

**Gap Bluff Centre, South Head  
Sydney Harbour National Park**

**Aboriginal Heritage Due Diligence Assessment**

**EXHIBITION DRAFT**

Report prepared for Gap Bluff Hospitality Pty Ltd

June 2015



## Report Register


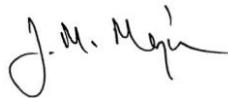
The following report register documents the development and issue of the report entitled Gap Bluff Centre, South Head, Sydney Harbour National Park—Aboriginal Heritage Due Diligence Assessment, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

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## Quality Assurance

GML Heritage Pty Ltd operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2008.

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

<b>Project Manager:</b>	Julia Dowling	<b>Project Director &amp; Reviewer:</b>	Janine Major
<b>Issue No.</b>	2	<b>Issue No.</b>	2
<b>Signature</b>		<b>Signature</b>	
<b>Position:</b>	Associate	<b>Position:</b>	Associate
<b>Date:</b>	12 June 2015	<b>Date:</b>	12 June 2015

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## 1.0 Introduction

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### 1.1 Background

GML Heritage Pty Ltd (GML) has been engaged by Gap Bluff Hospitality Pty Ltd to prepare an Aboriginal Heritage Due Diligence Assessment for the proposed adaptation of various properties in South Head, Sydney Harbour National Park (Figure 1.1). The properties include three buildings at Gap Bluff, two at Camp Cove and one at Green Point (the study area). This report forms part of the Review of Environmental Factors for the study area prepared under Part 4 of the *Environmental Planning and Assessment Act 1979*.

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

This report does not provide a significance assessment of any Aboriginal sites, places and/or values. This project does not follow the OEH guidelines for Aboriginal community consultation. Recommendations are provided as to whether further Aboriginal heritage assessment and management will be necessary.

This report was prepared by Dr Tim Owen, GML Associate, with review by Dr Janine Major, GML Associate.

### 1.2 South Head, Sydney Harbour National Park CMP Vol. 3, 2008

In 2008 Jillian Comber prepared Volume 3 Aboriginal Archaeological Cultural Heritage Assessment of the South Head Sydney Harbour National Park Conservation Management Plan (CMP) 2008<sup>1</sup>, for the National Parks and Wildlife Service (NPWS). The CMP was to be developed in two stages: Stage 1—site recording and significance assessment; and Stage 2—formulation of conservation policies and management recommendations. Although Stage 1 was completed Stage 2 was not commenced.

Stage 1 of the CMP provides extensive details of the local environmental context and archaeological context; a review of all relevant literature; a rigorous investigation of the OEH Aboriginal Heritage Information Management System (AHIMS); and presents an understanding of the status of Aboriginal sites in the area. The significance assessment defines whether those Aboriginal sites identified held social, historic, scientific and aesthetic values.

This Aboriginal heritage due diligence report is based on the outcomes of the CMP Stage 1, and, in the absence of the Stage 2 CMP, provides Aboriginal heritage management recommendations in line with current OEH guidelines under the *National Parks and Wildlife Act 1974 (NSW)*.

This report should be read in conjunction with the CMP; it does not reiterate the background information or literature review presented in the CMP.

### 1.3 NSW Legislation Relevant to Aboriginal Heritage

In NSW Aboriginal heritage is principally protected under two Acts:

- the *National Parks and Wildlife Act 1974 (NSW)* (NPW Act); and

- the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

### 1.3.1 National Parks and Wildlife Act 1974

All Aboriginal cultural material receives statutory protection under the NPW Act. If Aboriginal cultural material is found, the Office of Environment and Heritage (OEH) must be informed under Section 89A of the NPW Act.

New offences relating to the harm to, or desecration of, an Aboriginal object or declared Aboriginal Place were introduced with the *NPW Amendment (Aboriginal Objects and Places) Regulation 2010* on 1 October 2010. The definition of ‘harm’ now includes to destroy, deface, damage or move an Aboriginal object or declared Aboriginal Place. The OEH has stated:

*The most significant change is the introduction of tiered offences and penalties. Offences committed with knowledge, in aggravating circumstances or in relation to an Aboriginal Place will attract higher penalties than previously. There is a new strict liability offence of harming Aboriginal objects and of harming or desecrating Aboriginal Places.<sup>2</sup>*

The strict liability offence of harming Aboriginal objects has a number of defences. The two defences relevant to this project include the statutory defence of due diligence through complying with an adopted industry code of practice (see due diligence below) or compliance with the conditions of an Aboriginal Heritage Impact Permit (AHIP).

### 1.3.2 Environmental Planning and Assessment Act 1979

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

### 1.3.3 Woollahra Local Environmental Plan 2014 (LEP 2014)

The study area is located within the Woollahra Local Government Area (LGA). Schedule 5 of the 2014 LEP details environmental heritage items. One set of Aboriginal ‘carvings’ (rock engravings) is detailed under item 441 (the South Head Artillery Barracks Group). This Aboriginal site is registered under AHIMS as 45-6-0733 (refer to Section 2.1 for further details).

## 1.4 Approach to Aboriginal Heritage Management

In order to administer the NPW Act and EP&A Act, the OEH has issued a series of best practice guidelines and policies. The applicability of these depends upon the approval mechanism for a project. The current project will be assessed and granted approval under Part 4 of the EP&A Act. Therefore the approach to the preparation of this document was based on the following current best practice guidelines:

- DECC *Guide to Determining and Issuing Aboriginal Heritage Impact Permits* (2009);
- DECC *Operational Policy: Protecting Aboriginal Cultural Heritage* (February 2009);
- DECCW *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974* (April 2010);

- DECCW *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (13 September 2010);
- DECCW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (24 September 2010); and
- *Australia ICOMOS Burra Charter, 2013* (the Burra Charter).

## 1.5 Due Diligence Approach

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

Gap Bluff Hospitality Pty Ltd has adopted the *Due Diligence Code of Practice* as a best practice management tool for potential Aboriginal heritage objects, place and values which could be associated with the project.

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

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

The OEH defines due diligence thus:

*Due diligence is a legal concept describing a standard of care. Exercising due diligence means turning your mind to the likely risks of your proposed course of action. It is not enough to perform activities carefully. Due diligence requires consideration of your obligations under, in this case, the NPW Act, and the consideration and adoption of a course of action that is directed towards preventing a breach of the Act.*

*In the context of protecting Aboriginal cultural heritage, due diligence involves taking reasonable and practicable measures to determine whether your actions will harm an Aboriginal object and if so avoiding that harm.<sup>3</sup>*

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

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

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

## 1.6 Description of the Study Area and Context

The project comprises three precincts within the South Head portion of Sydney Harbour National Park: Gap Bluff, Camp Cove and Green Point. These sites (and South Head) are located in the suburb of Watsons Bay, within Woollahra Local Government Area (LGA), approximately 7.5km northeast of Sydney CBD. The site location is shown in Figure 1.1.

A map of the subject site is included as Figure 1.2.

## 1.7 Due Diligence Process

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

- Step 2a—Aboriginal Heritage Information Management System (AHIMS) database search;
- Step 2b—the identification of landscape features that indicate the presence of Aboriginal objects;
- Step 3—discussion with respect to the extent of the development footprint;
- Step 4—desktop assessment and visual inspection; and
- Step 5—further investigation and impact assessment.

## 1.8 Endnotes

- <sup>1</sup> Comber Consultants Pty Ltd, 2008, South Head Sydney Harbour National Park Conservation Management Plan Volume 3—Aboriginal Archaeological Cultural Heritage Assessment, NSW National Parks and Wildlife Service.
- <sup>2</sup> DECCW 2010. NPWS Act 1974. *Fact sheet 1*. September 2010.
- <sup>3</sup> DECCW. 24 April 2009. *Due diligence guidelines for protection of Aboriginal objects in NSW*. Accessed Online.
- <sup>4</sup> DECCW 2010. NPWS Act 1974. *Fact sheet 2*. September 2010.





Figure 1.1 Site location plan. (Source: Google Earth Pro with GML overlay)



Figure 1.2 Site plan. (Source: JPW 2015)

## 2.0 AHIMS and Environment Context

### 2.1 AHIMS Search

The OEH AHIMS database was searched on 20 March 2015, for South Head, Sydney Harbour National Park and the surrounding land. A search of AHIMS aimed to achieve two objectives: firstly, to determine the status of registered Aboriginal sites in the study area, and compare with the results in the 2008 CMP; and secondly, to provide sufficient information to prepare a predictive model for South Head (which was absent from the 2008 CMP). The results of the search are shown in Table 2.1 and Figures 2.1 to 2.3. The wider search area (Figure 2.1) contained 71 previously recorded Aboriginal sites. 18 Aboriginal sites are located within the South Head National Park.

**Table 2.1** Results of the AHIMS Search.

Site Feature	Frequency	Percentage
Burial	1	1.4%
Midden	13	18.3%
Potential Archaeological Deposit (PAD)	5	7%
Rock Engraving	22	30.9%
Rock Engraving with axe grinding groove	1	1.4%
Rock Engraving with midden	1	1.4%
Shelter with Art	8	11.2%
Shelter with Art with deposit	1	1.4%
Shelter with Art with midden	2	2.8%
Shelter with Deposit	4	5.6%
Shelter with Midden	13	18.3%

The AHIMS record shows South Head, Sydney Harbour National Park has a close affinity with coastal-based Aboriginal sites, with a focus on rock engravings and shell middens. Shelter sites appear to have been locations used for ‘camping’ activities, with the ensuing archaeological deposits of stone and shell. Middens are found on the shallow slopes around these shelter sites. Engravings are found on flat exposures of good quality sandstone. The AHIMS record mirrors that of Sydney’s wider coastal region.<sup>5</sup>

### 2.2 Aboriginal Sites Located within South Head, Sydney Harbour National Park

#### 2.2.1 Overview of Aboriginal Sites

An overview of Aboriginal sites registered within South Head, Sydney Harbour National Park is provided in Table 2.2 and Section 5.4 of the 2008 CMP. This report confirms that no further Aboriginal sites have been recorded within this area since 2008. Three of the registered Aboriginal sites are discussed further because they are situated in close proximity to the study area (Table 2.2 and Figure 2.2).

**Table 2.2** Registered Aboriginal Sites Associated with South Head, Sydney Harbour National Park

AHIMS Number	Site Type	2008 Location and Status	2015 Comments
45-6-2353	Burial	Destroyed	Site has been previously destroyed
45-6-0723	Rock Engraving	Destroyed	This site's registration places it within the study area
45-6-0919	Rock Engraving	Destroyed	Site has been previously destroyed
45-6-0714	Rock Engraving	Inside HMAS Watson	Site is located inside HMAS Watson
45-6-0724	Rock Engraving	Inside HMAS Watson	Site is located inside HMAS Watson
45-6-0733	Rock Engraving	Inside HMAS Watson	Site is located inside HMAS Watson. Site is also listed on the LEP
45-6-0920	Rock Engraving	Inside HMAS Watson	This site's registration places it within the study area
45-6-0713	Rock Engraving	Not relocated	Site would be located outside the study area
45-6-0922	Rock Engraving	Not relocated	Site would be located outside the study area
45-6-0096	Shelter with Midden	Not relocated	This site was listed as restricted. AHIMS was contacted with respect to the location. This site is outside the area associated with this project.
45-6-0918	Rock Engraving	Not relocated & not an Aboriginal site	Not an Aboriginal site
45-6-1517	Midden	Relocated 2008	Site is located outside the study area
45-6-1519	Midden	Relocated 2008	Site is located outside the study area
45-6-0715	Rock Engraving	Relocated 2008	Site is located outside the study area
45-6-0716	Rock Engraving	Relocated 2008	Site is located outside the study area
45-6-0921	Rock Engraving	Relocated 2008	Site is located outside the study area
45-6-1665	Rock Engraving	Relocated 2008	Site is located outside the study area
45-6-1666	Rock Engraving	Relocated 2008	Site recorded under AHIMS in the wrong projection system, which places the site in the harbour. Reprojecting shows this site is outside the study area
45-6-1518	Shelter with Midden	Relocated 2008	Site is located outside the study area

### 2.2.2 Site 45-6-0096—Shelter with Midden

Aboriginal site 45-6-0096 is listed on AHIMS as 'Restriction applied. Please contact ahims@environment.nsw.gov.au.' The name and co-ordinates for this site were not provided. (It is therefore not possible to include this site on Figures 2.1 and 2.2.) Comparison of site names in Figure

2.3 against the AHIMS record does not provide further information, as all sites listed in Figure 2.3 are otherwise present in the AHIMS record.

The 2008 CMP describes this site as a shelter with midden. Figure 5 in the 2008 CMP indicates this site is located ~20m northwest of Constable's Cottage, although Section 5.4 details that this site could not be relocated:

*Despite an intensive search in the vicinity of the grid reference and using the locational details on the site recording form, this site could not be located. Sandstone outcrops were noted and investigated. It is possible that this site has been destroyed. It was noted that a sandstone overhang in the area appears as if it may have been damaged; or the site may simply be overgrown. The area of the site was covered in thick vegetation and despite an intensive search within the vegetation the site could not be located.<sup>6</sup>*

As such, the location and details for this site are unknown.

OEH and the La Perouse Local Aboriginal Land Council were contacted with respect to the location of the site and whether relevant further information could be provided. OEH responded with a GIS-based plot showing the location of the site, although no further information was provided, due to restrictions. The Local Aboriginal Land Council did not provide further information.

While the location of the site cannot be disclosed within this report, GML confirms that site 45-6-0096 is not located within 50m of any of the buildings to be developed for the Gap Bluff Centre project. AHIMS mapping indicates that this site is located within the South Head area of Sydney Harbour National Park.

### **2.2.3 Site 45-6-0723—Rock Engraving**

Aboriginal site 45-6-0723 comprises engravings depicting a hammerhead shark, a fish, a bandicoot, kangaroo and six wallabies.

GIS projection locates this site on the southern margin of the carpark adjacent to the Officers' Mess. In 2008 this site was sought but could not be relocated. It was stated that the site had been destroyed. The AHIMS card also confirmed destruction of this site:

*About 4 chains from the sea-cliff and in the lower portion of the "The Gap" at Watons Bay, this group was recorded by Campbell, but has now been destroyed by the construction of buildings and gardens.<sup>7</sup>*

The AHIMS card notes that this site was located ~4 chains (~80.44m) from the cliff edge. Such a distance would place the site below the centre of the car park adjacent to the Officers' Mess. An inspection of the area confirmed that no site was present adjacent to the car park; as such, it is confirmed that this site has been destroyed.

### **2.2.4 Site 45-6-0920—Rock Engraving**

Projection for the 2008 CMP<sup>8</sup> described site 45-6-0960 as 'located within the military land of HMAS Watson',<sup>9</sup> therefore no further investigation of this site was undertaken. However, the GIS projection (undertaken for this report) indicates that site 45-6-0960 is located 8m west of Constable's Cottage.

The AHIMS card provides further clarification on the location of this site:

*According to J.Lough's map locations, there is a site on the rock surface in front of a house in the Army area on South Head. While the rock surfaces are covered in engraved initials and other marks, several of which could possibly have been a remnant of an Aboriginal engraving, nothing was seen which could be conclusively identified as such. One instance of such marks was a long line of small pitted holes, however the absence of any indication that these were ever*

*conjoined and also their existence on so many rocks in other locations, suggest that they are perhaps the result of some more recent activity on South Head.<sup>10</sup>*

A plan of Aboriginal sites on South Head (provided on AHIMS site card 45-6-0715, Figure 2.3), shows that 'Site G' is positioned away from the coast. Site G is annotated on this plan with 'figures not located, either destroyed or very faint'.

An inspection of Constable's Cottage failed to identify this site, although there were rock platforms suitable for engraving sites adjacent to the house, upslope on its western side.

It is possible that site 45-6-0920 may be located west of Constable's Cottage, or may be positioned within HMAS Watson. It is possible that the undated investigation for the site card did not search for this site in the correct location.

## 2.3 Local Landscape Context

Section 3 of the 2008 CMP provided a detailed synopsis of the South Head, Sydney Harbour National Park environment. Reference to this document should be made for further details.

In summary, the study area is located across a rugged sandstone escarpment, abutting gently undulating hills on the upper slopes. The erosional landform pattern has resulted in numerous exposures of sandstone suitable for Aboriginal engraving. South Head, Sydney Harbour National Park is covered by 40% heathland, with some remnant native vegetation. There are no creek lines, natural springs or wetland areas located within the national park.

## 2.4 Predictive Modelling

A predictive model for South Head, Sydney Harbour National Park can be developed on the basis of the regional AHIMS data (Figure 2.1). The predominant Aboriginal site types are middens, shelters (with deposits, engravings or middens), and rock engravings. When the regional pattern of recorded Aboriginal site locations is contrasted against landform and contour data the following statements relating to the position of Aboriginal sites can be made:

- Midden sites—mainly recorded adjacent to the current coastline, below the 20m contour line.
- Engraving sites—have been recorded on flat exposed sandstone rock platforms, or boulders, either on landforms directly adjacent to the coast (below 10m), or on the upper flat crest of a landform, above a break of slope (over 20m). The specific point where the slope changes from a flat to a steep rise (with an incline over 30%), or at the top of the incline, where the sloping landform becomes a flat, appears to be a location where engravings are frequently found. Engravings are also found on elevated flat landforms adjacent to coastal cliffs.
- Rock shelters—have formed on steep landforms, with rises over 30%, where the sandstone rises rapidly from sea level to form a steep slope which rises 20m or more. In this region shelters, with evidence for Aboriginal occupation, appear where the contour lines are most tightly grouped between 6 and 30m above sea level.

Application of the predictive model to the study area indicates that landforms adjacent to the coast are likely to contain midden sites and engravings on suitable flat sandstone surfaces. The landforms on the western side of South Head are generally not steep enough to contain shelters, whereas the cliff landforms on the eastern side of the headland are too steep. The upper flats on elevated ground are suitable for engraving surfaces, especially on those landforms which overlook the cliffs.

## 2.5 Land Use History and Impacts

South Head, Sydney Harbour National Park, has an extensive history connected with long-term Defence management and operations at the headland. This use has resulted in certain locations being impacted by stripping, construction and building activities and Defence use. In order to understand the extent of these impacts, aerial photography from 1943 and 2014 was examined to identify those locations which have been developed or otherwise impacted. A GIS overlay of impacts from the past 72 years has been superimposed over the most recent aerial photography, combined with the locations of registered Aboriginal sites. The outcome is a plan showing those locations which have and have been substantially impacted (Figure 2.4). The analysis was undertaken for landforms surrounding the six NPWS properties subject to this investigation.

Impacts are associated with bush clearing, building construction, landscaping, road and car park construction and fortifications. In those areas where impacts have occurred, the process of construction has been to clear the bush and cut the sandstone bedrock to create a level platform for construction. The outcome is that those locations with impact can be assessed to hold low to no Aboriginal archaeological potential; however, in some instances development has avoided Aboriginal engravings directly adjacent to a building (such as site 45-6-0715).

## 2.6 Synopsis of the AHIMS Search and Landscape Context

Based upon the AHIMS search, it can be concluded that this landscape contains a record of long-term Aboriginal occupation, with evidence for social and spiritual activities (the groups of engravings), contrasted against economic activities (shelters and middens). Despite the extent of development and impact from recent activity, the national park can retain midden and engraving sites, particularly on flat sandstone exposures.

In general the condition of the engravings appears to be poor, with high levels of erosion. As such, there may be difficulty identifying further engravings unless observation under low light (such as early morning or late evening, or moon light) is undertaken.

Construction of the six buildings which are the subject of this investigation appears to have resulted in holistic landform clearance; however, three recorded Aboriginal sites could be located in close proximity to the buildings. Prior investigation suggests that site 45-6-0723 has been destroyed, and this was confirmed through field investigation for this report. Unfortunately the 2008 CMP did not locate sites 45-6-0096 and 45-6-0920. Field investigation has been undertaken to attempt to provide further details on these two sites.

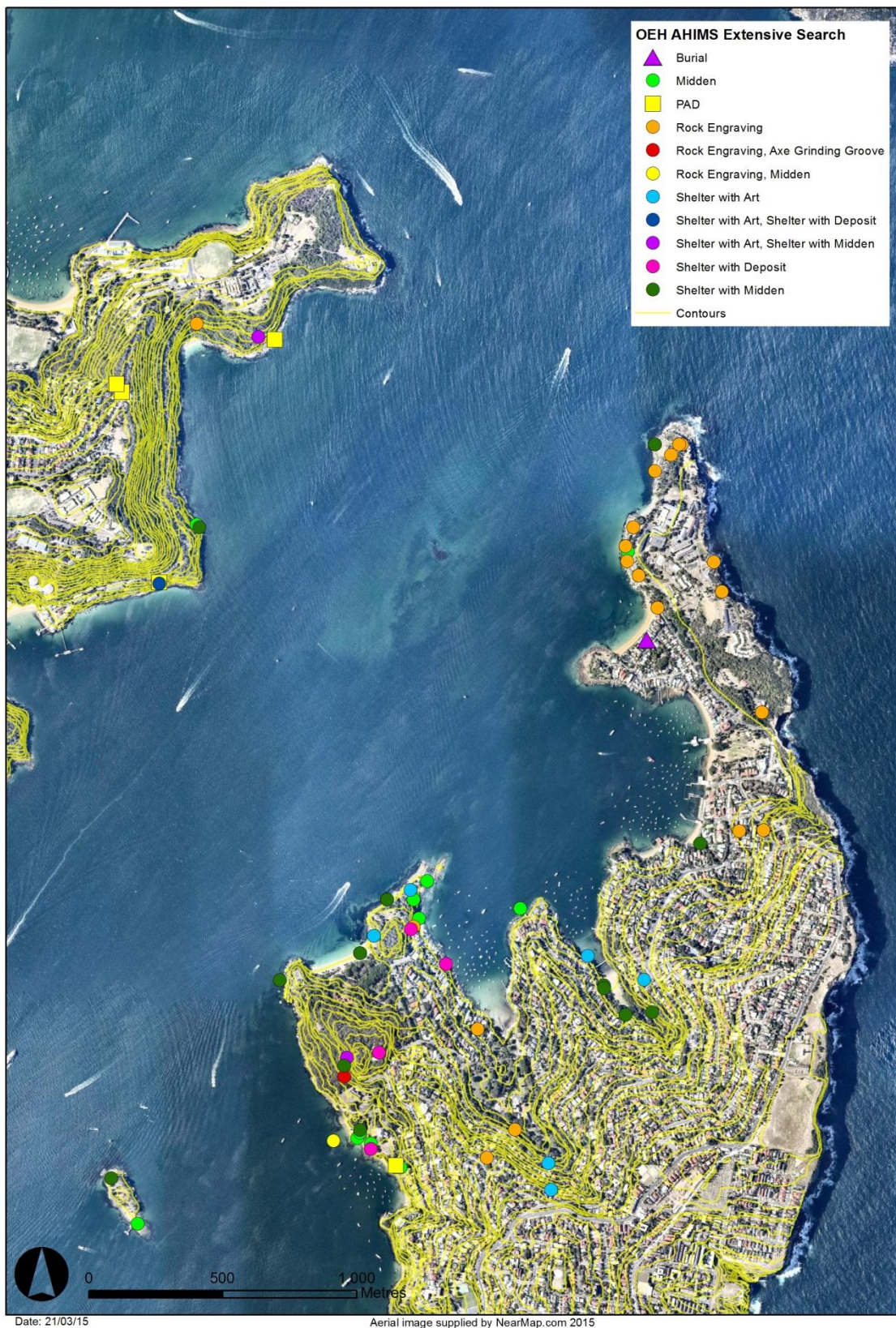


Figure 2.1 AHIMS results for the local harbour setting of South Head. (Source: OEH AHIMS and Nearmap, with GML overlay)

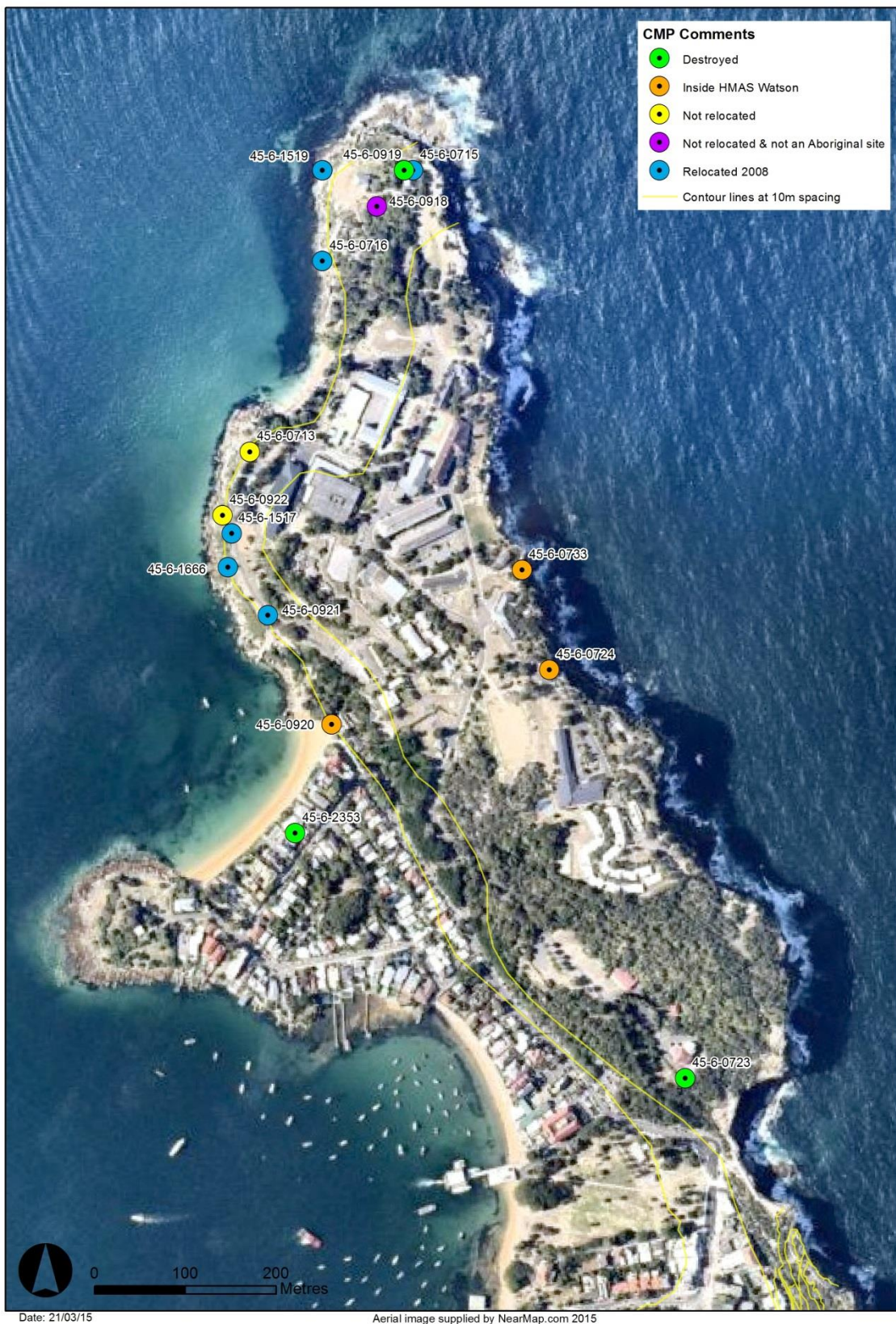


Figure 2.2 AHIMS results for South Head, Sydney Harbour National Park. (Source: OEH AHIMS and Nearmap, with GML overlay)



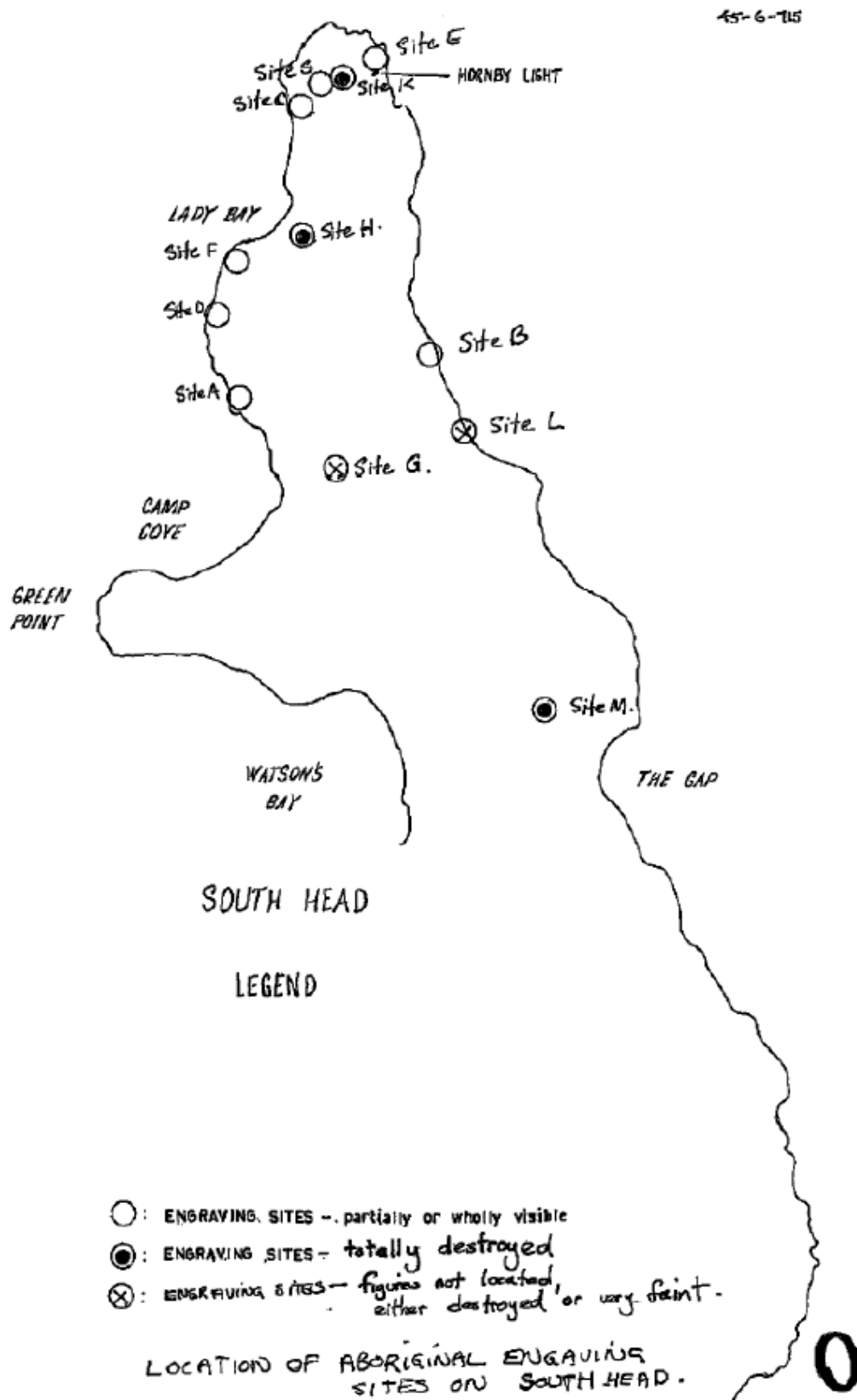


Figure 2.3 Map of Aboriginal sites located across South Head. (Source: 45-6-0715 AHIMS card)

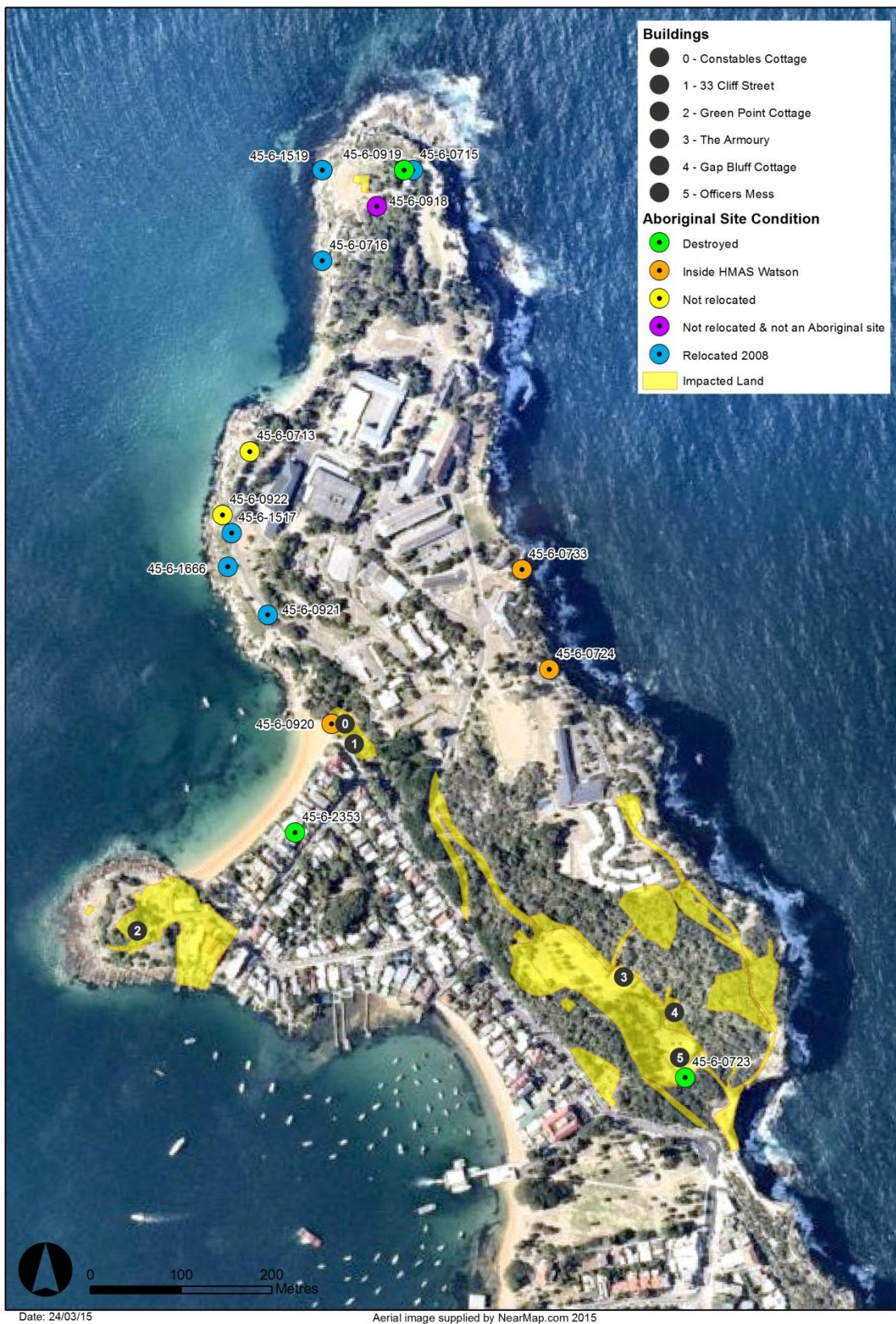


Figure 2.4 Land use and impacts across South Head, Sydney Harbour National Park. (Source: OEH AHIMS and Nearmap with GML overlay)

## 2.7 Endnotes

- <sup>5</sup> Attenbrow, V, 2010, *Sydney's Aboriginal Past. Investigating the archaeological and historical records.* Second Edition, UNSW Press, Sydney. Plate 12.
- <sup>6</sup> Comber Consultants Pty Ltd, 2008, South Head Sydney Harbour National Park Conservation Management Plan Volume 3—Aboriginal Archaeological Cultural Heritage Assessment, NSW National Parks and Wildlife Service, p 16.
- <sup>7</sup> AHIMS site card 45-6-0723.
- <sup>8</sup> Comber Consultants Pty Ltd, 2008, South Head Sydney Harbour National Park Conservation Management Plan Volume 3—Aboriginal Archaeological Cultural Heritage Assessment, NSW National Parks and Wildlife Service, p13.
- <sup>9</sup> Comber Consultants Pty Ltd, 2008, South Head Sydney Harbour National Park Conservation Management Plan Volume 3—Aboriginal Archaeological Cultural Heritage Assessment, NSW National Parks and Wildlife Service, p 14.
- <sup>10</sup> AHIMS card 45-6-920.

## 3.0 Aboriginal Heritage Visual Inspection and Values Assessment

### 3.1 Aboriginal Community Consultation

Aboriginal community consultation was undertaken with La Perouse Local Aboriginal Land Council (LALC) to discuss the nature of Aboriginal sites across the study area, confirm the background assessment and determine appropriate management for any Aboriginal heritage values and/or sites connected with this project. Table 3.1 provides a summary of the consultation.

**Table 3.1** Summary of Consultation with La Perouse Local Aboriginal Land Council.

Date	Activity
20 March 2015	Discussed project with the receptionist at the LALC. She will have someone call GML.
23 March 2015	Message left for LALC to call GML.
24 March 2015	Message left for LALC to call GML.
25 March 2015	GML called the LALC. Discussed the project with Ron Timbery (Acting CEO). Ron provided a booking form for the site inspection. GML requested a site inspection on 1 April 2015.
25 March 2015	Message left for Ron Timbery to call GML re: possible women's site in South Head, Sydney Harbour National Park (following email from OEH AHIMS).
26 March 2015	Site inspection booking form emailed to Ron Timbery and LALC reception. Email sent requesting to know whether the LALC could provide information on the AHIMS restricted women's site.
31 March 2015	Message left for LALC to call GML to confirm the site inspection.
1 April 2015	Site inspection postponed. Email from Ron Timbery stating that the Land Council's Administration Officer will organise the field inspection.
2 April 2015	Kylie from LALC called GML to obtain possible dates for an inspection. Dates proposed for the inspection were 9/10 or 14/15 April. Kylie stated that she would let GML know when the LALC was available for an inspection.

Unfortunately no further contact was made by the LALC with GML, and thus the inspection on 15 April 2015 was undertaken without a member of a La Perouse LALC. Gap Bluff Hospitality Pty Ltd was advised that it may be a future requirement to facilitate a LALC visit of the project area. Gap Bluff Hospitality Pty Ltd stated they could facilitate this visit as and when required.

### 3.2 Visual Inspection of the Study Area

An inspection of the study area was undertaken by Tim Owen (GML) on 15 April 2015. The inspection was accompanied by Gap Bluff Hospitality Pty Ltd, who provided plans and description of the intended works. An inspection was made of Constable's Cottage, the house at 33 Cliff Street and the Officers' Mess for the purpose of identifying land use modifications and the potential for Aboriginal sites.

The visual inspection of the study area was undertaken for Aboriginal archaeological sites only. No assessment was made of the aesthetics associated with the study area, or the social value of this landscape in the context of Aboriginal connections with other nearby engraving sites, and/or other Aboriginal social values.

### 3.2.1 Constable's Cottage

No Aboriginal sites were identified within the immediate vicinity of Constable's Cottage. An inspection of the landform identified the process of construction had cut the sandstone bedrock upslope to the west of the cottage (Figure 3.1). The cut rock appears to have been relocated downslope to form a level platform above the beach, on which the cottage was then constructed (Figure 3.2). As such, the area from the cut north of the cottage, the cottage itself and garden to the property boundary abutting the beach holds no Aboriginal archaeological potential.

Of interest were the sloping landforms to the north of the cottage, above the cut rock (Figure 3.1). A number of sandstone platforms were observed among the thick vegetation, and it is likely that further sandstone surfaces exist buried below vegetation. In line with the predictive model, this area holds some potential for engraving sites. The slope does not appear to have been impacted or generally altered by development, and as such, also holds some potential for midden sites.



**Figure 3.1** Cut sandstone platform to the north of Constable's Cottage. The area up-slope of this cut holds archaeological potential for engraving sites and middens. (Source: GML 2015)



**Figure 3.2** View from the beach to the platform on which Constable's Cottage is constructed. The cut and fill process is evident. (Source: GML 2015)

### 3.2.2 House, 33 Cliff Street

No Aboriginal sites were identified within the immediate vicinity of 33 Cliff Street. The site of 33 Cliff Street appears to have a similar development history to Constable's Cottage. The sandstone platform comprising the original landform has been cut for construction of a house (Figures 3.3 and 3.4). The sandstone fill has been moved downslope to create a level, raised platform above the level of Cliff Street. As such, the platform on which the house is constructed and the associated garden area holds no archaeological potential.

However, landforms to the north of the cut (Figure 3.4) have not been modified and as such retain a number of sandstone platforms and boulders, which would have been suitable surface for Aboriginal engravings. The area north of the house, above the cut, also has archaeological potential for midden sites.



**Figure 3.3** Image showing the elevated (filled) platform on which 33 Cliff Street has been constructed. (Source: GML 2015)



Figure 3.4 Cut sandstone bedrock to the north of 33 Cliff Street. (Source: GML 2015)

### 3.2.3 Officers' Mess

The area to east of the Officers' Mess was inspected for any evidence of Aboriginal site 45-6-0723. It was found that this area was developed and covered by bitumen (Figure 3.5). This zones holds no potential for engraving sites, although the process of car park development is not known, and perhaps the engraving remains below the bitumen.





**Figure 3.5** Location of site 45-6-0723 below bitumen. (Source: GML 2015)

### 3.2.4 Other Locations

An inspection of landforms adjacent to the Armoury and Gap Bluff Cottage was undertaken. Historical aerial photography indicated that these landforms had been stripped during development and were unlikely to contain Aboriginal sites. In general it was found that areas inspected had been subject to development, with cut and stripped sandstone bedrock, where visible. While the majority of the area inspected had no surface visibility (it was covered by grass or other vegetation), the land-use impact mapping (Figure 2.4) suggests that these areas hold little archaeological potential.

The area to the north east of the Armoury appears to have been impacted by historical development activities; however, this could not be confirmed with absolute certainty due to vegetation cover. This area holds little to low potential for engraved Aboriginal art.

## 3.3 Aboriginal Ethno-history and Heritage Literature

The 2008 CMP contains an ethno-historical background to the region and a literature review encompassing the study area. No further relevant heritage work has occurred since the preparation of the CMP.

The 2008 CMP contains an Aboriginal heritage assessment of significance. It describes the values of the Aboriginal sites present within the national park:

#### *Social Values*

*This is more properly assessed by the Aboriginal community. However, consultation with the La Perouse Local Aboriginal Land Council indicates that all of the sites located during the course of this survey are important to the*

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*local and broader community. They provide a continuing cultural link to their past and provide tangible links with the lifestyle and values of their ancestors.*

### *Historic Values*

*Again, this is more properly assessed by the Aboriginal community. However, it would appear that these sites are significant because they represent a significant aspect of Aboriginal history. The middens and the shelters with midden demonstrate the survival techniques utilised prior to European occupation whilst the engraving sites demonstrate the spiritual and creative life of pre-contact Aboriginal society. They are also important educational tools in demonstrating Aboriginal history.*

### *Scientific Values*

*Given the level of weathering of the engraving sites and the disturbance to the middens and the shelters with middens, these sites contained little scientific value. They have previously been recorded and the data gathered to date is sufficient information for scientific research.*

### *Aesthetic Values*

*The midden [and] the shelters with middens indicate the creative and technical achievement of pre-contact Aboriginal people in their ability to utilise available materials for subsistence and other lifestyle activities. The engravings also indicate a high level of creativity and are aesthetically pleasing.*

### *Representative Values*

*Due to the level of disturbance and weathering of these sites they could not...be considered a representative example of their site types.*

### *Rarity Values*

*The middens and the shelters are not rare site types. There are many examples of middens along the coast and shelter sites are highly represented along the coast and inland. Due to weathering, engravings are becoming a diminishing site type. However, there are still many other examples of these figurative motifs within the Sydney Basin region, and in a better state of preservation.<sup>11</sup>*

Aboriginal sites were ranked as groups, thus:

*The engraving sites are assessed as being of regional significance. They are an example of the figurative motif typical of the Sydney Basin Region.*

*Midden sites are located along the various coasts of Australia. These particular middens are of local significance, as they do not contain any specific values which would make them of regional or national significance.*

*The shelters with middens are also of local significance. There are many examples of shelters and shelters with middens throughout Australia, and these shelters do not contain any specific values or attributes which would make them of regional or national significance.<sup>12</sup>*

Should further Aboriginal sites be identified within the study area, they are likely to hold similar value and be connected to those identified by the 2008 CMP.

### 3.4 Synopsis of the Desktop Assessment and Visual Inspection

In the areas of Constable's Cottage and 33 Cliff Street, the desktop assessment and visual inspection indicates that locations associated with building construction have been subject to substantial bedrock cut, fill and other modifications. However, these impacts are localised and connected with the landforms directly associated with each building. Beyond the building footprints (Figure 2.4), sloping landforms hold Aboriginal archaeological potential for engraving sites and middens. This potential is connected with landforms north of both buildings.

The area surrounding the Officers' Mess, The Armoury and Gap Bluff Cottage was significantly altered during the 1930s (Officers Mess and the Armoury) and the 1890s (Gap Bluff Cottage) for building construction. The landforms surrounding these locations have little to low archaeological potential, in accordance with the land use impact mapping (Figure 2.4).

### 3.5 Endnotes

- <sup>11</sup> Comber Consultants Pty Ltd, 2008, South Head Sydney Harbour National Park Conservation Management Plan Volume 3—Aboriginal Archaeological Cultural Heritage Assessment, NSW National Parks and Wildlife Service, p 46.
- <sup>12</sup> Comber Consultants Pty Ltd, 2008, South Head Sydney Harbour National Park Conservation Management Plan Volume 3—Aboriginal Archaeological Cultural Heritage Assessment, NSW National Parks and Wildlife Service, p 47.

## 4.0 The Proposed Works and Potential Impacts

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### 4.1 Description of the Proposed Works

The proposal is for the adaptation of six buildings at South Head, Sydney Harbour National Park, and associated landscaping. Complete details of the works proposed for each building and associated landscaping is set out in the Gap Bluff Centre, South Head, Sydney Harbour National Park Heritage Impact Statement (final draft), prepared by GML for Gap Bluff Hospitality Pty Ltd, June 2015. Of relevance to this due diligence assessment are the works proposed which could alter landscaping associated with intact landforms, notably to the north and west of Constable's Cottage and 33 Cliff Street. A short section of rock to the rear (northeast) of the Armoury will require cutting and excavation. Figures 4.1 to 4.3 show the proposed works.

### 4.2 Possible Impacts Arising from the Proposed Works

All proposed works outside each existing building footprint will result in changes and land impacts within the footprints of the work zones. The works will change the ground surface conditions, resulting in soil and sandstone modifications. Landscape modification is proposed to change the appearance of the gardens associated with each building.

If Aboriginal sites or areas of archaeological potential were associated with the proposed works zones, then the sites and/or archaeological potential would be impacted. However, at the current time, the proposed work locations do not correlate with any previously recorded and extant Aboriginal sites, or areas with Aboriginal archaeological potential. The area to the rear of the Armoury holds little to low archaeological potential. However, if Aboriginal sites are present, excavation of the rock could impact them. This little to low level of archaeological potential should be managed appropriately in accordance with the recommendation outlined in Section 5.2.

Importantly the proposed works do not extend north of Constable's Cottage and 33 Cliff Street, thus avoiding the areas with Aboriginal archaeological potential. Works to all other buildings are located within the zones assessed to have been impacted by prior land use. Provided that the proposed works remain within the zones determined to have been impacted by prior development and land use (Figure 2.4), and do not extend north of Constable's Cottage and 33 Cliff Street, then it is unlikely that Aboriginal sites will be directly impacted.

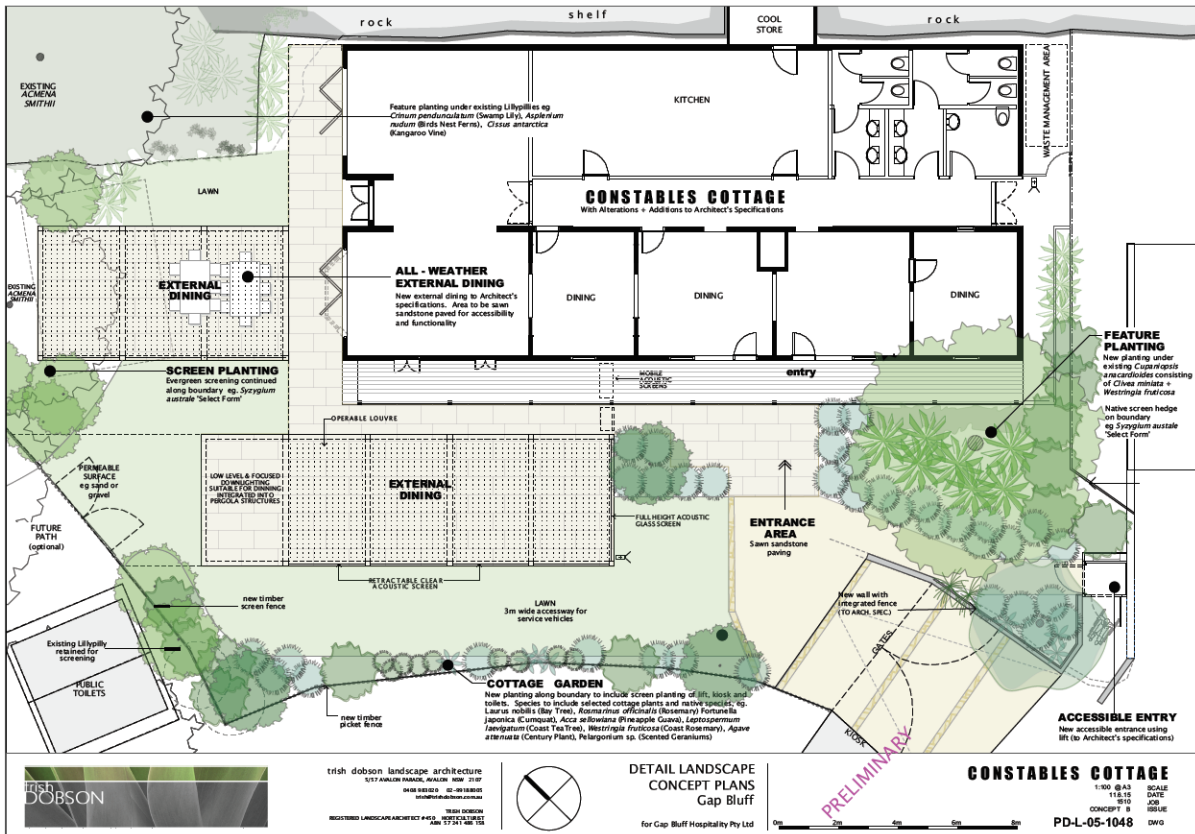


Figure 4.1 Proposed works at Constable's Cottage. (Source: JPW 2015)

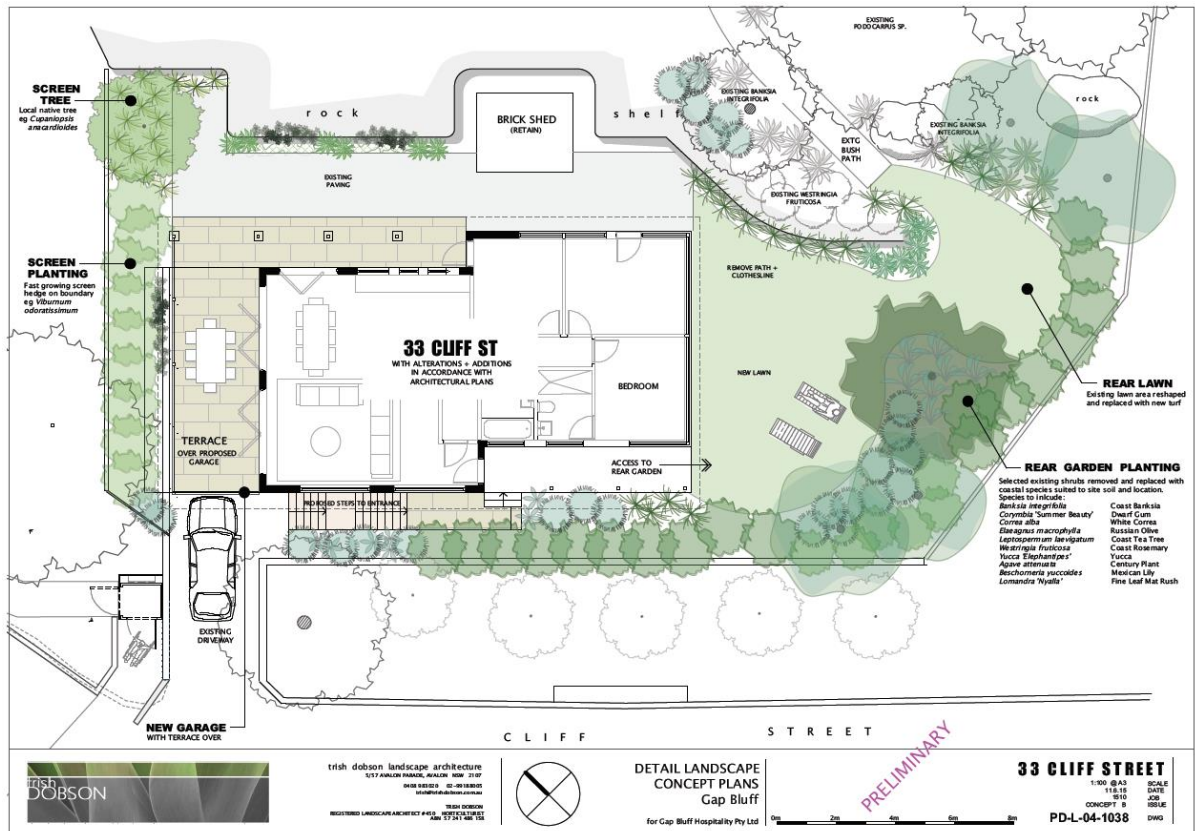


Figure 4.2 Proposed works at 33 Cliff Street. (Source: JPW 2015)



## 5.0 Recommendations and Conclusions

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### 5.1 Findings of the Due Diligence Process

This due diligence report has identified that there are numerous Aboriginal sites surrounding the study area. Of particular note are the sloping landforms north of Constable's Cottage and 33 Cliff Street, which hold Aboriginal archaeological potential for engraving sites and middens. The landform to the north east of the Armoury Building could hold some potential, dependent on location specific impacts, which cannot be assessed due to high vegetation cover.

The proposed plans for redevelopment of the buildings and changes to the associated gardens will not impact any recorded and extant Aboriginal archaeological sites, or areas with Aboriginal archaeological potential.

Rock cutting and excavation to the rear of the Armoury Building could impact an Aboriginal site or engraving, if present.

Therefore, given the nature and constraints associated with the study area, the following recommendations are made.

### 5.2 Required Aboriginal Heritage Management

In order for the proposed works to proceed, the following Aboriginal heritage management requirements should be followed:

- It is recommended that the proponent can proceed with caution without an AHIP application, as the proposed footprints for redevelopment will not impact known Aboriginal objects or any landforms with Aboriginal archaeological potential.
- The proponent should undertake consultation with the LALC to determine the development proposal does not impact or change any social and/or aesthetic values associated with Aboriginal use of the project area or associated cultural landscape, especially in the National Park. The proponent could forward this report to the LALC for their review and comment.
- While not expected, the area behind the Armoury Building holds little to low potential for engravings. This area should be carefully cleared of vegetation by an archaeologist and a representative from the LALC. This clearance must not impact the actual surface of the rock, but be used to determine whether there are Aboriginal engravings present. This clearance should be undertaken following the OEH Code of Practice for test excavation. Should the area contain an engraving, further discussion with respect to the proposed project design should be undertaken, with the aim of conserving any Aboriginal heritage.
- Any changes to the design or landscaping associated with Constable's Cottage and 33 Cliff Street should not extend north of the existing cuts to the sloping sandstone platforms (shown clearly in Figures 3.1 and 3.4). All landforms north of these properties should be avoided by development. Should development propose to alter these landforms, then further Aboriginal heritage management, possibly including an AHIP application, may be required.
- Laydown of works materials should only occur within those areas that have been subject to high levels of prior disturbance, as shown in Figure 2.4.

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- All site workers should be briefed on the Aboriginal heritage values of this area and the requirements for avoiding impacts to Aboriginal heritage sites. This briefing should occur during a general site induction.
- Should Aboriginal objects, midden material and/or an engraving be identified during works, all development work in the area of the find should cease and consultation undertaken with NPWS to determine an appropriate way forward.