vacant land, which was excised from the Paddocks in 1855 to allow construction of the school. Since construction of the school there has been various phases of construction and additions as shown in Figure 11. In addition, the creek shown in Figures 7 & 8 has been channelized. The proposal, which is the subject of this report construction of the a building on the western side.



# 4.0 ARCHAEOLOGICAL CONTEXT

THE SYDNEY REGION

SYDNEY CBD

STUDY AREA

SITE PREDICTION



## 4.0 ARCHAEOLOGICAL CONTEXT

### 4.1 The Cumberland Plain

Many surveys have been undertaken in the Sydney region which indicate the richness of the archaeological resources and provide information about Aboriginal occupation. In particular, Attenbrow (2002) has excavated a range of sites within the Sydney Basin. The aim of her study was to identify local geographic variation and temporal changes in the subsistence patterns and material culture of the people of this area. She excavated sites at Balmoral Beach, Cammeray, Castle Cove, Sugarloaf Point (Lane Cove River), Darling Mills State Forest, Winston Hills, Vacluse and Cumberland Street in the Rocks. Dates for initial occupation vary from approximately 10,000 years BP at Darling Mills to approximately 450 years BP at Cumberland Street, The Rocks.

The oldest dated occupation for the Sydney region is 30,000 years BP from a site excavated by McDonald at Parramatta. She excavated an area known as the RTA site (McDonald 2005), located at George Street, Parramatta (McDonald 2005) on an alluvial sand terrace running parallel to the Parramatta River. This site provided a sequence of occupation dating from the late Pleistocene through to the mid-Holocene. Although the site had been heavily impacted by development, the sub-surface deposits revealed an “accumulation of evidence from multiple occupation episodes, no doubt occurring at many different times” (McDonald 2005:147). Radiocarbon dating provided a range of dates indicating continuous occupation of the site. The most important date showed that the alluvial sand terrace was possibly first occupied during the late Pleistocene period, about 30,000 years BP and then showed various phases of occupation (McDonald 2005c:107). The earliest date obtained from this site, 30,000 years BP, provides the oldest date for the Sydney Basin (McDonald 2005:4). However, it should be noted that the date was obtained from charcoal in the sieve and not in association with cultural deposits, therefore caution should be exercised when considering this date. The next oldest dated occupation is 15,000 years BP from the Shaws Creek K2 rock shelter on the Nepean River (Kohen 1984; Nanson et al 1987). However, these dates must be considered in association with environmental data related to sea level rises. The Sydney region that we know today was vastly different to the landscape of 15,000-30,000 years ago.

The period of maximum glaciation was 15,000–18,000 years BP. Therefore, the date of the K2 rock shelter, Attenbrow’s Darling Mills site and McDonald’s Pleistocene date, indicate that Aboriginal people lived throughout a period of extreme environmental change. During this period, sea levels were up to 130m below current levels (Nutley 2006:1). About 10,000 years ago as temperatures began rising at the end of the last ice age, the polar ice started melting and sea levels rose. The rising sea levels forced people to abandon coastal sites and move inland, with the result that the oldest coastal sites were inundated. By about 6,000 years ago rising water levels had flooded the coastal plain forming the Sydney landscape that we know today. The vast majority of sites in the Sydney region date to around 5,000 years BP, after sea levels had stabilised. Whilst research into submerged indigenous sites is now being undertaken (Nutley 2006), there are few sites in the Sydney area that are known to date beyond 10,000 years BP. Therefore, research undertaken to date has focused on subsistence patterns and cultural change, e.g. Attenbrow (2003).

Attenbrow’s (2003) study of the “Sydney region” extended from the eastern coast to the Hawkesbury-Nepean River to the north and west and as far south as Picton (2002: xiii), which includes the present study area. At the time of publication (2002), Attenbrow noted that approximately 4,340 Aboriginal sites had been registered with OEH’s Aboriginal Heritage Information Management System (AHIMS) in the Sydney region (Attenbrow 2002:48). Middens and open campsites comprised just over half of the recorded sites (Attenbrow 2002:48-49). From both the archaeological evidence and historical records, she noted that the main focus of occupation was “on the valley bottoms and shorelines” (Attenbrow 2002:47). In addition, the evidence indicates that occupation was greater on the coastal/estuarine environments rather than in the hinterland/freshwater environments and on the Hawkesbury sandstone areas rather than the Wianamatta shales (Attenbrow 2002:51). Her work produced a great deal of information in respect of the people of the Sydney region, their social organisation and land use patterns. Her (2002:152-155) analyses indicates that prior to 5,000 years ago occupation in the Sydney region was not intensive and was only by small groups of people. It was not until sea levels stabilised about 5,000 years ago that more intensive occupation began with many open sites being first occupied in the last 1,500 years.

### 4.2 Sydney

The 1883 publication *Aborigines of Australia* and the 1880 *Journal of the Royal Anthropological Institute* recorded a rock engraving at the area now known as Dawes Point Park, approximately 35km north of the study area. The engraving was either of a whale or a shark with the figure of a man at its head. This engraving has since been destroyed, probably during the construction of the Sydney Harbour Bridge (AHIMS 45-6-0030). Prior to construction of the Harbour Bridge Dawes Point would have been a high rocky point.



In 1985 Lampert excavated a midden and camp site at Mort's Bond Store, approximately 2.5km north of the study area. The site had been truncated by construction of the building and was in a highly disturbed condition. It contained shell and bone, as well as stone artefacts manufactured from red and grey silcretes, quartz, quartzite and chert. The artefacts were comprised of flakes, flaked pieces and cores. He hypothesised that the stone material was sourced from quarries on the Cumberland Plain (Lampert 1985).

An engraving was recorded "on upright surfaces in creek bed" at Goat Island (AHIMS 45-6-811). These engravings include a whale, kangaroo and fish. Three disturbed middens have also been recorded on Goat Island, (AHIMS 45-6-0811; 45-6-1957; 45-6-2382). Goat Island is situated at the mouth of Darling Harbour, approximately 4km north of the study area. Goat Island itself is extremely important, as it was recorded in 1798 as being owned by Bennelong, who played a significant role in early Aboriginal-European relations. It was also recorded as being used by Aboriginal people for imprisonment prior to European settlement. Deputy Judge Advocate David Collins, was required by the Colonial Government "...to observe, record and if possible reconcile the Aborigines...". In 1798 he published details of Bennelong's relationship to Goat Island. This is the first official, written account of ownership of land by an Aboriginal person (Gollan 1993).

A midden was recorded at Bennelong Point, approximately 3.5km north east of the study area. The shell from this midden had been collected by the convicts to burn into lime to provide building mortar (AHIMS 45-6-1615). Another midden was uncovered during building works near the historic building "Lilyvale" on the corner of Cumberland and Essex Streets, The Rocks, approximately 3km north east of the study area. It had been highly disturbed by the construction of terrace houses in the 1830s and was subsequently destroyed by the construction of a hotel (AHIMS 45-6-1853).

During historic excavations in relation to the construction of the eastern distributor at Woolloomooloo, an artefact scatter was uncovered. This site was subsequently excavated by Brayshaw (AHIMS 45-6-2580). This site, which was located near a spring contained 4 silcrete, 4 chert, 2 quartz artefacts plus one quartzite and one chalcedonic silica artefact. They were found at a depth of about one metre in "disturbed topsoil, overlain by fill" (AHIMS 45-6-2580:2).

During historic excavations in respect of development works located approximately 2km north east of the study area, at William Street, an artefact scatter was uncovered. This was subsequently excavated and the artefacts included fine quartz debitage and cores, silcrete flakes and tuff cores and flakes (AHIMS 45-6-2651).

At Angel Place, approximately 2.5km north of the study area, during development works stone artefacts were uncovered. This site was subsequently excavated by Steele who retrieved three broken flaked pieces in "partially disturbed topsoil mixed with alluvial silts" (AHIMS 45-6-2581). Steele also recorded a potential archaeological deposit (PAD) at 589-593 George Street, (AHIMS 45-6-2637), which he subsequently excavated. This site is located approximately 1.5km north of the study area between George, Liverpool, Goulbourn and Sussex Streets. Shell deposits were excavated and it was determined that the shell was most likely not of Aboriginal origin (Steele 2002). In 2002 Steele excavated a site on the corner of Broadway and Mountain Streets in relation to the Quadrant Development (AHIMS 45-5-2629). He uncovered 7 quartz and 6 silcrete artefacts.

Steele (2006) also undertook an assessment and excavations at a development site bound by Kent, Erskine, Napoleon and Sussex Streets, which became known as the KENS site. He retrieved a large assemblage of 952 artefacts which were predominately manufactured from silcrete with some tuff and quartz artefacts (Steele 2006:97). He interpreted the site as being occupied between 2,800 BP to 1788.

Steele further recorded PAD at 14-28 Ultimo Road, the site of the Dr Chau Chak Wing Building at the University of Technology, Sydney (AHIMS 45-5-2979). The site card contains recommendations to obtain an AHIP and undertake test excavations. A copy of Steele's (2011) report could not be located and therefore the results of those test excavations is unknown.

In 2011 Higgs recorded an isolated fragment of a large retouched flake which may have been made of petrified wood (AHIMS 45-5-2987) at the corner of Quay Street and Ultimo Road, the Haymarket. The artefact was found in spoil which was removed from a post hole. It was considered that the artefact was not in its original position and that it was unlikely that further Aboriginal objects would be uncovered. An AHIP was acquired for the removal of the object, however no further Aboriginal objects were located.

Higgs further recorded a potential archaeological deposit at 435-473 Wattle Street Ultimo (AHIMS 45-5-3071). The western boundary of the property is Blackwattle Lane, which is named for its alignment with Blackwattle Creek. The site card recommends test excavations, however no indication is provided if those excavations were undertaken.

Diyan Coe recorded a midden in Wynyard Street Sydney (AHIMS 45-5-2597), however the description provided on the site card states "100m south of Redfern Station come to a park on west side of street". The coordinates provided on the AHIMS site card place the midden between Botany Road and Wyndham Street Redfern. It is considered that the site is located on Wyndham Street, Redfern, approximately 1km to the south west of the present study area, not in Wynyard Street, Sydney. No further details are provided.



Allan Madden of the Metropolitan Local Aboriginal Land Council recorded a PAD at the corner of Mountain Street and Broadway, Ultimo (45-5-2680). The AHIMS site card indicates that a permit for test excavations was obtained by Wheeler, however no information could be found detailing the results of those test excavations.

AHIMS site 45-5-0647 was first recorded by John Mann in 1883 when he described and illustrated rock engravings within what is now known as Centennial Park at a meeting of the Geographical Society of Australasia. He wrote

*A flat rock near the Association Ground, Sydney Common, was covered with the representations of kangaroo, opossum, fish, boomerangs, &c. (cited in Attenbrow 2002:11).*

His drawing includes two fish, two macropods (kangaroos or wallabies), an axe or club-like object and an indeterminate outline. Campbell (1899:10) also recorded this site in *Aboriginal Carvings of Port Jackson and Broken Bay*. His description states that

*...on a flat rock in a saddle of the ridge between the Pastoral and Agricultural Society's Ground and the Centennial Park, on the old cart-track crossing which is now Darvall-street, below an old quarry.*

*Description: the group comprises two boomerangs, portions of a kangaroo or wallaby, a waddy or a stone tomahawk. Mr FJ Man. Licensed Surveyor, who informed the writer of this group, saw it fully forty-five years ago, and states that there were other figures visible then; these have now disappeared in consequence of cart traffic wearing away the rock...(cited in Attenbrow 2002:12).*

The site has since been registered with AHIMS based on the information recorded by Mann and Campbell, however the site has been destroyed.

A rockshelter with art (45-5-0675) was recorded by McCarthy and then registered with the AHIMS database by Guider at Queens Park. The site is described as a rock shelter facing northwest with a view across the entirety of Centennial Park and the city of Sydney. The shelter has a rocky floor and has been subjected to vandalism since 1899. The art is described as 27 white hand stencils, one white fish stencil and six white unknown stencils. He also records a "natural rock slippery -dip which appears to have been worn down over a long period of time possibly by Aboriginal children. European children still use it frequently and its surface is shiny and smooth." (AHIMS Site Card 45-5-0675). Attenbrow inspected the rock shelter in 2002 and states that only a few stencils were barely visible and large areas of the back wall are covered in graffiti.

Attenbrow describes a single stone artefact held at the Australian Museum which was collected from the Sydney Cricket Ground. The object is a silcrete flake with rounded edges and highly polished surfaces. The artefact was inspected by use-wear and residue specialist Dr Richard Fullagar who suggested that "its glossy state and wear was reminiscent of a gizzard stone – perhaps it had been swallowed by an emu and passed through?" (Attenbrow 2002: 15).

In 2014 Artefact Heritage recorded an artefact scatter (45-5-3155) under a former carpark area at Moore Park Tennis Centre. The two artefacts, comprising of a silcrete and a mudstone flake, were retrieved during test excavations for the proposed light rail network. Salvage excavations were later undertaken but it does not appear that any further Aboriginal objects were identified.

In 2008 Comber undertook an assessment of the Darling Walk site at Darling Harbour and predicted that it was possible for subsurface Aboriginal sites to exist on the site. In 2009 (Comber 2012) she excavated the site prior to redevelopment into the present Darling Quarter. She uncovered a midden with charcoal and 10 predominantly chert artefacts (eight chert, one silcrete, and one quartz artefact).

Comber also undertook an assessment and excavations on the western side of Darling Harbour at the site of the former Sydney Convention and Exhibition Centre and surrounds (presently being redeveloped into the Sydney International Convention, Exhibition and Entertainment Precinct). Those excavations (Stening 2016) revealed a sequence of middens along the rocky foreshore of the harbour with 63 predominantly silcrete artefacts being collected. One of the middens appeared to be in situ with a knapping floor adjacent to it. Radiocarbon dating results on this midden indicate that it dates to approximately 300 years BP.

The majority of these sites have been uncovered during historical archaeological excavations in relation to development proposals. A few of the sites were recorded at contact. None have been recorded and analysed as a result of a systematic assessment. However, all of these sites are located in the coastline/estuarine environment on Hawkesbury Sandstone. These locations confirm Attenbrow's model of coastal occupation that occupation was greater in these environments and on the Hawkesbury Sandstone than in the hinterland/freshwater environments.



### 4.3 Study Area

A search of OEH's AHIMS database on 20 July 2016 indicates that there are no known sites within the study area.

### 4.4 Site Prediction

On the basis of the environmental and archaeological information detailed above, it could be predicted that the study area contains high archaeological potential. It is located between two second order streams, was in an area which contained abundant resources and the historical record indicated that the area was a favoured camp ground. The site types that could be expected would be:

1. *Artefact scatters*

These sites are characterised by surface or sub-surface scatters of stone artefacts or artefacts embedded in deposits.

2. *Isolated finds*

Single artefacts which may be the result of tool loss, abandonment or maintenance may be found. They may also be indicators of otherwise buried sites or the only remains of heavily disturbed sites.

3. *Shell Middens*

'Midden' is a term borrowed from the Danish. It originally applied to the accumulations of shell and other food remains left by Mesolithic people in that country.

Australian Midden sites are an accumulation of hearth and food debris, which has built up a deposit on the ground surface over a length of time. Middens are usually comprised of charcoal and either freshwater or coastal shell species, depending on the site's location. Midden sites may also contain stone artefacts, and the food refuse of other native animals such as small mammals. Coastal shell middens are often found in close association with rock platforms. Freshwater shell middens are found in close proximity to areas that provided freshwater mussels. Middens can contain artefacts and/or burials.

Given that the study area is located on a small creek and is surrounded by swamps it is possible that shellfish was available.

Scarred or carved trees are not expected as the property has previously been cleared. Similarly, rock shelters, paintings, engravings or axe grinding grooves are not expected, as the study area does not contain rock outcrops suitable for such site types.



# 5.0 CONSULTATION

NOTIFICATION

ADVERTISEMENT

RESPONSES

REGISTERED ABORIGINAL STAKEHOLDERS

PRESENTATION OF INFORMATION

GATHERING CULTURAL INFORMATION

CULTURAL INFORMATION



## 5.0 CONSULTATION

The following table summarises the consultation undertaken in accordance with *Aboriginal cultural heritage consultation requirements for proponents 2010*. The letters and emails are attached at Appendix A.

	Task Requirement	Action	Date of action	Outcome
4.1.1	Identify if native title exists in relation to the project area.	Write to National Native Title Tribunal seeking details of any registered native title claims and registered Indigenous Land Use Agreements	24/11/2016	Response received on 14 December 2016 Results: No registered Native title Claims or Determined Claims or ILUA.  Up-to-date search conducted on 25/04/2017 showed no registered Native Title Claims
4.1.2	<p>Ascertain, from reasonable sources of information, the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places.</p> <p>Compile a list of Aboriginal people who may have an interest for the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places</p>	<p>We wrote to the following organisations seeking the names of any Aboriginal people or organisations who may hold cultural knowledge on 24 November 2016:</p> <ul style="list-style-type: none"> <li>• City of Sydney</li> <li>• OEH</li> <li>• Metropolitan LALC</li> <li>• Registrar, Aboriginal Land Rights Act 1983</li> <li>• National Native Title Tribunal</li> <li>• Native Title Services Corp</li> <li>• Greater Sydney Local Land Services</li> </ul>	24/11/2016	<p>Responses were received from the following on the dates indicated:</p> <p>OEH – 29/11/2016 – provided the following organisations and individuals to be contacted:</p> <ul style="list-style-type: none"> <li>• Metropolitan LALC</li> <li>• La Perouse LALC</li> <li>• Darug Aboriginal Cultural Heritage Assessments</li> <li>• Eric Keidge</li> <li>• Tocomwall</li> <li>• Gunyuu</li> <li>• Walbunja</li> <li>• Badu</li> <li>• Goobah Developments</li> <li>• Wullung</li> <li>• Yerramurra</li> <li>• Nundagurri</li> <li>• Murrumbul</li> <li>• Jerringong</li> <li>• Pemulwuy CHTS</li> <li>• Bilinga</li> <li>• Munyunga</li> <li>• Wingikara</li> <li>• Minnamunnung</li> <li>• Gundungurra Tribal Technical Services</li> <li>• Walgalu</li> <li>• Thauaira</li> <li>• Dharug</li> <li>• Bilinga Cultural Heritage Technical Services</li> <li>• Gunyuu Cultural Heritage Technical Services</li> <li>• Munyunga Cultural Heritage Technical Services</li> <li>• Murrumbul Cultural Heritage Technical Services</li> <li>• Wingikara Cultural Heritage Technical Services</li> <li>• Gulaga</li> <li>• Biamanga</li> <li>• Callendulla</li> <li>• Murramarang</li> <li>• DuncanSuey &amp; Associates</li> </ul>



				<ul style="list-style-type: none"> <li>• Butucarbin Aboriginal Corporation</li> <li>• Didge Ngunawal Clan</li> <li>• Gininderra Aboriginal Corporation</li> </ul> <p>Greater Sydney Local Land Services (previously Hawkesbury Nepean Catchment Management Authority) – 24/11/2016 – advised that they are not the primary source for contacting or managing Aboriginal communities and recommended that OEH be contacted.</p> <p>NTSCorp – 25/11/2016 privacy guidelines prevent them from providing details.</p> <p>MLALC – 8/12/16 – registered an interest but did not advise of any other names</p>
4.1.3	<p>Written notification and advertisement: Write to the Aboriginal people whose names were obtained in step 4.1.2 and the relevant LALC(s) to notify them of the proposed project.</p> <p>Place a notice in the local newspaper circulating in the general location of the proposed project, explaining the project and its exact location.</p> <p>Notification by letter and newspaper must include:</p> <ul style="list-style-type: none"> <li>(a) the name and contact details of the proponent</li> <li>(b) a brief overview of the proposed project that may be the subject of an application for an AHIP, including the location of the proposed project</li> <li>(c) a statement that the purpose of community consultation with Aboriginal people is to assist the proposed applicant in the preparation of an application for an AHIP and to assist the Director-General of OEH in his or her consideration and determination of the application</li> <li>(d) an invitation for Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project to register an interest in a process of</li> </ul>	<p>Letters were sent to the following organisations as identified in 4.1.2 between 15<sup>th</sup> and 19<sup>th</sup> December 2016</p> <ul style="list-style-type: none"> <li>• Metropolitan LALC</li> <li>• La Perouse LALC</li> <li>• Darug Aboriginal Cultural Heritage Assessments</li> <li>• Eric Keidge</li> <li>• Tocomwall</li> <li>• Gunyuu</li> <li>• Walbunja</li> <li>• Badu</li> <li>• Goobah Developments</li> <li>• Wullung</li> <li>• Yerramurra</li> <li>• Nundagurri</li> <li>• Murrumbul</li> <li>• Jerringong</li> <li>• Pemulwuy CHTS</li> <li>• Bilinga</li> <li>• Munyunga</li> <li>• Wingikara</li> <li>• Minnamunnung</li> <li>• Gundungurra Tribal Technical Services</li> <li>• Walgalu</li> <li>• Thauaira</li> <li>• Dharug</li> <li>• Bilinga Cultural Heritage Technical Services</li> <li>• Gunyuu Cultural Heritage Technical Services</li> <li>• Munyunga Cultural Heritage Technical Services</li> </ul>	<p>Letters sent between 15-19/12/16</p> <p>Advertisement placed in Central Sydney Newspaper on 30/11/16 with a closing date of 14/12/16</p>	<p>Responses for registration of interest from written notification and advertisement were received from:</p> <ul style="list-style-type: none"> <li>• Metropolitan Local Aboriginal Land Council</li> <li>• Darug Land Observatoins</li> <li>• Murramarang</li> <li>• Gulaga</li> <li>• Biamanga</li> <li>• Cullendulla</li> <li>• Duncan Suey &amp; Associates</li> <li>• Goobah Developments</li> <li>• Didge Ngunawal</li> <li>• Darug Cultural Heritage Assessments</li> </ul>



	community consultation with the proposed applicant regarding the proposed activity (e) a closing date for the registration of interests	<ul style="list-style-type: none"> <li>• Murrumbul Cultural Heritage Technical Services</li> <li>• Wingikara Cultural Heritage Technical Services</li> <li>• Gulaga</li> <li>• Biamanga</li> <li>• Callendulla</li> <li>• Murramarang</li> <li>• DuncanSuey &amp; Associates</li> <li>• Butucarbin Aboriginal Corporation</li> <li>• Didge Ngunawal Clan</li> <li>• Gininderra Aboriginal Corporation</li> </ul>		
4.1.4	A minimum of 14 days from the date the letter was sent or notice published in the newspaper to register an interest.	<p>Closing date for registration of interest included in the notification letters and notice in the newspaper was at least 14 days from the date the letter were sent and notices appeared in the newspapers.</p> <p>Letters were forwarded on 15<sup>th</sup> and 19<sup>th</sup> December 2016. Closing date for registration of interest was 9 January 2017 for the notification letters -</p>	<p>Closing date for newspaper 14/12/16</p> <p>Closing date for letters 9/1/16</p>	<p>Copy of notification letters and newspaper advertisement attached at Appendix A.</p> <p>10 Organisations registered an interest as detailed above.</p>
4.1.5	Must advise Aboriginal people who are registering an interest that their details will be forwarded to OEH and the LALC unless they specify that they do not want their details released.	Organisations/individuals informed in the notification letters		None of the organisations indicated that they object to their details being forwarded to OEH or the LALCs.
4.1.6	<p>Make a record of the names of each Aboriginal person who registered an interest.</p> <p>Provide a copy of that record and copy of the notification from step 4.1.3 to the relevant OEH EPRG regional office and LALC</p>	<p>List of registered Aboriginal parties compiled.</p> <p>Record sent to OEH and MLALC</p>	23/1/17	<p>List of registered Aboriginal stakeholders attached in Appendix A.</p> <p>Letters sent to OEH MLALC with list of registered Aboriginal stakeholders on the 11 January 2017.</p>
4.1.7	LALCs holding cultural knowledge relevant to determining the significance of Aboriginal objects and places in the proposed project area who wish to register an interest to be involved in consultation must register their interest as an Aboriginal organisation rather than individuals.	<p>La Perouse LALC and Metropolitan LALC provided opportunity to register an interest.</p> <p>Metropolitan Local Aboriginal Land Council registered an interest</p>	MLALC 8/12/16	MLALC registered an interest on 8/12/16
4.1.8	Where an Aboriginal organisation representing Aboriginal people who hold cultural knowledge has registered an interest, a contact person for that organisation must be nominated.	All organisations provided a contact person and their contact details		<p>Laytoya Kennedy, MLALC</p> <p>Roxanne Smith, Murramarang</p> <p>Wendy Smith, gulaga</p> <p>Seli Storer, Biamanga</p> <p>Corey Smith, Cullendulla</p> <p>Darren Duncan, Duncan Suey &amp; Assoc</p> <p>Basil Smith, Goobah</p>



	Aboriginal cultural knowledge holders who have registered an interest may indicate they have appointed a representative to act on their behalf. Where this occurs, the registered Aboriginal party must provide written confirmation and contact details of those individuals to act on their behalf.			Lillylea Carroll and Paul Boyd, Didge Ngunawal Celestine Everingham, Darug Aboriginal Cultural Heritage Assessments.
4.2	Presentation of information about the proposed project	Information regarding the proposed project provided via community consultation meeting on 15th February 2017 on site.	15/2/17	A copy of the minutes of the meeting are provided at Appendix A.  The methodology was discussed at the meeting and everyone agreed with the methodology.
4.3.1-4.3.2	Notification of proposed assessment methodology	Copy of the proposed methodology was sent to all the registered Aboriginal parties including those who did not attend the meeting. They were all invited to provide comment	Methodology and archaeological report sent on 27/2/17	Verbal support for the methodology received at meeting from DACHA and Didge Ngunawal  Six written responses received in support of methodology. Written responses received from: <ul style="list-style-type: none"> <li>• Murramarang</li> <li>• Gulaga</li> <li>• Biamanga</li> <li>• Cullendulla</li> <li>• Goobah</li> </ul>
4.3.3	Gathering information about cultural significance	Registered Aboriginal parties invited to provide information about cultural significance of study area.		Invitations to provide cultural information were included in the advertisement and letters sent to RAPs. Cultural significance was also discussed at the meetings.  At the consultation meeting it was agreed that the school and landscape of Prince Alfred Park contained both precontact, contact and contemporary significance. It had been used as a meeting place from precontact to the present. Prince Alfred Park was still used as a meeting place.
4.4	Review of draft cultural heritage assessment report	Draft Cultural Heritage Assessment Report provided to RAPs for review and comment with a 28 day review period.	ACHAR sent by email on 29 March 2016 Responses due on 26 <sup>th</sup> April	Responses were received from the following organisations. All supported the ACHAR: <ul style="list-style-type: none"> <li>• Didge Ngunawal Clan</li> <li>• Goobah</li> <li>• Murramarang</li> <li>• Biamanga</li> <li>• Culaga</li> <li>• Cullendulla</li> </ul>



As a result of the above consultation the following organisations are Registered Aboriginal Parties:

- Metropolitan Local Aboriginal Land Council
- Darug Land Observations
- Murramarang
- Gulaga
- Biamanga
- Cullendulla
- DuncanSuey & Associates
- Goobah Developments
- Didge Ngunawal
- Darug Cultural Heritage Assessments

No culturally sensitive information was identified.

No confidential requirements identified.



# 6.0 SUMMARY AND ANALYSES OF BACKGROUND INFORMATION



## 6.0 SUMMARY

A pedestrian survey of the study area and surrounding Prince Alfred Park was undertaken on 30<sup>th</sup> June 2016. It was observed that the study area does not contain original surfaces. The ground is covered by buildings, asphalt and modern garden beds.

The historic research indicates that prior to the construction of the school, the site was part of the Government Paddocks and possibly used for grazing. Prior to the construction of the school the site was vacant land and an area of significance to the Cadi.

There is a marked difference between the ground level of the study area and Chalmers Street and Cleveland Street. This resulted from the raising of the street by about 6 feet (approximately 1.8m) in 1858 when Chalmers Street (formerly known as Castlereagh Street) was raised above the ground level of the school site and the school buildings (Kass 2016:8).

The study area was an important camping and ceremonial ground for Aboriginal people prior to and post colonisation. It contained a creek and was close to swamps and wetlands which would have provided a wide range of resources. Historical information indicates that Aboriginal people continued camping in the area until at least 1850, whilst the contemporary history indicates that Aboriginal people continue to use the area as a meeting place. It is highly likely that evidence of this occupation still remains beneath the school buildings. The historical information indicates that prior to construction of the school the area was part of the Government Paddocks possibly used for grazing. As indicated above, the surrounding streets were built up and there was minimal cut to level the school grounds for construction, indicating that subsurface archaeological deposits may still exist.

The study area is in an area of high archaeological potential. It is located adjacent to Blackwattle Creek and approximately 1.5km north of the present alignment of Shea's Creek, both second order creeks. The study area is also located within a highly resource rich swampland which extended from the University of Sydney to Centennial Park. The predictive model indicates that it is highly likely that subsurface archaeological deposits will exist within the study area. In addition, OEH's *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* details the archaeological importance of certain landscape features, including a water source. The *Due Diligence* guidelines state that if the proposed activity is "within 200m of waters" then there may be a need to apply for an Aboriginal Heritage Impact Permit (AHIP), particularly if the background research indicates the likelihood of Aboriginal objects existing within the property. The evidence also indicates that the site of the school was a contact site. An 1850 painting shows Aboriginal people still camping on the site of the school whilst David Collins describes ceremonies in 1793

As Aboriginal "objects" are highly likely to exist within the study area and it is an offence to "harm" such "objects", it will be necessary to undertake archaeological testing and salvage prior to the commencement of any proposed redevelopment of the site which would impact upon the ground surface, i.e., if the redevelopment includes excavation of the site for additional buildings or basements. The aim of the testing would be to determine if Aboriginal objects exist within the study area and their nature and extent. If Aboriginal objects are uncovered a program of archaeological salvage should be undertaken and the objects lodged with the Australian Museum. OEH's *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) details the manner in which such testing and salvage should be undertaken. Normally an AHIP would be required for such testing and salvage, particularly given the potential for contact archaeology, however, as this project is a State Significant development an AHIP will not be required for the program of testing and salvage.

No culturally sensitive information or confidential issues were identified.

# 7.0 SIGNIFICANCE ASSESSMENT

PREAMBLE

CRITERIA

ASSESSMENT

STATEMENT OF SIGNIFICANCE



## 7.0 CULTURAL HERITAGE VALUES AND STATEMENT OF SIGNIFICANCE

### 7.1 Preamble

Significance assessment is the process whereby sites or landscapes are assessed to determine their value or importance to the community.

A range of criteria have been developed for assessing the significance which embody the values contained in the Burra Charter. The Burra Charter provides principles and guidelines for the conservation and management of cultural heritage places within Australia.

Following are the criteria which will be used to assess the significance of the Parramatta Square study area.

### 7.2 Criteria

**Social Value** (sometimes termed 'Aboriginal' value) which refers to the spiritual, traditional, historical or contemporary associations or attachments which the place or area has for the present day Aboriginal community.

**Historic Value** refers to the associations of a place with a person, event, phase or activity of importance to the history of an Aboriginal community.

**Scientific Value** refers to the importance of a landscape, area, place or object because of its potential to provide information which is of value in scientific analysis and the ability to answer scientific or technical research questions.

**Aesthetic Value** refers to the sensory, scenic and creative aspects of the place.

**Representativeness** refers to whether the site demonstrates the principal characteristics of that site and is a good representative example of that site type.

**Rarity** refers to the degree to which such as site is known elsewhere and whether the site is uncommon, rare or endangered.

### 7.3 Assessment

#### Social Values

Early descriptions by Collins in 1793 indicate that this was a highly significant area to the Aboriginal community. He describes the Aboriginal people of Sydney choosing a location encompassing the study area for "the performance of any of their rites and ceremonies" indicating the significance of the area to the Aboriginal community. The area continued to be used as an Aboriginal ceremonial and meeting place throughout the following years and a "place whence they derived so many comforts and so much shelter in bad weather" (Collins 1802:Oct 1976). A painting by John Rae shows Aboriginal people camping at the site in 1850 at the same time that Europeans were celebrating the construction of the railway. The study area is still an important meeting place for Aboriginal people today.

#### Historic Values

The study area lies within an important trade and movement corridor between Cockle Bay and Botany Bay for Aboriginal people. It demonstrates the historic values associated with the occupation and ceremonial use of the site demonstrating Aboriginal lifeways. It also demonstrates the continuing use of the site from precontact to today.

#### Research Potential

Prior to the arrival of Europeans, the study area was an attractive location for Aboriginal people as it had access to Blackwattle Creek, Shea's Creek, Cockle Bay and the extensive surrounding swamplands which extended from the University of Sydney to Centennial Park. The importance of the site continued throughout the contact period. Archaeological investigations have the potential to reveal substantial information about the precontact and contact Aboriginal occupation of the study area and immediate surrounds and contribute further information about the Aboriginal occupation of the Sydney Basin.

**Rarity**

The Botany Lowlands sand dunes are a rare example of an Aeolian sand body which has the potential to contain thousands of years of evidence of Aboriginal occupation. The study area itself is a rare example of an Aboriginal ceremonial and meeting place and campsite in the Sydney Basin as described by Collins in 1793.

**Representativeness**

The study area is an important and good representative example of a ceremonial and meeting place and campsite within the Sydney Basin which can provide significant information about the precontact and contact Aboriginal occupation of the area.

**7.4 Statement of Significance**

Early descriptions by Collins in 1793 indicate that this was a highly significant area to the Aboriginal community. He describes the Aboriginal people of Sydney choosing a location encompassing the study area for “the performance of any of their rites and ceremonies” indicating the significance of the area to the Aboriginal community. The area continued to be used as an Aboriginal ceremonial and meeting place throughout the following years and a “place whence they derived so many comforts and so much shelter in bad weather” (Collins 1802:Oct 1976). A painting by John Rae shows Aboriginal people camping at the site in 1850 at the same time that Europeans were celebrating the construction of the railway. The study area lies within an important trade and movement corridor between Cockle Bay and Botany Bay for Aboriginal people. It demonstrates the historic values associated with the occupation and ceremonial use of the site demonstrating Aboriginal lifeways. Prior to the arrival of Europeans, the study area was an attractive location for Aboriginal people as it had access to Blackwattle Creek, Shea’s Creek, Cockle Bay and the extensive surrounding swamplands which extended from the University of Sydney to Centennial Park. The importance of the site continued throughout the contact period. Archaeological investigations have the potential to reveal substantial information about the precontact and contact Aboriginal occupation of the study area and immediate surrounds and contribute further information about the Aboriginal occupation of the Sydney Basin. The Botany Lowlands sand dunes are a rare example of an Aeolian sand body which has the potential to contain thousands of years of evidence of Aboriginal occupation. The study area itself is a rare example of an Aboriginal ceremonial and meeting place and campsite in the Sydney Basin as described by Collins in 1793. The study area is an important and good representative example of a ceremonial and meeting place and campsite within the Sydney Basin which can provide significant information about the precontact and contact Aboriginal occupation of the area.

This site is of State heritage significance due to its social, historic and rarity values.

# 8.0 PROPOSED ACTIVITY





## 8.0 PROPOSED ACTIVITY

DoE propose to redevelop and expand the existing Cleveland Street School for a new state-of-the-art high-rise high school. The school is proposed to meet expected new demand arising from the growing inner city population. The Concept Report indicates that the proposed new building will be 13 storeys plus roof level and basement (approximately 56.5m from park level) bringing the total GFA (new and existing floorspace) on the site to about 12,000m<sup>2</sup>. A new building will be constructed on the western side of the site with bulk excavation occurring first.

The site presently accommodates only a handful of parking spaces and these are proposed to be retained. Vehicular access is proposed to be retained from Cleveland Street with pedestrian entries off both Chalmers Street and potentially the northern boundary of the site at Prince Alfred Park.

# 9.0 AVOIDING AND MINIMISING HARM



## 9.0 AVOIDING AND MINIMISING HARM

The following project drivers and need have been identified by DoE and provided by Roberts Day, Planner:

- Significant residential population growth has occurred across the 5 LGAs in inner Sydney which the school will serve.
- Forecast increases in enrolment demand in high schools will result across the school's catchment in those inner Sydney LGAs.
- There is limited or no opportunity to provide additional teaching space in existing high schools within the catchment.
- Without this proposed development there will be safety and security issues with overcrowding in existing schools on current sites.
- There is a significant opportunity to increase utilisation on an existing and high value DoE owned site.

Accordingly, due to pressure on existing schools, population growth projects, and an increase in secondary school enrolments, DoE is seeking to meet this need through the development of a centrally located new inner Sydney high school.

A number of possible sites were considered and the Cleveland Street site was selected as the optimal site for the new inner Sydney high school following a risk assessment based on site availability, financial cost, environmental constraints and community feedback. This proposed development provides the best value for money solution for DoE and the NSW Government.

The proposal aims to minimise harm by reducing the amount of ground disturbance. Only one new building will be constructed. Existing historic buildings and parking will be retained thus conserving Aboriginal objects existing under those buildings and the parking lot. It is proposed to undertake a program of Aboriginal archaeological testing and salvage in the area of the new building, where there will be impacts to the natural ground surface.

In respect of Ecologically Sustainable Principles and the cumulative impact that the proposed works may have on Aboriginal cultural heritage it is proposed to undertake a program of archaeological testing and salvage. Any information gained from this program of archaeological excavation will contribute to our knowledge and understanding of Aboriginal occupation within the area. This knowledge can then be passed down to future generations through education programs and interpretation. The school has agreed to display any objects suitable for display and to develop an interpretation program highlighting the Aboriginal history of the area.

The Registered Aboriginal Parties have agreed to this program of testing and salvage and acknowledge that the construction of the school is important. They also acknowledge that only a small portion of the site will be disturbed and that harm will be minimised through the protection of the majority of buildings on the site. They welcome the schools interest and involvement in educating students and the public about Aboriginal cultural heritage.

A Research Design to guide this program of testing and salvage is attached at Appendix B.

# 10.0 RECOMMENDATIONS



## 10.0 RECOMMENDATIONS

The following recommendations are made on the basis of:

- Legal requirements under the terms of the *National Parks & Wildlife Act 1974* (as amended), which states that it is an offence to harm or desecrate an Aboriginal place or object without first gaining a permit under Part 6 of the *National Parks & Wildlife Act 1974*.
- Consultation with the Registered Aboriginal Parties as detailed in this report
- Research into the archaeological record for the Sydney Basin and the study area in particular.
- Results of the assessment as outlined in this report.

This report makes the following recommendations:

1. There is no objection to the redevelopment of the Cleveland Street Inner Sydney High School in respect of Aboriginal archaeology and cultural heritage.
2. Consultation will be ongoing with the Registered Aboriginal Parties.
3. A program of Aboriginal archaeological testing and salvage will be undertaken in association with the Registered Aboriginal Parties. This will be prior to bulk excavation, construction of the new building and in all areas where the natural ground surface will be disturbed. A Research Design to guide this program of testing and salvage is attached at Appendix B.
4. The Registered Aboriginal Parties agree that any artefacts retrieved should be retained by the school and used for interpretation and educational purposes to highlight the Aboriginal significance of the site and to educate students and the public about the Aboriginal history of the area.
5. A site induction should be provided to all employees/contractors engaged on the redevelopment of the site in respect of the Aboriginal significance of the site and their responsibilities under the *National Parks & Wildlife Act 1974*.
6. If during the course of the redevelopment any previously undetected Aboriginal objects are uncovered, all work in the vicinity of that object should cease and further advice should be sought from the consultant.

# REFERENCES





## REFERENCES

- Attenbrow V. 2002a. Sydney's Aboriginal Past: investigating the archaeological and historical records, UNSW Press, UNSW, Sydney.
- Attenbrow V. 2002b. Pre-colonial Aboriginal land and resource use in Centennial, Moore and Queens Parks – assessment of historical and archaeological evidence for Centennial Parklands Conservation Management Plan. Unpublished report to Conybeare Morrison & Partners.
- AHMS 2015. Central to Eveleigh Corridor: Aboriginal and historical Heritage Review for UrbanGrowth NSW. Unpublished Report.
- Baker M. 1986. Native Plants of the Sydney Region. Three Sisters Productions, Winmalee.
- Barratt G. 1981. The Russians at Port Jackson 1814-22, Australian Institute of Aboriginal Studies, Canberra.
- Brook & Koehn. 1991. The Parramatta native Institution and the Black Town: A history. Southwood press, Marrickville.
- Capell A. 1970. Aboriginal languages in the south central cost, New South Wales. Fresh Discoveries. Oceania 41:20-7.
- City of Sydney. 2012. Sydney Local Environmental Plan 2012 No. 628.
- City of Sydney. 2013. History of Prince Alfred Park. New South Wales Government, viewed 14 July 2016, <http://www.cityofsydney.nsw.gov.au/learn/sydneys-history/people-and-places/park-histories/prince-alfred-park>.
- Cleveland Street Intensive High School, 2016. School History. Cleveland Street Intensive High School, viewed 29 June 2016, <http://www.clevelandi-h.schools.nsw.edu.au/school-history>.
- Collins D. 1975. An account of the English colony of New South Wales. Two volumes (1798 & 1802). A. W. & H. R. Reed, Sydney.
- Herbert, C (ed). 1983 Geology of the Sydney 1:100,000 Sheet. New South Wales. Department of Mineral Resources, Sydney.
- Comber Consultants. 2012. Darling Quarter (formerly Darling Walk), Darling Harbour. Unpublished Report for Casey & Lowe on Behalf of Lend lease.
- DET 2010. <http://www.dec.nsw.gov.au/detresources/about-us/statistics-and-research/key-statistics-and-reports/heritage.pdf>
- Government Schools 2016. [http://www.governmentschools.det.nsw.edu.au/photogallery/album01/ph\\_govtschools\\_19\\_text.htm](http://www.governmentschools.det.nsw.edu.au/photogallery/album01/ph_govtschools_19_text.htm)
- Kass T, Liston C & McClymont J. 1996 Parramatta: a past revealed, Parramatta City Council
- Keating C & Wotherspoon G. 2009. [http://dictionaryofsydney.org/entry/surry\\_hills](http://dictionaryofsydney.org/entry/surry_hills)
- Low T. 1989. Bush Tucker – Australia's Wild Food Harvest. Angus and Robertson.
- Mathews RH. 1901a The Gundungurra language. Proceedings of the American Philosophical Society XL (167):140-148.
- Mathews RH. 1901b The Thurrawal language, including the Gundungurra and Dharruk languages, with vocabularies. Journal and Proceedings of the Royal Society of New South Wales 35:127-160.
- McDonald Jo CHM PTY LTD. 2005 Archaeological Salvage Excavation of Site RTA-GI 109 – 113 George Street Parramatta NSW. Report to Landcom.
- McIntyre Bruce M. 1946. Report on "Sunny Hills": a practical town plan for Surry Hills. City Engineer's Department, The Municipal Council of Sydney.
- Mulvaney J & Kaminga J. 1999. Prehistory of Australia. Allen and Unwin, St Leonards, NSW.
- OEH 2010. Code of Practice for Archaeological Investigations in New South Wales. Department of Environment, Climate Change and Water NSW, Sydney South.
- OEH 2016. <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2424814>



- Perumal Murphy Alessi. 2015. Former Cleveland Street Primary School, No. 244 Cleveland Street, Surry Hills. Unpublished Report for the Department of Education.
- Tench. 1789,1793 [1979] Sydney's First Four Years, being a reprint of A Narrative of the Expedition to Botany Bay, and A Complete account of the Settlement at Port Jackson. Fitzhardinge, LF (ed.). Library of Australian History in association with Royal Australian Historical Society, Sydney.
- Thorne Les G. Sydney: Angus & Robertson, 1979
- Turbet P 1989. The Aborigines of the Sydney District before 1788. Kangaroo press, Kenthurst.

# GLOSSARY



## GLOSSARY

**Adze:** an axe like bifacial tool with a bevelled bit or blade edge usually used to work wood, or sometimes to dig for root crops.

**Alluvium:** material which is transported by a river and deposited at points along the flood plain of the river.

**Artefact:** any object made by human agency. All lithic tools and lithic debitage are considered artefacts.

**Artefact scatter:** also known as a surface scatter or open site, where prehistoric material such as artefacts and waste debris are lying exposed on the surface of the ground.

**Assemblage:** a collection of artefacts from an archaeological site.

**Australian small tool tradition:** a mid Holocene tool industry of the Australian Aborigines that appeared about 5,000 years ago when a new ensemble of small, flaked stone tools began to come into use. The types consisted of backed blades and flakes, Unifacial and bifacial points, and small adze flakes. There are some regional distributions of tools, including Bondi points, geometric microliths, Pirri points and Tula adzes.

**Axe:** a stone artefact that has been ground on one or more sides to produce a sharp edge.

**Backed blade:** a blade flake that has been abruptly retouched along one or more margins opposite an acute (sharp) edge. Backed pieces include backed blades and geometric microliths. They are thought to have been hafted onto wooden handles to produce composite cutting tools or spears. Backed blades are a feature of the “Australian small tool tradition”, dating from between 5,000 and 1,000 years ago in south eastern Australia (Mulvaney 1975).

**Bifacial flaking or retouch:** when flakes have been removed from two opposing faces.

**Biomantle:** the upper part of soil produced by biodynamical agents and processes of which bioturbation is normally hierarchically dominant. By definition, it contains at least 50% biofabric, a condition met in essentially all topsoils.

**Bioturbation:** the alteration of a site by non-human agency, eg. burrowing animals, tree and grass roots, insects

**Blade:** a flake that is at least twice as long as it is wide.

**Bondi point:** a small, asymmetric backed point, named after Bondi Beach where it was first found, which is a component of the Australian small tool tradition. It is usually less than 5cm long and is sometimes described as a backed blade.

**Broad platform flake:** a flake which has a platform which is as wide as, or wider than, the body of the flake.

**Bulb of percussion:** a rounded bulge where the force from the hammerstone has radiated through the stone and split it from the core.

**Burin:** a flake tool that was produced by the removal of two flakes at right angles to one another to produce a very fine sharp and durable edge.

**Carved trees:** trees which have had designs carved into the bark or heartwood and in some areas may have been used to mark burial or initiation sites.

**Chert:** a very fine crystalline aggregate of silica.

**Context:** the time and space setting of an artefact, feature or culture. The context of a find is its position on a site, its relationship through association with other artefacts, and its chronological position as revealed through stratigraphy. An artefact's context usually consists of its immediate matrix (the material surrounding it, eg. clay, gravel or sand), its provenience (horizontal and vertical position within the matrix), and its association with other artefacts (occurrence together with other archaeological remains, usually in the same matrix). The assessment of context includes study of what has happened to the find since it was deposited.

**Core:** a piece of stone bearing one or more negative (concave) flake scars. A stone which has obviously had flakes and flaked pieces struck from it.

**Cortex:** refers to the original weathered outer surface of the rock used to manufacture an artefact.

**Debitage (debris):** detached pieces that are discarded during the reduction process.

**Distal end:** the end opposite to the platform or the point end of a blade.

**Dorsal surface:** the ‘back’ of the artefact or the side that was once part of the outside of the core or shows evidence of previous flake removals.



**Edge-ground artefact:** an artefact (generally an axe or adze) whose cutting edges have been ground, rather than flaked, to form a sharp edge.

**Erillure scar:** the small flake scar on the dorsal side of a flake next to the platform. It is the result of rebounding force during percussion flaking.

**Erosion:** the wearing away or loosening and transportation of soil or rock by water, wind and ice.

**Fabricator:** a stone or bone artefact used in the manufacture of other tools. Often rod shaped and worn heavily on one end, it is used to chip flakes from a core, or to retouch a flake.

**Flake:** any piece of stone removed from a larger mass (core) by application of force (percussion), and having a striking platform and bulb of percussion.

**Flaked piece:** any stone struck from a larger mass by percussion but not containing all or any of the characteristics of a flake.

**Focal platform flake:** a flake which has a platform narrower than the body of the flake.

**Grinding groove:** a depression resulting from the sharpening of stone tools such as axes and adzes, usually located on surfaces of fine homogenous sandstone and near water.

**Grinding stone:** a thick stone used as a mortar for grinding seeds, roots, tubers, or ochre.

**Hammerstone:** the stone that is used to remove flakes from the core.

**Holocene:** that portion of geologic time that postdates the latest episode of continental glaciation. The Holocene Epoch is synonymous with the recent or postglacial interval of Earth's geologic history and extends from 10,000 years ago to the present day. It was preceded by the Pleistocene Epoch and is part of the Quaternary Period, a time characterised by dramatic climatic oscillations from warm (interglacial) to cold (glacial) conditions that began about 1.6 million years ago. The term Holocene is also applied to the sediments, processes, events, and environments of the epoch.

**Horizon (or soil horizon):** the layers of the upper crust of the earth. The top, or O, horizon is the layer of undecomposed litter; the A horizon is topsoil, where most roots grow; B is the subsoil; and C is the parent rock material, broken into chunks. Although some roots can penetrate into the C horizon, few microorganisms live there.

**Isolated find:** a single stone artefact found on the surface of the land not in association with any other artefact.

**Knapping:** the process of hitting one stone (core) with another (hammerstone) to produce a flaked artefact.

**Lamellate flaked piece:** thin and wedge shaped, similar to a flake, but without the diagnostic features of a flake. A lamellate may be the distal end of a flake which has had its platform broken off.

**Lithic:** anything made of stone. Derived from the Greek word meaning stone or anything pertaining to stone.

**Manuport:** piece of stone intended to be, or used as, a core that has been carried to the area from somewhere else.

**Microlith:** a small (1 – 3cm long) flake with evidence of retouch. Bondi points, scrapers and backed blades are all types of microliths.

**Midden:** a prehistoric refuse site chiefly composed of shell fragments.

**Multidirectional core:** a lithic mass (core) with evidence of flaking originating from more than one direction and with more than a single striking platform.

**Negative flake scar:** the scar left by the removal of a flake. The scar may also show a rounded depression which is the negative of the bulb of percussion.

**Open site:** also known as a surface or artefact scatter, where prehistoric material such as artefacts and waste debris are lying exposed on the surface of the ground.

**Pirri point:** a symmetrical leaf-shaped point, up to 7cm long, unifacially flaked all over its dorsal surface. The striking platform and bulb of percussion are sometimes removed to produce a rounded, thinned butt. Pirri points are a component of the Australian small tool tradition, found generally in inland Australia. The term pirri is an Aboriginal word for 'wood engraving tool'.

**Platform:** the flat surface which receives percussion or pressure in the removal of a flake or flaked piece.

**Pleistocene:** a geochronological division of geological time, an epoch of the Quaternary period following the Pliocene. During the Pleistocene, large areas of the northern hemisphere were covered with ice and there were successive glacial advances and retreats. The lower Pleistocene began about 1.8 million years ago; the Middle Pleistocene about 730,000 years ago; and the Upper Pleistocene about 127,000 years ago; it ended about 10,000 years ago. The Pleistocene was succeeded by the Holocene.



**Potential archaeological deposit (PAD):** any location considered to have a moderate to high potential for subsurface archaeological material

**Potlid:** small circular piece of stone that has literally “popped off” the surface of the artefact due to exposure to extreme heat.

**Proximal end:** the ‘top’ of the artefact, or the part that the knapper hit to remove it from the core, where the platform is expected to be.

**Quarry:** a location from which stone has been extracted in order to make stone artefacts.

**Retouch:** refers to the secondary working of an artefact after it has been struck from the core. Retouch is used to sharpen the edges. It is the intentional modification of a stone tool edge by either pressure or percussion flaking techniques.

**Scarred trees:** trees from which bark has been removed for the manufacture of everyday items such as containers, canoes or shields.

**Scraper:** a generalised term used to describe a flake tool that has a retouched edge angle of approximately 60 to 90 degrees.

**Silcrete:** silica-rich duricrust identified by the presence of complete granules or even pebbles within the matrix.

**Stratigraphy:** the study and interpretation of the stratification of rocks, sediments, soils, or cultural debris, based on the principle that the lowest layer is the oldest and the uppermost layer is the youngest. The sequence of deposition can be assessed by a study of the relationships of different layers.

**Taphonomy:** Literally, ‘the laws of burial’. In archaeology, it is the study of the processes by which archaeological remains are transformed by human and natural processes during their incorporation into archaeological deposits, their subsequent long-term preservation within those deposits, and their recovery by archaeologists. The aim is to understand the processes resulting in the archaeological record.

**Thumbnail scraper:** a small flake with a convex scraper edge, shaped like a thumbnail and located opposite the flake’s platform. They exhibit unifacial retouch (usually on the ventral surface) and are usually less than 30mm in length.

**Transect:** an arbitrary sample unit which is a linear corridor of uniform specified width. A straight line or narrow sections through an archaeological site, along which a series of observations or measurements is made.

**Tuff:** a rock formed of volcanic fragments (generally ash).

**Typology:** a scheme to order multiple types in a relational manner. A common typology orders types in a hierarchical manner.

**Unidirectional core:** a core with only one striking platform surface and with flake scars extending in only one direction.

**Unifacial flaking or retouch:** where flakes have been removed from one face only.



# APPENDIX A



## APPENDIX A: CONSULTATION

### Native Title Search

Email dated 14/12/15 received from NNT advising no Native Title Claims or determinations.

An up to date search was conducted on 25/04/2017 which showed that there were no Native Title claims or determinations.

#### Search National Native Title Register

The National Native Title Register (NNTR) is a register established under s. 192 of the Native Title Act 1993 (Cth). The NNTR contains determinations of native title made by:

- the High Court of Australia
- the Federal Court of Australia
- or a recognised body such as South Australia's Supreme Court and Environment Resources and Development

Further information about the NNTR is available.

Tribunal file no.

Federal Court file no.

Short name

Case name

State or Territory

Registered Native Title Body Corporate

Representative ATSIL body area

Local government area

Determination type

Legal process

Determination outcome

Determination date between

Sort by



New South Wales ▾

Council Of The City Of Sydney

ALL ▾

ALL ▾

ALL ▾

 and  

Determination date ▾

Search >

No results for current search criteria



**From:** Enquiries [<mailto:Enquiries@nntt.gov.au>]  
**Sent:** Wednesday, 14 December 2016 2:00 PM  
**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>  
**Cc:** Enquiries <[Enquiries@nntt.gov.au](mailto:Enquiries@nntt.gov.au)>  
**Subject:** NSW search over 244 Cleveland Street, Surry Hills - Council Of The City Of Sydney LGA

**UNCLASSIFIED**

**Native title search** –NSW: *Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills, within Council Of The City Of Sydney LGA*

**Your ref:** N/A - **Our ref:** SR2003

Dear Ms Comber,

Thank you for your search request received on 12 December 2016 in relation to the above area, please find your results attached. The proposed project location identified in your correspondence dated 24 November 2016 appears to be located within the Council Of The City Of Sydney Local Government Area ('Sydney LGA'). On this basis the National Native Title Tribunal has provided native title overlap results for Sydney LGA. Based on the records held by the National Native Title Tribunal as at 14 December 2016, it would appear that there are no Indigenous Land Use Agreements, Scheduled or Registered Native Title Claims or Determined Claims over Sydney LGA.

If you would like more specific information regarding the proposed project location, please provide identifiers such as lot numbers and Deposit Plan IDs. Please note that the relevant parcel/parcels may or may not be freehold. For confirmation of freehold data, please contact NSW's Land and Property Information office.

**Search Results**

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Applications
- Register of Native Title Claims
- National Native Title Register
- Register of Indigenous Land Use Agreements
- Notified Indigenous Land Use Agreements

Copies of the relevant register extracts are now available on our website [here](#).

**Please note:** There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

**Search results and the existence of native title**

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

**Tribunal accepts no liability for reliance placed on enclosed information**

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact me on the number below or on the free call number 1800 640 501.

Regards,



#### Enquiries

**National Native Title Tribunal**

**Freecall 1800 640 501**

Email [enquiries@nntt.gov.au](mailto:enquiries@nntt.gov.au)


Website [www.nntt.gov.au](http://www.nntt.gov.au)

*Shared country, shared future.*



## Newspaper Notification

The newspaper notification in Central Sydney dated November 30, 2016 requested responses to be received by COB 14/12/16.



### Aboriginal Cultural Heritage

#### Cleveland Street Intensive English High School (Formerly Cleveland Street Public School)

244 Cleveland Street, Surry Hills

#### Notification and Registrations of Aboriginal Interests

The NSW Department of Education (the Department) has announced its intentions to redevelop Cleveland Street Intensive English High School (formerly Cleveland Street Public School) as a new 1,200 place inner city comprehensive public high school. The redevelopment is part of broader program to increase the enrolment capacity of public schools in the inner Sydney area.

The Department is preparing an Environmental Impact Statement (EIS) as part of the proposal and, in accordance with the Office of Environment and Heritage, *Aboriginal Cultural Heritage Consultation Guidelines for Proponents 2010*, is undertaking consultation with Aboriginal people and organisations.

The Department invites Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the area of the proposed project to register an interest, stating the nature of that interest.

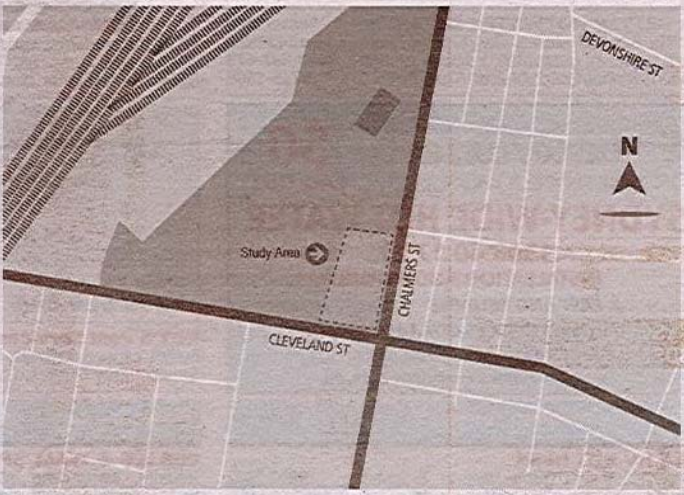
The details of Aboriginal people and/or organisations that register an interest will be forwarded to Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council (MLALC). If you do not want your details to be forwarded please specify this when you register. The Department's inner Sydney high school Project Manager can be contacted by email: [innersydneyhighschool@rootprojects.com.au](mailto:innersydneyhighschool@rootprojects.com.au)

Comber Consultants has been commissioned by the Department to undertake the consultation.

Please register, indicating the nature of your interest, by telephone or in writing to:

Carol Balatincz  
Comber Consultants Pty Ltd  
76 Edwin Street North, Croydon, NSW, 2132  
Tel: (02) 9799 6000 Fax: (02) 9799 6011  
[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)

PLEASE FORWARD RESPONSE BY COB 14/12/2016







Letter dated 24/11/16 to the organisations indicated requesting names of people/organisations who may hold an interest in the study area:



COPY

COMBER CONSULTANTS PTY LTD  
ABN 96 109 670 573  
76 EDWIN STREET NORTH  
CROYDON, NSW, 2132  
T 02 9799 6000  
F 02 9799 6011  
[www.comber.net.au](http://www.comber.net.au)

24 November 2016

Office of Environment and Heritage  
Metropolitan Local Aboriginal Land Council  
Office of the Registrar, Aboriginal Land Rights Act 1983 (NSW)  
National Native Title Tribunal  
Native Title Services Corporation Limited  
City of Sydney Council  
Local Land Services (formerly Catchment Management Authority)

DIRECTOR  
JILLIAN COMBER  
ASSOCIATE DIRECTOR, SYSTEMS  
DAVID NUTLEY  
ASSOCIATE DIRECTOR, PROJECTS  
TORY STENING

Dear Sir/Madam

**Aboriginal Cultural Heritage Consultation  
Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills**

The Department of Education (the Department) has announced its intention to redevelop Cleveland Street Intensive English High School (formerly Cleveland Street Public School) as a 1,200 place new inner city comprehensive public high school. This inner Sydney high school, when complete, will be a flagship high rise school and part of a broader program to increase the capacity of public schools in the inner Sydney area. Attached please find a map and an aerial photograph showing the location of the school.

The Department is preparing an Environment Impact Statement (EIS) in relation to the project. As part of the EIS, and in accordance with the Office of Environment and Heritage's (OEHS) *Aboriginal Cultural Heritage Consultation Guidelines for Proponents 2010*, the Department is undertaking consultation with local Aboriginal people and organisations. Comber Consultants has been appointed to undertake the consultation on behalf of the Department.

In accordance with the *Aboriginal Cultural Heritage Consultation Guidelines for Proponents 2010* I am writing to request the names and contact details of Aboriginal people or organisations that may hold cultural knowledge relevant in determining the significance of Aboriginal objects and/or places within the study area.

Further enquiries in relation to the project can be directed to Ms Courtney Kiernan, the Department's Program Manager, on telephone (02) 9561 1233 or via email: [courtney.kiernan@det.nsw.edu.au](mailto:courtney.kiernan@det.nsw.edu.au)

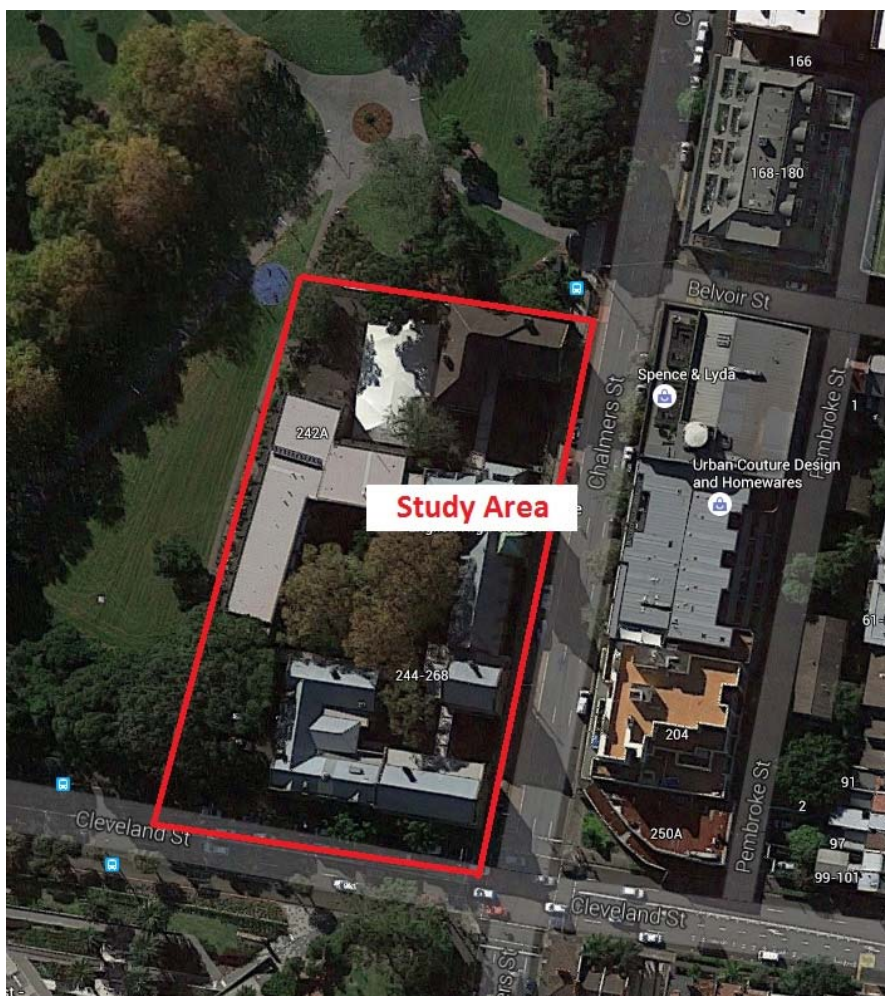
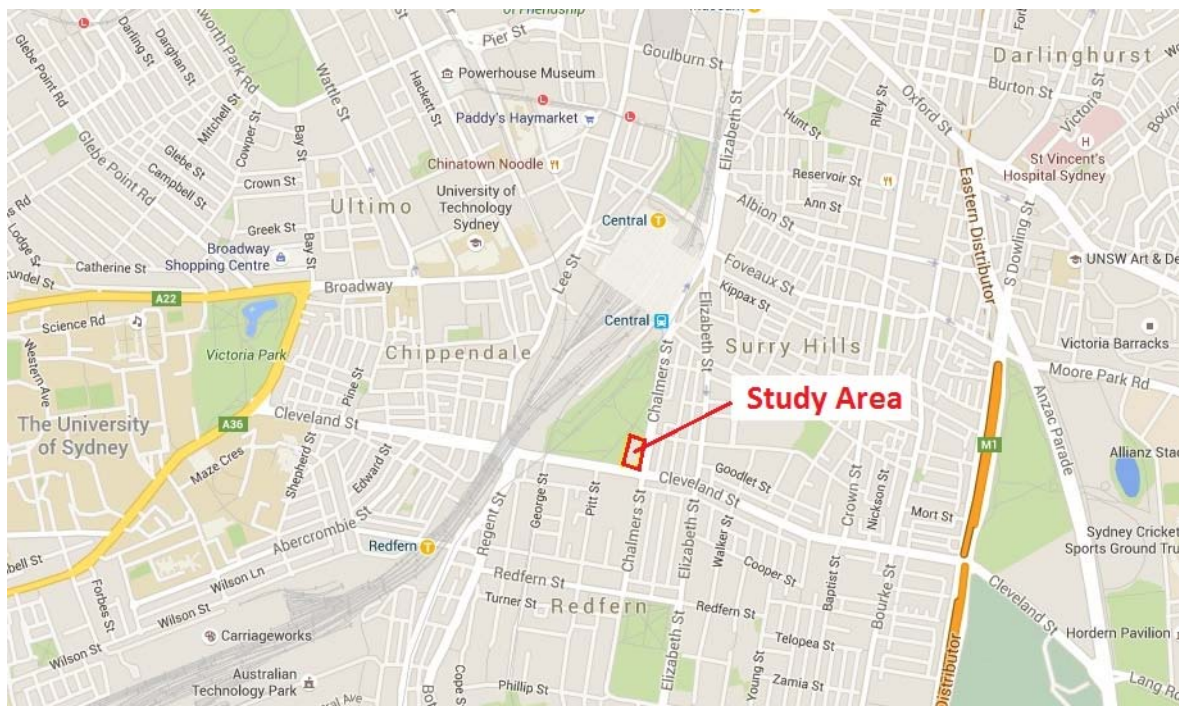
It would be appreciated if you would please forward the names and contact details of Aboriginal people or organisations by **COB, Monday, 12 December 2016** to:

Ms Carol Balatincz,  
Comber Consultants Pty Ltd  
76 Edwin Street North, Croydon, NSW, 2132  
Tel: (02) 9799 6000 Fax: (02) 9799 6011  
[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)

Thank you for assistance in this matter.

Yours sincerely

Jillian Comber  
Director  
Comber Consultants







## RESPONSES TO LETTERS SEEKING NAMES OF PEOPLE TO CONTACT:



Office of  
Environment  
& Heritage

RECEIVED  
- 2 DEC 2016

Our reference: SF16/1630

BY: .....

Ms Carol Balatincz  
Comber Consultants Pty Ltd  
76 Edwin Street  
North Croydon, NSW 2132

Dear Carol,

Thank you for your letter dated 18 November 2016 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 the Cleveland Street Intensive English High School, 244 Cleveland Street, Surry Hills.

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 contact Fran Scully, Archaeologist, on (02) 9995 6830. **Please note that all future correspondence should be sent to the Senior Team Leader Planning, Office of Environment and Heritage, PO Box 644, Parramatta, NSW 2124.**

Yours sincerely

*S. Harrison 29/11/16*

Susan Harrison  
Senior Team Leader Planning  
Greater Sydney Region  
Regional Operations

Level 6, 10 Valentine Avenue, Parramatta NSW 2150  
PO Box 644, Parramatta NSW 2124  
Tel: (02) 9995 5477  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)





**From:** Margaret Bottrell [<mailto:margaret.bottrell@lls.nsw.gov.au>]  
**Sent:** Tuesday, 29 November 2016 9:09 AM  
**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>  
**Subject:**

Ms Carol Balatincz,

**RE: Aboriginal Cultural Heritage Consultation - Former Cleveland Street Public School, 244 Clevelevand Street, Surry Hills**

Thank you for your letter dated 24 November 2016, 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](mailto:margaret.bottrell@lls.nsw.gov.au)  
**W:** <http://www.lls.nsw.gov.au>



RECEIVED  
30 NOV 2016

BY: .....

25 November 2016 ref: OE&H : 25-11-2016/2

Carol Balatincz  
Comber Consultants Pty Ltd  
27 Edwin Street North  
Croydon NSW 2132

Dear Ms Balatincz

### Aboriginal Cultural Heritage Assessment

#### Redevelopment of Cleveland Street Intensive English High School

I refer to your letter of 24 November 2016 regarding the above matter.

We acknowledge that section 4.1.2 of the Office of Environment & Heritage's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* require you to contact us in order to compile a list of Aboriginal people who may have an interest in the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places.

However, we advise that NTSCORP's privacy guidelines restrict us from providing proponents with contact details of traditional owners who may have such an interest or hold such knowledge.

Please be advised that, in response to your notification, we will forward your correspondence to any individuals, groups and organisations whom NTSCORP is aware assert traditional interests within or hold cultural knowledge about the relevant area. Recipients of our correspondence will be invited to register their interest in the project directly with you by **Monday 12 December**.

Please be aware that NTSCORP cannot make a guarantee or undertaking that the recipients of our correspondence represent the entirety of traditional owners for the relevant area.

Yours faithfully,

George Tonna  
Land & Notifications Officer  
NTSCORP Limited



**From:** Bookings [<mailto:bookings@metrolalc.org.au>]

**Sent:** Thursday, 8 December 2016 3:17 PM

**To:** [courtney.kiernan@det.nsw.edu.au](mailto:courtney.kiernan@det.nsw.edu.au); Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>

**Cc:** Nathan Moran <[nmoran@metrolalc.org.au](mailto:nmoran@metrolalc.org.au)>; Cultural Heritage <[culturalheritage@metrolalc.org.au](mailto:culturalheritage@metrolalc.org.au)>

**Subject:** Aboriginal cultural and heritage Consultation Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills

Dear Carol and Courtney,

On behalf of Metropolitan Local Aboriginal Land Council as the legislated representative body for Aboriginal People of the area this project is located and the authority for the protection, promotion and preservation of Local Aboriginal Cultural and Heritage wish to confirm our registration as a Aboriginal stakeholder for the Consultation on the Cleveland Street Public School, 244 Cleveland Street, Surry Hills redevelopment.

If you require any further information please contact Metropolitan Local Aboriginal Land Council.

Kind Regards

Latoya Kennedy  
36-38 George St  
REDFERN NSW 2016  
Ph: 02 8394 9666

**Written notification 24/11/16 and 19/12/16**

Letters were sent to the following organisations between 15<sup>th</sup> and 19<sup>th</sup> December 2016. A copy of the letter is on the following page.

- Metropolitan LALC
- La Perouse LALC
- Darug Aboriginal Cultural Heritage Assessments
- Eric Keidge
- Tocomwall
- Gunyuu
- Walbunja
- Badu
- Goobah Developments
- Wullung
- Yerramurra
- Nundagurri
- Murrumbul
- Jerringong
- Pemulwuy CHTS
- Bilinga
- Munyunga
- Wingikara
- Minnamunnung
- Gundungurra Tribal Technical Services
- Walgalu
- Thauaira
- Dharug
- Bilinga Cultural Heritage Technical Services
- Gunyuu Cultural Heritage Technical Services
- Munyunga Cultural Heritage Technical Services
- Murrumbul Cultural Heritage Technical Services
- Wingikara Cultural Heritage Technical Services
- Gulaga
- Biamanga
- Callendulla
- Murramarang
- DuncanSuey & Associates
- Butucarbin Aboriginal Corporation
- Didge Ngunawal Clan
- Gininderra Aboriginal Corporation



COMBER CONSULTANTS PTY LTD  
ABN 96 109 670 573  
76 EDWIN STREET NORTH  
CROYDON, NSW, 2132  
T 02 9799 6000  
F 02 9799 6011  
[www.comber.net.au](http://www.comber.net.au)

19/12/2016

Dear Sir/Madam

**Aboriginal Cultural Heritage Consultation  
Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills**

DIRECTOR  
**JILLIAN COMBER**  
ASSOCIATE DIRECTOR, SYSTEMS  
**DAVID NUTLEY**  
ASSOCIATE DIRECTOR, PROJECTS  
**TORY STENING**

The Department of Education (the Department) has announced its intention to redevelop Cleveland Street Intensive English High School (formerly Cleveland Street Public School) as a 1,200 place new inner city comprehensive public high school. This inner Sydney high school, when complete, will be a flagship high rise school and part of a broader program to increase the capacity of public schools in the inner Sydney area. Attached please find a map and an aerial photograph showing the location of the school.

The Department is preparing an Environment Impact Statement (EIS) in relation to the project. As part of the EIS, and in accordance with the Office of Environment and Heritage's (OEH's) *Aboriginal Cultural Heritage Consultation Guidelines for Proponents 2010*, the Department is undertaking consultation with local Aboriginal people and organisations. Comber Consultants have been appointed to undertake the consultation on behalf of the Department.

The Office of Environment & Heritage has advised that you are a stakeholder who may have an interest in the project. Therefore, you are invited to register an interest, particularly if you hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area. You are also invited to provide the names and contact details of any other Aboriginal person or organisations who may hold cultural knowledge relevant to the study area.

Please note that this invitation is for Aboriginal community consultation, which should not be confused with employment. As stated in section 3.4 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*: "Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring". Therefore, responding to this invitation will not be a guarantee of work.

A log of responses will be prepared and forwarded to the Office of Environment & Heritage and the Metropolitan Local Aboriginal Land Council (LALC). If you do not want your name forwarded to the LALC, please let me know.

Further enquiries in relation to the project can be directed to Ms Courtney Kiernan, the Department's Program Manager, on telephone (02) 9561 1233 or via email: [courtney.kiernan@det.nsw.edu.au](mailto:courtney.kiernan@det.nsw.edu.au)

It would be appreciated if you could forward your response to:

Ms Carol Balatincz,  
Comber Consultants Pty Ltd  
76 Edwin Street North, Croydon, NSW, 2132  
Tel: (02) 9799 6000 Fax: (02) 9799 6011  
[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)

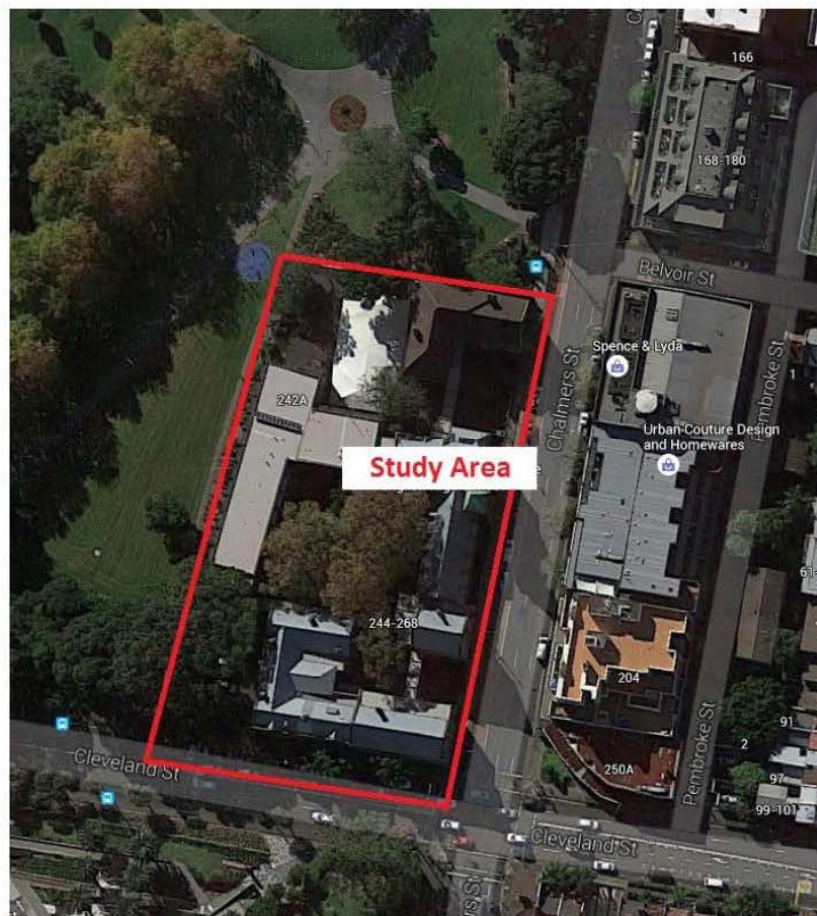
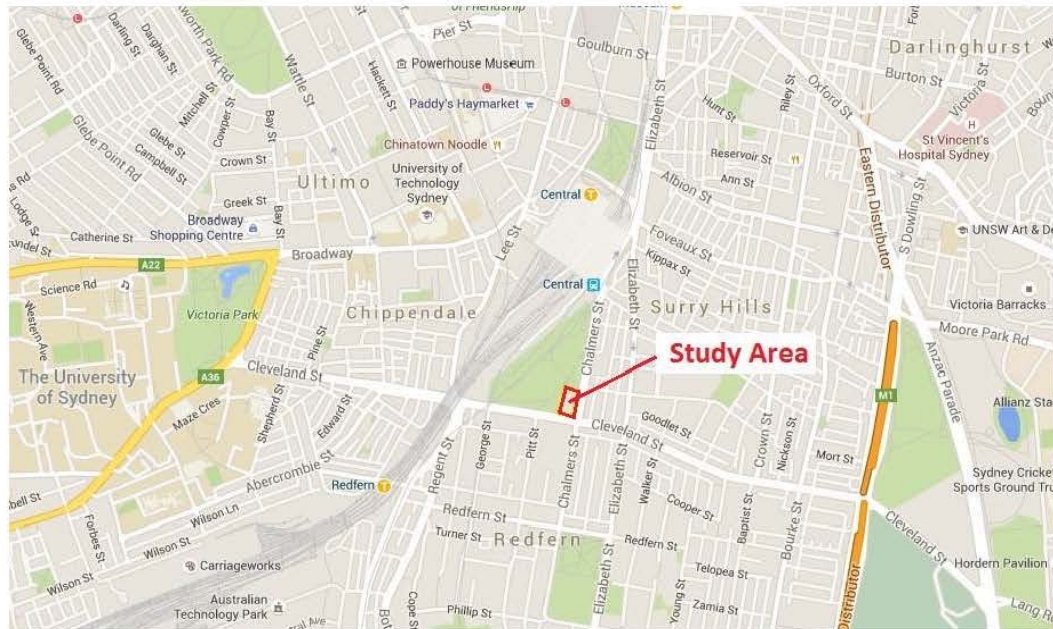
**Please forward your response by (COB 14 days from date of letter)**

Thank you for assistance in this matter.

Yours sincerely

**Jillian Comber**  
Director





**REGISTRATION OF INTEREST AND LETTERS FORWARDING REGISTRATION OF INTEREST TO OEH & MLALC**

As a result of the letters and advertisement the following organisations registered an interest. A copy of the responses follows.

This list was sent to OEH and the MLALC

**Aboriginal Consultation  
244 Cleveland Street, Surry Hills  
Registration of Interest**

<b>Date</b>	<b>Name and Organisation</b>	<b>Contact Details</b>
10/12/2016	Jamie Workman Darug Land Observations Pty Ltd	daruglandobservations@gmail.com
22/12/2016	Roxanne Smith Murramarang	murramarangchts@gmail.com
22/12/2016	Wendy Smith Gulaga	gulagachts@gmail.com
22/12/2016	Seli Storer Biamanga	biamangachts@gmail.com
22/12/2016	Corey Smith Cullendulla	cullendullachts@gmail.com
22/12/2016	Darren J Duncan Duncan Suey & Associates	darrenjohnduncan@gmail.com
22/12/2016	Basil Smith Goobah Developments	66 Grantham Rd Batehaven NSW 2536 E: goobahchts@gmail.com
10/12/2106	Lillylea Carroll Paul Boyd Didge Ngunawal	didgengunawalclan@yahoo.com.au
8/12/2106	Latoya Kennedy Metropolitan Local Land Council (MLALC)	36-38 George St Redfern NSW 2016 E: bookings@metrolalc.org.au
18/01/2017	Celestine Everingham Darug Aboriginal Cultural Heritage Assessment (DACHA) (Registered by telephone)	9/6 Chapman Avenue Chatswood NSW 2060 Fax: 02 9410 3665



DARUG LAND  
OBSERVATIONS PTY LTD  
ABN 27 602 765 453

Email: [daruglandobservations@gmail.com](mailto:daruglandobservations@gmail.com)  
PO BOX 571 PLUMPTON NSW 2761  
Mobile: 0420 591 138 / 0413 687 279

10<sup>th</sup> December 2016

Ms Carol Balatincz  
Comber Consultants Pty Ltd  
76 Edwin Street North  
CROYDON NSW 2132

**Notification and Registration of ALL Aboriginal Interests**

**RE:** Proposed Redevelopment of Cleveland Street Intensive English High School (former Cleveland Street Public School), at 244 Cleveland Street, Surry Hills

Aboriginal Cultural Heritage Assessment

Dear Carol,

**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 \$440 half day (less than 4 hours) and \$880 per day (flat rate), including GST.

All correspondence should be emailed to: [daruglandobservations@gmail.com](mailto:daruglandobservations@gmail.com) and any further consultation during this project can be directed to Anna or Jamie Workman.

Yours sincerely,

Jamie Workman  
Darug Land Observations Pty Ltd

Uncle Gordon Workman  
Darug Elder





**From:** lilly carroll [<mailto:didgengunawalclan@yahoo.com.au>]  
**Sent:** Tuesday, 10 January 2017 5:18 PM  
**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>  
**Subject:** Register interest

Hi Carol

Didge ngunawal clan would like to register interest in queue to 44 Cleveland Street Surry Hills, Didge ngunawal clan has knowledge of Red fern area due to my father Phillip Carroll would go travelling with jimmy Sharma Tony Mundine on the boxing tents n my father would also party with Dharawal tribe n stay @ Everly Street Redfern. We also have lots of knowledge with aboriginal artefacts as well as digging sieving surveyancing

Thanks  
Lillylea Carroll  
Paul Boyd  
0426823944

**From:** Goobah [<mailto:goobahchts@gmail.com>]  
**Sent:** Sunday, 8 January 2017 9:21 PM  
**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>  
**Subject:** Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills

Hi Carol,

Please accept this as Goobahs expression of interest to register for the above project. We wish to be kept informed of any further developments.

--

**Regards Basil Smith**  
**Chief Executive Officer**  
**Goobah PH 0405995725**



**From:** Darren J Duncan [<mailto:darrenjohnduncan@gmail.com>]  
**Sent:** Tuesday, 3 January 2017 11:36 AM  
**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>  
**Subject:** Re: Former Cleveland Street Public School, 244 Cleveland St, Surry Hills

Hi Carol

I'm a Gadigal man and also a Deerubbin member, have been working with both councils over the last 20 years or so assisting on significant archaeological digs around the Sydney area such as stage 1 Rouse Hill ([1998-2004](#)), Parramatta with Casey and Lowe. Also Tempe House with Metro Land Council.

I have attached my certificate of currency.

Looking forward to working with you.

Kind regards,

Darren J. Duncan

Mobile: [0410 510 397](tel:0410510397)

**From:** Cullendulla [<mailto:cullendullachts@gmail.com>]  
**Sent:** Thursday, 22 December 2016 2:06 PM  
**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>  
**Subject:** Re: Cleveland Street Public School, 244 Cleveland St, Surry Hills

Hi Carol,

Please accept this as Cullendullas expression of interest to register for the above project. We wish to be kept informed of any further developments.



**From:** Biamanga [<mailto:biamangachts@gmail.com>]

**Sent:** Thursday, 22 December 2016 2:05 PM

**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>

**Subject:** Re: Aboriginal Cultural Heritage Consultation - Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills

Hi Carol,

Please accept this as Biamangas expression of interest to register for the above project. We wish to be kept informed of any further developments.

**From:** Gulaga [<mailto:gulagachts@gmail.com>]

**Sent:** Thursday, 22 December 2016 2:04 PM

**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>

**Subject:** Re: Former Cleveland Street Public School, 244 Cleveland St, Surry Hills

Hi Carol,

Please accept this as Gulagas expression of interest to register for the above project. We wish to be kept informed of any further developments.

**From:** Murramarang [<mailto:murramarangchts@gmail.com>]

**Sent:** Thursday, 22 December 2016 2:04 PM

**To:** Carol Balatincz <[carol.balatincz@comber.net.au](mailto:carol.balatincz@comber.net.au)>

**Subject:** Re: Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills

Hi Carol,

Please accept this as Murramarangs expression of interest to register for the above project. We wish to be kept informed of any further developments.



COMBER CONSULTANTS PTY LTD

ABN 96 109 670 573

76 EDWIN STREET NORTH

CROYDON, NSW, 2132

T 02 9799 6000

F 02 9799 6011

[www.comber.net.au](http://www.comber.net.au)

DIRECTOR

JILLIAN COMBER

ASSOCIATE DIRECTOR, SYSTEMS

DAVID NUTLEY

ASSOCIATE DIRECTOR, PROJECTS

TORY STENING

23 January 2017

Senior Team Leader Planning  
Office of Environment and Heritage  
Regional Operations Group  
PO Box 644  
PARRAMATTA NSW 2124

Dear Sir/Madam

**Aboriginal Cultural Heritage Consultation  
Former Cleveland Street Public School, 24 Cleveland Street, Surry Hills**

Comber Consultants have been engaged by the Department of Education to apply for an Aboriginal Heritage Impact Permit (AHIP) in respect of conservation work at the former Cleveland Street Public School, 244 Cleveland Street, Surry Hills. I am presently implementing the *Aboriginal cultural heritage consultation requirements for proponents 2010*. In accordance with 4.1.6 of those requirements, I enclose:

- Copies of notifications forwarded to stakeholders
- A copy of the advertisement that was placed in the Sydney Central newspaper
- A log of the stakeholders that have registered an interest.

This same information has been forwarded to the Metropolitan Local Aboriginal Land Council.

If you require further information, please do not hesitate to contact me.

Yours faithfully

**Jillian Comber**  
Director  
Comber Consultants



ARCHAEOLOGY – HERITAGE – MEDIATION – ARBITRATION

23 January 2017

The Chairperson  
Metropolitan Local Aboriginal Land Council  
36-38 George St  
REDFERN NSW 2016

COMBER CONSULTANTS PTY LTD

ABN 96 109 670 573

76 EDWIN STREET NORTH

CROYDON, NSW, 2132

T 02 9799 6000

F 02 9799 6011

[www.comber.net.au](http://www.comber.net.au)

DIRECTOR

**JILLIAN COMBER**

ASSOCIATE DIRECTOR, SYSTEMS

**DAVID NUTLEY**

ASSOCIATE DIRECTOR, PROJECTS

**TORY STENING**

Dear Sir/Madam

**Aboriginal Cultural Heritage Consultation  
Former Cleveland Street Public School, 244 Cleveland Street, Surry Hills**

Comber Consultants have been engaged by the Department of Education to apply for an Aboriginal Heritage Impact Permit (AHIP) in respect of conservation work at the former Cleveland Street Public School, 244 Cleveland Street, Surry Hills. I am presently implementing the *Aboriginal cultural heritage consultation requirements for proponents 2010*. In accordance with 4.1.6 of those requirements, I enclose:

- Copies of notifications forwarded to stakeholders
- A copy of the advertisement that was placed in the Sydney Central newspaper
- A log of the stakeholders that have registered an interest.

If you require further information, please do not hesitate to contact me.

Yours faithfully

**Jillian Comber**  
Director  
Comber Consultants

**MEETING**

The following Agenda was forwarded to all RAPs to attend a meeting on 15<sup>th</sup> February.

The minutes of the meeting follow



COMBER CONSULTANTS PTY LTD  
ABN 96 109 670 573  
76 EDWIN STREET NORTH  
CROYDON, NSW, 2132  
T 02 9799 6000  
F 02 9799 6011  
www.comber.net.au

**INVITATION**

---

**ABORIGINAL CULTURAL HERITAGE CONSULTATION**

---

**FORMER CLEVELAND STREET PUBLIC SCHOOL  
244 CLEVELAND STREET, SURRY HILL**

---

---

**PRESENTATION OF INFORMATION TO REGISTERED STAKEHOLDERS**

---

DIRECTOR  
**JILLIAN COMBER**  
ASSOCIATE DIRECTOR, SYSTEMS  
**DAVID NUTLEY**  
ASSOCIATE DIRECTOR, PROJECTS  
**TORY STENING**

As a registered Aboriginal stakeholder for the above project you are invited to attend an Aboriginal community consultation meeting. The purpose of the meeting is to present details of the project, discuss the archaeological methodology and to gather cultural information in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. An agenda for the meeting follows.

The meeting will be held at:

Cleveland Street Intensive English High School  
(formerly Cleveland Street Public School)  
244 Cleveland Street (cnr Chalmers Street, Surry Hills)

The time and date will be:

Wednesday 15<sup>th</sup> February 2017  
3.00pm to 4.30pm

As this is a community consultation meeting there will be no payment for attendance at this meeting. Such payment would be a conflict of interest.

Please RSVP by Tuesday 14<sup>th</sup> February 2017 to:

Carol Balatincz  
Comber Consultants  
76 Edwin Street North, Croydon, 2132  
Ph: (02) 9799 6000  
carol.balatincz@comber.net.au



## AGENDA

### CLEVELAND STREET INTENSIVE ENGLISH HIGH SCHOOL

Aboriginal Cultural Heritage Consultation  
*Presentation of Information to registered stakeholders*

**Purpose of Meeting:** Aboriginal community consultation in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

**Date & Time of Meeting:** Wednesday 15<sup>th</sup> February 2017 at 3pm

**Venue:** Cleveland Street Intensive English High School, 200 Chalmers Street (cnr Cleveland Street), Surry Hills

**Please note:** As this is a community consultation meeting there will be no payment for attendance at this meeting. Such payment would be a conflict of interest.

#### Agenda:

AGENDA ITEMS
<ol style="list-style-type: none"><li>1. Welcome to Country</li><li>2. Introduction</li><li>3. Outline of purpose of meeting</li><li>4. Outline of project</li><li>5. Presentation of Research Design</li><li>6. Open forum to discuss proposed archaeological methodology</li><li>7. Discussion of Aboriginal significance of the area, including contemporary significance.</li><li>8. Artefact management</li><li>9. Open forum to discuss any issues of concern</li><li>10. Any other business/issues</li><li>11. Close</li></ol>

A record of this meeting, including agreed outcomes, will be provided to all registered Aboriginal parties.



**ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010**

**MINUTES OF MEETING  
HELD ON WEDNESDAY 15<sup>TH</sup> FEBRUARY 2017 AT 3PM  
AT CLEVELAND STREET INTENSIVE ENGLISH HIGH SCHOOL,  
200 CHALMERS STREET, SURRY HILLS**

**PRESENT:**

Gordon Morton, Darug Cultural Heritage Assessments  
Paul Boyd, Didge Ngunawal  
Ted Kvasnicka, Project Manager, Root Projects on behalf of Department of Education  
Jennifer Pilon, Principal, Cleveland Street Intensive High School  
John Summons, Teacher, Cleveland Street Intensive High School  
Rowan Day, OCP Architects  
Jillian Comber, Comber Consultants

**APOLOGIES**

Lillylea Carrol, Didge Ngunawal  
Darug Land Observations  
Basil Smith, Goobah

**BUSINESS:**

1. Welcome to Country provided by Gordon Morton
2. Everyone introduced themselves.
3. Jillian outlined the purpose of the meeting. She advised that the meeting was in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. She further advised that registering an interest and/or attending the consultation meeting did not provide a guarantee of work – that consultation and work were two totally separate issues.
4. Ted Kvasnicka outlined the project. He advised that the Department of Education (DoE) propose to redevelop and expand the existing Cleveland Street School for a new state-of-the-art high-rise high school which is expected to meet the demand arising from the growing inner city population. The new building will be about 65m in height (approximately 14 levels). This will require the 1969 building on the western edge of the school to be demolished with the existing 1867, 1891, 1908 and 1924 buildings to be refurbished and reused. A design competition was held and he is awaiting confirmation of the design. The Department of Planning website contains the Concept Report.
- 5&6 Jillian presented the Research Design and discussed the proposed methodology. All present at the meeting agreed with the methodology.
7. The Aboriginal significance of the area was discussed. All agreed that the area was significant pre and post contact. Aboriginal people have had a long association with Redfern and Surry Hills. It was noted that Prince Alfred Park, the location of a pre-contact camping and ceremonial ground was still used as a meeting place by Aboriginal people.
8. Artefact management was discussed. It was agreed that any artefacts retrieved during testing and salvage should be retained by the school for display and educational purposes. The school principle, Jennifer Pilon, agreed and stated that it would be a privilege to retain the artefacts and that they would be most appreciated. She discussed other historic items that the school had saved and advised that any artefacts retained by the school would be well looked after and protected. They would be included in school displays and interpretation programs.
9. Open forum to discuss issues of concern. No issues of concern were raised and on sensitive issues were raised.
10. Everyone viewed the site of the redevelopment
11. No other business was raised.





**Email sending out the methodology and archaeological assessment report**

**From:** Jillian Comber

**Sent:** Monday, 27 February 2017 3:39 PM

**To:** 'Darug Land Observations' <daruglandobservations@gmail.com>; Roxanne Smith (murramarangchts@gmail.com) <murramarangchts@gmail.com>; Wendy Smith (gulagachts@gmail.com) <gulagachts@gmail.com>; Seli Storer (biamangachts@gmail.com) <biamangachts@gmail.com>; Corey Smith (cullendullachts@gmail.com) <cullendullachts@gmail.com>; 'Darrenjohnduncan@gmail.com' <Darrenjohnduncan@gmail.com>; Basil Smith (goobahchts@gmail.com) <goobahchts@gmail.com>; 'didgengunawalclan@yahoo.com.au' <didgengunawalclan@yahoo.com.au>; 'bookings@metrolalc.org.au' <bookings@metrolalc.org.au>

**Subject:** 244 Cleveland Street, Surry Hills

Hi Everyone

Attached please find the methodology and assessment report for 244 Cleveland Street, Surry Hills. These were tabled at the consultation meeting on Wednesday 15<sup>th</sup> February. Those at the meeting agreed with the methodology. Could everyone else please review and provide me with your comments. Please provide your comments by Monday 27<sup>th</sup> March.

Kind regards

Jillian

JILLIAN COMBER

DIRECTOR  
ARCHAEOLOGIST  
HERITAGE CONSULTANT  
MEDIATOR / ARBITRATOR

76 EDWIN STREET NORTH, CROYDON, NSW, 2132  
T 02 9799 6000 F 02 9799 6011 M 0418 788 802  
E [jillian.comber@comber.net.au](mailto:jillian.comber@comber.net.au)  
[www.comber.net.au](http://www.comber.net.au)





## RESEARCH DESIGN: FORMER CLEVELAND STREET PUBLIC SCHOOL

### INTRODUCTION

The site of the former Cleveland Street Public School is a significant Aboriginal site. It was the site of a meeting place and ceremonial ground until the early 1800's (Stening & Tasire 2016). It has the potential to contain evidence of Aboriginal occupation in the form of stone tools.

Due to increasing demand on school enrolments it is proposed to building a new high rise school building. This will require the 1969 building on the western edge of the school to be demolished with the existing 1867, 1891, 1908 and 1924 buildings to be refurbished and reused. The new building will be constructed on the western edge of the school

It is proposed to undertake testing and salvage on the western edge and other areas of the site where bulk excavation will occur and/or the natural ground surface disturbed. Salvage will not be undertaken where the disturbance will only be in areas of introduced fill, however, testing may be required first to determine the depth of the fill.

### METHOD

#### Aims:

The aims of the archaeological testing will be:

- To investigate and confirm the presence of Aboriginal objects and evidence of occupation with the subject site. The testing will determine the nature and extent of Aboriginal objects and occupation within the study area.
- If the testing confirms evidence of Aboriginal occupation, proceed to salvage.
- Determine the nature of the soils and environmental conditions. Stratigraphic sequences will be recorded and analysed to determine whether there are buried landscapes, soil formations and any other relevant information which would have impacted upon Aboriginal occupation patterns.
- To retrieve palynological information to assist in understanding the pre and post contact landscape.
- Retrieve as much archaeological information within a testing program as possible, including artefacts.
- If possible, undertake dating. The dating methods used will be determined in the field depending on the nature of the deposit. C14 will be undertaken if suitable samples for dating are found, eg., if found in association with archaeological features. TL or OSL dating will be undertaken as considered appropriate by the geomorphologist.
- To determine if there is archaeological evidence of contact and post contact Aboriginal occupation. It should be noted that there is ethnographic evidence and oral histories indicating the nature of contact and post contact Aboriginal occupation. However, attempts will be made to analyse the data for archaeological evidence of contact archaeology.

#### Research Questions

To guide the testing program to ensure that the above aims are met following are the research questions.

- What is the nature and extent of the archaeological deposit?
- What are the nature of the soils across the site?
- Are there intact deposits remaining on the site?
- If so, what information can be gained from these deposits?
- Can such deposits contribute information about Aboriginal occupation in the area?
- Is there any evidence of contact archaeology?
- Is it possible to distinguish or confirm the presence of contact and post contact Aboriginal use and occupation?
- What technologies were in use at the site?
- Through a combination of archaeological and geomorphological analyses is it possible to date the archaeological deposits?
- Is the archaeological deposit culturally significance?

#### Method:

- A grid will be laid over the relevant section of the school, i.e. areas where bulk excavation will occur and/or areas where the natural ground surface will be disturbed;
- Test trenches will be a minimum of 10m apart. The exact location will be determined in the field dependent upon disturbance, location of services and building foundations etc.
- All excavation will be in 5cm spits and/or stratigraphic layers where necessary;
- Testing will occur first and if any evidence of Aboriginal occupation or environmental conditions that are considered relevant are observed the test trench will be extended by further 1m x 1m trenches as necessary.
- All excavation will be undertaken by a combination of machine and hand. A machine will be used to remove the top layers of fill where necessary;



- The soil will be tested for its pH level;
- An assessment of the geomorphological context will be undertaken.
- The location of any artefacts or other cultural deposits found during excavation will be recorded and the artefacts bagged and catalogued;
- All sediments that are removed will be wet sieved. Any artefacts that are located in the sieved material will be bagged and catalogued, clearly noting that they were found within the sieved soil, not *in situ*. The soil will be sieved through a 2.5mm mesh;
- Soil samples will be taken from each spit. This will assist in the analysis now and in the future. Samples will be kept for palynological analysis;
- If conditions are suitable, a number of samples may be taken for thermoluminescence (TL) or Optically-Stimulated Luminescence (OSL) dating. The number of samples taken will depend on the nature of the deposit and the stratigraphic differences across the site;
- If dateable charcoal is uncovered, samples for all cultural features which contain reliable charcoal will be recovered for dating;
- If hearths area uncovered, Dr Andy Herries (University of NSW) will be consulted. Dr Herries has pioneered the integration of archaeomagnetic and palaeomagnetic techniques to date and obtain cultural data from hearths. If possible, attempts will be made to obtain dates from the hearths.
- Plotting of artefact concentrations will be undertaken;
- Conjoin analysis of artefacts from a concentration of artefacts throughout the profile will be undertaken;
- Plotting of all other features such as hearths, heat treatment locations, ovens, etc., will be undertake to precisely locate each within their exact stratigraphic context;
- Plotting and mapping of all manuports (i.e. non-artefactual, ochre, cobbles that have not been reduced, etc.) and other cultural features will be undertaken;
- All natural features (such as tree roots) which are not identified as culturally produced features will be plotted;
- Plotting and mapping of all unusual artefacts and large artefacts to locate them in their exact spatial context within the excavated deposit;
- Testing and/or salvage will cease in each individual trench when no further artefacts are found or when there is a change in the stratigraphic layer (eg basal clay) or other clear change in stratigraphy. However, where a clear change in stratigraphy is noted it would be appropriate to initially investigate further to clarify what this change involves and to confirm that this is a layer devoid of artefacts.
- The location of all trenches will be plotted by a surveyor and the RLs recorded.

### 3.5 Historical Archaeology

If historical archaeological deposits are uncovered they will be recorded and their significance assessed. If they are of local significance they will be removed once recorded but if they are assessed as being of State significance further advice will be sought from the Heritage Division

### 3.6 Burials

It should be noted that in the unlikely event that a burial is uncovered during the testing, all work will cease in the vicinity of that burial whilst further advice is being sought from the Police, OEH and the Aboriginal community.

### 3.7 Artefact Recording and Cataloguing

The artefacts retrieved will be recorded and analysed. All artefacts retrieved during the testing will be measured and examined for a variety of diagnostic criteria, which are listed below. A glossary of terms is shown at the end of the ACHAR before the Appendices. This glossary will be included in the artefact catalogue.

- Raw Material, e.g. silcrete, chert, tuff, quartz, etc.
- Length (mm)
- Width (mm)
- Thickness (mm)
- Artefact type: i.e. core, flake, flaked piece, etc
- Bulb: yes or no?
- Retouch: yes or no? If yes, then a description of the retouch and an estimate of the percentage of the edge of the artefact containing retouch will be undertaken.
- **Cortex**: does the artefact have any cortex on it? If so, an estimate of the cortical coverage of the artefact will be recorded.
- **Erillure scar**: is there one or more erillure scars present?
- **Snap**: is the artefact snapped? If so, is it a transverse or a longitudinal snap?



- Is it an old break or a new one?
- **End:** is the artefact the proximal or distal end of the original artefact?
- **Heat treatment:** has the raw material been subjected to intentional heating?
- **Platform type:** cortical, flat, complex or abraded.
- **Initiation type:** bending flake, bipolar flake or conchoidal flake.
- **Termination type:** feather, step, hinged or outré passé.
- These measurements and diagnostic criteria will be entered into an Access database and analysed to develop a tentative typology.
- Dorsal scarring (number) and orientation.
- Maximum core scar size compared to average size of CF length.
- Measurements of cores.
- Measurement of complete flakes and tools.
- Maximum dimension of all artefacts.
- Weight of individual artefacts.
- Comparison of data from complete flakes, tools and cores.
- Are there any complete flakes of maximum dimension 5mm in size?
- Are they of contact origin e.g., artefacts made from glass or insulators or other materials not usually found in pre-contact deposits.

Initial communications have been undertaken with the Australian Museum about deposition of artefacts with the Museum until an appropriate keeping place in Parramatta has been determined.

### 3.8 Report

An excavation report as detailed in Requirement 11 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* will be prepared detailing the above aims, methodology, results, significance assessment and management recommendations.



## Responses from Aboriginal organisations to methodology

**From:** Goobah [mailto:goobahchts@gmail.com]  
**Sent:** Monday, 27 March 2017 12:15 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: 244 Cleveland Street, Surry Hills

Hi Jillian,

This is Goobahs support for the methodology and assessment report for the above project. Please keep us informed of any further developments.

**From:** Murramarang [mailto:murramarangchts@gmail.com]  
**Sent:** Monday, 27 March 2017 12:17 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: 244 Cleveland Street, Surry Hills

Hi Jillian,

This is Murramarangs support for the Assessment Report and Methodology for the above project.

**From:** Biamanga [mailto:biamangachts@gmail.com]  
**Sent:** Monday, 27 March 2017 12:18 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: 244 Cleveland Street, Surry Hills

Hi Jillian Comber,

Biamanga wish to support the Methodology and assessment report for the 244 Cleveland St, Surry Hills project. We wish to be kept informed of any further developments.

**From:** Gulaga [mailto:gulagachts@gmail.com]  
**Sent:** Monday, 27 March 2017 12:19 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: 244 Cleveland Street, Surry Hills

Hi Jillian,

Please accept this as Gulagas support for the above project assessment report and Methodology. Please keep us informed of any further developments.

**From:** Cullendulla [mailto:cullendullachts@gmail.com]  
**Sent:** Monday, 27 March 2017 12:21 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: 244 Cleveland Street, Surry Hills

Hi Jillian,

Cullendulla support the Methodology and Assessment report for 244 Cleveland Street, SurryHills. Please keep us informed of any further developments thankyou.



**From:** lilly carroll [mailto:didgengunawalclan@yahoo.com.au]  
**Sent:** Thursday, 30 March 2017 6:16 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

DNC agrees to the methodology, and can't wait to work with you on this project,  
Look forward to hearing from you soon,

Kind Regards  
Paul Boyd + Lilly Carroll  
Directors DNC



## Forwarding draft ACHAR

The draft ACHAR was forwarded to all RAPs on 29<sup>th</sup> March with a return date of 26<sup>th</sup> April 2017

**From:** Jillian Comber

**Sent:** Wednesday, 29 March 2017 6:24 PM

**To:** Darug Land Observations <daruglandobservations@gmail.com>; Roxanne Smith (murramarangchts@gmail.com) <murramarangchts@gmail.com>; Wendy Smith (gulagachts@gmail.com) <gulagachts@gmail.com>; Seli Storer (biamangachts@gmail.com) <biamangachts@gmail.com>; Corey Smith (cullendullachts@gmail.com) <cullendullachts@gmail.com>; Darrenjohnduncan@gmail.com; Basil Smith (goobahchts@gmail.com) <goobahchts@gmail.com>; didgengunawalclan@yahoo.com.au; bookings@metrolalc.org.au

**Subject:** Cleveland Street High School

Hi Everyone

Thank you everyone for your responses to date to the methodology and meeting etc.

I now attach the Aboriginal Cultural Heritage Assessment Report (ACHAR) and the Archaeological Technical Report for your review and comment. You have 28 days in which to respond – so could you please respond by 26<sup>th</sup> April.

However, if there is any chance you could provide your response earlier, it would be greatly appreciated. The Department of Education would like to submit the EIS ASAP and need the ACHAR to be finalised with your comments before submission.

Thanks very much.

Kind regards

JILLIAN COMBER

DIRECTOR  
ARCHAEOLOGIST  
HERITAGE CONSULTANT  
MEDIATOR / ARBITRATOR

76 EDWIN STREET NORTH, CROYDON, NSW, 2132  
T 02 9799 6000 F 02 9799 6011 M 0418 788 802  
E [jillian.comber@comber.net.au](mailto:jillian.comber@comber.net.au)  
[www.comber.net.au](http://www.comber.net.au)





**RESPONSES TO THE ACHAR:**

Hi Jillian,

That's great, wasn't sure if we covered that, thanks heaps Jillian

Hi Paul & Lily

Thanks very much for your quick response.

At the consultation meeting it was agreed that the artefacts should stay at the site where they were found, i.e., the school. The school has agreed to display them and use them for interpretation and educational purposes. They might even set up a small museum specifically to house and display them.

This project won't start for over a year. The EIS has to be completed and then the new building designed and the DA submitted to Council – so it won't be quick. However, I will keep you informed.

Kind regards

Jillian

**From:** lilly carroll [<mailto:didgengunawalclan@yahoo.com.au>]  
**Sent:** Wednesday, 29 March 2017 7:25 PM  
**To:** Jillian Comber  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

DNC agrees to the ACHAR, and will apply to all that is required. Just a quick question, within the artefacts that are found, what happens to them? Educational use, laboratory or Museum perhaps? Plz let me know as DNC is keen to start as much as you are.

Kind Regards  
Paul Boyd & Lilly Carroll  
Directors DNC





**From:** Goobah [mailto:goobahchts@gmail.com]  
**Sent:** Wednesday, 26 April 2017 3:54 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

This is Goobahs support for the above ACHA report. Please keep us informed of any further developments. thankyou

**From:** Murramarang [mailto:murramarangchts@gmail.com]  
**Sent:** Wednesday, 26 April 2017 4:23 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

This is Murramarangs support for the proposed ACHA report.

**From:** Biamanga [mailto:biamangachts@gmail.com]  
**Sent:** Wednesday, 26 April 2017 4:26 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

This is Biamangas support for the proposed ACHA report. Please keep us informed of any further developments.

**From:** Gulaga [mailto:gulagachts@gmail.com]  
**Sent:** Wednesday, 26 April 2017 4:27 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

This is Gulagas support for the proposed ACHA report. Please keep us informed of any further developments.

**From:** Cullendulla [mailto:cullendullachts@gmail.com]  
**Sent:** Wednesday, 26 April 2017 4:27 PM  
**To:** Jillian Comber <jillian.comber@comber.net.au>  
**Subject:** Re: Cleveland Street High School

Hi Jillian,

This is Cullendullas support for the proposed ACHA report. Please keep us informed of any further developments.

# APPENDIX B

## ARCHAEOLOGICAL TECHNICAL REPORT

ARCHAEOLOGY – HERITAGE – MEDIATION – ARBITRATION

# **244 CLEVELAND STREET, SURRY HILLS**

## **APPENDIX B TO ACHAR**

### **Technical Report**

### **Aboriginal Archaeological Assessment**

PREPARED BY  
REPORT TO  
LGA  
VERSION NO  
DATE

TORY STENING AND ALANDRA TASIRE  
OCP ARCHITECTS ON BEHALF OF THE DEPARTMENT OF EDUCATION  
CITY OF SYDNEY COUNCIL  
F.2017  
MAY 2017

## DOCUMENT CONTROL

**PROJECT NO.** OA297      **STATUS:** DRAFT

REV	DATE	PREPARED	EDITED	APPROVED
A	29/07/2016	Tory Stening and Alandra Tasire	Jillian Comber	Jillian Comber
B	01/08/2016	Tory Stening and Alandra Tasire	Jillian Comber	Jillian Comber
C	15/08/2016	Tory Stening and Alandra Tasire	Tory Stening	Jillian Comber
D	30/10/2016	Tory Stening and Alandra Tasire	Jillian Comber	Jillian Comber
E	25/04/2017	Tory Stening and Alandra Tasire	Jillian Comber	Jillian Comber
F	07/05/2017	Tory Stening and Alandra Tasire	Jillian Comber	Jillian Comber

## ACKNOWLEDGEMENTS

This report was written by Alandra Tasire, B.A. Honours, Archaeologist, and Tory Stening, B.A., M.A (Archaeology), and edited by Jillian Comber BA, Litt.B.

## INTEGRATED MANAGEMENT SYSTEM

Comber Consultants has a certified integrated management system to the requirements of ISO 9001:2008 (quality), ISO 14001:2004 (environmental), OHSAS 18001:2007 (health and safety) and AS/NZS 4801:2001 (health and safety). This is your assurance that Comber Consultants is committed to excellence, quality and best practice and that we are regularly subjected to rigorous, independent assessments to ensure that we comply with stringent Management System Standards.



# EXECUTIVE SUMMARY

The Department of Education (DoE) propose to redevelop the former Cleveland Street Primary School (also known as the Cleveland Street Intensive English High School) into a new inner city comprehensive high school with 1,200 places. Due to limited availability of land in high density areas, DoE proposes to construct one of the State's flagship high-rise public schools on the site.

DoE are preparing an Environmental Impact Statement (EIS) in respect of the proposal and this Aboriginal archaeological assessment has been commissioned to inform the EIS.

This assessment includes an Aboriginal history of the former Cleveland Street Public School, the results of a site inspection, a review of the environmental and archaeological background of the study area and the Aboriginal heritage significance of the subject area. This report has been written in accordance with the Office of Environment & Heritage's *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*.

The study area is within a traditional Aboriginal ceremonial and hunting ground and contains Aboriginal significance values and archaeological potential.

This report makes the following recommendations:

1. In accordance with the SEARS and prior to any redevelopment of the site Aboriginal community consultation should be undertaken in accordance with OEH's Aboriginal *Cultural Heritage consultation requirements for proponents 2010* and an Aboriginal Cultural Heritage Assessment report (ACHAR) prepared, detailing the results of the consultation. This report should be appended to the ACHAR.
2. Once the above consultation has been undertaken, archaeological testing to determine the nature and extent of any archaeological deposit should be undertaken in consultation with the Registered Aboriginal Parties, prior to any redevelopment which disturbs the ground surface.
3. If archaeological objects are uncovered a program of archaeological salvage should be undertaken, in association with the Registered Aboriginal Parties, prior to any redevelopment which disturbs the ground surface.



# CONTENTS

<b>1.0 INTRODUCTION</b>	<b>5</b>
1.1 BACKGROUND	5
1.2 LOCATION	5
<b>2.0 LEGISLATION</b>	<b>9</b>
<b>3.0 METHODOLOGY</b>	<b>13</b>
3.1 METHODOLOGY	13
3.2 EFFECTIVE SURVEY COVERAGE	13
<b>4.0 CONSULTATION</b>	<b>15</b>
<b>5.0 ABORIGINAL HISTORY</b>	<b>17</b>
5.1 THE DARUG	17
5.2 THE GADI (CADI) CLAN OF THE DARUG	17
5.3 ABORIGINAL OCCUPATION	17
5.4 EUROPEAN CONTACT	18
5.5 SYDNEY TRIBES AND CLANS	19
5.6 LANGUAGE AND BOUNDARIES	20
5.7 FOOD AND SUBSISTENCE	20
<b>6.0 ENVIRONMENTAL CONTEXT</b>	<b>23</b>
6.1 TOPOGRAPHY	23
6.2 STREAM ORDER MODELLING	25
6.3 GEOLOGY AND SOILS	25
6.4 VEGETATION	25
6.5 CURRENT LAND USE AND DISTURBANCE	26
<b>7.0 ARCHAEOLOGICAL CONTEXT</b>	<b>31</b>
7.1 THE CUMBERLAND PLAIN	31
7.2 SYDNEY	31
7.3 STUDY AREA	33
7.4 SITE PREDICTION	34
<b>8.0 SITE INSPECTION</b>	<b>36</b>
8.1 RESULTS	36
8.2 SUMMARY	36
<b>9.0 SIGNIFICANCE ASSESSMENT</b>	<b>38</b>
9.1 PREAMBLE	38
9.2 ASSESSMENT	38
9.3 STATEMENT OF SIGNIFICANCE	39
<b>10.0 RECOMMENDATIONS</b>	<b>41</b>
<b>REFERENCES</b>	<b>43</b>
<b>PHOTOGRAPHS</b>	<b>46</b>
<b>APPENDIX A: AHIMS EXTENSIVE SEARCH</b>	<b>51</b>

# 1.0 INTRODUCTION

BACKGROUND

LOCATION

ACKNOWLEDGEMENTS

## 1.0 INTRODUCTION

### 1.1 Background

The Department of Education (DoE) propose to redevelop the former Cleveland Street Primary School (also known as the Cleveland Street Intensive English High School) into a new inner city comprehensive high school with 1,200 places. Due to limited availability of land in high density areas, DoE proposes to construct one of the State's flagship high-rise public schools on the site.

This report supports State Significant Development SSD 7610 to be submitted to the Minister for Planning & Environment pursuant to Section 78A(8A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

OCP Architects on behalf of the DoE have commissioned Comber Consultants to prepare this Aboriginal Cultural Heritage Assessment Report (ACHAR) to inform the Environmental Impact Statement and to ensure the best practice management of Aboriginal cultural heritage. This report also addresses The Secretary's Environmental Assessment Requirements (SEARs) as detailed below:

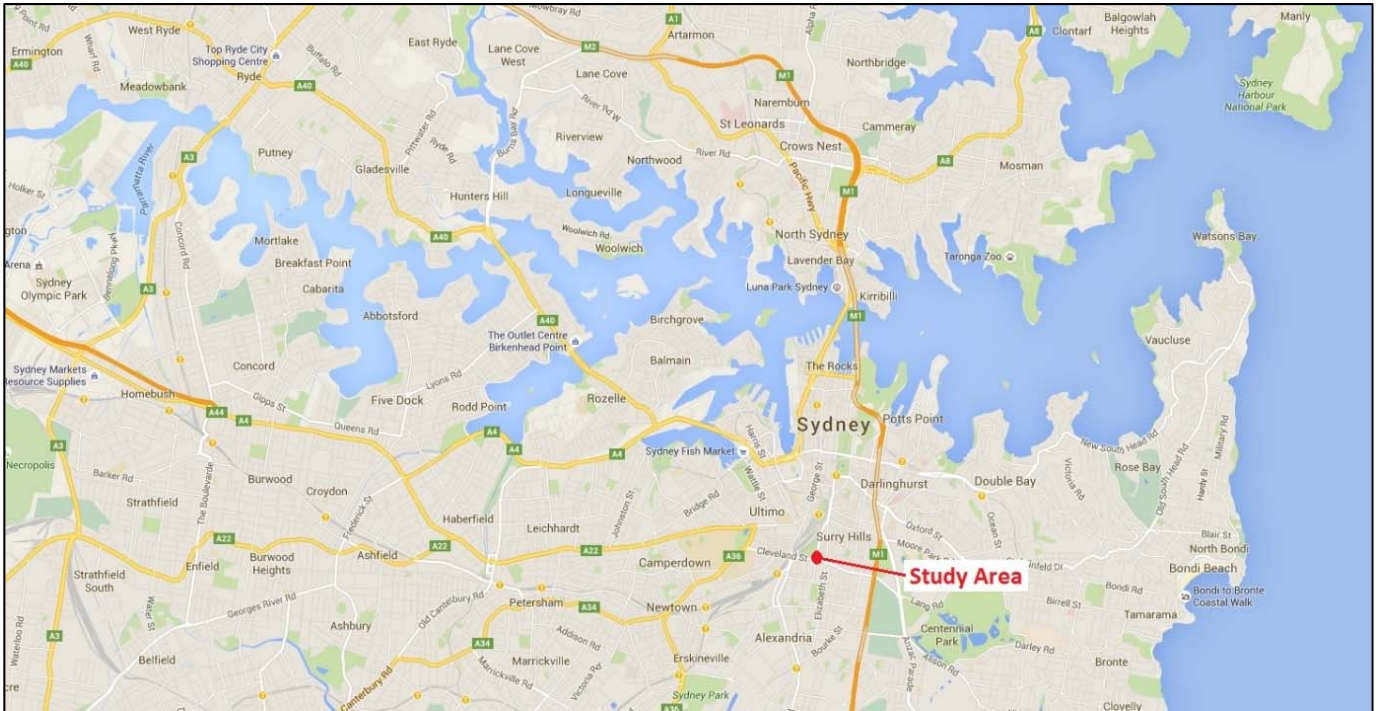
#### "9. Aboriginal Heritage

- Address Aboriginal cultural heritage in accordance with the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.
- The EIS must demonstrate attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts."
- This report has been prepared in accordance with OEH's *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW*. Aboriginal consultation has been undertaken in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

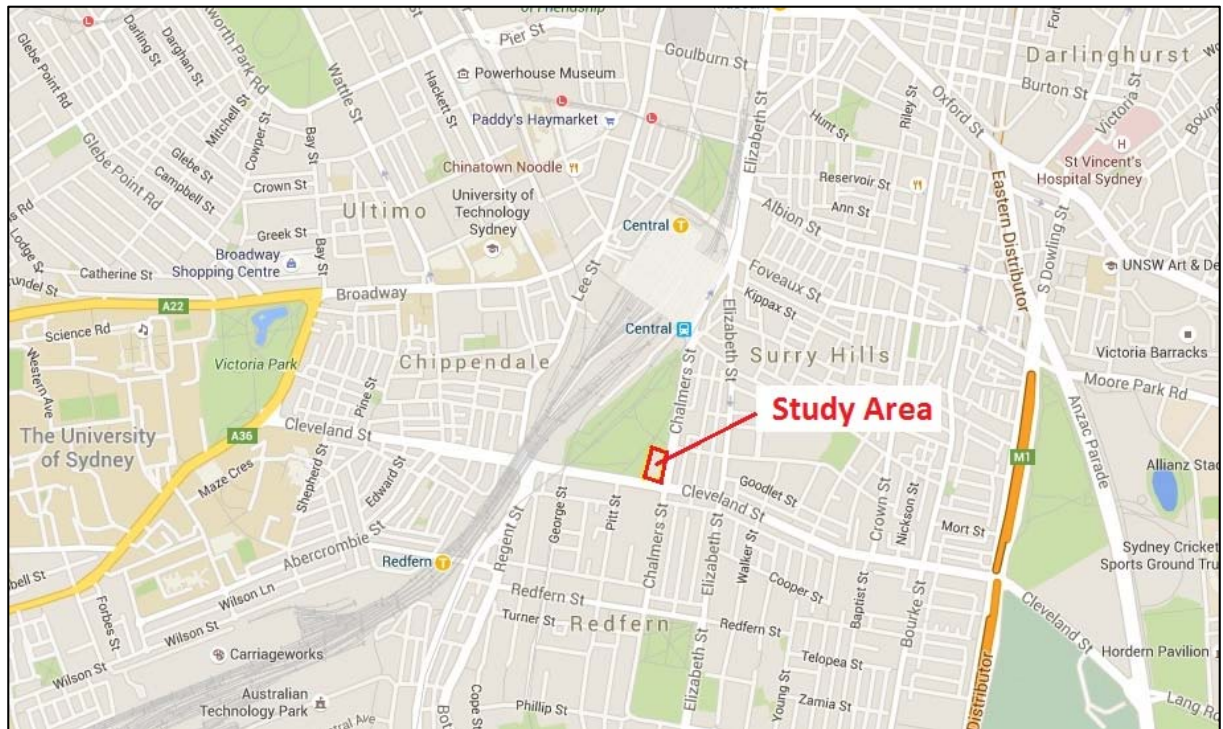
### 1.2 Location

The former Cleveland Street Public School, 244 Cleveland Street, Surry Hills is located immediately south-east of the Sydney Central Business District (Figure 1) in the Local Government Area of the City of Sydney. It is located on the north west corner of Cleveland and Chalmers Streets, and is bound by Prince Alfred Park to the north and east (Figure 2). The site comprises three parcels of land, known as Lot 1 DP 797483, Lot 1 DP 797484 and Lot 8 DP 821649.

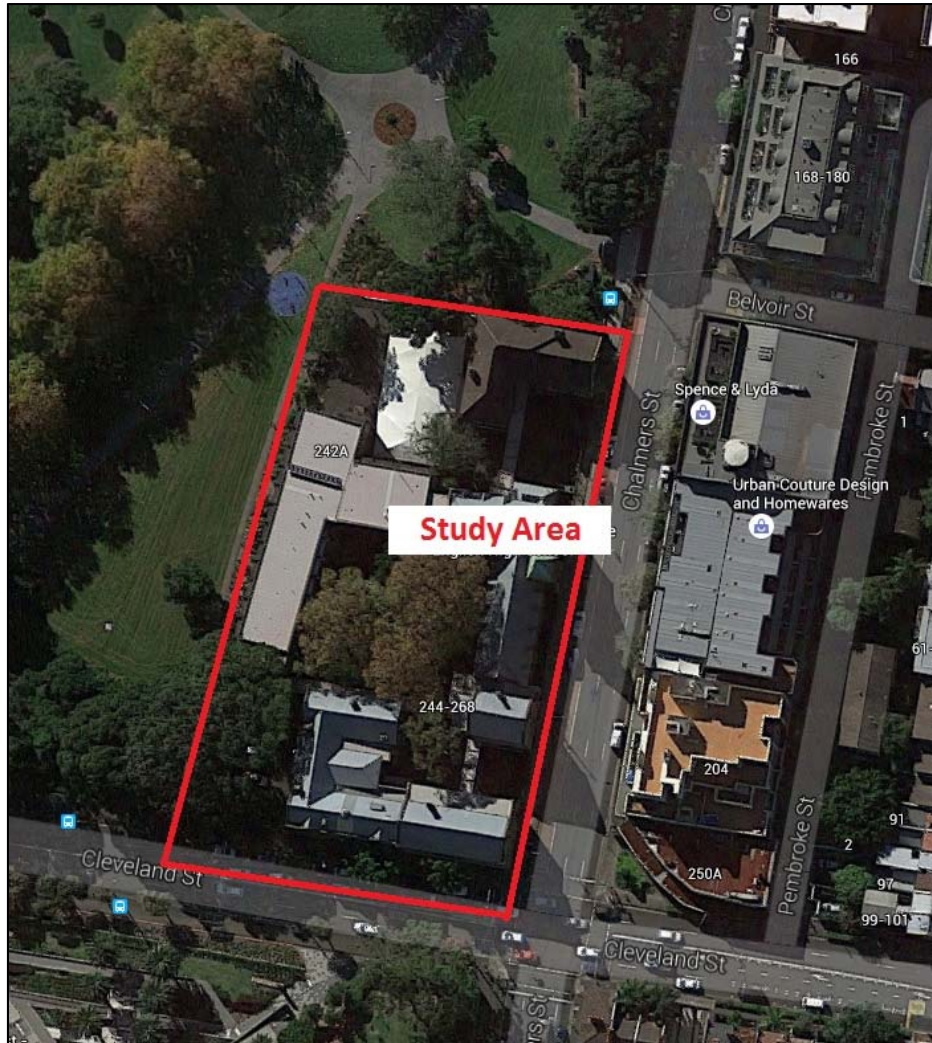




**Figure 1:** Study area, Surry Hills, south-east of the Sydney Central Business District (Google Maps).



**Figure 2:** Study area edged in red (Google Maps).



**Figure 3:** Study area edged in red (Google Maps).

# 2.0 LEGISLATION

NATIONAL PARKS & WILDLIFE ACT 1974

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

HERITAGE ACT 1977

SYDNEY LOCAL ENVIRONMENTAL PLAN



## 2.0 LEGISLATION

### 2.1 National Parks & Wildlife Act 1974

The *National Parks & Wildlife Act 1974* (NPW Act) provides statutory protection for all Aboriginal “objects”. The NPW Act is administered by the Office of Environment & Heritage. Section 90 of the NPW Act details the provisions for the issue of a written consent to impact upon an Aboriginal object. An object is defined as:

***"Aboriginal object"** means 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.*

However, as this project is being undertaken as a State Significant Development in accordance with the *Environmental Planning & Assessment Act 1979* as detailed below, it will not be necessary to apply for an AHIP for this project.

### 2.2 Environmental Planning & Assessment Act 1979

This project is being undertaken as a State Significant Development under Part 4, Division 4.1 of the *Environmental Planning & Assessment Act 1979* (EPA Act). Section 89J of the EPA Act (see below) does not require that a State significant development seek approval under the NPW Act as.

Section 89J of the EPA Act states the following:

#### 89J Approvals etc legislation that does not apply

The following authorisations are not required for State significant development that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such as authority do not apply):

- (a) the concurrence under Part 3 of the *Coastal Protection Act 1979* of the Minister administering that Part of that Act,
- (b) a permit under section 201, 205 or 219 of the *Fisheries Management Act 1994*
- (c) an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
- (d) an Aboriginal heritage impact permit under section 90 of the *National Parks and Wildlife Act 1974*
- (e) an authorisation referred to in section 12 of the *Native Vegetation Act 2003* (or under any Act repealed by that Act) to clear native vegetation or State protected land,
- (f) a bush fire safety authority under section 100B of the *Rural Fires Act 1997*,
- (g) a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the *Water Management Act 2000*.
- (2) Division 8 of Part 6 of the *Heritage Act 1977* does not apply to prevent or interfere with the carrying out of State significant development that is authorised by a development consent granted after the commencement of this Division.
- (3) A reference in this section to State significant development that is authorised by a development consent granted after the commencement of this Division includes a reference to any investigative or other activities that are required to be carried out for the purpose of complying with any environmental assessment requirements under this Part in connection with a development application for any such development.

The EPA Act is administered by the Department of Planning and Environment who will provide the consent for this project and for any impact on Aboriginal objects. Section 89J(d) does not require the consent of the Office of Environment & Heritage.

The Secretary's Environmental Assessment Requirements (SEARS) (SSD 7610) were issued on 18<sup>th</sup> May 2016, and require:

#### 9. Aboriginal Heritage

- Address Aboriginal cultural heritage in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.
- The EIS must demonstrate attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts.

This report satisfies the requirement to address Aboriginal cultural heritage issues in accordance with the *Guide to*

*Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* and will consider the impact upon cultural heritage values of the project.

Aboriginal consultation is being undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* and will be presented in a separate Aboriginal Cultural Heritage Assessment Report (ACHAR).

## 2.3 Heritage Act 1977

### *State Heritage Register*

s31 of the *NSW Heritage Act 1977* provides for the establishment and maintenance of the State Heritage Register by the Heritage Council. s32 allows the Minister to direct the listing of an item which is of State heritage significance and sets out the procedure for listing an item. Aboriginal places can be listed on the State heritage register if they are considered to be of State heritage significance. Such places can include Mission sites and cemeteries.

The former Cleveland Street Public School is not listed on the State Heritage Register, although due to the State heritage significance of this site for its Aboriginal heritage values, as detailed in this report, consideration could be given to nominating the site for State Heritage Register listing.

### *NSW Department of Education and Communities Conservation Register 2011*

s170 of the *NSW Heritage Act 1977* requires that Government agencies maintain a register of all heritage assets owned or maintained by that agency. s170A requires that the Government agency maintain and manage all heritage places listed on the s170 register under its control.

The former Cleveland Street Public School is listed on the NSW Department of Education and Communities' Conservation Register as Item Number 4640111.

The Aboriginal heritage values of the site should be included on the inventory form.

## 2.4 The Sydney Local Environmental Plan (SLEP) 2012

The "Former Cleveland Street Public School, buildings including interiors, grounds and fence plinth" is listed in the Environmental Schedule of the SLEP, Item No. I1477 (City of Sydney 2012:218) and is protected by the provisions of s5.10 Heritage Conservation. In addition s5.10 protects Aboriginal heritage as detailed below.

The objectives of the SLEP are to conserve the heritage of the City of Sydney including Aboriginal objects and places. Development consent is required to demolish or move an Aboriginal object as detailed below:

### (1) Objectives

The objectives of this clause are as follows:

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

### Requirement for consent

Development consent is required for any of the following:

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

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

#### **Aboriginal places of heritage significance**

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

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

The inventory form for the SLEP listing should be amended to include the Aboriginal heritage values. As detailed above these values must be considered prior to any redevelopment of the site and consultation should be undertaken with the City of Sydney prior to redevelopment

# 3.0 METHODOLOGY

METHODOLOGY  
EFFECTVE SURVEY COVERAGE



## 3.0 METHODOLOGY

### 3.1 Methodology

This project was conducted in three stages, being background research, field survey and report preparation, as detailed below.

#### Stage 1: Background Research

Prior to the field component of this project, a search of the Office of Environment and Heritage's Aboriginal Heritage Management Information System (AHIMS) of the Office of Environment and Heritage was consulted. A copy of the AHIMS Extensive search is attached at Appendix A. Site data, associated documents and archaeological survey reports held by them were reviewed. Primary and secondary historical research, and environmental research relating to Aboriginal land use was undertaken to allow a history of Aboriginal occupation of the study area to be developed. Such research enabled the potential nature of sites and site patterning in the region, and facilitated the predictive statement. It also provided an archaeological and environmental context to make a significance assessment.

#### Stage 2: Site Inspection

A site inspection was undertaken on Thursday 30<sup>th</sup> June 2016 with the following people:

- Ms Alandra Tasire, Archaeologist, Comber Consultants.
- Mr David Nutley, Archaeologist, Comber Consultants.

The entire study area and Prince Alfred Park were inspected on foot.

#### Stage 3: Report Preparation

Further archaeological research was conducted where necessary to clarify the results of the survey. This report was then compiled and provided to OCP Architects.

### 3.2 Effective Survey Coverage

Ground surface visibility refers to the amount of bare ground visible during the field survey. The visibility of some site types, such as open artefact scatters, is dependent upon ground visibility and exposure. OEH guidelines suggest that this information be presented in a table which quantifies and details the local detectability (OEH Code of Practice 2010:19).

The study area is comprised of buildings, asphalt, concrete and garden areas. No natural ground surfaces were visible.

Therefore, as ground visibility was nil the recommended table was not used.

## **4.0 ABORIGINAL CONSULTATION**

## 4.0 CONSULTATION

Aboriginal culture is dynamic and continuous. It includes the tangible and intangible and links people over time to their community and land. It is important to recognise that Aboriginal people have the right to protect, preserve and promote their cultural heritage.

In recognition of that right the SEARS require that Aboriginal consultation be undertaken in accordance with OEH's *Aboriginal cultural heritage consultation requirements for proponents 2010*. That consultation has been undertaken and is detailed in an Aboriginal Cultural Heritage Assessment Report (ACHAR) and this technical report has been appended to the ACHAR.

As a result of that consultation following are the Registered Aboriginal Parties (RAPs):

- Metropolitan Local Aboriginal Land Council
- Darug Land Observatoins
- Murramarang
- Gulaga
- Biamanga
- Cullendulla
- DuncanSuey & Associates
- Goobah Developments
- Didge Ngunawal
- Darug Cultural Heritage Assessments

Consultation was undertaken with the above organisations for the purposes of this report. All RAPs were given the opportunity to inspect the site at a meeting on 15<sup>th</sup> February 2017.

A copy of this technical report and the Aboriginal Cultural Heritage Assessment Report has been forwarded to all RAPs.

# 5.0 ABORIGINAL HISTORY

THE DARUG

THE GADI (CADI) CLAN OF THE DARUG

ABORIGINAL OCCUPATION

EUROPEAN CONTACT

SYDNEY TRIBES AND CLANS

LANGUAGE AND BOUNDARIES

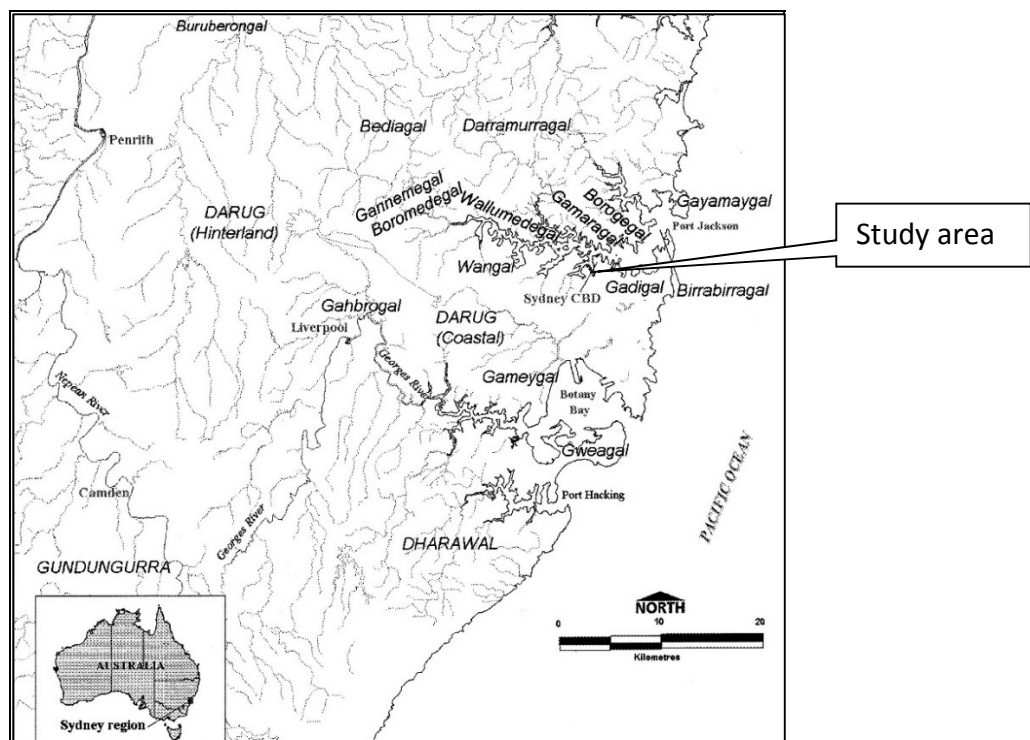
FOOD AND SUBSISTENCE

## 5.0 ABORIGINAL HISTORY

### 5.1 The Darug

The study area (Figure 4) is located in the traditional land of the coastal Darug.

Research by R.H. Mathews, a pioneer linguist and anthropologist, in the early twentieth-century revealed that the Darug inhabited an area adjoining the 'Thurawal' (Dharawal) to the south and Gundungurra and Wiradjuri to the west. Their territory extended along the coast to the Hawkesbury River and inland to Windsor, Penrith and Campbelltown; then from the mouth of the Hawkesbury River to Mount Victoria (Mathews 1901a:140; Mathews 1901b:155). Three distinct Darug groups are known and located regionally as the coastal, hinterland and mountain Darug (Attenbrow 2002:23).



**Figure 4:** Location of language groups Dharawal, Gundungurra and Darug. summarised by Attenbrow (2002:34).

### 5.2 The Gadi (Cadi) Clan of the Darug

The Cadi, were recorded by Phillip (13 Feb 1790) to reside in the area from the entrance of the harbour, along the south shore, to the cove adjoining the settlement. King (in Hunter 1793) recorded the Cadi on the south side [of Port Jackson], extending from the south head to Long Cove [Iron Cove]. To the west adjacent to the Cadi the Wann clan is recorded from Long Cove [Iron Cove] to Rose hill (Attenbrow 2002:24-27).

### 5.3 Aboriginal Occupation

There is uncertainty surrounding the exact timing of the initial human colonisation of Australia. Recognised dating techniques have provided results for occupation ranging from 68,000 to 40,000 years before the present (BP). Clear archaeological evidence from Lake Mungo indicates people have occupied areas of Australia for over 40 000 years (Mulvaney & Kaminga 1999; Roberts et al. 1990; 1993; 1998; 2001). Occupation in the Blue Mountains and the Sydney region have been dated respectively to 22,000 BP at Wentworth Falls and 14,000 BP at Shaws Creek, K2 (Attenbrow 2002:18).

## 5.4 European Contact

In 1788 Europeans began the colonisation of the area known as Sydney with the arrival of the first fleet and Governor Phillip. It is from diaries and records from the first European contact, colonisation and later anthropological research that much of our understanding of Aboriginal people in the Sydney area comes from. Due to the consequences of colonisation and lack of systematic recording of Aboriginal lifeways, pre-contact Sydney is inadequately understood.

However, it is well documented that the Aboriginal population was dramatically affected by British colonisation. First, due to sickness when in 1789 a smallpox epidemic took around half of the population and then the continued alienation of people from their land and food sources, other introduced diseases and massacres. Although Aboriginal people were dislocated from their original way of life many remained to live in Sydney in places such as the Mulgoa Valley, Emu Plains, Plumpton, Manly, La Perouse, Salt Pan Creek and Campbelltown (Attenbrow 2010:21-22).

An image engraved of a camp north of the study area at Cockle Bay in 1813 demonstrates people continuing to live in the area (Figure 5) after European settlement.

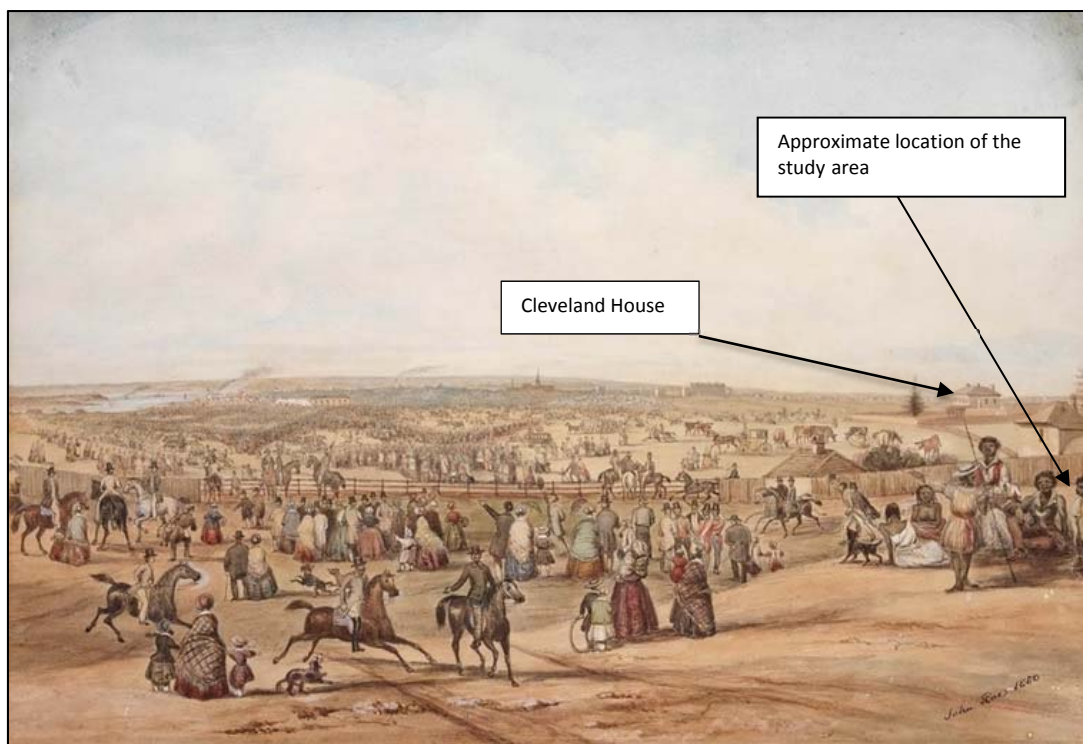


**Figure 5:** A native camp near Cockle Bay, New South Wales 1813. Philip Slaeger, engraver; after John Eyre. Engraving reproduction. From Absalom West, Views in New South Wales, 1813-1814 [and] historical account of the colony of New South Wales, 1820-1821. Bequest of David Scott Mitchell, 1907. PX\*D 65, plate.

The area presently comprising Central Train Station, Belmore Park and Prince Alfred Park was used as an important meeting point for Aboriginal people throughout the 1790s. Collins records that in December 1793

*The natives who lived about Sydney appeared to place the utmost confidence in us, choosing a clear spot between the town and the brickfield for the performance of any of their rites and ceremonies, and for three evenings the town had been amused with one of their spectacles...* (Collins 1798: Dec 1793).

The area, including the study area, continued to be used as a ceremonial meeting place for Aboriginal people throughout the following years and as “a place whence they {Aboriginal people} derived so many comforts and so much shelter in bad weather” (Collins 1802:Oct 1796). Figure 6 is a painting from 1850 showing Aboriginal people still camping in the area.



**Figure 6:** Turning the sod, of the first railway in the Australasian colonies at Redfern, Sydney, N.S.W. 3rd July 1850. John Rae 1813-1900 (Mitchell library ML 244).

A road from Cockle Bay to Botany Bay was noted by the early settlers as an important corridor for trade and movement for Aboriginal people in early Sydney. The area along this corridor between Cockle Bay and Botany Bay is described by Governor Arthur Phillip in 1788 as occupied by wood and beyond that a kind of heath, sandy, and full of swamps and later described by Atkins in 1792 as immense trees, lofty branches, flowering shrubs, blossoms of vivid and beautiful colours (AHMS 2015:13). The study area is located within this corridor.

## 5.5 Sydney Tribes and Clans

At the time Governor Phillip arrived, it was reported that not less than 1,500 people were seen living around the area of Port Jackson. However, in the more recent estimates, numbers are known to be more significant and are believed to have been between 2,000 and 3,000 people (Attenbrow 2002:21).

The earliest colonial records generally refer to groups of people as 'tribes'. These groups are identified as local descent groups and are referred to as local or territorial 'clans' in modern anthropological terms. Different clan groups were seen hunting, fishing or gathering together. These combined clan land-using groups are referred to as 'bands' and although not from the same clan were more than likely related by marriage (Attenbrow 2002:22).

From 1788 to 1800, thirty individual clans were recorded. However, it is difficult to ascertain the number of clans due to variances in spelling used by the authors of the various records. Some may be describing the same clan and it is quite likely that some were not recorded. Documentary sources provide little detailed information about the boundaries of the traditional 'country' with which Sydney Aboriginal clans identified (Attenbrow 2002:24-29). However, it was understood that clans identified with areas of land. Clans identified with an area of residence and members were named after the area they resided with the suffix '-gal' (man) or '-galleon' (woman) added (Phillip 13 Feb 1790 in HRA 1(1) cited in Attenbrow 2002:22-24; Kass et al. 1996:6).

Governor Phillip Gidley King made observations about Aboriginal territories, noting Aboriginal place names. He wrote that:

*...the tribe of Cadi inhabit the south side, extending from the south head to Long Cove; at which place the district of Wanne, and the tribe of Wangal, commences, extending as far as Par-ra-mata, or Rose Hill... I have already observed that the space between Rose-Hill and Prospect-Hill is distinguished by eight different names, although the distance is only four miles (King 1793 cited in Attenbrow 2002:22).*



Anthropological studies indicate that clan sizes varied widely, consisting of between thirty to sixty people who moved through their territory using seasonal routes to access food, shelter and other resources necessary for survival as well as ceremonial sites. Generally, people camped, travelled, foraged, fished and hunted in smaller, extended family groups, coming together at times with the larger group for ceremonies and ritual combats (Attenbrow 2002:29).

## 5.6 Language and Boundaries

British colonists in the earlier years of the colony recorded languages and locations of where they were spoken. The methods at the time did not record the variations systematically, however a body of dialects and geographical proximity were recorded.

Watkin Tench (c.1758-1833), a naval officer, noted that people spoke 'different dialects of the same language; many of the most common and necessary words, used in life, bearing no similitude, and others being slightly different'. It was observed that although individuals from the coast and from the Hawkesbury were using different dialects to converse, they understood each other without difficulty (Tench 1793:122 in Fitzhardinge 1979:230). Tench was bemused by the variance in the languages considering the geographical proximity of the places, noting that 'these diversities arise from want of intercourse with the people on the coast, can hardly be imagined, as distance inland is but thirty-eight miles; and from Rose Hill not more than twenty, where the dialect of the sea coast is spoken' (Tench 1793:122 in Fitzhardinge 1979:231).

William Dawes (1762-1836), David Collins (1756-1810) and Governor Phillip Gidley King (1758-1808) made lists of words spoken by the coastal people (Attenbrow 2002:31). Dawes, a naval officer and scientist recorded details about pronunciation, verb tenses and sentence construction. A significant characteristic of the Aboriginal language recorded in eighteenth-century colonial records is the use of the suffix '-gal' (man) or '-galleon' (woman). In some areas the suffix was added to a word descriptive of the country in which the community lived (Phillip 13 Feb 1790, in Attenbrow 2002:22).

It was not until the late nineteenth and early twentieth-century that more methodical attempts to record Aboriginal languages were made by individuals such as R.H. Mathews, an anthropologist and linguist. Much of the information we have on languages was gathered by Mathews, by this time however there were few fluent speakers of the languages and dialects in Sydney (Turbet 1989:29, Attenbrow 2002:31-32). In the late 1960 linguist Arthur Capell found unpublished information and his research mapped new boundary alignments (Capell 1970).

Since the 1970s anthropologists and archaeologists have presented new theories about the boundaries of linguistic and tribal groups in and around the Sydney Basin, and debate on the subject continues. In a summary by Attenbrow (2002:34), three Language groups are recognised in the Sydney region; Dharawal, Gundungurra and Darug (see Figure 4). The people within the current study area were coastal Darug speakers.

## 5.7 Food and Subsistence

Port Jackson is one of the largest estuaries along the New South Wales coast. Access to Port Jackson and the former Botany Swamps that formed within the sand dunes would have provided a variety of possible food sources. The vast water body and freshwater tributaries provide a range of environments in their intertidal and tidal shorelines. These areas contain extensive rock-platforms, sandy beaches and mudflats as well as mangrove forests and seagrass beds. These diverse habitats are feeding grounds for a wide range of fish, shellfish, crustacean, marine mammals, marine turtles, tortoises and water birds. Rivers draining into Port Jackson have freshwater flows and the estuary is fully tidal, with a marine dominated biota (Attenbrow 2002:40). The local environment was also the source of raw materials for tool and weapon-making, clothing and shelter (Attenbrow 2002:71).

Bark canoes are known to have been used to access waterways and travel up the rivers. Colonial observers noted that coastal Aboriginal people obtained bark for canoes during excursions to Parramatta (Collins 1798: Vol 1 App 6). The shallow-draught, water craft made of bark and two to three metres in length were skilfully manoeuvred around the river. Bangalay (*Eucalyptus botryoides*), large River Oak (*C. cunninghamiana*) and species of Stringybark (*Eucalyptus agglomerata*) are thought to have been used for canoe construction (Attenbrow 2002:112; Turbet 1989:50).

The ample fresh water sources attracted native animals which were hunted or trapped. The hunting of tree-dwellers such as possums and gliders is thought to have been a common activity. Kangaroo and wallaby were hunted less often and most likely when several clans came together for ceremonies (Brook & Kohen 1991:3-4). Aboriginal people of the district used traps and snares to catch animals to eat. In 1789 on a journey between Rose Hill and the Nepean, observations were made that traps were used to catch ducks which were plentiful and snares were used to catch "opossums" and other tree and small ground

dwelling animals (Bradley c.1802, SLNSW Manuscripts, Electronic transcript, p.166). Other food resources included bull ants and the eggs and larvae of the longicorn beetle or witchetty grub (Kass *et al* 1996:6).

Botany Bay was named after the profusion of plant species, over 250 of these have been identified as being edible. There were extensive areas between Port Jackson and Botany Bay where freshwater and estuarine wetlands with saltmarsh and mangrove communities occurred in the lower stretches of the rivers and bays along the coast. Seasonal plant foods including fruits, tubers, shoots, flowers, berries, seeds and nectar of local trees, and grasses were also prominent in the diet. Food collection required a detailed knowledge of each plant's properties as well as of the local environment, seasonal variations and preparation methods. *Macrozamia* for example is poisonous unless prepared in a particular way. Plants also provided ingredients for medicinal preparations (Attenbrow 2002:40-41; Brook & Kohen 1991:5).

Aboriginal people relied on an extensive knowledge of their land and its resources and the acquisition of diverse skills essential to their survival in an environment that could be unpredictable. By 1814 it was increasingly difficult for Aboriginal people to catch or procure food using traditional methods. Similarly, food-gathering patterns were altered by the lack of access to their traditional lands, which were now farmed by the new settlers. Limited opportunities were offered by Europeans willing to barter spirits and tobacco, and even food, for fish (Barratt 1981:71-2).

# 6.0 ENVIRONMENTAL CONTEXT

TOPOGRAPHY

STREAM ORDER MODELLING

GEOLOGY AND SOILS

VEGETATION

CURRENT LAND USE AND DISTURBANCE

## 6.0 ENVIRONMENTAL CONTEXT

### 6.1 Topography

The study area is located within the central portion of the Sydney Basin. The Sydney Basin is characterised by contrasting landscapes of rugged sandstone escarpments and gently undulating hills over shale (Herbert 1980:21; Sydney 1:100,000 geological map).

Surry Hills is defined by gently undulating rolling hills and crests and ridges with gently inclined slopes (Sydney 1:100,000 geological map). The suburbanisation of the local area has generally followed the topography of the original surface however some modification has been undertaken to build roads and structures (McIntyre 1946). Cleveland Street follows the ridgeline, with the study area sloping down toward Central Railway Station. The study area is within an area which was historically known as “The Sandhills”, a sand dune system extending from Sydney to Botany Bay. This Botany Lowlands dune system was once stabilised with vegetation, however European removal of the vegetation and prevailing winds shifted the sand northwards towards Sydney. In later years, the problem was alleviated by bitumen paving, residential and industrial development which helped re-stabilise the dunes (Kass 2016:7). Rainfall runoffs throughout the Botany Lowlands dune system collected in swamps, lagoons and depressions.

Prior to the more recent modification of this area, a tributary of Blackwattle Creek flowed through Prince Alfred Park and the study area (AHMS 2015; City of Sydney 2016). Blackwattle Creek was originally called Black Wattle Swamp Creek as it began in the swamplands of the present day University of Sydney and ran past the former Carlton United Brewery on Broadway serving as the brewery’s water source. Black Wattle Swamp Creek then rose in a swamp in Prince Alfred Park and then followed the line of Blackfriars Street and entered into Blackwattle Bay in a large swamp at the site of the Sydney City Council Depot on William Henry Street (<http://www.visitsydneyaustralia.com.au/lost-waterways.html>, accessed 25/07/2016). The Sydney railway plan “Plan of the Grounds in the City of Sydney, proposed to be appropriated for Railway Station and Works” created for the preliminary rail shows a creek running to the north west, adjacent to the study area (Figure 7). The later 1855 detailed survey for the Sydney Council indicates the creek ran directly through the school grounds (Figure 8).

The present study area is located approximately 2km to the north west of Centennial Park and approximately 1km to the north west of Moore Park, both of which historically were swamplands. It is located approximately 1km east of the University of Sydney, which historically was also swamplands and was the head of Blackwattle Creek. The study area is located approximately 1.5km north of Shea’s Creek, a small truncated tributary at the end of the Alexandria Canal. Historically Shea’s Creek ran from just to the south of Redfern Railway Station through Alexandria into the Cook’s River (GML 2012:72). The study area is also located 1.5km south of Cockle Bay, Darling Harbour.

The presence of swamplands and creeks indicates that the study area would have been part of a rich wetland area with a wealth of resources with access to the coastal rocky foreshore of Cockle Bay.

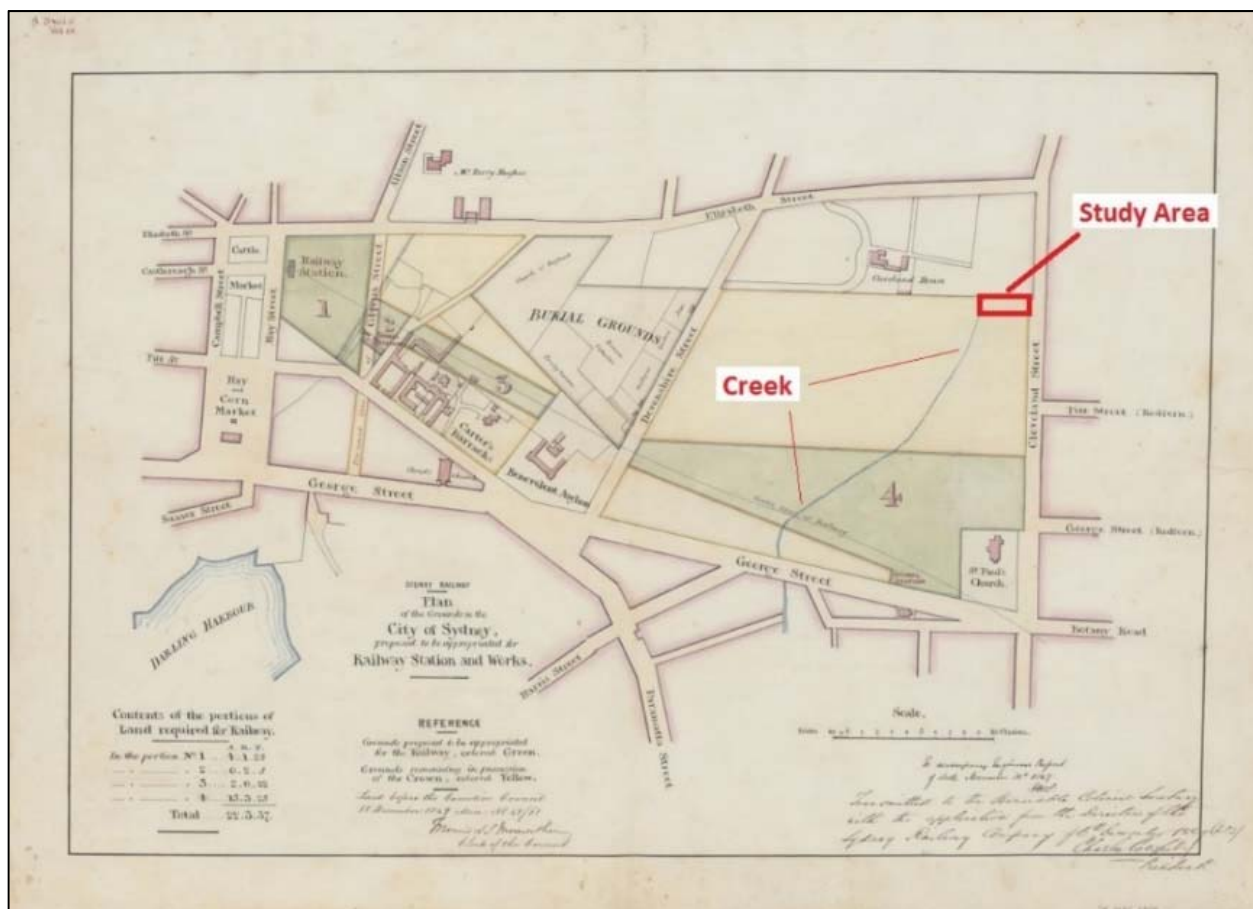


Figure 7: Railway Station and works 1849 [SR Map 6408], indicating study area and creek.



Figure 8: The 1855 Detail Survey completed for Sydney Council of the school on the site and indicating the creek. Source: 1855 Detail Survey, CCSA, Sheet 23.

## 6.2 Stream Order Modelling

Stream order can be used to predict Aboriginal land use patterns. Blackwattle and Shea's Creek would historically be classified as second order streams.

A first order stream is the smallest and is a small tributary that feeds larger streams but does not normally have any water flowing into it. The joining of two first order streams creates a second order stream and when two second order streams join, they form a third order stream. In addition, first and second order streams generally form on steep slopes and flow quickly until they slow down and meet the next order waterway. First order streams are intermittent.

Modelling undertaken by McDonald and Mitchell (1994) indicates that stream order can be used to predict areas of archaeological potential. The model hypothesis is that in any particular climate and landscape, a threshold catchment area is necessary to allow permanent stream flow or the establishment of waterholes with extended longevity (i.e. months to years). The critical point where these conditions are met appears to be at the junction of two second or third order streams. Such a location is likely to contain more complex sites with a high density of artefacts, whilst second and third order streams are also likely to contain large sites within 100 metres of the watercourse.

The study area is located adjacent to Blackwattle Creek and approximately 1.5km to the north of the now truncated Shea's Creek, both second order streams. As the study area is located between two second order streams it could be predicted to contain high archaeological potential.

## 6.3 Geology and Soils

The study area is found in the dune systems of the Botany Lowlands, an Aeolian landscape, formed during the Quaternary (Holocene and Pleistocene) period (Sydney 1:100,000 geological map). This environment, built by onshore winds forms transgressive dunes which originate from the remobilisation of beach and foredune sand blown inland. These dunes have been reworked from older sand surfaces well removed from coastal processes and have usually formed during periods when the sea level was lower than at present. Much of the dune sand in the Botany Basin is of Pleistocene age. These dunes are typically composed of fine to medium, well-sorted marine sand (Herbert 1983:55). Adjacent to the west and east the landform consists of the Ashfield Shale from the Wianamatta Group of shales which overlays the Hawkesbury Sandstone, formed during the Middle Triassic period. The sequence contains siltstone and laminate (Sydney 1:100,000 geological map).

The Wianamatta Group does not provide a good variety of material highly siliceous lithic materials suitable for stone tool manufacture. These thin shales are not strong enough for use in stone tool manufacture. Deposits of silcrete and chert are available from western Sydney at Plumpton, Penrith, St Clair and Prospect, all a considerable distance from Surry Hills. As a result, people of the Sydney region favoured shell, rather than stone, for tool manufacture. If stone was required, it would have been necessary to travel great distances or trade to obtain chert or silcrete (Comber 2012:10).

The dune systems in the vicinity of the study area also does not contain outcrops of stone material suitable for stone tools manufacture, such as tuff, chert, flint, silcrete or quartz. As there are no immediate outcrops of stone in the study area or surround areas, the likelihood of raw material for stone tools is minimal. However, stone would have been available from nearby areas and any finds would indicate material being introduced into the area.

## 6.4 Vegetation

The vegetation surrounding the study area would once have consisted mainly of dry sclerophyll or open woodland. The alluvial soils would have supported a river-flat forest, including various *Eucalypt* species and *Angophoras*. The open woodland species would have included *Eucalyptus siberi* (Silvertop Ash), *Eucalyptus piperita* (Sydney Peppermint), *Eucalyptus sclerophyllia* (Scribbly Gum), plus *Corymbia* with an understorey of *Banksia serrata* (Old Man Banksia), *Banksia spinulosa* (Hairpin Banksia), *Banksia integrifolia* (Coast Banksia) and various *Acacia* spp., including *Acacia longifolia*. Flowering shrubs would have included *Telopea speciosissima* (Waratah) and *Boronia serrulate* (Native Rose), whilst groundcover species would have included *Grevillia laurifolia* and *Persoonia chamaepitys*. Clumps of *Lomandra longifolia* would also have grown on headland areas. In addition, various heathland communities would have existed along coastal areas (Baker 1986).

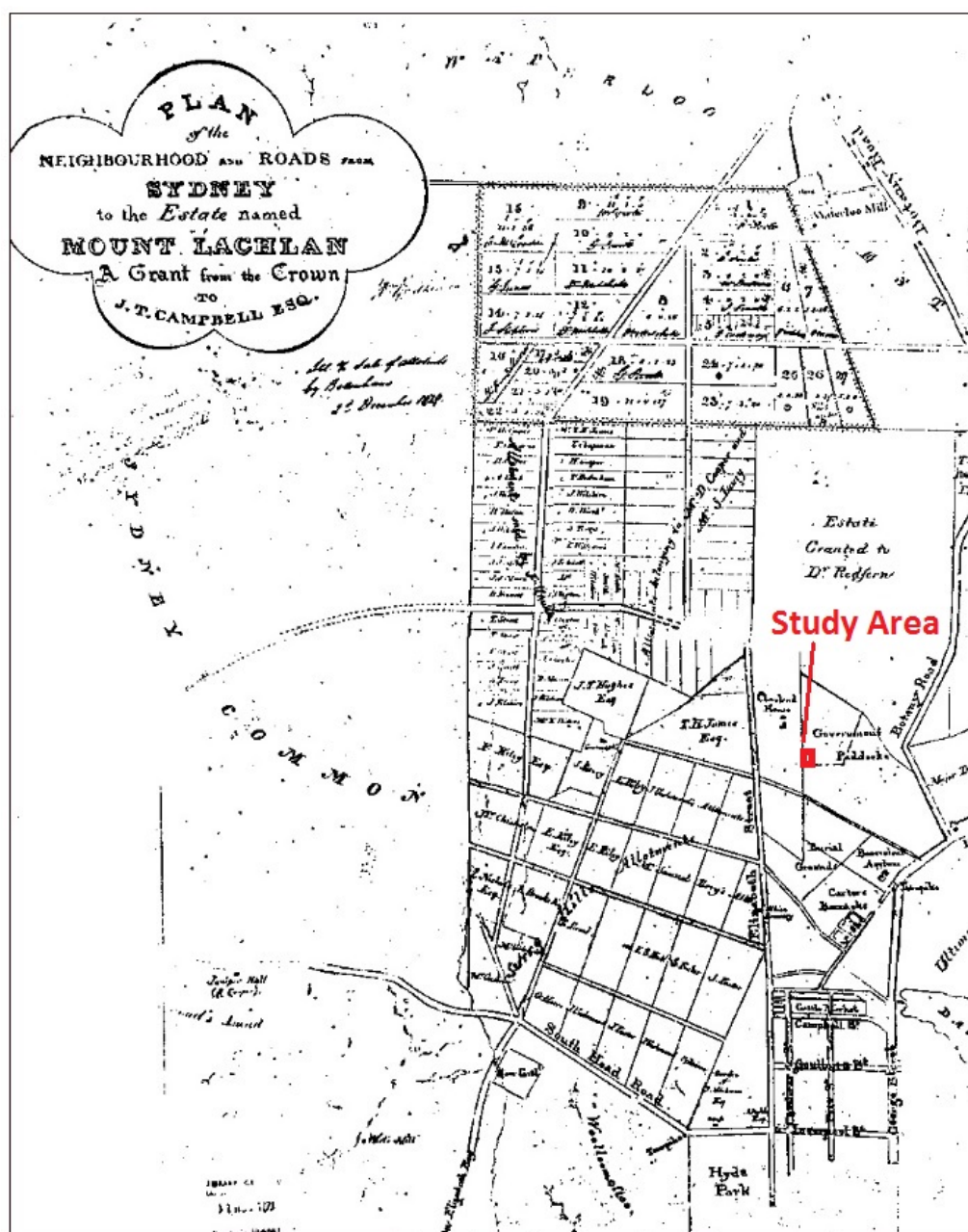
Such vegetation would have provided a rich and varied food source. Flowers from the *Eucalyptus* and *Banksias* provide a rich nectar. *Acacia* pods can be eaten and the bark used medicinally. This vegetation also supported a variety of animal life associated with Aboriginal diet. This included possums, various wallabies and other small marsupials, as well as birds and lizards. Bark and wood suitable for spears, shields, water and/or food vessels (coolamons) and other implements would have been available from large trees (Low 1989).



However, the urbanisation of Sydney has ensured that the landscape and its vegetation has been dramatically altered and no longer resembles the pre-contact landscape.

## 6.5 Current Land Use and Disturbance

The study area is located in an area first named the Government Paddocks. In 1790 much of the land in Surry Hills was granted for grazing and became privately owned, however the Paddocks remained government property. On the 1829 'Plan for the neighbourhood and roads from Sydney to the estate named Mount Lachlan' (Figure 9) the study area was located within the Government Paddocks. The Paddocks was later named Cleveland Paddocks after Cleveland House was built in the 1820's, by the wealthy ex-convict and merchant Daniel Cooper, on the grant 'Cleveland Gardens' (Keating & Wotherspoon 2009:109).



**Figure 9:** The 1829 'Plan for the neighbourhood and roads from Sydney to the estate named Mount Lachlan' including the Government paddocks (State Library of New South Wales).



The 1849 'Plan of the Grounds in the City of Sydney, proposed to be appropriated for Railway Station and Works', was created prior to the construction of the major railway terminus. The map shows the grounds proposed for the Sydney Railway in green with the crown lands in yellow. The study area is found within the Cleveland Paddocks near Cleveland House (Figure 7).

In an image created by John Rae (Figure 6) showing the turning of the sod in 1850 for the commencement of the railway, a variety of the city's population is seen at the event. Cleveland House can be seen at the far right of the image, with the study area located approximately in the vicinity of the fence and buildings. In this image, Aboriginal people can be seen camped adjacent to the present study area.

In 1855 land was excised from the Paddocks to be used for the Cleveland Street Public School. The site bordered the area of Sydney known at that time as "The Sandhills", between Sydney and Botany Bay.

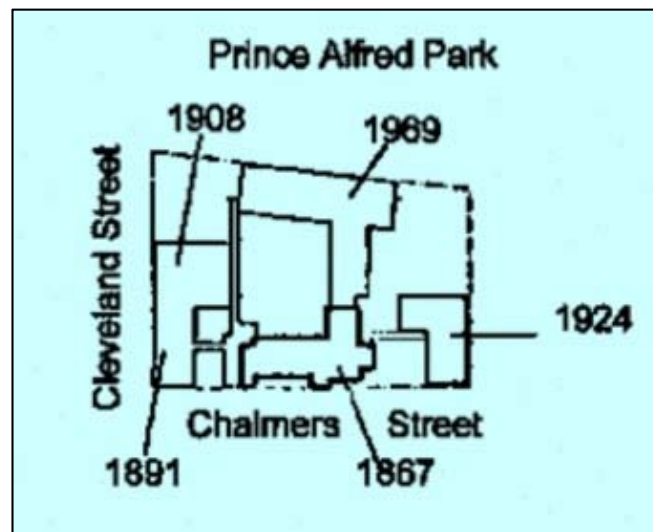
On 25 February 1858, William Wilkins of the Board reported that the school fence was no longer effective as Council had raised the level of Castlereagh Street (which was later renamed Chalmers Street) about 6 feet above the ground level of the school site and the school buildings. This resulted in the school being positioned in a hollow next to the street corner (Kass 2016:8).

The former Cleveland Street Public School established in 1855 began as iron structures which became permanent in 1867 (Figure 10) and remain on the site to this day. The original building occupied a long narrow site and was then extended in 1891 when a site to its west was also resumed to allow expansion of the School (Perumal Murphy Alessi 2015:7).



**Figure 10:** Cleveland Street Public School 1867-68 [State of New South Wales, Department of Education and Training] (Government Schools 2016).

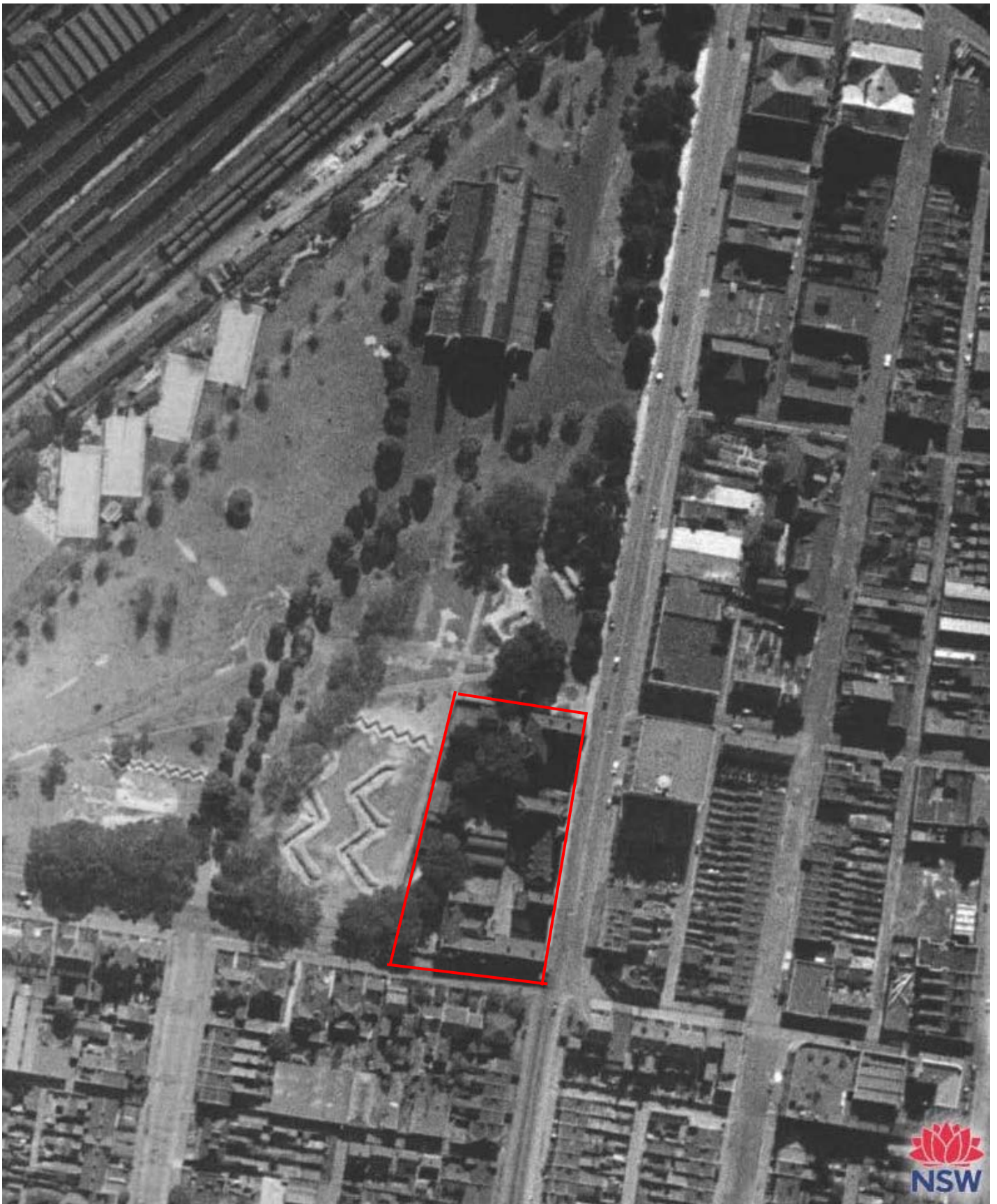
The school requirements for space grew with the student attendance and over the period of the school's history there have been four additions to the original building and changes in grounds. Figure 11 below shows the growth of the school with the original building being constructed in 1867 and subsequent additions in 1891, 1908, 1924 and 1969 (City of Sydney 2016).



**Figure 11:** Cleveland School, 1867 the original building, with additions in 1891, 1908, 1924 and 1969 (City of Sydney 2016).

The remaining area of Cleveland Paddocks was gazetted as a public reserve on 22 December 1865, although it was described in 1869 by Jules Joubert as ‘a quagmire with a filthy drain running across it – a plague spot’ (City of Sydney 2016). Nevertheless, in 1868 it was named after Queen Victoria’s second son, Prince Alfred, then visiting Sydney (City of Sydney 2016). Prince Alfred Park is bounded by Chalmers Street, Cleveland Street and Central Railway, Surry Hills. The study area sits at the corner of the park at the intersection of Cleveland Street and Chalmers Street. Figure 12 shows the study area in 1943.

It would appear that disturbance prior to the construction of the school was minimal. Prior to construction of the school, the site was vacant land, which was excised from the Paddocks in 1855 to allow construction of the school. Figure 11 above shows the various phases of construction and additions to the school. The foundations of these buildings may have disturbed or displaced evidence of Aboriginal occupation, but not removed it. In addition the creek shown in Figures 8 & 9 has since been channelized.



**Figure 12:**1943 aerial showing the study area edged in red (map courtesy of <http://maps.six.nsw.gov.au/>)

# 7.0 ARCHAEOLOGICAL CONTEXT

THE SYDNEY REGION

SYDNEY CBD

STUDY AREA

SITE PREDICTION

## 7.0 ARCHAEOLOGICAL CONTEXT

### 7.1 The Cumberland Plain

Many surveys have been undertaken in the Sydney region which indicate the richness of the archaeological resources and provide information about Aboriginal occupation. In particular, Attenbrow (2002) has excavated a range of sites within the Sydney Basin. The aim of her study was to identify local geographic variation and temporal changes in the subsistence patterns and material culture of the people of this area. She excavated sites at Balmoral Beach, Cammeray, Castle Cove, Sugarloaf Point (Lane Cove River), Darling Mills State Forest, Winston Hills, Vacluse and Cumberland Street in the Rocks. Dates for initial occupation vary from approximately 10,000 years BP at Darling Mills to approximately 450 years BP at Cumberland Street, The Rocks.

The oldest dated occupation for the Sydney region is 30,000 years BP from a site excavated by McDonald at Parramatta. She excavated an area known as the RTA site (McDonald 2005), located at George Street, Parramatta (McDonald 2005) on an alluvial sand terrace running parallel to the Parramatta River. This site provided a sequence of occupation dating from the late Pleistocene through to the mid-Holocene. Although the site had been heavily impacted by development, the sub-surface deposits revealed an “accumulation of evidence from multiple occupation episodes, no doubt occurring at many different times” (McDonald 2005:147). Radiocarbon dating provided a range of dates indicating continuous occupation of the site. The most important date showed that the alluvial sand terrace was possibly first occupied during the late Pleistocene period, about 30,000 years BP and then showed various phases of occupation (McDonald 2005c:107). The earliest date obtained from this site, 30,000 years BP, provides the oldest date for the Sydney Basin (McDonald 2005:4). However, it should be noted that the date was obtained from charcoal in the sieve and not in association with cultural deposits, therefore caution should be exercised when considering this date. The next oldest dated occupation is 15,000 years BP from the Shaws Creek K2 rock shelter on the Nepean River (Kohen 1984; Nanson et al 1987). However, these dates must be considered in association with environmental data related to sea level rises. The Sydney region that we know today was vastly different to the landscape of 15,000-30,000 years ago.

The period of maximum glaciation was 15,000–18,000 years BP. Therefore, the date of the K2 rock shelter, Attenbrow’s Darling Mills site and McDonald’s Pleistocene date, indicate that Aboriginal people lived throughout a period of extreme environmental change. During this period, sea levels were up to 130m below current levels (Nutley 2006:1). About 10,000 years ago as temperatures began rising at the end of the last ice age, the polar ice started melting and sea levels rose. The rising sea levels forced people to abandon coastal sites and move inland, with the result that the oldest coastal sites were inundated. By about 6,000 years ago rising water levels had flooded the coastal plain forming the Sydney landscape that we know today. The vast majority of sites in the Sydney region date to around 5,000 years BP, after sea levels had stabilised. Whilst research into submerged indigenous sites is now being undertaken (Nutley 2006), there are few sites in the Sydney area that are known to date beyond 10,000 years BP. Therefore, research undertaken to date has focused on subsistence patterns and cultural change, e.g. Attenbrow (2003).

Attenbrow’s (2003) study of the “Sydney region” extended from the eastern coast to the Hawkesbury-Nepean River to the north and west and as far south as Picton (2002: xiii), which includes the present study area. At the time of publication (2002), Attenbrow noted that approximately 4,340 Aboriginal sites had been registered with OEH’s Aboriginal Heritage Information Management System (AHIMS) in the Sydney region (Attenbrow 2002:48). Middens and open campsites comprised just over half of the recorded sites (Attenbrow 2002:48-49). From both the archaeological evidence and historical records, she noted that the main focus of occupation was “on the valley bottoms and shorelines” (Attenbrow 2002:47). In addition, the evidence indicates that occupation was greater on the coastal/estuarine environments rather than in the hinterland/freshwater environments and on the Hawkesbury sandstone areas rather than the Wianamatta shales (Attenbrow 2002:51). Her work produced a great deal of information in respect of the people of the Sydney region, their social organisation and land use patterns. Her (2002:152-155) analyses indicates that prior to 5,000 years ago occupation in the Sydney region was not intensive and was only by small groups of people. It was not until sea levels stabilised about 5,000 years ago that more intensive occupation began with many open sites being first occupied in the last 1,500 years.

### 7.2 Sydney

The 1883 publication *Aborigines of Australia* and the 1880 *Journal of the Royal Anthropological Institute* recorded a rock engraving at the area now known as Dawes Point Park, approximately 35km north of the study area. The engraving was either of a whale or a shark with the figure of a man at its head. This engraving has since been destroyed, probably during the construction of the Sydney Harbour Bridge (AHIMS 45-6-0030). Prior to construction of the Harbour Bridge Dawes Point would have been a high rocky point.

In 1985 Lampert excavated a midden and camp site at Mort’s Bond Store, approximately 2.5km north of the study area. The site had



been truncated by construction of the building and was in a highly disturbed condition. It contained shell and bone, as well as stone artefacts manufactured from red and grey silcretes, quartz, quartzite and chert. The artefacts were comprised of flakes, flaked pieces and cores. He hypothesised that the stone material was sourced from quarries on the Cumberland Plain (Lampert 1985).

An engraving was recorded “on upright surfaces in creek bed” at Goat Island (AHIMS 45-6-811). These engravings include a whale, kangaroo and fish. Three disturbed middens have also been recorded on Goat Island, (AHIMS 45-6-0811; 45-6-1957; 45-6-2382). Goat Island is situated at the mouth of Darling Harbour, approximately 4km north of the study area. Goat Island itself is extremely important, as it was recorded in 1798 as being owned by Bennelong, who played a significant role in early Aboriginal-European relations. It was also recorded as being used by Aboriginal people for imprisonment prior to European settlement. Deputy Judge Advocate David Collins, was required by the Colonial Government “...to observe, record and if possible reconcile the Aborigines...”. In 1798 he published details of Bennelong’s relationship to Goat Island. This is the first official, written account of ownership of land by an Aboriginal person (Gollan 1993).

A midden was recorded at Bennelong Point, approximately 3.5km north east of the study area. The shell from this midden had been collected by the convicts to burn into lime to provide building mortar (AHIMS 45-6-1615). Another midden was uncovered during building works near the historic building “Lilyvale” on the corner of Cumberland and Essex Streets, The Rocks, approximately 3km north east of the study area. It had been highly disturbed by the construction of terrace houses in the 1830s and was subsequently destroyed by the construction of a hotel (AHIMS 45-6-1853).

During historic excavations in relation to the construction of the eastern distributor at Woolloomooloo, an artefact scatter was uncovered. This site was subsequently excavated by Brayshaw (AHIMS 45-6-2580). This site, which was located near a spring contained 4 silcrete, 4 chert, 2 quartz artefacts plus one quartzite and one chalcedonic silica artefact. They were found at a depth of about one metre in “disturbed topsoil, overlain by fill” (AHIMS 45-6-2580:2).

During historic excavations in respect of development works located approximately 2km north east of the study area, at William Street, an artefact scatter was uncovered. This was subsequently excavated and the artefacts included fine quartz debitage and cores, silcrete flakes and tuff cores and flakes (AHIMS 45-6-2651).

At Angel Place, approximately 2.5km north of the study area, during development works stone artefacts were uncovered. This site was subsequently excavated by Steele who retrieved three broken flaked pieces in “partially disturbed topsoil mixed with alluvial silts” (AHIMS 45-6-2581). Steele also recorded a potential archaeological deposit (PAD) at 589-593 George Street, (AHIMS 45-6-2637), which he subsequently excavated. This site is located approximately 1.5km north of the study area between George, Liverpool, Goulbourn and Sussex Streets. Shell deposits were excavated and it was determined that the shell was most likely not of Aboriginal origin (Steele 2002). In 2002 Steele excavated a site on the corner of Broadway and Mountain Streets in relation to the Quadrant Development (AHIMS 45-5-2629). He uncovered 7 quartz and 6 silcrete artefacts.

Steele (2006) also undertook an assessment and excavations at a development site bound by Kent, Erskine, Napoleon and Sussex Streets, which became known as the KENS site. He retrieved a large assemblage of 952 artefacts which were predominately manufactured from silcrete with some tuff and quartz artefacts (Steele 2006:97). He interpreted the site as being occupied between 2,800 BP to 1788.

Steele further recorded PAD at 14-28 Ultimo Road, the site of the Dr Chau Chak Wing Building at the University of Technology, Sydney (AHIMS 45-5-2979). The site card contains recommendations to obtain an AHIP and undertake test excavations. A copy of Steele’s (2011) report could not be located and therefore the results of those test excavations is unknown.

In 2011 Higgs recorded an isolated fragment of a large retouched flake which may have been made of petrified wood (AHIMS 45-5-2987) at the corner of Quay Street and Ultimo Road, the Haymarket. The artefact was found in spoil which was removed from a post hole. It was considered that the artefact was not in its original position and that it was unlikely that further Aboriginal objects would be uncovered. An AHIP was acquired for the removal of the object, however no further Aboriginal objects were located.

Higgs further recorded a potential archaeological deposit at 435-473 Wattle Street Ultimo (AHIMS 45-5-3071). The western boundary of the property is Blackwattle Lane, which is named for its alignment with Blackwattle Creek. The site card recommends test excavations, however no indication is provided if those excavations were undertaken.

Diyan Coe recorded a midden in Wynyard Street Sydney (AHIMS 45-5-2597), however the description provided on the site card states “100m south of Redfern Station come to a park on west side of street”. The coordinates provided on the AHIMS site card place the midden between Botany Road and Wyndham Street Redfern. It is considered that the site is located on Wyndham Street, Redfern, approximately 1km to the south west of the present study area, not in Wynyard Street, Sydney. No further details are provided.

Allan Madden of the Metropolitan Local Aboriginal Land Council recorded a PAD at the corner of Mountain Street and Broadway, Ultimo (45-5-2680). The AHIMS site card indicates that a permit for test excavations was obtained by Wheeler, however no

information could be found detailing the results of those test excavations.

AHIMS site 45-5-0647 was first recorded by John Mann in 1883 when he described and illustrated rock engravings within what is now known as Centennial Park at a meeting of the Geographical Society of Australasia. He wrote

*A flat rock near the Association Ground, Sydney Common, was covered with the representations of kangaroo, opossum, fish, boomerangs, &c. (cited in Attenbrow 2002:11).*

His drawing includes two fish, two macropods (kangaroos or wallabies), an axe or club-like object and an indeterminate outline. Campbell (1899:10) also recorded this site in *Aboriginal Carvings of Port Jackson and Broken Bay*. His description states that

*...on a flat rock in a saddle of the ridge between the Pastoral and Agricultural Society's Ground and the Centennial Park, on the old cart-track crossing which is now Darvall-street, below an old quarry.*

*Description: the group comprises two boomerangs, portions of a kangaroo or wallaby, a waddy or a stone tomahawk. Mr FJ Man. Licensed Surveyor, who informed the writer of this group, saw it fully forty-five years ago, and states that there were other figures visible then; these have now disappeared in consequence of cart traffic wearing away the rock...(cited in Attenbrow 2002:12).*

The site has since been registered with AHIMS based on the information recorded by Mann and Campbell, however the site has been destroyed.

A rockshelter with art (45-5-0675) was recorded by McCarthy and then registered with the AHIMS database by Guider at Queens Park. The site is described as a rock shelter facing northwest with a view across the entirety of Centennial Park and the city of Sydney. The shelter has a rocky floor and has been subjected to vandalism since 1899. The art is described as 27 white hand stencils, one white fish stencil and six white unknown stencils. He also records a "natural rock slippery -dip which appears to have been worn down over a long period of time possibly by Aboriginal children. European children still use it frequently and its surface is shiny and smooth." (AHIMS Site Card 45-5-0675). Attenbrow inspected the rock shelter in 2002 and states that only a few stencils were barely visible and large areas of the back wall are covered in graffiti.

Attenbrow describes a single stone artefact held at the Australian Museum which was collected from the Sydney Cricket Ground. The object is a silcrete flake with rounded edges and highly polished surfaces. The artefact was inspected by use-wear and residue specialist Dr Richard Fullagar who suggested that "its glossy state and wear was reminiscent of a gizzard stone – perhaps it had been swallowed by an emu and passed through?" (Attenbrow 2002: 15).

In 2014 Artefact Heritage recorded an artefact scatter (45-5-3155) under a former carpark area at Moore Park Tennis Centre. The two artefacts, comprising of a silcrete and a mudstone flake, were retrieved during test excavations for the proposed light rail network. Salvage excavations were later undertaken but it does not appear that any further Aboriginal objects were identified.

In 2008 Comber undertook an assessment of the Darling Walk site at Darling Harbour and predicted that it was possible for subsurface Aboriginal sites to exist on the site. In 2009 (Comber 2012) she excavated the site prior to redevelopment into the present Darling Quarter. She uncovered a midden with charcoal and 10 predominantly chert artefacts (eight chert, one silcrete, and one quartz artefact).

Comber also undertook an assessment and excavations on the western side of Darling Harbour at the site of the former Sydney Convention and Exhibition Centre and surrounds (presently being redeveloped into the Sydney International Convention, Exhibition and Entertainment Precinct). Those excavations (Stening 2016) revealed a sequence of middens along the rocky foreshore of the harbour with 63 predominantly silcrete artefacts being collected. One of the middens appeared to be in situ with a knapping floor adjacent to it. Radiocarbon dating results on this midden indicate that it dates to approximately 300 years BP.

The majority of these sites have been uncovered during historical archaeological excavations in relation to development proposals. A few of the sites were recorded at contact. None have been recorded and analysed as a result of a systematic assessment. However, all of these sites are located in the coastline/estuarine environment on Hawkesbury Sandstone. These locations confirm Attenbrow's model of coastal occupation that occupation was greater in these environments and on the Hawkesbury Sandstone than in the hinterland/freshwater environments.

### 7.3 Study Area

A search of OEH's AHIMS database on 20 July 2016 indicates that there are no known sites within the study area.



## 7.4 Site Prediction

On the basis of the environmental and archaeological information detailed above, it could be predicted that the study area contains high archaeological potential. It is located between two second order streams, was in an area which contained abundant resources and the historical record indicated that the area was a favoured camp ground. The site types that could be expected would be:

1. *Artefact scatters*

These sites are characterised by surface or sub-surface scatters of stone artefacts or artefacts embedded in deposits.

2. *Isolated finds*

Single artefacts which may be the result of tool loss, abandonment or maintenance may be found. They may also be indicators of otherwise buried sites or the only remains of heavily disturbed sites.

3. *Shell Middens*

'Midden' is a term borrowed from the Danish. It originally applied to the accumulations of shell and other food remains left by Mesolithic people in that country.

Australian Midden sites are an accumulation of hearth and food debris, which has built up a deposit on the ground surface over a length of time. Middens are usually comprised of charcoal and either freshwater or coastal shell species, depending on the site's location. Midden sites may also contain stone artefacts, and the food refuse of other native animals such as small mammals. Coastal shell middens are often found in close association with rock platforms. Freshwater shell middens are found in close proximity to areas that provided freshwater mussels. Middens can contain artefacts and/or burials.

Given that the study area is located on a small creek and is surrounded by swamps it is possible that shellfish was available.

Scarred or carved trees are not expected as the property has previously been cleared. Similarly, rock shelters, paintings, engravings or axe grinding grooves are not expected, as the study area does not contain rock outcrops suitable for such site types.

# 8.0 SITE INSPECTION

RESULTS  
SUMMARY

## 8.0 SITE INSPECTION

### 8.1 Results

A pedestrian survey of the study area and surrounding Prince Alfred Park was undertaken on 30<sup>th</sup> June 2016. It was observed that the study area does not contain original surfaces. The ground is covered by buildings, asphalt and modern garden beds.

The historic research indicates that prior to the construction of the school, the site was part of the Government Paddocks and possibly used for grazing. Prior to the construction of the school the site was vacant land and an area of significance to the Cadi.

There is a marked difference between the ground level of the study area and Chalmers Street and Cleveland Street. As previously detailed this resulted from the raising of the street by about 6 feet (approximately 1.8m) in 1858 when Chalmers Street (formerly known as Castlereagh Street) was raised above the ground level of the school site and the school buildings (Kass 2016:8).

### 8.2 Summary

The study area was an important camping and ceremonial ground for Aboriginal people prior to and post colonisation. It contained a creek and was close to swamps and wetlands which would have provided a wide range of resources. Historical information indicates that Aboriginal people continued camping in the area till at least 1850. The historical information indicates that prior to construction of the school the area was part of the Government Paddocks possibly used for grazing. It is highly likely that evidence of Aboriginal occupation still remains beneath the school buildings. Whilst the foundations for the buildings would have disturbed and displaced Aboriginal objects, it is highly unlikely that they were destroyed by construction of the school.

The study area is in an area of high archaeological potential. It is located adjacent to Blackwattle Creek and approximately 1.5km north of the present alignment of Shea's Creek, both second order creeks. The study area is also located within a highly resource rich swampland which extends from the University of Sydney to Centennial Park. The predictive model developed by McDonald and Mitchell indicates that it is highly likely that subsurface archaeological deposits will exist within the study area. In addition, OEH's *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* details the archaeological importance of certain landscape features, including a water source. The *Due Diligence* guidelines state that if the proposed activity is "within 200m of waters" then there may be a need to apply for an Aboriginal Heritage Impact Permit (AHIP), particularly if the background research indicates the likelihood of Aboriginal objects existing within the property.

As Aboriginal "objects" are highly likely to exist within the study area and it is an offence to "harm" such "objects", it will be necessary to undertake archaeological testing prior to the commencement of any proposed redevelopment of the site which would impact upon the ground surface, i.e., if the redevelopment includes excavation of the site for additional buildings or basements. The aim of the testing would be to determine if Aboriginal objects exist within the study area and their nature and extent. If Aboriginal objects are uncovered a program of archaeological salvage should be undertaken and the objects lodged with the Australian Museum. OEH's *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) details the manner in which such testing and salvage should be undertaken. Normally an AHIP would be required for such testing and salvage, however, as this project is a State Significant development an AHIP will not be required for the program of testing and salvage.

Prior to such testing Aboriginal community consultation should be undertaken in accordance with OEH's *Aboriginal cultural heritage consultation requirements for proponents 2010*. A Research Design which clearly outlines the proposed methodology for the testing and salvage will also need to be prepared in consultation with the Aboriginal community.

# 9.0 SIGNIFICANCE ASSESSMENT

PREAMBLE

ASSESSMENT

STATEMENT OF SIGNIFICANCE

## 9.0 SIGNIFICANCE ASSESSMENT

### 9.1 Preamble

Significance assessment is the process whereby sites or landscapes are assessed to determine their value or importance to the community.

A range of criteria have been developed for assessing the significance which embody the values contained in the Burra Charter. The Burra Charter provides principles and guidelines for the conservation and management of cultural heritage places within Australia.

Following are the criteria which will be used to assess the Aboriginal significance of the study area:

**Social Value** (sometimes termed “Aboriginal” value) which refers to the spiritual, traditional, historical or contemporary associations and attachments which the place or area has for the present day Aboriginal community.

**Historic Value** refers to an item is important in the course, or pattern, of NSW’s cultural or natural history.

**Research Potential** an item has potential to yield information that will contribute to an understanding of NSW’s cultural or natural history.

**Rarity** refers to an item that possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area).

**Representativeness** an item is important in demonstrating the principal characteristics of a class of NSW’s cultural or natural places or cultural or natural environments (or a class of the local area’s cultural or natural places or cultural or natural environments).

### 9.2 Assessment

#### Social Values

Early descriptions by Collins in 1793 indicate that this was a highly significant area to the Aboriginal community. He describes the Aboriginal people of Sydney choosing a location encompassing the study area for “the performance of any of their rites and ceremonies” indicating the significance of the area to the Aboriginal community. The area continued to be used as an Aboriginal ceremonial and meeting place throughout the following years and a “place whence they derived so many comforts and so much shelter in bad weather” (Collins 1802:Oct 1976). A painting by John Rae shows Aboriginal people camping at the site in 1850 at the same time that Europeans were celebrating the construction of the railway.

#### Historic Values

The study area lies within an important trade and movement corridor between Cockle Bay and Botany Bay for Aboriginal people. It demonstrates the historic values associated with the occupation and ceremonial use of the site demonstrating Aboriginal lifeways.

#### Research Potential

Prior to the arrival of Europeans, the study area was an attractive location for Aboriginal people as it had access to Blackwattle Creek, Shea’s Creek, Cockle Bay and the extensive surrounding swamplands which extended from the University of Sydney to Centennial Park. The importance of the site continued throughout the contact period. Archaeological investigations have the potential to reveal substantial information about the precontact and contact Aboriginal occupation of the study area and immediate surrounds and contribute further information about the Aboriginal occupation of the Sydney Basin.

#### Rarity

The Botany Lowlands sand dunes are a rare example of an Aeolian sand body which has the potential to contain thousands of years of evidence of Aboriginal occupation. The study area itself is a rare example of an Aboriginal ceremonial and meeting place and campsite in the Sydney Basin as described by Collins in 1793.

### Representativeness

The study area is an important and good representative example of a ceremonial and meeting place and campsite within the Sydney Basin which can provide significant information about the precontact and contact Aboriginal occupation of the area.

### 9.3 Statement of Significance

Early descriptions by Collins in 1793 indicate that this was a highly significant area to the Aboriginal community. He describes the Aboriginal people of Sydney choosing a location encompassing the study area for “the performance of any of their rites and ceremonies” indicating the significance of the area to the Aboriginal community. The area continued to be used as an Aboriginal ceremonial and meeting place throughout the following years and a “place whence they derived so many comforts and so much shelter in bad weather” (Collins 1802:Oct 1976). A painting by John Rae shows Aboriginal people camping at the site in 1850 at the same time that Europeans were celebrating the construction of the railway. The study area lies within an important trade and movement corridor between Cockle Bay and Botany Bay for Aboriginal people. It demonstrates the historic values associated with the occupation and ceremonial use of the site demonstrating Aboriginal lifeways. Prior to the arrival of Europeans, the study area was an attractive location for Aboriginal people as it had access to Blackwattle Creek, Shea’s Creek, Cockle Bay and the extensive surrounding swamplands which extended from the University of Sydney to Centennial Park. The importance of the site continued throughout the contact period. Archaeological investigations have the potential to reveal substantial information about the precontact and contact Aboriginal occupation of the study area and immediate surrounds and contribute further information about the Aboriginal occupation of the Sydney Basin. The Botany Lowlands sand dunes are a rare example of an Aeolian sand body which has the potential to contain thousands of years of evidence of Aboriginal occupation. The study area itself is a rare example of an Aboriginal ceremonial and meeting place and campsite in the Sydney Basin as described by Collins in 1793. The study area is an important and good representative example of a ceremonial and meeting place and campsite within the Sydney Basin which can provide significant information about the precontact and contact Aboriginal occupation of the area.

This site is of State heritage significance due to its social, historic and rarity values.

# 10.0 RECOMMENDATIONS



## 10.0 RECOMMENDATIONS

The following recommendations are made on the basis of:

- The provisions of the National Parks & Wildlife Act 1977 which states it is an offence to harm or desecrate an Aboriginal object.
- The results of the assessment detailed in this report.

### IT IS THEREFORE RECOMMENDED THAT:

1. In accordance with the SEARS and prior to any redevelopment of the site Aboriginal community consultation should be undertaken in accordance with OEH's Aboriginal *Cultural Heritage consultation requirements for proponents 2010* and an Aboriginal Cultural Heritage Assessment report (ACHAR) prepared, detailing the results of the consultation. This report should be appended to the ACHAR.
2. Once the above consultation has been undertaken, archaeological testing to determine the nature and extent of any archaeological deposit should be undertaken in consultation with the Registered Aboriginal Parties, prior to any bulk excavation, piling, redevelopment or any activity that disturbs the ground surface.
3. If archaeological objects are uncovered a program of archaeological salvage should be undertaken, in association with the Registered Aboriginal Parties, prior to any redevelopment of the site. This should be undertaken immediately after the testing.

# REFERENCES

## REFERENCES

- Attenbrow V. 2002a. Sydney's Aboriginal Past: investigating the archaeological and historical records, UNSW Press, UNSW, Sydney.
- Attenbrow V. 2002b. Pre-colonial Aboriginal land and resource use in Centennial, Moore and Queens Parks – assessment of historical and archaeological evidence for Centennial Parklands Conservation Management Plan. Unpublished report to Conybeare Morrison & Partners.
- AHMS 2015. Central to Eveleigh Corridor: Aboriginal and historical Heritage Review for UrbanGrowth NSW. Unpublished Report.
- Baker M. 1986. Native Plants of the Sydney Region. Three Sisters Productions, Winmalee.
- Barratt G. 1981. The Russians at Port Jackson 1814-22, Australian Institute of Aboriginal Studies, Canberra.
- Brook & Koehn. 1991. The Parramatta native Institution and the Black Town: A history. Southwood press, Marrickville.
- Capell A. 1970. Aboriginal languages in the south central cost, New South Wales. Fresh Discoveries. Oceania 41:20-7.
- City of Sydney. 2012. Sydney Local Environmental Plan 2012 No. 628.
- City of Sydney. 2013. History of Prince Alfred Park. New South Wales Government, viewed 14 July 2016, <http://www.cityofsydney.nsw.gov.au/learn/sydneys-history/people-and-places/park-histories/prince-alfred-park>.
- Cleveland Street Intensive High School, 2016. School History. Cleveland Street Intensive High School, viewed 29 June 2016, <http://www.clevelandi-h.schools.nsw.edu.au/school-history>.
- Collins D. 1975. An account of the English colony of New South Wales. Two volumes (1798 & 1802). A. W. & H. R. Reed, Sydney.
- Herbert, C (ed). 1983 Geology of the Sydney 1:100,000 Sheet. New South Wales. Department of Mineral Resources, Sydney.
- Comber Consultants. 2012. Darling Quarter (formerly Darling Walk), Darling Harbour. Unpublished Report for Casey & Lowe on Behalf of Lend lease.
- DET 2010. <http://www.dec.nsw.gov.au/detresources/about-us/statistics-and-research/key-statistics-and-reports/heritage.pdf>
- Government Schools 2016. [http://www.governmentschools.det.nsw.edu.au/photogallery/album01/ph\\_govtschools\\_19\\_text.htm](http://www.governmentschools.det.nsw.edu.au/photogallery/album01/ph_govtschools_19_text.htm)
- Kass T, Liston C & McClymont J. 1996 Parramatta: a past revealed, Parramatta City Council
- Keating C & Wotherspoon G. 2009. [http://dictionaryofsydney.org/entry/surry\\_hills](http://dictionaryofsydney.org/entry/surry_hills)
- Low T. 1989. Bush Tucker – Australia's Wild Food Harvest. Angus and Robertson.
- Mathews RH. 1901a The Gundungurra language. Proceedings of the American Philosophical Society XL (167):140-148.
- Mathews RH. 1901b The Thurrawal language, including the Gundungurra and Dharruk languages, with vocabularies. Journal and Proceedings of the Royal Society of New South Wales 35:127-160.
- McDonald Jo CHM PTY LTD. 2005 Archaeological Salvage Excavation of Site RTA-GI 109 – 113 George Street Parramatta NSW. Report to Landcom.
- McIntyre Bruce M. 1946. Report on "Sunny Hills": a practical town plan for Surry Hills. City Engineer's Department, The Municipal Council of Sydney.
- Mulvaney J & Kaminga J. 1999. Prehistory of Australia. Allen and Unwin, St Leonards, NSW.
- OEH 2010. Code of Practice for Archaeological Investigations in New South Wales. Department of Environment, Climate Change and Water NSW, Sydney South.
- OEH 2016. <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2424814>
- Perumal Murphy Alessi. 2015. Former Cleveland Street Primary School, No. 244 Cleveland Street, Surry Hills. Unpublished Report for the Department of Education.

Tench. 1789,1793 [1979] Sydney's First Four Years, being a reprint of A Narrative of the Expedition to Botany Bay, and A Complete account of the Settlement at Port Jackson. Fitzhardinge, LF (ed.). Library of Australian History in association with Royal Australian Historical Society, Sydney.

Thorne Les G. Sydney: Angus & Robertson, 1979

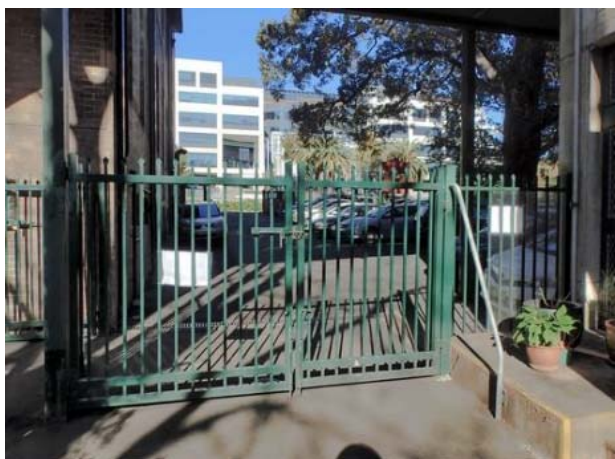
Turbet P 1989. The Aborigines of the Sydney District before 1788. Kangaroo press, Kenthurst.

# PHOTOGRAPHS

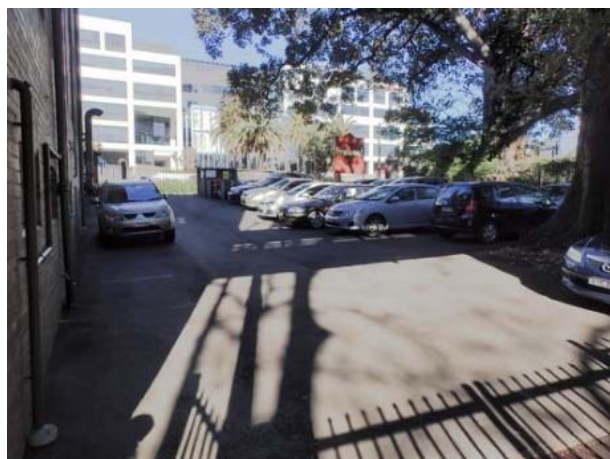
## PHOTOGRAPHS



**Photograph 1:** Open area in south east of property. Camera facing south east.



**Photograph 2:** Car park gate in south west of property. Camera facing south.



**Photograph 3:** Car park in south west of property. Camera facing south.



**Photograph 4:** Car park in south west of property. Camera facing west.



**Photograph 5:** Car park gate in south west of property. Camera facing north west.





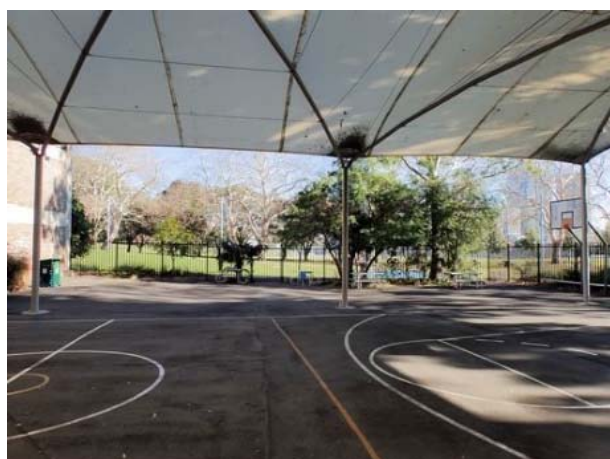
**Photograph 6:** Central area of property under walkway. Camera facing north.



**Photograph 7:** Open area in north west of property. Camera facing south east.



**Photograph 8:** Open area in centre of property. Camera facing north east.



**Photograph 9:** Open area in north of property. Camera facing west.

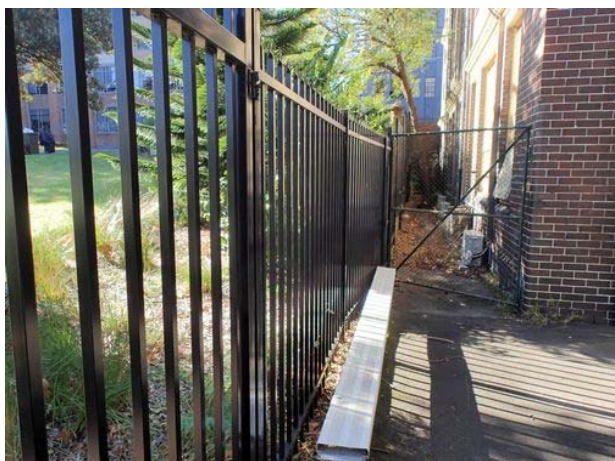


**Photograph 10:** Open area in north east of property. Camera facing east.



**Photograph 11:** Open area in north east of property. Camera facing north east.





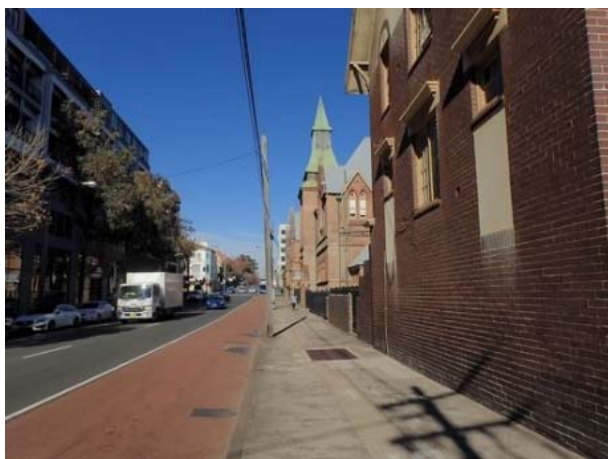
**Photograph 12:** North east corner of property. Camera facing est.



**Photograph 13:** North east corner of property. Camera facing est.



**Photograph 14:** Cleveland Street facing east from south west corner of study area



**Photograph 15:** Chalmers Street facing south from north east corner of study area



**Photograph 16:** Prince Alfred park and study area boundary facing north from south west corner of study area



**Photograph 17:** Cleveland Street facing west from south west corner of study area





**Photograph 18:** Cleveland Street facing east from south west corner of study area



**Photograph 19:** Cleveland Street facing east from south west corner of study area



**Photograph 20:** Prince Alfred park facing north from north west corner of study area



**Photograph 21:** Prince Alfred park and study area boundary facing south from north west corner of study area

# APPENDIX A:

AHIMS EXTENSIVE SEARCH



## APPENDIX A: AHIMS EXTENSIVE SEARCH



# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Cleveland

Client Service ID : 235113

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-6-2597	Wynyard St Midden	AGD	56	333469	6247920	Open site	Valid	Shell : -, Artefact : -	Midden	102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>		
45-6-0647	Centennial Park	AGD	56	336273	6247961	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>							<u>Permits</u>		
45-6-2629	Broadway 1	AGD	56	333060	6249100	Open site	Valid	Artefact : -		102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>	1299	
45-6-2637	George street 1	AGD	56	333860	6249880	Open site	Valid	Artefact : -		98238,102494, 102763,10276 5
	<u>Contact</u>							<u>Permits</u>	1369	
45-6-2651	William St PAD	AGD	56	334800	6250220	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>	1589,1670	
45-6-2652	Ultimo PAD 1	AGD	56	333450	6250000	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>	1598	
45-6-2666	Wattle Street PAD 1	AGD	56	333150	6249450	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>	1738	
45-6-2663	Mountain Street Ultimo	AGD	56	333300	6249400	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -		102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>	1719	
45-6-2680	Broadway Picture Theatre PAD 1	AGD	56	333150	6249000	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102142,10249 4,102763,1027 65
	<u>Contact</u>							<u>Permits</u>	1854	
45-6-2687	Crown Street PAD 1	AGD	56	334950	6250300	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,10276 3,102765
	<u>Contact</u>							<u>Permits</u>	2017	
45-6-2745	University of Sydney Law Building PAD	AGD	56	332350	6248740	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102201,10249 4,102763,1027 65

Report generated by AHIMS Web Service on 20/07/2016 for Alandra Tasire for the following area at Lat, Long From : -33.904, 151.1826 - Lat, Long To : -33.873, 151.2318 with a Buffer of 50 meters. Additional Info : Archaeological Assessment. Number of Aboriginal sites and Aboriginal objects found is 19

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.



## AHIMS Web Services (AWS)

### Extensive search - Site list report

Your Ref/PO Number : Cleveland

Client Service ID : 235113

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	<b>Contact</b>	<b>Recorders</b>		Doctor Jo McDonald				<b>Permits</b>	2153,2320,2443	
45-6-2767	Tent Embassy	AGD	56	332680	6248680	Open site	Valid	Aboriginal Resource and Gathering : 1		102494,102763,102765
	<b>Contact</b> T Russell	<b>Recorders</b>		Bill Lord				<b>Permits</b>		
45-6-2822	USYD: Central	AGD	56	332750	6248550	Open site	Valid	Artefact : -		100302,102494,102763,102765
	<b>Contact</b>	<b>Recorders</b>		Jo McDonald Cultural Heritage Management				<b>Permits</b>	2554	
45-6-2979	UTS PAD 1 14-28 Ultimo Rd Syd	GDA	56	333650	6249590	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,102763,102765
	<b>Contact</b>	<b>Recorders</b>		Dominic Steele Archaeological Consulting, Mr. Dominic Steele				<b>Permits</b>	3458	
45-6-3071	445-473 Wattle Street PAD	GDA	56	333285	6249412	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	<b>Contact</b>	<b>Recorders</b>		Biosis Pty Ltd - Sydney				<b>Permits</b>		
45-6-2987	Poultry Market 1	GDA	56	333746	6249575	Open site	Valid	Artefact : 1		102494,102763
	<b>Contact</b>	<b>Recorders</b>		Ms. Samantha Higgs, Biosis Pty Ltd - Canberra				<b>Permits</b>	3506	
45-6-3064	445-473 WATTLE ST PAD	GDA	56	333285	6249412	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		102763
	<b>Contact</b>	<b>Recorders</b>		Biosis Pty Ltd - Sydney				<b>Permits</b>		
45-6-3152	168-190 Day Street, Sydney PAD	GDA	56	333877	6250257	Open site	Not a Site	Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>		Mr. Josh Symons, Mr. Alex Timms				<b>Permits</b>	3789	
45-6-3155	Moore Park AS1	GDA	56	335613	6247909	Open site	Destroyed	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>		Artefact - Cultural Heritage Management, Mr. Josh Symons, Mr. Alex Timms				<b>Permits</b>		

Report generated by AHIMS Web Service on 20/07/2016 for Alandra Tastre for the following area at Lat, Long From : -33.904, 151.1826 - Lat, Long To : -33.973, 151.2318 with a Buffer of 50 meters. Additional Info : Archaeological Assessment. Number of Aboriginal sites and Aboriginal objects found is 19

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.





ARCHAEOLOGY - HERITAGE - MEDIATION - ARBITRATION

COMBER CONSULTANTS PTY LTD

ABN 96 109 670 573

76 EDWIN STREET NORTH

CROYDON, NSW, 2132

T 02 9799 6000

F 02 9799 6011

[www.comber.net.au](http://www.comber.net.au)

DIRECTOR

**JILLIAN COMBER**

ASSOCIATE DIRECTOR, SYSTEMS

**DAVID NUTLEY**

ASSOCIATE DIRECTOR, PROJECTS

**TORY STENING**