



Rushcutters Bay Park Youth Recreation Facility

Historical Archaeological Assessment and Research Design

March 2023

Acknowledgement of Country

We respect and acknowledge the First Nations peoples of the lands and waterways on which we live and work, their rich cultural heritage, and their deep connection to Country, and we acknowledge their Elders past and present. We are committed to truth-telling and to engaging with First Nations peoples to support the protection of their culture and heritage. We strongly advocate social, cultural and political justice and support the Uluru Statement from the Heart.

Cultural warning

Aboriginal and Torres Strait Islander readers are advised that this report may contain images or names of First Nations people who have passed away.

Report register

The following report register documents the development of this report, in accordance with GML's Quality Management System.

Project	Issue No.	Notes/Description	Issue Date
21-0024C	1	Draft Report	29 November 2022
21-0024C	2	Final Report	1 March 2023

Quality management

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

It aligns with best-practice heritage conservation and management, *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013* and heritage and environmental legislation and guidelines relevant to the subject place.

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Executive summary

This Historical Archaeological Assessment and Research Design (HAARD) has been prepared for Woollahra Municipal Council for the proposed development of a Youth Recreation Facility (YRF) at Rushcutters Bay Park, to support a submission to Heritage NSW for pre-lodgement advice and a future application for a permit under Section 60 of the *Heritage Act 1977* (NSW).

Rushcutters Bay Park is listed on the State Heritage Register as part of the Rushcutters Bay and Yarranabbe Park listing (Item No. 02041). The study area comprises the footprint of the proposed YRF, located in the southern part of Rushcutters Bay Park. The proposed facility includes a skatepark, basketball practice area, seating areas, shade shelter and associated landscaping.

This report assesses the historical (non-Aboriginal) archaeological potential of the study area and the associated significance. The study area is assessed as having high potential for remains of the original foreshore, including paleoenvironmental data, and late nineteenth-century reclamation fills of local significance. The study area has low potential for evidence of convict-era resource extraction, evidence of landscape modification and management, and market gardening of local significance.

The proposed development will have an impact on significant archaeological remains. A program of archaeological monitoring is recommended during construction to mitigate this impact. A permit issued under Section 60 of the Heritage Act will be required prior to undertaking any archaeological investigations. A post-excavation report would be prepared following the completion of archaeological fieldwork.

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Rushcutters Bay Youth Facility Documentation Package

1 Introduction

1.1 Project background

GML Heritage Pty Ltd (GML) has been engaged by Woollahra Municipal Council (Woollahra Council) to prepare a Historical Archaeological Assessment and Research Design (HAARD) for the proposed Youth Recreation Facility (YRF) at Rushcutters Bay Park. Rushcutters Bay Park is listed on the NSW State Heritage Register (SHR) (SHR No. 02041). This report has been prepared to support a submission to Heritage NSW for pre-lodgement advice and may be used to support a future application for a permit under Section 60 of the *Heritage Act 1977* (NSW).

The proposed new YRF is intended to provide the youth (aged between five and 17) with a recreation facility in the local area of Rushcutters Bay. The facility is located in the southern part of Rushcutters Bay Park, and will include a basketball court and a skatepark, designed to be a beginner-friendly street-style skating area, as well as seating to relax and observe.

This report assesses the historical (non-Aboriginal) archaeological potential of the site proposed for the YRF. It includes an archaeological research design that provides a detailed research framework, including research questions, and site-specific methodologies for archaeological investigations during construction.

This report builds on research completed for the Rushcutters Bay Park and Yarranabbe Park Conservation Management Strategy (CMS)¹ and the historical archaeological assessment that formed part of a Heritage Impact Statement (HIS)² for the YRF, both prepared by GML Heritage in 2022.

1.2 Study area

Rushcutters Bay Park occupies the head of the Rushcutters Bay foreshore in Sydney Harbour and is approximately 2 kilometres east of the Sydney CBD (refer to Figure 1.1).

Rushcutters Bay Park is divided in two by a large stormwater drain, which separates the eastern and western sides. The stormwater drain is also the boundary between the City of Sydney local government area (LGA) and the Woollahra Council LGA. The study area is located in the eastern part of Rushcutters Bay Park within the Woollahra LGA (Figure 1.2).

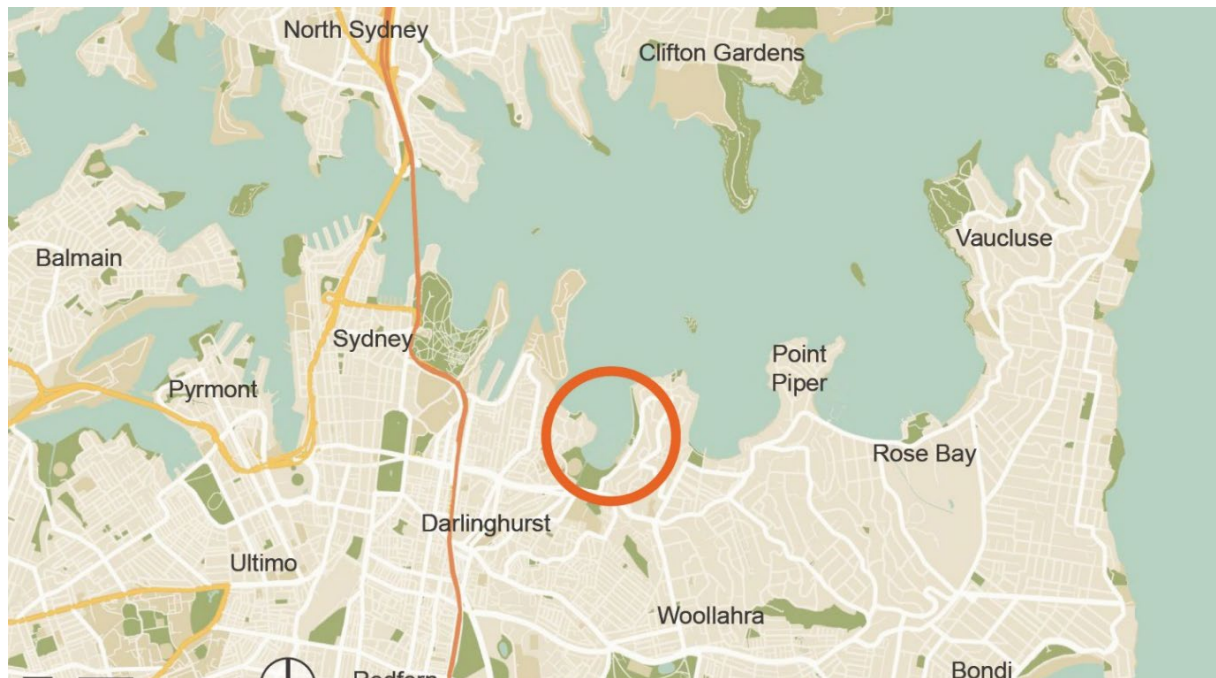


Figure 1.1 Rushcutters Bay Park in the context of Sydney. (Source: © Google Maps with GML overlay, 2021)



Figure 1.2 Location of the study area and proposed footprint of the YRF (orange line) within the context of Rushcutters Bay, and a portion of the previous CMS study area (yellow). (Source: SIX Maps 2022)

1.3 Proposed development

Woollahra Council is proposing to construct a YRF in the southwest corner of Rushcutters Bay Park, close to the southwestern park entry at New South Head Road.

The proposed facility comprises a skatepark, basketball practice area, seating areas, shade shelter and associated landscaping. It appears to be a large facility, though its skate features are of low height and landscaped garden beds are proposed to mitigate any visual impacts.

1.4 Statutory context

In New South Wales, historical archaeological remains are afforded statutory protection under the following Acts:

- *Heritage Act 1977* (NSW) (Heritage Act); and
- Environmental Planning and Assessment Act 1979 (NSW) (EPA Act).

1.4.1 Heritage Act 1977

The Heritage Act is a statutory tool designed to conserve New South Wales' environmental heritage. It is used to regulate the impacts of development on the state's heritage assets. The Heritage Act defines a heritage item as 'a place, building, work, relic, moveable object or precinct'. Historical archaeological remains are protected under the Heritage Act by the 'relics' provision. Section 4(1) of the Heritage Act defines 'relic' to mean any deposit, object or material:

- (a) that relates to the settlement of the area that comprises of New South Wales, not being Aboriginal settlement; and
- (b) that is of State or local heritage significance.

State Heritage Register

The State Heritage Register (SHR) is established under the Heritage Act and is a list of identified heritage items of significance to the state of New South Wales. The SHR includes items and places (such as buildings, works, archaeological relics, movable objects or precincts) determined to be of state heritage significance.

Rushcutters Bay Park is listed on the SHR as part of the Rushcutters Bay and Yarranabbe Park listing (Item No. 02041).

Under the Heritage Act, approval must be sought for non-exempt works to state heritage items in the form of a Section 60 application. As the proposal is not an exempt

development under the standard exemptions or site-specific exemptions³ for the Rushcutters Bay and Yarranabbe Park approval must be sought.

1.4.2 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act (NSW) (EPA Act) is administered by the NSW Department of Planning and Environment and provides for environmental planning instruments to be made to guide the process of development and land use. The EPA Act also provides for the protection of local heritage items and conservation areas through listing on Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs), which provide local councils with the framework required to make planning decisions.

Woollahra Local Environmental Plan 2014

Clause 5.10 of Woollahra Local Environmental Plan 2014 (WLEP 2014) contains standard provisions regarding the conservation of heritage items.

Clause 5.10 of the WLEP 2014 lists the following objectives for heritage conservation in Woollahra:

- (a) To conserve the environmental heritage of Woollahra,
- (b) To conserve the heritage significance of heritage items and conservations areas, including associated fabric, settings, and views,
- (c) To conserve archaeological sites,
- (d) To conserve Aboriginal objects and Aboriginal places of heritage significance.

1.5 Purpose of this report

The aims of this report are to:

- understand the site history from readily available historical sources;
- understand the current site conditions from review of existing documentation;
- identify the archaeological context and comparative studies relevant to the site;
- identify the potential for historical archaeological remains within the site;
- assess the significance of the potential historical archaeological resources;
- assess the impact of the proposed development on that resource and identify mitigation measures;
- identify if an approval/permit under the Heritage Act and further archaeological investigations are required;
- develop a research framework and methodologies for on-site archaeological investigations; and

- make recommendations regarding the management of archaeological resources for the proposed development.

1.6 Methodology

This report has been prepared with regard to the following documents and best practice guidelines:

- *NSW Heritage Manual, 'Archaeological Assessments'* (NSW Heritage Office 1996);⁴
- *Assessing Significance for Historical Archaeological Sites and Relics* (NSW Heritage Branch 2009);⁵ and
- *The Australia ICOMOS Burra Charter, 2013* (the Burra Charter).⁶

1.7 Limitations

This report assesses the potential historical archaeological resource of the study area only and does not include an assessment of potential Aboriginal heritage sites or values. No consultation with the Aboriginal community or other stakeholders has been undertaken in the preparation of this report.

No physical archaeological investigations have been undertaken as part of this HAARD.

1.8 Authorship and acknowledgements

This report has been prepared by Catherine Munro (Heritage Consultant and Archaeologist) and reviewed by Sophie Jennings (Associate).

GML acknowledges the assistance of the following people from Woollahra Council in the preparation of this report: Paul Fraser, Kristy Welfare and Roger Faulkner.

1.9 Endnotes

- ¹ GML 2022, Rushcutters Bay Park and Yarranabbe Park Conservation Management Strategy, report for Woollahra Municipal Council.
- ² GML 2022, Rushcutters Bay Park Youth Facility Heritage Impact Statement, report for Woollahra Municipal Council.
- ³ Standard exemptions and site specific exemptions are outlined in the 2021 CMS.
- ⁴ Heritage Office and Department of Urban Affairs & Planning 1996, *NSW Heritage Manual*, Department of Urban Affairs and Planning, Sydney.
- ⁵ Heritage Branch, December 2009, *Assessing Significance for Historical Archaeological Sites and 'Relics'*, Heritage Branch of the Department of Planning, Sydney.
- ⁶ Australia ICOMOS Inc, The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013, Australia ICOMOS Inc, Burwood, VIC.

2 Historical background

2.1 Overview

This section provides a summary of the historical development of the study area. This has been adapted from the site history presented in the 2021 *Rushcutters Bay Park and Yarranabbe Park Conservation Management Strategy* and the 2022 *Rushcutters Bay Park Youth Facility Heritage Impact Statement*, prepared by GML. The adapted historical summary presented here is focused only on the Rushcutters Bay Park and the area of the YRF. Targeted additional research has been completed where required to inform an assessment of the potential for and significance of historical archaeological remains within the study area.

2.1.1 Aboriginal country: The early colonial period and ongoing connections

Aboriginal occupation of Sydney can be traced through the archaeological records to at least 22,000 years ago, with some estimates extending towards 35,000 years.¹ The Sydney region supported the Eora nation, made up of more than 30 separate clans woven together by intermarriage across the region. They had a nuanced understanding of the land and followed a complex land management system that sustained them and their Country. The land was part of a network of creation (Dreaming) and ceremonial sites, intertwined with the natural landscape and extending across the Sydney region. Most clans took their names from their Country, like the Gadigal along the harbour's southern shore, or the Wangal from Wanne, the lower reaches of Parramatta River, or the Kamaygal from Kamay, Botany Bay. Others, like the Cammeraygal from the harbour's northern shore, may have been named for their role in ceremony and law, and the skills of their clever men or karadji. Among the 30-plus Sydney clans, it was these four groups in particular who bore the initial brunt of the arrival of Europeans and whose men and women moved among the colonists. They were also the people most frequently referred to in descriptions of Aboriginal people in European accounts of the immediate period after contact.

Sydney's Aboriginal people were the first people dispossessed by Europeans after their arrival in Sydney Cove in 1788. This dispossession underpins the foundation and growth of the city.² In 1789, the smallpox epidemic devastated the Aboriginal population and disrupted clan boundaries in Sydney. However, the Aboriginal people did not simply all vanish or die. As historian Grace Karskens has written: 'Sydney has an Aboriginal

history, not located safely in the distant past, but unbroken, and still throbbing insistently today.’³

In 1883, the Aborigines Protection Board was established in New South Wales, signalling the beginning of successive waves of intervention in Aboriginal lives. Nonetheless, Aboriginal people continued to live in Sydney and were joined by other Aboriginal people from across New South Wales to live, work and forge new lives in urban communities. Dr Paul Irish writes about an Aboriginal settlement at Rushcutters Bay in the 1890s, which consisted of several gunyahs (dwellings) made of slabs of wood leaning against a fence, and covered with iron, sheets and other materials, around a central campfire. At this time, a few permanent residents of the settlement survived by fishing, shellfishing, and selling boomerangs and shell ornaments in the city. This accords with the childhood memories of Elizabeth Phillips who, aged 93 in 1903, recalled a large number of Aboriginal people camped on Darling Point who caught fish and traded some of their catch with the local European residents.

To the Cadigal, Darling Point was ‘Yarranabbe’ (variously spelt Yaranabe, Yarrandabbi, Yarranabbi and Eurambi). It was reportedly named after a Burramatagal man, Yeranibe Goruey, who was married to Benelong’s sister Worogan.⁴

The Cadigal people called Rushcutters Bay ‘Kogerah’. The area was occupied by the Cadigal for at least 6,000 years. Following the colonial occupation, Aboriginal people continued to live in and around Rushcutters Bay at various settlements up until the late nineteenth century.⁵

2.1.2 Initial settlement

Initially, Rushcutters Bay was known as Blackburn Cove after David Blackburn, a Master of the First Fleet. Yet Rushcutters Bay received its name soon after the European landing because the tidal edges of the bay were covered in reeds; convicts were dispatched there to cut the rushes, which were needed in the fledgling settlement for thatching huts. The valley that carried Rushcutters Creek was also referred to as Lacrozia Valley during the early nineteenth century.

Prior to European settlement, Rushcutters Bay was dominated at its head by a swamp and creek, which spread inland to the southward for half a mile and received the drainage of the ridges on which the suburbs of Edgecliff and Paddington now sit. It has been reported that the area provided good fishing and was frequented by a variety of fauna.

A limpid creek ran through it to the waters of Rushcutter bay [sic] and its banks were fringed by a wealth of cabbage palm and large fern growths, together with a mass of sub-tropical vegetation. The rising ground in Darlinghurst and Paddington on both sides of the

creek was covered with large blackbutt and other eucalypts, as well as the smaller trees and shrubs peculiar to our coastal regions. The valley had a large drainage area, taking in all the water that fell from the heights of Paddington and Darlinghurst, as well as Surry Hills and as far out as Moore Park.⁶

Figure 2.1 show the foreshore of Rushcutters Bay and the density of vegetation in the vicinity of the study area in the early nineteenth century. Rushcutters Creek at the bay end was little more than a reedy marsh spreading out into three channels, and was subject to the ebb and flow of the tide. The builders of the Old South Head Road had previously bypassed the swamp at the head of the bay. The area had a foot track where people crossed the water on steppingstones and a rocky ridge near the mouth of the creek, close to where the present New South Head Road crossed the stream.



Figure 2.1 Sketch by William Butler Simpson, c1849. View of Rushcutters Bay looking to the southeast, with woman and child on the foreshore and a possible camp within the front line of trees. (Source: SLNSW DLPe52)

2.1.3 Early land grants and residential development

In 1833, land at Mrs Darling's Point was subdivided by the Surveyor General in a series of villa allotments and the area became an elite residential district in which several colonial mansions were built. Large residences were constructed along Darling Point, including on the western slopes of the peninsula, facing Rushcutters Bay. In 1839, a stone arch bridge was constructed across the creek and the New South Head Road was gradually extended along the shore. After the bridge was constructed, Rushcutters Bay became more accessible, as did Darling Point (renamed by Governor Darling in honour of his wife—its initial name was Yarrandabbi or Yarranabbe).

The 1833 plan of Darling Point (Figure 2.2) shows the study area in relation to the creek and the alignment of New South Head Road. The study area is shown to be located within a portion of land attributed to J. Thomas. The large area of swamp is depicted extending on both the north and south side of what was later named New South Head Road. The 1831 plan (Figure 2.3) shows the ruins of Thomas's House within the western portion of J. Thomas's land, close to the current study area.



Figure 2.2 Detail of plan of Mrs Darling's Point divided into villa allotments for sale, 15 June 1833. (Source: State Library of New South Wales (SLNSW), Z/Ca 83/16, GML overlay 2022)

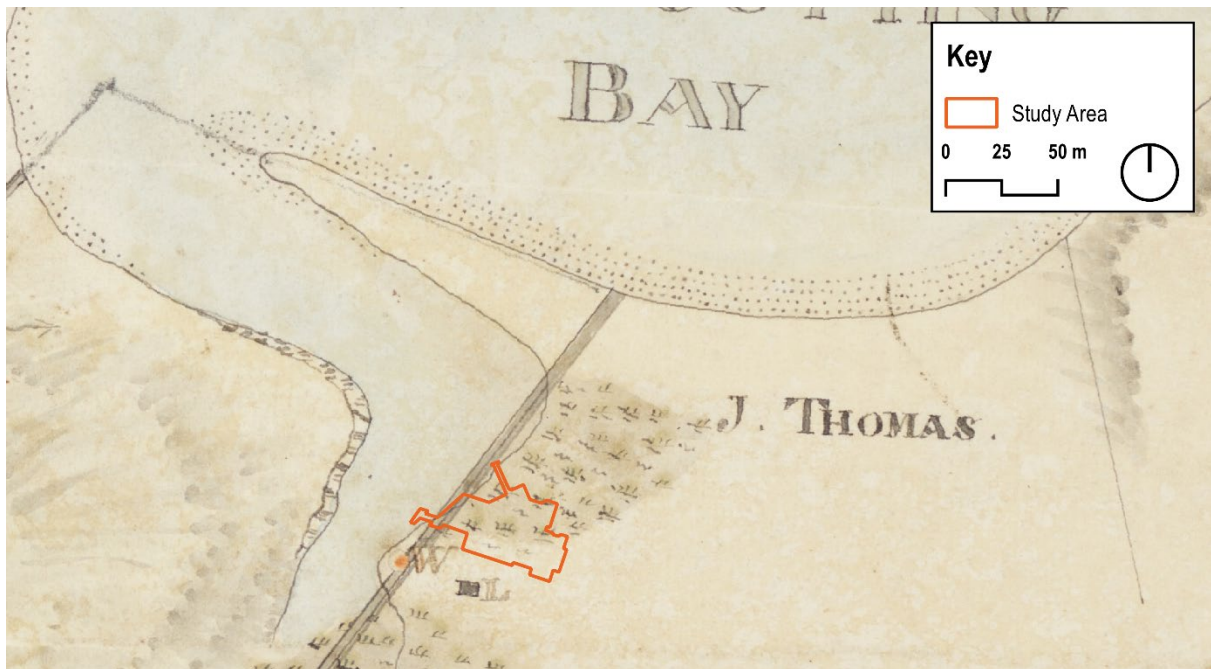


Figure 2.3 Detail of map and survey of Thomas West's property, 1831, showing the location of the study area in relation to the annotations 'W' and 'L'; W: 'Stumps and a rock, marked by William Clark, by the directions' and L: 'Ruins of J. Thomas's House'. (Source: SLNSW M2 811.18114/1831/1, GML overlay 2022)

With increasing settlement and development on Darling Point and Potts Point in the mid-nineteenth century came greater consideration of the foreshore areas that surround those promontories. From the 1840s, a carriage drive was proposed along the western foreshore of Darling Point to provide access to allotments in various subdivisions on the peninsula, such as Glenhurst Estate. Figure 2.4 shows the proposed circular drive passing through the study area in 1858. The carriage drive proposal did not eventuate. New structures including an inn are also depicted on this plan in the southeast corner of Thomas's land on both sides of New South Head Road, to the east of the study area. The head of the bay is annotated as 'space proposed to be filled up'. Following incorporation of the Sydney Council in 1842, Rushcutters Creek was designated as the eastern municipal boundary. Now formed into a stormwater channel, it remains the local government boundary today.



Figure 2.4 Detail from '11 Allotments of Land at Delamere, Darling Point together with Delamere House and Avoca Cottage', 1858. (Source: SLNSW, M2 11.1811/1858/1, GML overlay 2022)



Figure 2.5 View of Rushcutters Bay to the east, prior to the area being reclaimed, c1860-75. Note the sandy swampy foreshore and several fence lines. (Source: SLNSW, DL PX 148/59)

In the mid- to late nineteenth century, market gardens were established around Rushcutters Bay.⁷ An area known as the Chinamen's Gardens was described as being on the southern side of New South Head Road.⁸ The 1906 plan (Figure 2.6) depicts an area labelled as Ridleys Gardens, surrounded by multiple structures close to the river on the southern side of New South Head Road within Thomas's portion of land. Figure 2.7 may show the area identified as Ridleys Gardens.

Over the course of the nineteenth century, the creek and Rushcutters Bay became increasingly polluted. What was once pristine waters came to be considered by many as a plague-ridden swamp and eye-sore at low tide. The original creek had been diverted and was now 'a mere trickling stream'⁹, except during high tide when 'the waters found their way...across the road and far up the drain leading towards Paddington'¹⁰. The creek was also subject to severe flooding during storms, which caused significant damage to the surround properties. One particular storm was said to have the area of market gardens entirely underwater, leaving an unfortunate cow bogged in the garden soil after being washed down from a dairy a quarter of a mile away.¹¹



Figure 2.6 Detail of 'Pott's [sic.] Point and Darling Point, Sydney, with the original Crown grants and early historical mansions. Compiled by Norman Selfe in 1906.' The location of the study area is to the north of New South Head Road (orange outline) and the area marked as Ridley's Gardens is to the south (blue arrow). (Source: SLNSW, M2 811.18112/1906/1)

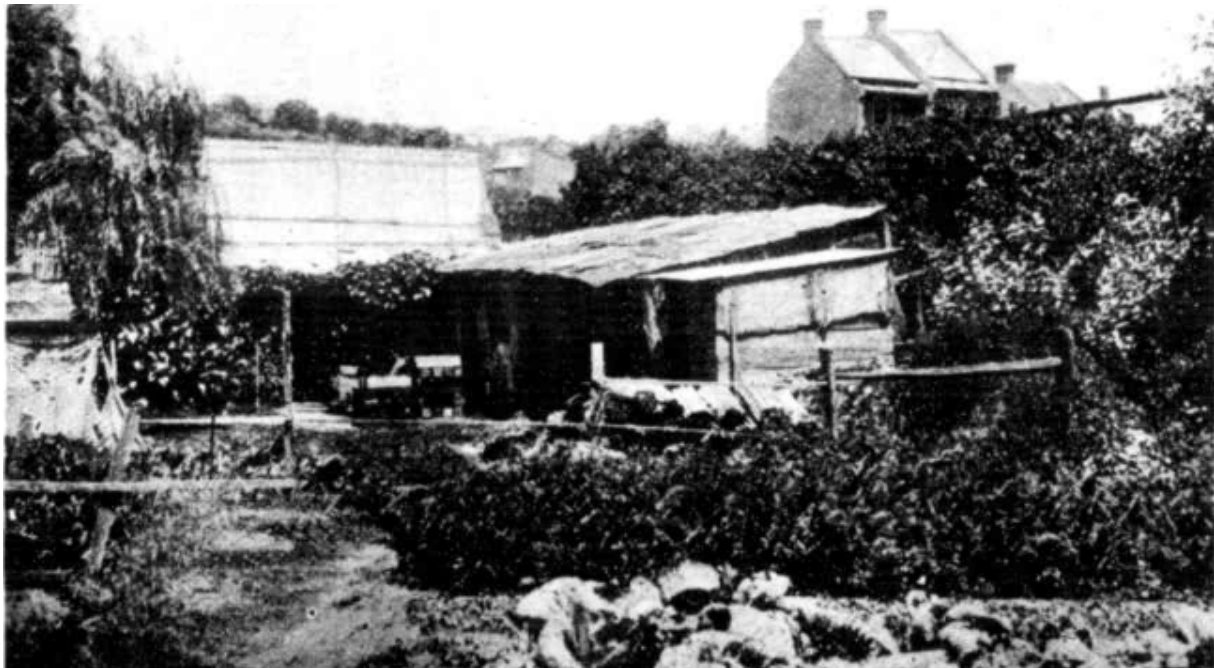


Figure 2.7 'A market gardeners' home, Rushcutters Bay. (Source: *The Sydney Mail and New South Wales Advertiser*, Wednesday 25 February, 1903, p 481)¹²

2.1.4 Reclamation and reservation for a public park

In 1875, 500 residents of Rushcutters Bay signed a petition urging the Minister for Lands to reclaim the marsh and the head of the bay for a public reserve. Three years later, the *Rushcutters Bay Act 1878* (NSW) was passed by Parliament, authorising reclamation of the bay and dedicating six acres for public recreation. Work commenced in October 1881, which involved reclaiming a large area of marsh, channelling the creek and constructing a ballast dyke seawall. The reclamation works were completed in 1883 for the large sum of £20,000.



Figure 2.8 Rushcutters Creek looking northeast towards Darling Point, c1874. (Source: National Library of Australia, PIC/12254/980 LOC Album 1136)



Figure 2.9 Undated plan showing the proposed alignment of the first ballast dyke at the head of the bay, c1880s. (Source: State Archives & Records, Map No. 727 HR 250/3)

2.1.5 Rushcutters Bay Park

Rushcutters Bay Park was dedicated in November 1885. The total area of the reserve was 24 acres and 2 roods, of which 13 acres lay east of the stormwater drain. Sir John George Long Innes, Robert Butcher, Richard Holdsworth, Edward Bennett, Thomas Rove, John Gilchrist, Hon George Alfred Lloyd, Hon John Henry Want, Thomas Strettell Clibborn and John Williams were appointed trustees of the park at this date. One of their first acts was to call for competitive designs in May 1886. The park was designed by the winner of the design competition, Frederick Augustus (FA) Franklin.

In 1887, the trustees of Rushcutters Bay Park requested funding for finishing the park and for plantings. Some plantings must have been carried out in the park by December 1889, as the trustees complained about 'depredations...in the various plantations and flower beds' by unnamed youth at this time. Some sources refer to concrete cricket wickets and practice wickets, which may have been located in the eastern portion of the park. In the same year, the trustees invited tenders for depasturing cows or sheep in the park.

Plans were drawn up in about 1895 for a new seawall to replace the dyke wall.¹³ The eastern portion of the park was leased for football from 1901, and at least one concrete cricket pitch existed. East of the stormwater channel, the land was likely still being partly used for depasturing cattle, sheep or horses.

By 1908, the park was wholly fenced (with the fence having an ornate paling design), with several gates located at various points for pedestrian access. A plan of the park c1909 (Figure 2.10) shows the portion of the park containing the study area featured an embankment above the sewer, leading to an outlet in the seawall. A horse trough is noted on plan close to a northeast to southwest fence line, both of which appear within the current study area (Figure 2.10). The trough in this location may indicate that this portion of the area was used for depasturing livestock.

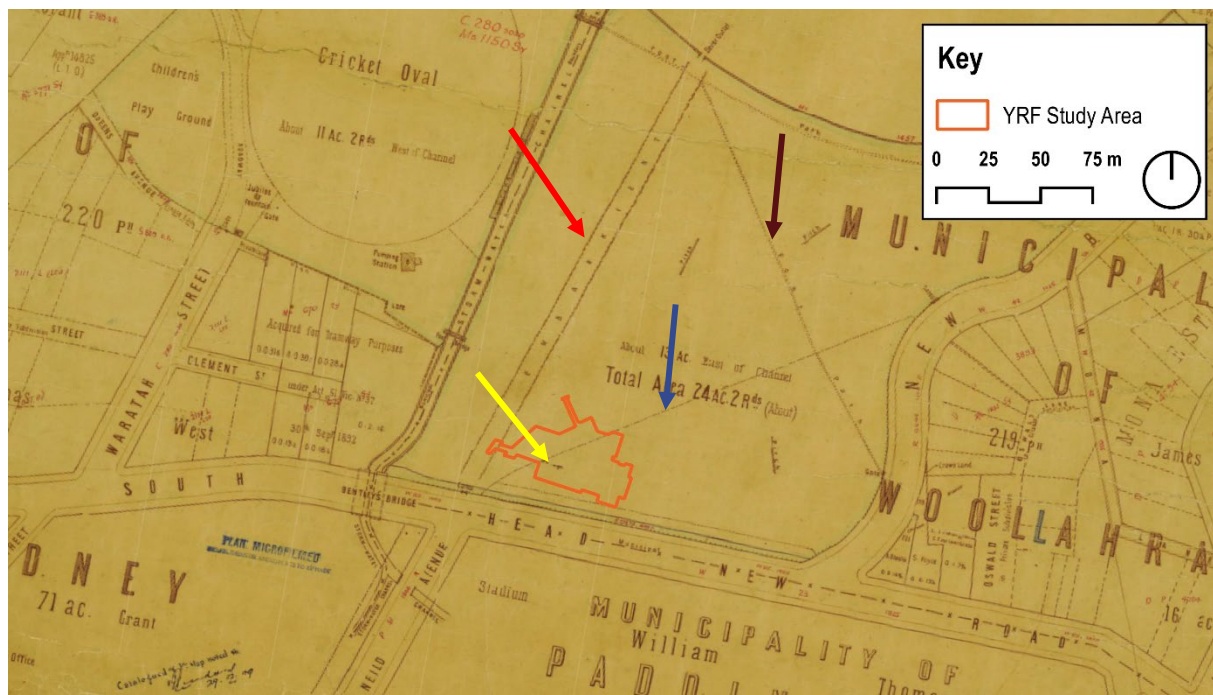


Figure 2.10 Detail from Rushcutters Bay Park, c1909. This plan shows the location of the study area in relation to the embankment (red arrow), fence line (blue arrow), footpath (brown arrow) and trough (yellow arrow). (Source: NSW Land Registry Services, Crown Plan 3197-30000, GML overlay 2022)

In December 1910, the State Government passed the *Victoria Park and Rushcutters Bay Parks Act 1910*, No. 34. The Rushcutters Bay Park Trust was formerly dissolved and the parklands vested in the two councils. During the second reading of the bill, representatives of Woollahra Council argued that a fair proportion of the money was not spent on their side. Of the £7,737 granted to the trustees since the park was established in 1885, only £355 worth of permanent improvements had been made in the eastern portion of the parkland.¹⁴

A letter to the *Evening News* in January 1912 criticised the Council regarding the state of Rushcutters Bay Park:

there is a park with a magnificent water frontage, used as a stand for cattle and broken down horses. The people around about dare not allow their children to play in the park...and there is more manure than grass in the park.

Photographic evidence shows that by the early 1900s the park comprised open grassy spaces and tree plantings were behind the seawall, which extended at regular intervals around the whole foreshore, as shown in Figure 2.11 and Figure 2.12. The canopy specimens lining the New South Head Road frontage were mature specimens by 1907 and were probably planted in the 1880s. Figure 2.12 and Figure 2.13 show a pathway extending northeast to southwest diagonally through the park, towards the current study

area. This pathway remains on the same alignment, running through the study area throughout the twentieth century (Figure 2.14) In 2005, it was redirected to the northwest, which is outside of the current study area.



Figure 2.11 Panorama of Rushcutters Bay showing the park in the foreground and the boatshed and New Beach Reserve in the background, 1903–04. (Source: SLNSW, DL Pg 38)



Figure 2.12 View from Darling Point looking southwest across Rushcutters Bay Park, c1900–1910. Tree plantings are visible along the seawall. Boatsheds stand in the foreground prior to the formation of New Beach Road to the north along the western foreshore of Darling Point. (Source: SLNSW, PXE 711/74)

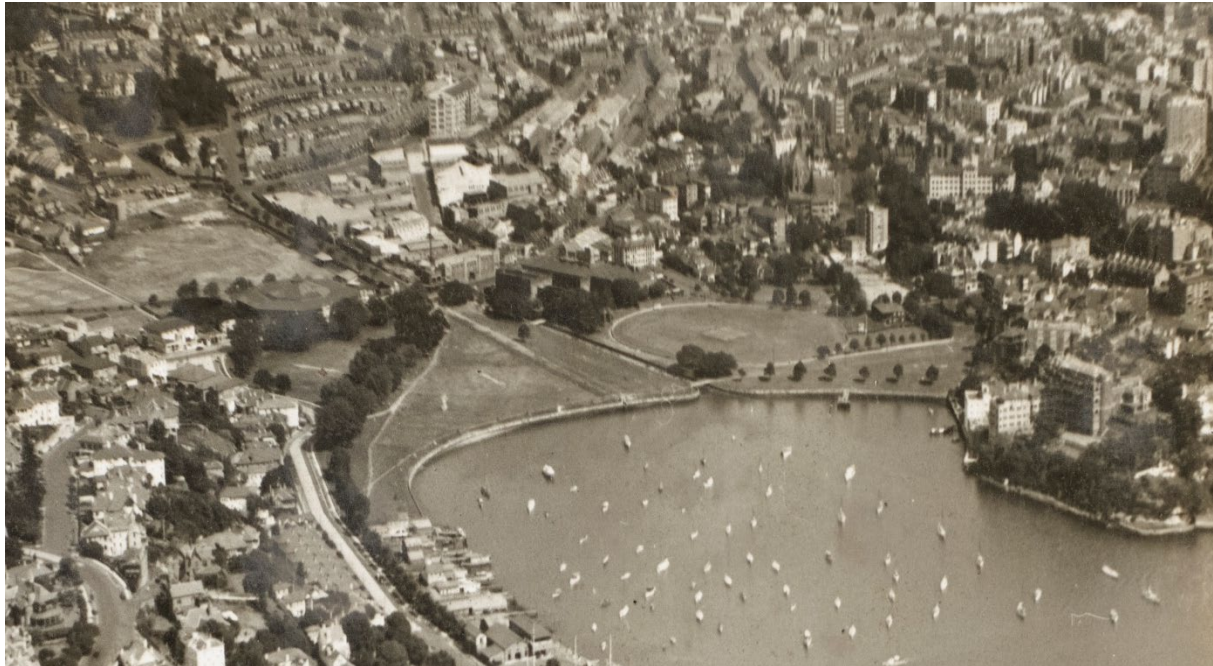


Figure 2.13 Aerial view of Rushcutters Bay, c1930, by Hall & Co. (Source: SLNSW, PXD 568 (v.4)/3)



Figure 2.14 A 1949 aerial photographic image showing the southwest-to-northeast pathway running through the study area. (Source: City of Sydney Archives, Aerial Photographic Survey, 1949, Image 30. A-00879976, GML overlay 2022)



Figure 2.15 A 2022 aerial photographic image showing the southwest-to-northeast pathway redirected to the northwest of the study area. (Source: SIX Maps 2022, GML overlay 2022)

2.2 Endnotes

- ¹ Attenbrow, V 2010, *Sydney's Aboriginal Past: Investigating the Archaeological and Historical Record*, UNSW Press, Sydney, p 153.
- ² Karskens, G 2009, *The Colony: A History of Early Sydney*, Allen & Unwin, Sydney, p 33.
- ³ Karskens, G 2009, *The Colony: A History of Early Sydney*, Allen & Unwin, Sydney, p 33.
- ⁴ Dr Keith Vincent Smith – correspondence.
- ⁵ 'The Rushcutters Bay Settlement', *Barani: Sydney's Aboriginal History*, <<https://www.sydneymarani.com.au/sites/the-rushcutters-bay-settlement/>>.
- ⁶ *Sydney Morning Herald*, Saturday 20 April 1929, p 12.
- ⁷ NSW Government State Heritage Inventory, 'Rushcutters Bay Park and Yarranabbe Park' <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5067067>.
- ⁸ *Australian Town and Country Journal*, Saturday 18 October 1884, p 29.
- ⁹ *Sydney Morning Herald*, Wednesday 2 November, p 1143.
- ¹⁰ *Sydney Morning Herald*, Saturday 20 April 1929, p 12.
- ¹¹ *The Sydney Morning Herald*, Thursday 12 April 1887.
- ¹² The Sydney Mail and New South Wales Advertiser, Wednesday 25 February, 1903, p 481.
- ¹³ Urbis 2009, Demolition report - Cruising Yacht Club of Australia.
- ¹⁴ 'The Parks Bill', *The Daily Telegraph*, 15 December 1910, p 5, Trove, National Library of Australia, viewed 6 April 2021 <<http://nla.gov.au/nla.news-article238663786>>.

3 Site analysis

3.1 Site Inspection

A site inspection was not undertaken for the preparation of this HAARD. The following analysis is prepared based on photographs from the site inspections undertaken for the CMS between March and August 2021, and historic maps and images.

The study area is located in the southwest corner of the eastern side of the Rushcutters Bay Park, maintained by Woollahra Council. The ground level of the both the eastern portion of Rushcutters Bay Park and the study area where the YRF would be located generally consists of open grassy lawns and fields, some areas of which are used for informal and formal sports, or active and passive recreation. A grassed soccer sporting field is located to the east of the study area.

The eastern portion of Rushcutters Bay Park has three pathways through the area:

- the promenade, which aligns with the seawall, along the northern edge of the park;
- a north-to-south pathway that runs along the western side of the area from New South Head Road to the bay, parallel to the stormwater channel; and
- a diagonal pathway that runs southwest-to-northeast from the southwest corner at New South Head Road towards New Beach Road and Plantation Reserve.

The proposed footprint of the YRF (the study area) is directly southeast of the current diagonal concrete pathway. It is located between two lines of existing Moreton Bay fig trees (*Ficus macrophylla*)—one that follows the diagonal pathway and one that runs along the southern side of Rushcutters Bay Park along New South Head Road. The line of Moreton Bay fig trees that run along the southern boundary is positioned on a mound that slopes up from the height of the study area to the higher level of New South Head Road.

No built structures are within the proposal area or in the general vicinity.



Figure 3.1 View to the southeast from near the intersection of the pathways through Rushcutters Bay Park, towards the general location of the proposed YRF (orange dashed area). (Source: GML 2021)

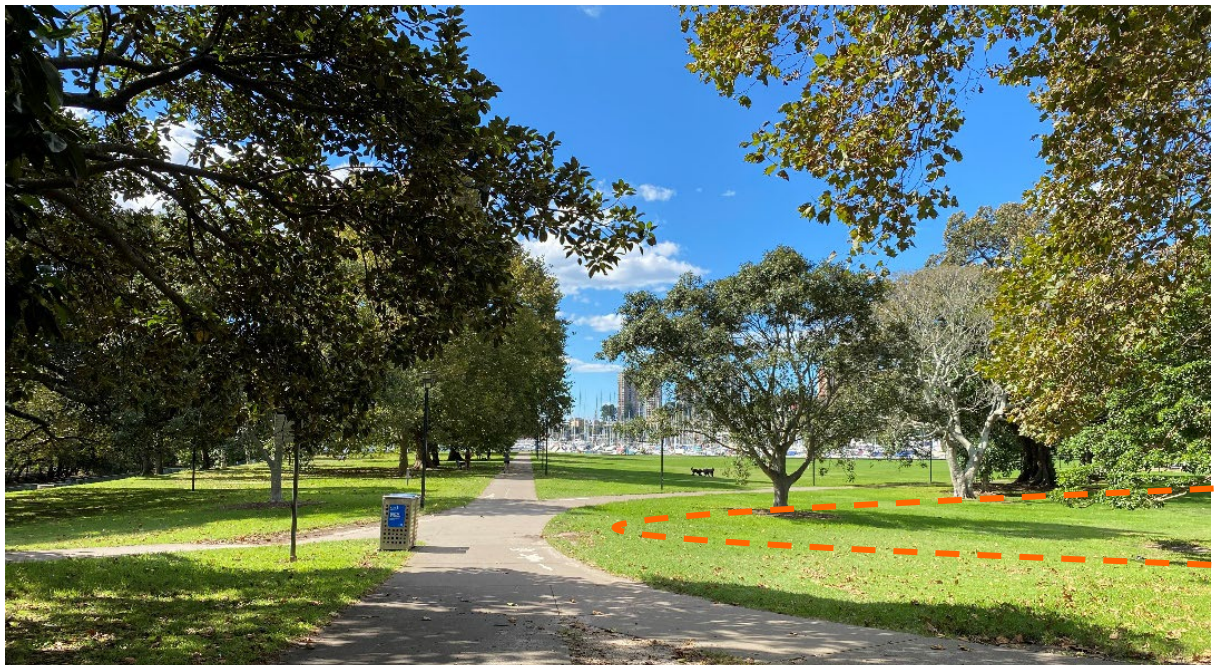


Figure 3.2 View to the north and Rushcutters Bay along the north-to-south pathway, from near New South Head Road. The general location of the proposed YRF is to the right of the pathway (orange dashed area). (Source: GML 2021)

3.2 Geotechnical investigation

In 2019 Fortify Geotech undertook a program of geotechnical investigation for the proposed YRF.¹ Four boreholes (1A to 4A) were excavated to 1.5m within the study area. Table 3.1 summarises the results of the geotechnical investigation, and Figure 3.3 indicates the location of the four boreholes. The boreholes were generally consistent across the study area, with a degree of variation in the profile depths between boreholes. The boreholes indicate that the study area comprises topsoil to depths between 0m and 0.4m, followed by uncontrolled fill between 0.2m and 1.4m. Anthropogenic material was noted in the Fill in 1A between 1.0 and 1.4m deep, strongly suggesting that this is the reclamation fills. Deposits described as "Fill/marine" were present in boreholes 2A, 3A, and 4A at depths between 0.2m and 1.2m below the existing ground surface. The mixed fill/marine deposit also likely represents the land reclamation fills. Marine deposits/alluvium were the lowest profile identified in all four boreholes and have the highest potential for pre-1880s archaeological remains. In 4A they were the shallowest at depths of 0.7m and continued to depths beyond the 1.5m limit of the excavation. In the other boreholes the marine deposit was deeper, at depths of 1.1m, 1.2m and 1.4m, which may indicate that the natural foreshores slope up towards the south and New South Head Road. Groundwater was not encountered during the investigation and the soils were mostly dry and dry to moist. All four boreholes indicate potential for historical archaeological remains to be present.

Table 3.1 Summary of Fortify Geotech's 2019 investigation results.

Borehole	Type	Depth (m)	Description
1A	Topsoil	0-0.3	Loose grey-brown silty sand
	Fill	0.3-1.0	Medium dense/dense grey-black silty sand
		1.0-1.4	Dense brown sand, some anthropogenic material
	Marine deposit	1.4-1.5+	Dense black sand
2A	Topsoil	0-0.2	Loose black silty sand
	Fill/marine deposit	0.2-1.2	Medium dense dark brown sand
	Alluvium	1.2-1.3	Loose black sand
		1.3-1.5+	Medium dense grey sand
3A	Topsoil	0-0.4	Loose black silty sand
	Fill/marine deposit	0.4-1.1	Medium dense dark brown sand
	Marine deposit	1.1-1.5	Loose black sand

Borehole	Type	Depth (m)	Description
4A	Topsoil	0-0.2m	Loose grey-brown silt sand
	Fill	0.2-0.3m	Medium dense/dense black silty sand
		0.3-0.4m	Medium dense yellow-brown sand and sandstone cobbles
	Fill/marine deposit	0.4-0.5m	Dense white sand
		0.5-0.7m	Dense grey-brown silty sand
	Marine deposit:	0.7-1.5m+	Medium dense/dense grey sand



Figure 3.3 Aerial photograph with borehole locations, prepared by Fortify Geotech. (Source: Fortify Geotech 2019, Figure 2, p10)

3.3 Endnotes

¹ Fortify Geotech 2019, Proposed Skatepark Rushcutters Bay Geotechnical Investigation, report prepared for Convic January/February 2019.

4 Historical archaeological potential

4.1 Introduction

This section discusses the site's potential to contain historical archaeological relics. The historical archaeological resource of the site relates to material remains, including features, artefact deposits and landscape evidence, that were generated during occupation and use of the site over approximately the past 230 years.

4.1.1 Terminology

The term archaeological potential refers to the likelihood that a site may contain physical evidence, including features, artefact deposits and landscape evidence, related to an earlier phase of occupation, activity, or development. This term is different from archaeological significance and archaeological research potential, which are more subjective statements related to the value of an archaeological resource in terms of significance.

Archaeological potential is usually described as nil, low, moderate, or high, and is assessed as follows:

- Nil—no known historical activities would have left an archaeological signature. Previous construction, or other activities, have removed all archaeology.
- Low—unlikely that archaeological evidence associated with this historical phase or feature survives. Archaeological remains are likely to have been subject to a high level of previous disturbance.
- Moderate—some archaeological evidence associated with this historical phase or feature possibly survives. Archaeological remains may have been subject to some previous disturbance.
- High—archaeological evidence associated with this historical phase or feature likely survives. Archaeological remains are likely to be intact as the level of site disturbance appears to be minimal.

Archaeological significance and relics in New South Wales are defined as having either local or state significance in Section 4A of the Heritage Act:

- Local—in relation to a place, building, work, relic, moveable object, or precinct, means significance to the area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.
- State—in relation to a place, building, work, relic, moveable object or precinct, means significance to the state in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

4.2 Previous archaeological assessment

The 2022 CMS previously assessed the potential for historical archaeological remains in Yarranabbe Park, Sir David Martin Reserve, Plantation Reserve and Rushcutters Bay Park. The report assessed a high potential for historical archaeological remains across the entire CMS study area. Such potential archaeological features include the 1880s reclamation fills; pre-1880s maritime-related objects buried within and/or below the reclamation fills such as boats and jetties; and evidence of the pre-1880s foreshore, swamp, and original creek alignment (prior to being canalised). The CMS also assessed a high potential for evidence of the paleoenvironment such as fossil pollens, which may provide information about past environmental conditions in Rushcutters Bay, including vegetation and evidence of land management by Aboriginal or European people. In the area proposed for the YRF (the current study area), the CMS assessed a low potential for convict-era labour and resource extraction (i.e. rush cutting), landscape management and Chinese market gardening.



Figure 4.1 Location of study area for the proposed YRF and previous study area for the CMS.
(Source: SIX Maps, GML overlay 2022)

4.3 Previous site disturbance

The extent of previous site disturbance in the study area is minor. Since the park was created, historical aerial photographs show that the study area has remained an open, flat, grassy field. No buildings can be seen on plan or in the historic aerials that may have impacted the archaeological resource since the formation of Rushcutters Bay Park in the late nineteenth century. The 1949 aerial image shows trees in the current study area that have since been removed (Figure 2.14). Removal of the trees may have resulted in localised disturbance to archaeological remains within the footprint of the root system.

4.4 Assessment of historical archaeological potential

This assessment is based on consideration of the current site conditions and examination of historical information related to its development and occupation, including evidence of disturbance from activities such as construction and demolition that may have disturbed the archaeological remains associated with former sites features and activities.

4.4.1 Phases of historical development

The following phases of historical development have been inferred from the historical background presented in Section 2. They are relevant to understanding the historical archaeological potential of the study area. Three phases of historical development are identified as follows:

- Phase 1—Early colonial land use (1788–1810s)
- Phase 2—Early land grants (1810s–1880s)
- Phase 3—Land reclamation and Rushcutters Bay Park (1880s–present)

Phase 1 Early colonial land use (1788–1810s)

The earliest use of the study area by colonial settlers may have occurred from as early as 1788, when convicts were sent to cut rushes for use on thatched rooves. The archaeological remains associated with the practice of rush cutting are likely to be ephemeral and the potential for archaeological evidence of this activity within the study area is low to nil. The potential for isolated artefacts associated with this period is low.

The study area is situated on the edge of the original foreshore and has high potential for remains of the pre-European landscape, such as the original creek and foreshore alignment. Early foreshore deposits have potential for paleoenvironmental data such as

fossil pollens that could contribute to an understanding of the former environmental conditions prior to colonial settlement.

Phase 2 Early land grants and residential development (1810s–1880s)

During this phase, the study area was part of a land grant to J. Thomas. The potential for evidence associated with the landscape's modification and management is low.

Archaeological evidence could include stepping stones, modification of the creek line, fence lines, drainage, or tree clearing, alongside evidence for the use of the foreshore throughout this phase such as rubbish pits, artefact scatters, boats or jetties. The ruins of Thomas's house are thought to lie outside the study area. However, if present, evidence could include structural remains (brick, stone or timber footings) and associated artefact deposits.

Market gardening appears to have been located on the south side of New South Head Road and outside of the study area. However, as the full extent of the lands used for market gardening is not known, there is a low potential for evidence of this activity within the study area. If present, archaeological evidence for the market gardens may include modified topsoils, garden beds, plough lines, postholes, minor or temporary structures, and tree boles.

By the late nineteenth century, the previously pristine landscape was polluted and the creek line had been modified. The modification to the river upstream was said to exacerbate floods that occurred during storms, which significantly affected surrounding properties, including the area of market gardens. Palynological samples may demonstrate evidence of the polluted landscape, while the flood events may have left flood deposits.

Phase 3 Land reclamation and Rushcutters Bay Park (1880s–present)

The formation of Rushcutters Bay Park involved land reclamation of the marshy swampland to the north of New South Head Road. The process of land reclamation involves depositing fill across a landscape, rather than demolishing, removing, or excavating the landscape or any features. The study area has high potential for reclamation fills associated with the formation of Rushcutters Bay Park. Reclamation fills have preserved historical archaeological remains of earlier phases of occupation in other sites around Sydney, including at Barangaroo South¹, Circular Quay Tower², and The Ribbon, Darling Harbour³. As such, the reclamation fills have low to moderate potential for buried redundant maritime infrastructure such as boats, jetties, revetments or other minor or temporary structures.

Following the establishment of the park in 1887, little development occurred within the study area. There is moderate potential for remains of the fence line and later footpath that is shown on historical plans and aerial photographs running diagonally through the study area. There is low potential for remains of the trough recorded on the 1909 plan (Figure 2.10).

The geotechnical report prepared by Fortify Geotech⁴ indicates that there are mixed fill deposits present at depths between 0.2m and 1.2m below the existing ground surface, that likely represent the land reclamation fills. The mixed fill overlies marine deposits/alluvium at depths from 0.7m to 1.4m below the existing ground surface. The marine deposits/alluvium likely represent the original foreshore and the level of the pre-1880s archaeology. The varying depths of the marine deposits indicate that the natural topography may be deepest towards the creek line to the west and Rushcutters Bay to the north and slope higher towards the south and New South Head Road.

4.5 Archaeological significance

The following significance assessment of the potential historical archaeology is undertaken against the NSW heritage criteria and has been informed by the 2009 guidelines.⁵ The significance of the potential archaeological resource within the study area is identified in Table 4.1 below.

Table 4.1 Significance assessment of the potential archaeological remains against the NSW heritage criteria.

Criterion	Response
<i>(a) an item is important in the course, or pattern, of NSW's cultural or natural history (or the local area)</i>	The potential archaeological remains would be of historical significance as part of the development of Rushcutters Bay and Rushcutters Bay Park. Evidence of convict-era resource extraction is historically significant in terms of Sydney's early colonial settlement and may be of state significance. Reclamation fills and objects buried within the fills are associated with the historical development of foreshore reclamation projects in the late nineteenth century for public reserves created around Sydney's harbour foreshores and would be of local significance.
<i>(b) an item has a strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the local area)</i>	The potential archaeological remains from the study area are not likely to meet the threshold for significance under this criterion.

Criterion	Response
<i>(c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)</i>	<p>Potential archaeological remains of the reclamation fills may demonstrate a degree of technical achievement associated with the large-scale reclamation schemes that took place around Sydney Harbour in the late nineteenth century.</p> <p>The potential archaeological remains would meet the threshold for local significance under this criterion.</p>
<i>(d) an item has strong or special association with a particular community or cultural group in NSW for social, spiritual, or cultural reasons (or the local area)</i>	<p>If present, evidence of the market gardens that has a demonstrated association with Chinese people may be of importance to Sydney's Chinese community, providing information about Chinese peoples in Sydney and associated cultural practices in the late nineteenth century.</p> <p>Depending on their condition, the potential archaeological remains could be of local significance for their historic associations with Sydney's Chinese community.</p>
<i>(e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the local area)</i>	<p>Given the relatively small size of the study area and the uncertainty regarding the exact location of the original foreshore, evidence of convict-era activities is likely to be ephemeral and/or of limited extent. Archaeological evidence associated with convict-era activities is likely to be limited to isolated artefacts. Depending on the nature and extent of the archaeological remains, late eighteenth and early nineteenth century artefacts associated with convict-era activities could be of local significance, depending on their form and purpose.</p> <p>Remains of the original foreshore and evidence for landscape modification associated with the first land grants may contribute information on past environmental conditions and the impact of early European settlement on the local environment. Paleoenvironmental data and evidence of early to mid-nineteenth-century landscape modification would be of local significance.</p> <p>The archaeological evidence of the market gardens, some of which were operated by Chinese peoples, may yield information that contributes to our understanding of Chinese agricultural practices and how they have been applied in Sydney. The potential archaeological remains would meet the threshold for local significance under this criterion.</p> <p>Reclamation fills have the potential to contribute information regarding the decisions and processes of land reclamation in Sydney in the nineteenth century. This information could be compared with other known areas of land reclamation in Sydney and contribute to our understanding of available technologies. The potential archaeological remains would meet the threshold for local significance under this criterion.</p> <p>Overall, the potential archaeological resource may inform research questions regarding construction techniques, local</p>

Criterion	Response
	technology, and the nature of the development of Rushcutters Bay. The potential artefact assemblage could demonstrate the past and inform research questions regarding the identity of those who used and occupied the site, and questions relating to the growth of the area. These remains have the potential to yield information unavailable from other resources.
<i>(f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the local area)</i>	The potential archaeological remains from the study area are not considered to be uncommon or rare in the context of Sydney's history, and therefore are not likely to meet the threshold for significance under this criterion.
<i>(g) 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 the local area)</i>	The creation of Rushcutters Bay and Yarranabbe Park may have served as an example for other parks created through maritime reclamation. Archaeological remains of the reclamation fills may demonstrate an approach to infilling maritime foreshore areas that was replicated by other projects. Further research would be needed to determine whether the archaeological remains meet the threshold for local or state significance under this criterion.

4.5.1 Statement of archaeological significance

The potential archaeological remains of the study area in Rushcutters Bay Park are variously of local and state significance for their historical, technical, social, scientific (research) and potentially representative values.

The potential archaeological remains are of historic significance as part of the broader late nineteenth-century scheme for creating foreshore reserves through land reclamation and as part of the study area's development as a public reserve. Paleoenvironmental remains may yield information on past environmental conditions around the bay and the impact of European settlement. Evidence of convict-era resource extraction is of historical value and may hold research value for its potential to yield information on the area's economic role in establishing and developing the Sydney colony. The reclamation fills may be of technical and research value for their ability to contribute to our understanding of large-scale reclamation projects in the late nineteenth century. If present, evidence for Chinese market gardening may have social and research values contributing to a greater understanding to the history of Chinese peoples in Sydney.

Table 4.2 provides a summary of the potential archaeological evidence by phase and the level of assessed significance (local or state).

Table 4.2 Summary of potential archaeological features and assessed significance.

Phase	Possible archaeological remains	Potential	Significance
1: Early European settlement and land use (1788–1880s)	<ul style="list-style-type: none"> Evidence of early convict labour and resource extraction/rush cutting 	Low to nil	Local, state if extensive and/or well preserved
	<ul style="list-style-type: none"> Isolated artefacts 	Low	Nil
	<ul style="list-style-type: none"> Evidence of the natural landscape, including <ul style="list-style-type: none"> evidence of the original creek alignment and/or foreshore paleoenvironmental data such as fossil pollens 	High	Local
2: Residential Development (1810s–1880s)	<ul style="list-style-type: none"> Boundary fence lines/postholes 	Low	Local
	<ul style="list-style-type: none"> Evidence of landscape modification or management, including modification to the creek line, drainage, or tree clearing, flood deposits, and paleoenvironment data The use of the foreshore, such as rubbish pits, artefact scatters, boats or jetties Evidence of Chinese market gardens such as garden beds, plough lines, postholes, tree boles, or minor or temporary structures 		
3: Land reclamation and Rushcutters Bay Park (1880s to present)	<ul style="list-style-type: none"> Reclamation fills associated with the formation of Rushcutters Bay Park 	High	Local
	<ul style="list-style-type: none"> Fence line and pathway associated with the twentieth century Rushcutters Bay Park 	Moderate	Local
	<ul style="list-style-type: none"> A trough noted on the 1909 plan 	Low	Nil

4.6 Endnotes

- ¹ Casey & Lowe 2012, Archaeological Excavation Barangaroo South Preliminary Results, report prepared for Lendlease.
- ² Casey & Lowe 2019 *Circular Quay Tower 182 George & 33–35 Pitt Streets, Sydney, Preliminary Results Report for 2017–2019 Archaeological Program*, report prepared for Lendlease.
- ³ GML 2021 *The Ribbon*, Darling Harbour Archaeological Investigation Report, report prepared for Probuild.
- ⁴ Fortify Geotech 2019, Proposed Skatepark Rushcutters Bay Geotechnical Investigation, report prepared for Convic January/February 2019.
- ⁵ Heritage Branch [now Heritage NSW], December 2009, *Assessing Significance for Historical Archaeological Sites and 'Relics'*, Heritage Branch of the Department of Planning, Sydney.

5 Impact assessment

5.1 Proposed works

The proposed YRF comprises a skatepark, basketball practice area, seating areas, shade shelter and associated landscaping (Figure 5.1). The following works have been summarised from the construction methodology and draft plans prepared by Convic for Woollahra Council (Appendix 1).

The entire area will be graded following the site topography and the level of the new construction will be aligned to existing pathways. All grass and turf in the study area will be removed and stockpiled to be reused in garden beds. No trees will be removed in the process and structural root zones will be protected, although tree roots will be removed as required.

As the late nineteenth-century reclamation fill is considered unsuitable for construction purposes, the proposed works involve excavating to a depth of 600mm below the existing ground surface to remove the fill across the entire study area. Engineered fill or roadbase will be introduced and compacted in 300mm layers to required compaction densities. The new facility will involve installing drainage; constructing a concrete slab and the platforms, transitions, and bases that form the skate park and associated street furniture. No additional services, such as lighting, are proposed as part of the development.

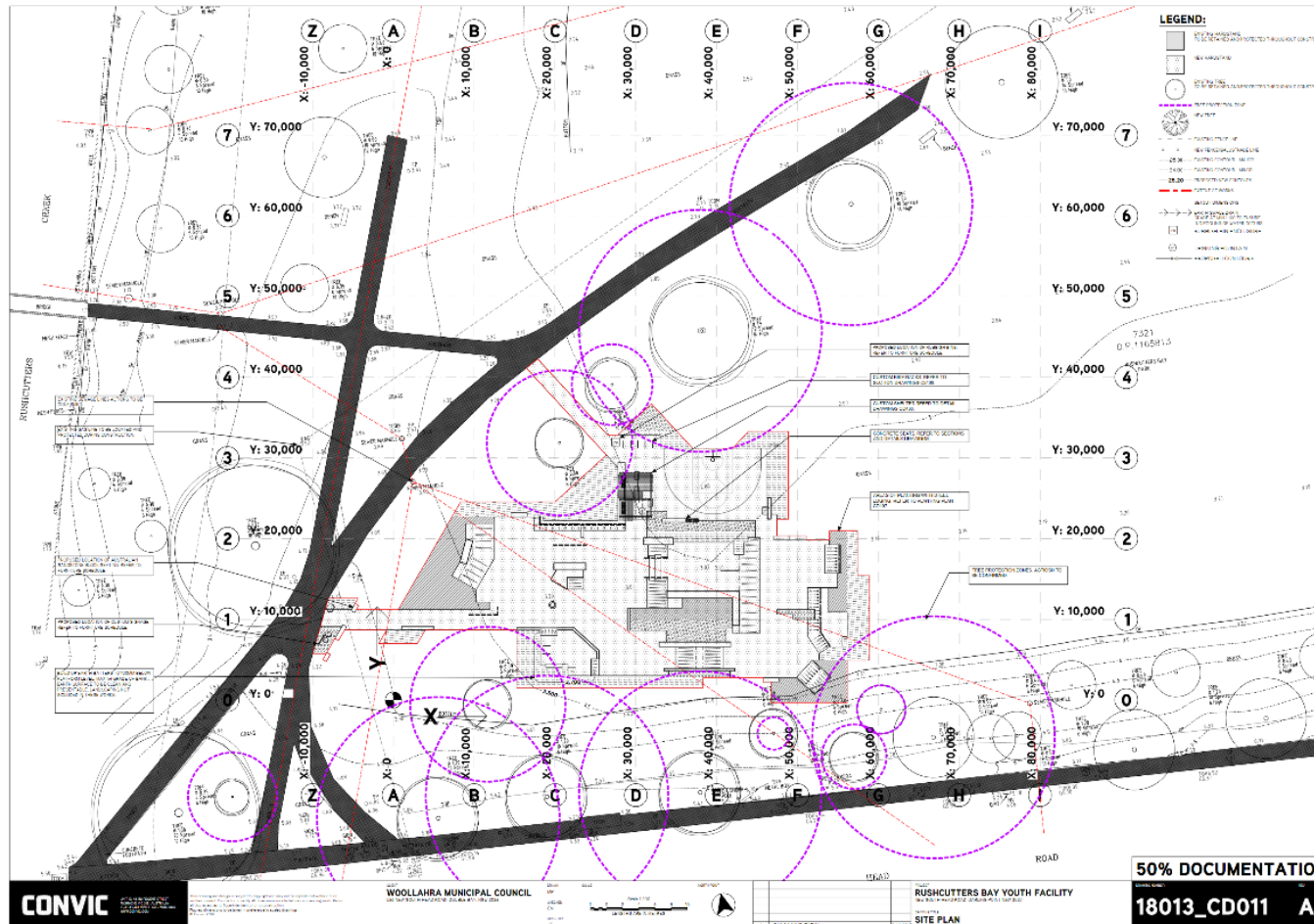


Figure 5.1 Site plan for the construction of the proposed YRF. The purple circles indicate the tree protection zone. (Source: Convic Drawing 'Site Plan', dwg 18013_CD011/A, 4 May 2022)

5.2 Archaeological impacts

The footprint of the proposed YRF has low to high potential for archaeological remains to survive below the existing ground level. The potential remains include 1880s reclamation fills associated with the formation of Rushcutters Bay Park, and potential pre-1880s archaeological features buried within or below these fills.

The proposed development will have a localised impact on the 1880s reclamation fills. As the proposed YRF will comprise only 2-3% of the total area of the eastern portion of Rushcutters Bay Park, excavation for the development will remove only a small portion of the reclamation fills. Reclamation fills and associated archaeological remains would be preserved in the wider Rushcutters Bay Park outside the footprint of the YRF.

Excavation across the study area to depths of 600mm may reach the top of the original foreshore deposits, most likely in the southern part of the study area where the original foreshore may lie at around 0.7m below the existing ground level.¹ However, as this would be at the maximum depth of excavation required for the YRF, the original foreshore deposits would remain intact below the depth of impacts.

5.2.1 Mitigation measures

The proposed works for constructing the YRF are expected to have an impact on the potential archaeological resource of the 1880s reclamation fills and may have a localised impact on the original foreshore deposits at the southern edge of the study area. All subsurface ground works within the study area should be subject to a program of archaeological monitoring and, if present, locally significant archaeological remains would be salvaged prior to impact.

If state-significant archaeological remains are found on site, works should cease. Options for redesigning works to avoid or minimise impacts to the remains should be considered in consultation with Heritage NSW. If works cannot be redesigned to avoid or reduce the impact to state-significant archaeological remains, then these would be salvaged under the methodology in this ARD. Additional approval(s) from Heritage NSW may be required if state-significant archaeology is present.

All works should be undertaken in accordance with the methodology set out in this report.

5.3 Endnotes

- ¹ Fortify Geotech 2019, Proposed SkateparkRushcutters Bay Geotechnical Investigation, report prepared for Convic January/February 2019.

6 Archaeological research design

6.1 Introduction

To manage and mitigate the potential impacts of the proposed works, a program of archaeological monitoring is recommended during construction. To guide the archaeological monitoring, an Archaeological Research Design (ARD) has been prepared, which includes a research framework and archaeological investigation methodology.

The development of a research framework assists in understanding an archaeological site's significance, and informs how it should be investigated and managed. The questions that archaeological investigations could address are framed in the context of the site history, physical condition and significance. The subject site's historical archaeology has potential to answer site-specific questions and contribute to a range of broader historical and archaeological research.

6.2 Research framework

6.2.1 Research themes

The research potential of a site should be considered in a broad context and in a site-specific context. An archaeological investigation of the site should consider the physical evidence of its historical development and occupation in a broad thematic context. The Heritage Council of NSW has composed a table of NSW Historical Themes to ensure that information recovered from a site can be understood in a broader research framework, beyond the site itself.

The historical themes that are relevant to the potential archaeological resource at the site are outlined below.

Table 6.1 NSW historical themes relevant to the potential archaeological resource at the Rushcutters Bay YRF.

Theme	Explanatory note	Comment
1 Tracing the natural evolution of Australia—Environment—naturally evolved	There are two aspects to this theme: (1) Features occurring naturally in the physical environment which have significance independent of human intervention (2) Features occurring naturally in the physical environment which have shaped or influenced human life and cultures	The study area is located close to Rushcutters Creek, which was known to be subjected to substantial flood events that affected the surrounding properties. Historical modification of the landscape may be present.
2 Peopling Australia—Convict	Activities relating to incarceration, transport, reform, accommodation and working during the convict period in NSW (1788–1850)	In the area of Rushcutters Bay, convict labour was used for resource extraction in the form of rush cutting, potentially within weeks of the First Fleet’s arrival in 1788.
2 Peopling Australia—Ethnic influences	Activities associated with common cultural traditions and peoples of shared descent, and with exchanges between such traditions and peoples	Historically, the area of the market gardens was known to house members of the Chinese community.
3 Developing local, regional and national economies—Agriculture	Activities relating to the cultivation and rearing of plant and animal species, usually for commercial purposes, can include aquaculture	The Chinese market gardens may provide evidence of cultural traditions in gardening and agriculture of the Chinese community in Sydney in the late nineteenth century.
3 Developing local, regional and national economies—Environment—cultural landscape	Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscape modification may be present that aided in the function and production of the market gardens, such as the relationship between the gardens and the creek line, and if the creek and swamp was adapted for garden irrigation.
8 Developing Australia’s cultural life—Domestic life	Activities associated with creating, maintaining, living in and working around houses and institutions.	The study area is located within land granted to J Thomas and was in close proximity to residential occupation along New South Head Road. Evidence of domestic life such as rubbish pits or artefact scatters may be present.
8 Developing Australia’s cultural life—Leisure	Activities associated with recreation and relaxation	Rushcutters Bay Park has historically been used as an area for leisure, and this use continues today. Potential archaeological remains may yield information on the park’s development.

6.2.2 Broad research questions

One of the main objectives of the proposed archaeological investigation is to recover information from the site that is not available through any other source. The types of questions that might be asked of the site include:

- What physical evidence of former activities survives on the site?
- What is the extent of the surviving archaeological evidence?
- What is the nature of extant archaeological features?
- What is the date of the identified elements?
- What can the material culture contribute to our knowledge about this site or other sites?
- What has been the impact of different phases of construction and demolition, and can changing technology explain the degree of impact of these works?

6.2.3 Site-specific research questions

In addition to the general questions above, the following site-specific questions could be addressed:

- What is the evidence of the natural pre-1788 environment? Can the original alignment of the creek line or foreshore be identified? Can modification to the environment since 1788, either natural or human (historical), be identified and distinguished? Does palynological data exist that can provide insight into the environmental conditions (i.e. vegetation regimes) either pre- or post-colonial occupation? Does this match the historical descriptions and maps of the landscapes?
- Is evidence of early colonial convict land use and labour present (i.e. rush cutting)? Can this inform an understanding of early convict resource extraction practices and technologies?
- How did the landscape change over time after the European occupation of the area? Does the area have evidence of landscape management, such as drainage infrastructure? Does it have evidence of the pollution of the area by the late nineteenth century?
- Can any archaeological remains be attributed to the use of J. Thomas's land grant?
- Does the area have evidence of the Chinese market gardens? If so, what is the nature, form, size, or type of remains, and can they provide evidence for available technologies? Can evidence of the types of plants and food available from the market gardens be identified? Can insights into diet, living standards and consumer choice be identified? Can cultural practices, whether agricultural or not, be associated with the Chinese community?
- Are archaeological remains that demonstrate the historical interaction with the maritime environment, such as boats or jetties, buried within the reclamation fills? If

so, what technological or industrial knowledge or techniques can these features provide evidence for, and how do they compare with other maritime remains?

- What is the nature of the land reclamation fills and what information does it provide about the construction of Rushcutters Bay Park? Can a specific reclamation fill or style of fills be linked to this area or time period? How does it compare with archaeological evidence from other areas of land reclamation or other reclaimed parks around the Sydney Harbour foreshore? Do any remains survive within the reclamation fills that inform questions regarding former activities or use of the site?

6.3 Historical archaeological investigation methodology

6.3.1 Overview

This section presents the program of historical archaeological investigations that has been developed to mitigate impacts associated with the proposed YRF at Rushcutters Bay Park. The research framework presented in Section 6.2 will guide the archaeological investigation. The following methodology has been prepared in accordance with best practice and anticipated conditions of the Section 60 permit.

The historical archaeological investigations would involve archaeological monitoring and detailed localised salvage excavation of archaeological remains, if present, prior to removal where required to facilitate construction.

6.3.2 Archaeological monitoring

Archaeological monitoring would be undertaken during bulk excavation for the YRF and during any activities that would involve ground disturbance of areas with the potential for historical archaeological remains.

Archaeological monitoring refers to a suitably qualified archaeologist supervising ground disturbance or excavation works undertaken by mechanical excavator or construction personnel. Monitoring aims to ensure that archaeological layers, features and deposits are identified and not impacted prior to detailed excavation in accordance with the ARD and anticipated permit conditions.

The methodology for monitoring is as follows:

- An archaeologist will be required on site when works commence involving ground disturbing activities that have the potential to encounter historical archaeological remains.

- The archaeologist will work with the mechanical excavator—fitted with a mud bucket—during removal of modern surfaces and fill in areas with the potential for significant historical archaeological remains. If archaeology is identified, works will cease in the affected location to allow for further archaeological inspection.
- Suitably qualified archaeologist(s) will undertake targeted manual excavation if/when potential features or artefact deposits are encountered. Manual excavation will be undertaken with hand tools such as trowels, shovels, hoes, picks, brushes and coal shovels.
 - Locally significant archaeological remains will be investigated, excavated and recorded prior to impacts.
 - State-significant archaeological remains, if unexpectedly found, would be subject to further review to avoid impacts from construction where possible. Additional approvals may be required if state-significant archaeology is present.
- If, during the course of the works, the monitoring archaeologist identifies nil or low potential for significant archaeology to be present based on the results of initial archaeological monitoring undertaken in that location, the archaeological mitigation requirement may be changed so that works in that area are subject to the Unexpected Finds Procedure outlined in Section 6.3.4. This change in mitigation requirements is to be undertaken only on the authority of the nominated Excavation Director(s).
- Monitoring will be required until the natural (sterile) profile or the limit of the required excavation is reached, unless a decision is made to change to the Unexpected Finds Procedure.

6.3.3 Salvage excavation

Salvage excavation refers to detailed archaeological excavation and recording undertaken to mitigate construction impacts to archaeological remains. Small localised or large open areas can be subject to salvage excavation, depending on the extent of the archaeology within the subject site. Salvage involves the controlled and systematic investigation, recording and removal of archaeological deposits and features through excavation by the archaeological team.

Salvage excavation would be carried out if substantial, intact and significant archaeological remains were to be identified during monitoring. The findings of the monitoring program and extent of proposed impacts will inform the extent of salvage excavations.

The following methodology would apply for salvage excavation:

- Under archaeological supervision, modern surfaces and fills will be removed using a mechanical excavator with a flat/grading bucket to the top of archaeological features or layers, or natural subsoil or bedrock.
- All exposed archaeological remains will be cleaned by hand and manually excavated. Manual excavation will be undertaken with trowels, shovels, hoes, picks, mattocks, brushes and coal shovels.
- Salvage excavations will cease when either the site's research potential has been fully realised and all significant archaeological remains have been investigated and recorded, or the required depth of impact has been reached.
- Development impacts would determine the extent of areas subject to salvage excavation, which may be undertaken in stages responding to the development program.

6.3.4 Unexpected finds procedure

Archaeological remains and artefacts may be uncovered during the construction phase in areas assessed as having nil or low potential or minimal impacts to significant historical archaeological remains.

The following procedure would apply for unexpected archaeological finds:

- Cease activity in the affected area and secure/protect the suspected archaeological find from impact.
- Contact the project heritage consultant/archaeological Excavation Director to assess and inspect the suspected archaeological find.
- Historical archaeological finds will be managed in accordance with this HAARD, the Section 60 permit conditions and requirements of the Heritage Act. Additional approvals may be required if state significant archaeological remains are uncovered.
- Work in the affected area can recommence following clearance from the project heritage consultant/archaeological Excavation Director.

If any unexpected historical archaeological relics (not identified in this HAARD) were uncovered during the course of the work, then all works will cease immediately in that area and Heritage NSW will be contacted. Depending on the significance of the relics, further management, including possible retention and/or interpretation of the relics, may be required before further works can continue in that area.

6.3.5 Recording

The recording of archaeological data would be based on the single context recording system. Phasing and interpretation of the archaeological features in relation to the entire

site would also be included in the record sheets and survey. The recording process for the archaeological program would be as follows:

- Information on the excavation methodology and main findings would be recorded on monitoring sheets and surveyed.
- Archaeological structural remains, deposits and features would be recorded on context sheets.
- A digital photographic record (JPEG files) of the archaeological program would be made. Significant archaeological remains would be recorded using both JPEG and RAW files. All photographs would include a scale.
- Scale drawings would be prepared and include location of the archaeological remains within the overall site. A surveyor would take geo-referenced survey data to prepare survey drawings.
- Artefacts would be collected for analysis in accordance with the policy set out in Section 6.3.6.
- Archaeological samples would be collected in accordance with the methodology set out in Section 6.3.6.
- Registers of contexts, photos, samples and drawings would be kept, digitised and collated for the site archives.

6.3.6 Artefacts and samples

Artefacts are likely to be retrieved from the archaeological program. The artefacts may consist of ceramic and glass sherds, clay pipe fragments, buttons, animal bone, leather scraps or shoes, buttons, coins, nails and ferrous metal objects. The artefact policy for the testing program is as follows:

- Diagnostic, complete and potentially significant artefacts from significant layers and undisturbed fills would be collected by context, and retained for analysis and archiving.
- Non-diagnostic artefacts and non-significant material from non-significant layers and disturbed fills would be recorded on the context sheet and photographed as appropriate, then discarded.
- Artefacts recovered would be provenanced according to their context. They would be cleaned, sorted and stored in an appropriate repository, observing specialist conservation requirements where appropriate (for example, metal, timber, or leather artefacts).
- Building material (brick, stone, mortar) and environmental (soil, pollen, marine sediment, shell) samples would be collected from significant contexts for further analysis, archiving purposes and to inform the research questions. Two of each sample type would be collected—one for analysis and one for inclusion in the site archive for future analysis.

For the excavation of boats, other watercraft, and components thereof, the following policy applies:

- A suitably qualified specialist maritime archaeologist will need to be present on site during the exposure and lifting of any such remains to guide and advise this process. In addition, input from a specialist materials conservator will be required during and after the excavation of such remains. Consideration should be given to the long-term conservation and preservation of such remains in discussion with relevant stakeholders, including Heritage NSW.

6.3.7 Long-term artefact storage

Artefacts recovered during the archaeological investigation would become the responsibility of the landowner, Woollahra Council, and must be retained in a safe and secure location. A suitable repository for the artefacts' long-term storage should be identified by Woollahra Council.

6.3.8 Heritage induction

Prior to commencing ground impacts, a heritage induction should be presented to all contractors to ensure that they are aware of the requirements under the project approval and the procedure for advising the Excavation Director of unexpected finds. All project personnel should attend a general project induction prior to commencing work on the project. This induction should include the supplied heritage induction information.

6.4 Post-excavation reporting

A report would be prepared following the completion of the archaeological fieldwork. The report would include the following:

- a plain English executive summary of the archaeological findings;
- an overview of the archaeological investigation program and methodology;
- detailed description and analysis of the archaeological findings, phasing and interpretation;
- an outline of the study area's historical background, including additional primary or secondary resource research if required;
- detailed description and analysis of the archaeological findings, phasing and interpretation;
- photographs, scale drawings/surveys and interpretive graphics;
- response to the research questions in this report;
- reassessment of archaeological potential and significance and the further research potential of the archaeological collection and study area, if required;

- details of the archaeological collection repository, long-term management and access; and
- technical and specialist reports (as required), detailed site plans and survey drawings, context and site registers, artefacts and samples catalogue, and site photograph contact sheets included as appendices.

7 Conclusions and recommendations

7.1 Conclusions

- The site of the proposed YRF in Rushcutters Bay Park has moderate-to-high potential for historical archaeological remains associated with the original foreshore, and reclamation and features associated with the formation of Rushcutters Bay Park from 1881 onwards. There is a low potential for evidence of convict-era rush cutting, evidence for modification of the creek and foreshore, and later nineteenth century market gardening. The archaeological remains are of local significance for their historical, technical, social, scientific (research) and potentially representative values. Highly intact or extensive evidence of convict-era activities may be of state significance.
- The construction of the YRF will extend to a depth of c600mm below the existing ground surface. This will impact on the potential archaeological resource of the 1880s reclamation fills, but is unlikely to reach the level of the pre-1880s ground surface that potentially lies at depths from c700mm to beyond 1.5m below the existing ground surface. As the YRF development will only comprise a small portion of the entire Rushcutters Bay Park, excavation for the development will have a localised impact on a small portion of the 1880s reclamation fills.
- A program of archaeological monitoring is proposed to mitigate the impacts of the proposed YRF on the potential archaeological resource and, if present, locally significant archaeological remains would be salvaged prior to impact.
- As Rushcutters Bay Park is listed on the State Heritage Register, a permit issued under Section 60 will be required prior to any impacts to significant archaeological remains.

7.2 Recommendations

- A Section 60 permit application to impact relics and undertake historical archaeological investigations should be submitted to Heritage NSW for approval prior to commencing works. The Section 60 application should include a copy of this report.
- No excavation or ground disturbance of the study area can be undertaken prior to Heritage NSW issuing a Section 60 permit.

- The program of archaeological monitoring should be undertaken in accordance with the research design and methodology provided in this report, and any Section 60 permit conditions.
- On completion of the archaeological investigation program, a program of post-excavation analysis should be undertaken, and a detailed final report prepared to share the results. A copy of the report must be supplied to Heritage NSW to comply with Section 60 permit conditions.
- Woollahra Council is responsible for any artefacts recovered during the excavation, and will need to provide a suitable repository for the long-term storage and care of the artefact collection and archive.
- In the event that any unexpected historical archaeological evidence not identified in this report is encountered during site works, works should cease, and Heritage NSW should be notified immediately. Further assessment and/or approval may be required before works recommence.
- All personnel responsible for ground disturbing works should undertake a heritage induction prior to commencing works. The induction would provide information on the archaeological potential for the study area and their responsibilities for reporting under the Heritage Act.

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1874 'Creek running down to Rushcutters's Bay with a view to Darling Point, Sydney, ca. 1874 [picture]' National Library of Australia, Call number: PIC/12254/980 LOC Album 1136)

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c1900–1910 'View from Darling Point looking southwest across Rushcutters Bay Park'
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9 Appendices

Appendix A

Rushcutters Bay Youth Facility Documentation Package

RUSHCUTTERS BAY YOUTH FACILITY

PROPOSED
SITE LOCATION



DRAWING INDEX

NO.	DRAWING TITLE
18013_CD000	Title Page and Drawing Index
18013_CD001	General Notes
18013_CD010	Existing Conditions Plan
18013_CD011	Demolition Plan
18013_CD012	Site Plan
18013_CD100	Grading Plan
18013_CD101	XY Coordinate Plan
18013_CD102	Dimension Plan
18013_CD103	Surface Finishes Plan
18013_CD104	Concrete Joint Plan
18013_CD105	Steelwork and Coping Plan
18013_CD106	Section Key and Steel Plan
18013_CD107	Planting Plan
18013_CD200	Sections 01
18013_CD201	Sections 02
00000_CD300	Details 01
00000_CD301	Details 02
00000_CD302	Details 03
18013_CD400	Steelwork Details 01
18013_CD401	Steelwork Details 02
18013_CD402	Steelwork Details 03
18013_CD400	Shelter Details 01
18013_CD401	Shelter Details 02

50% DOCUMENTATION

CONVIC

UNIT 13, 46-50 REGENT STREET
RICHMOND VIC 3122 AUSTRALIA
T +61 3 9466 9899 F +61 3 9466 9088
WWW.CONVIC.COM

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Figured dimensions to be taken in preference to scaled drawings.
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CLIENT
WOOLLAHRA MUNICIPAL COUNCIL
536 NEW SOUTH HEAD ROAD, DOUBLE BAY, NSW 2028

DRAWN
MP
CHECKED
CM
DIRECTOR
JT

SCALE

NORTH POINT



B	50% DOCUMENTATION	04.05.22
A	50% DOCUMENTATION	2.03.2019

PROJECT
RUSHCUTTERS BAY YOUTH FACILITY
NEW SOUTH HEAD ROAD, DARLING POINT NSW 2027

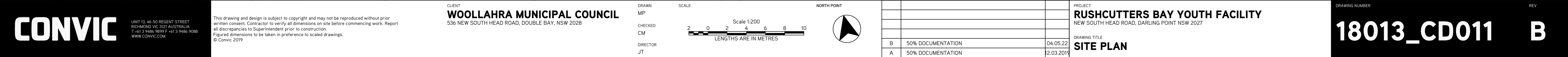
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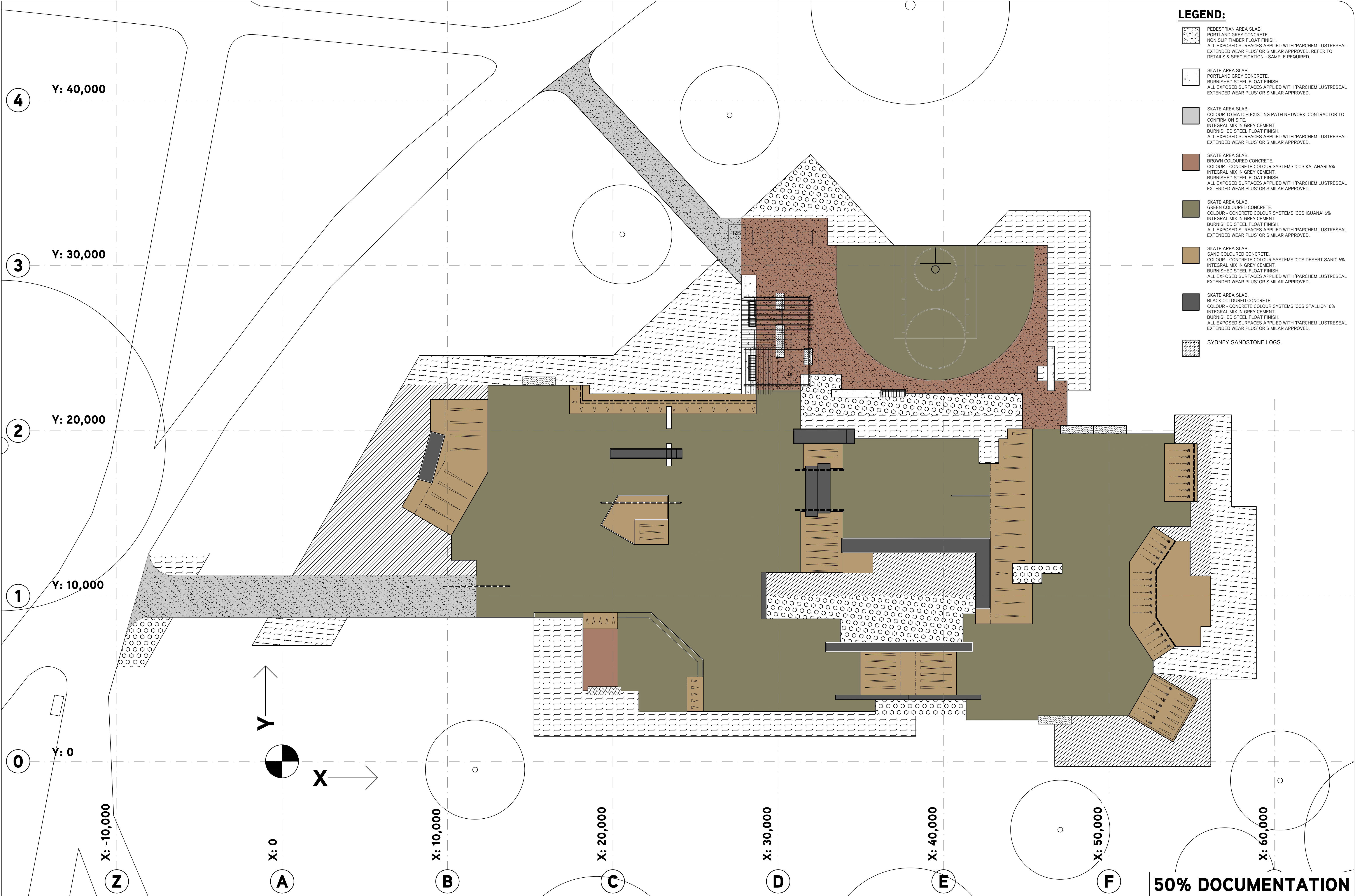
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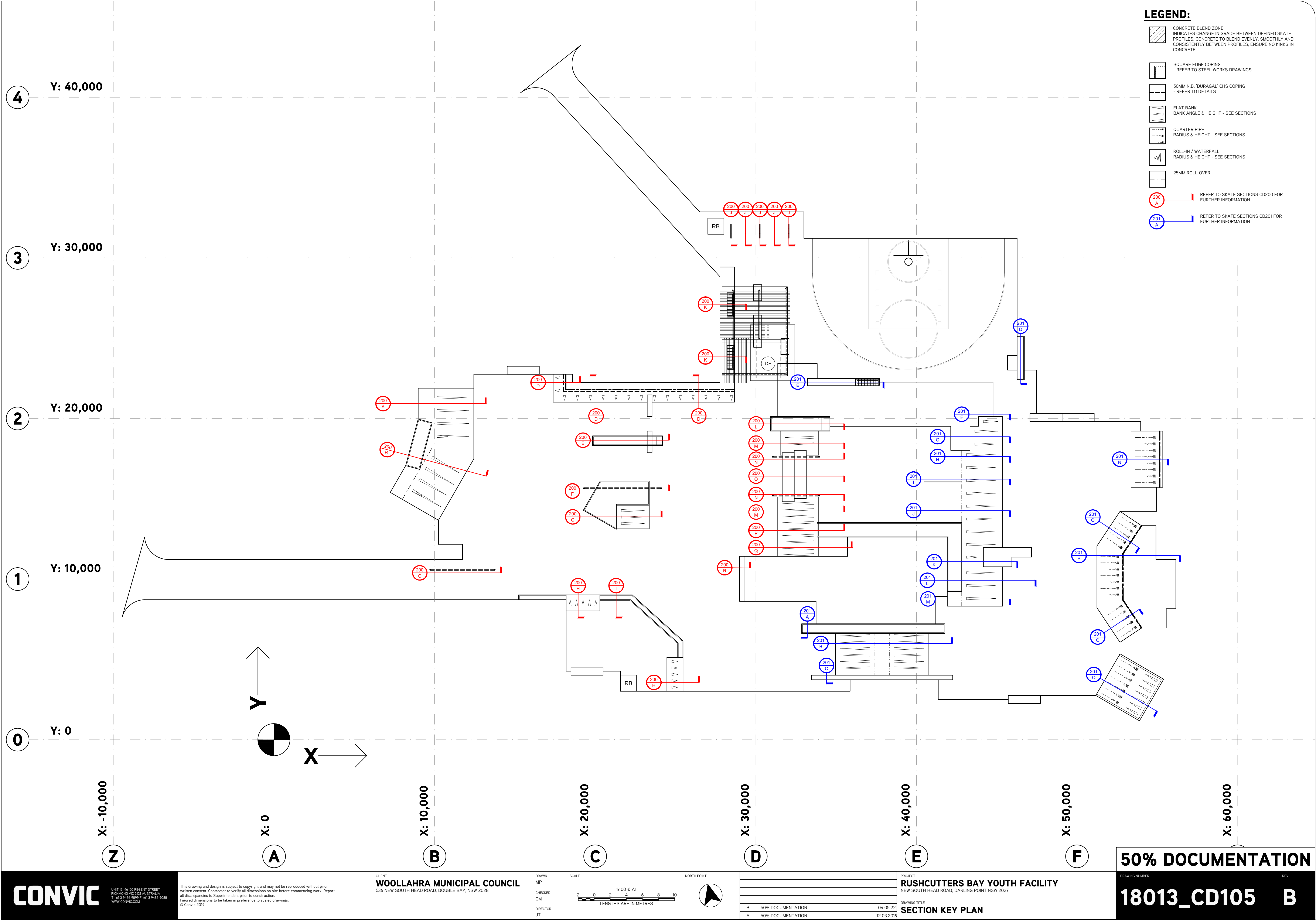
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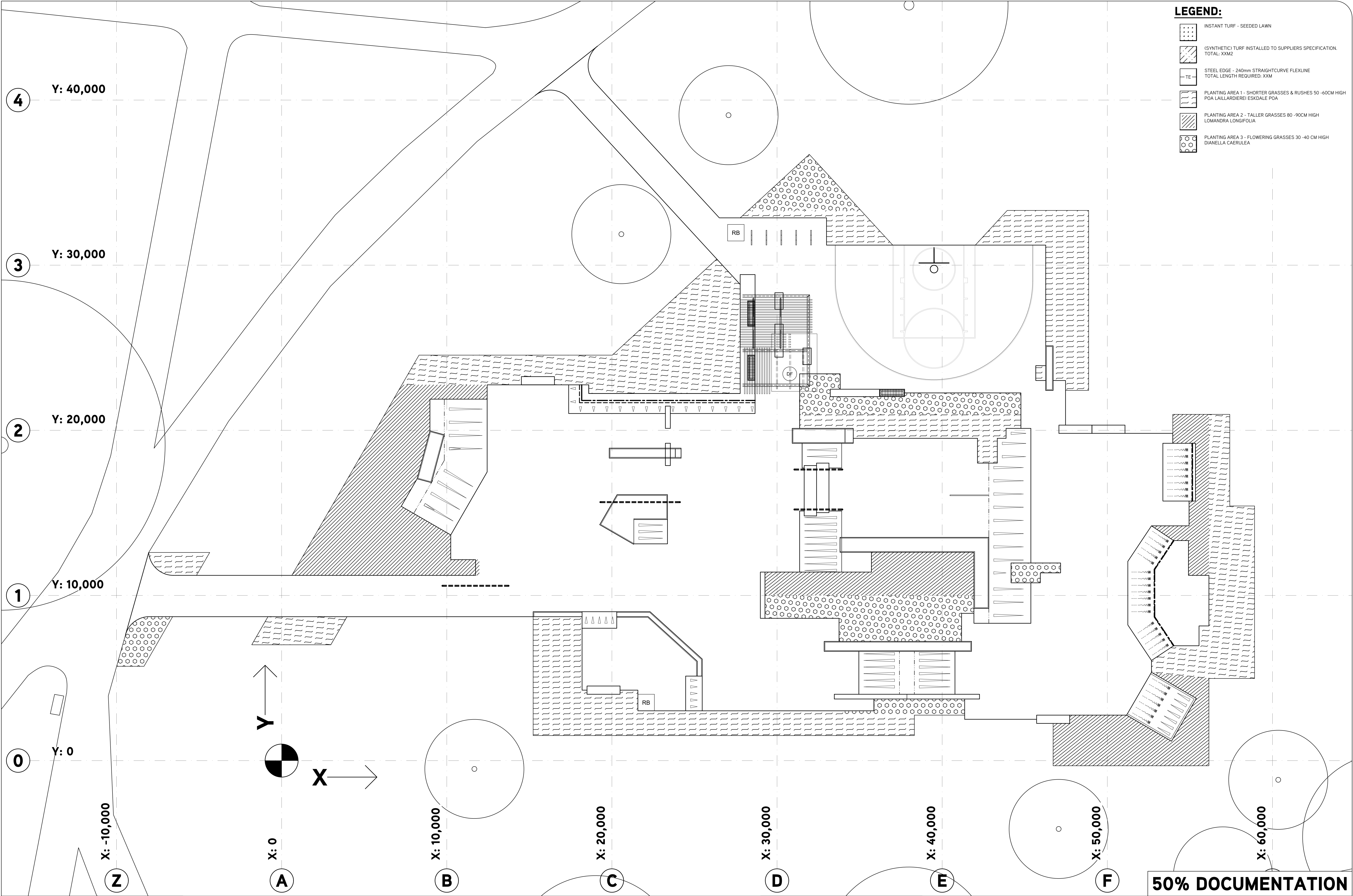




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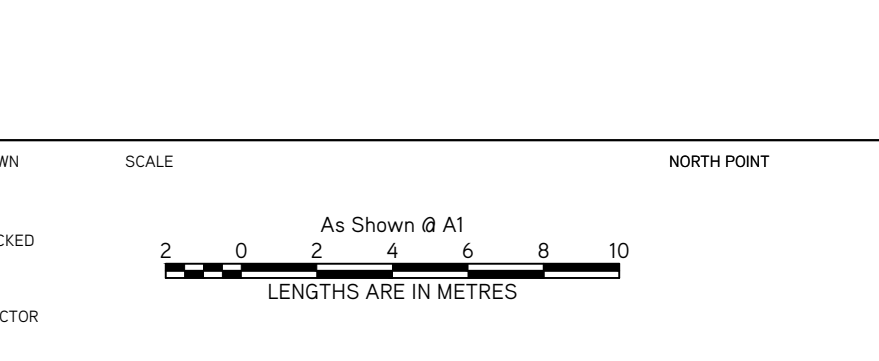
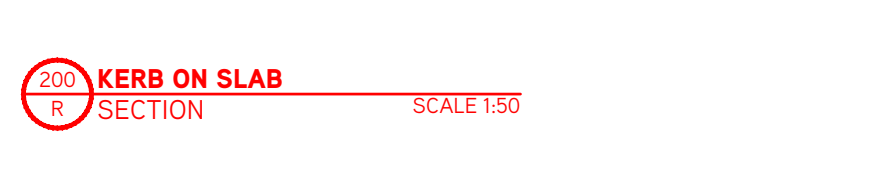
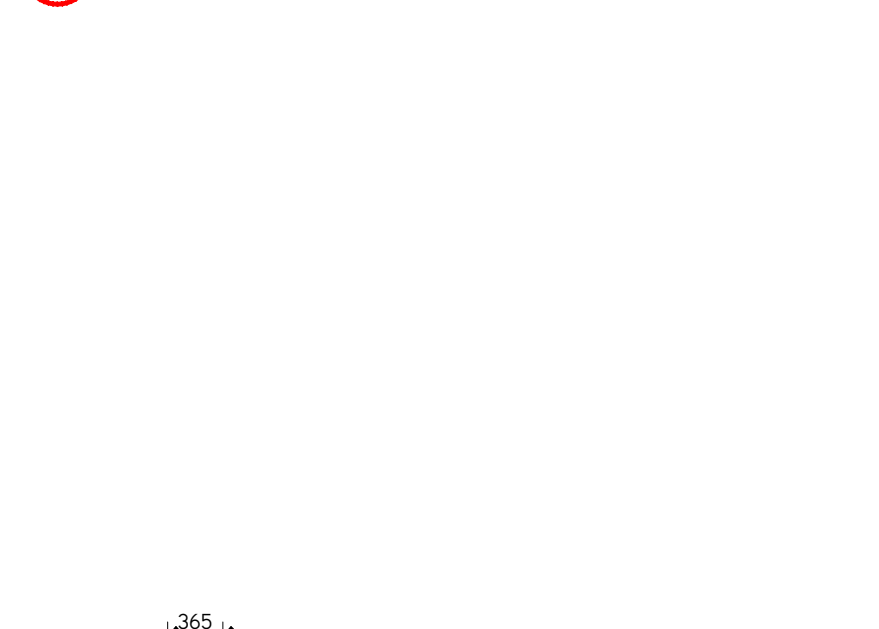
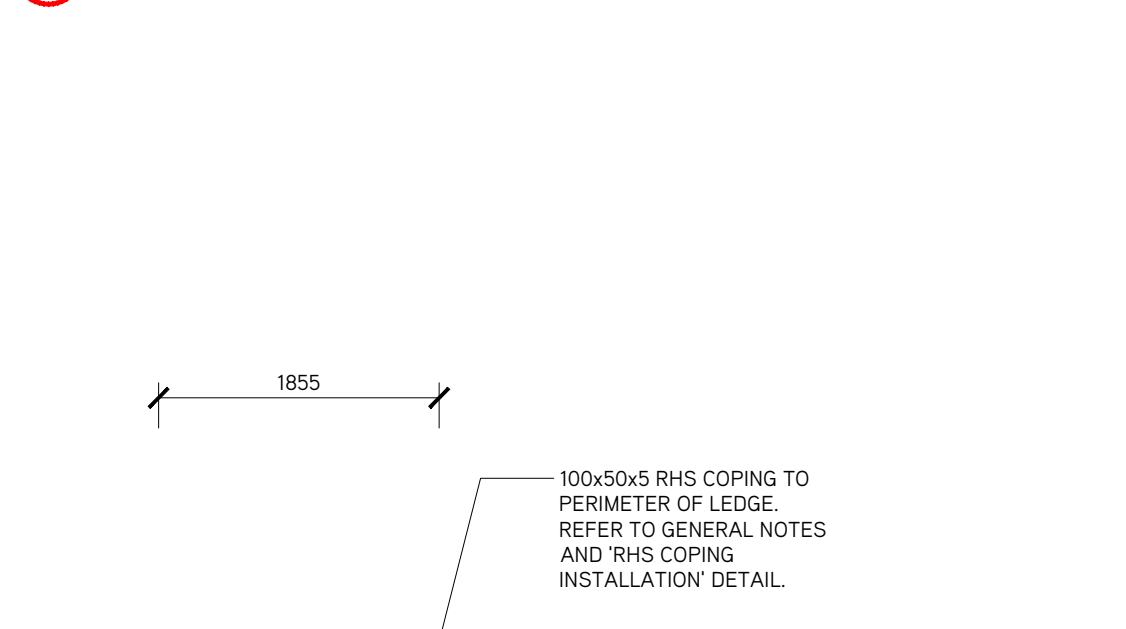
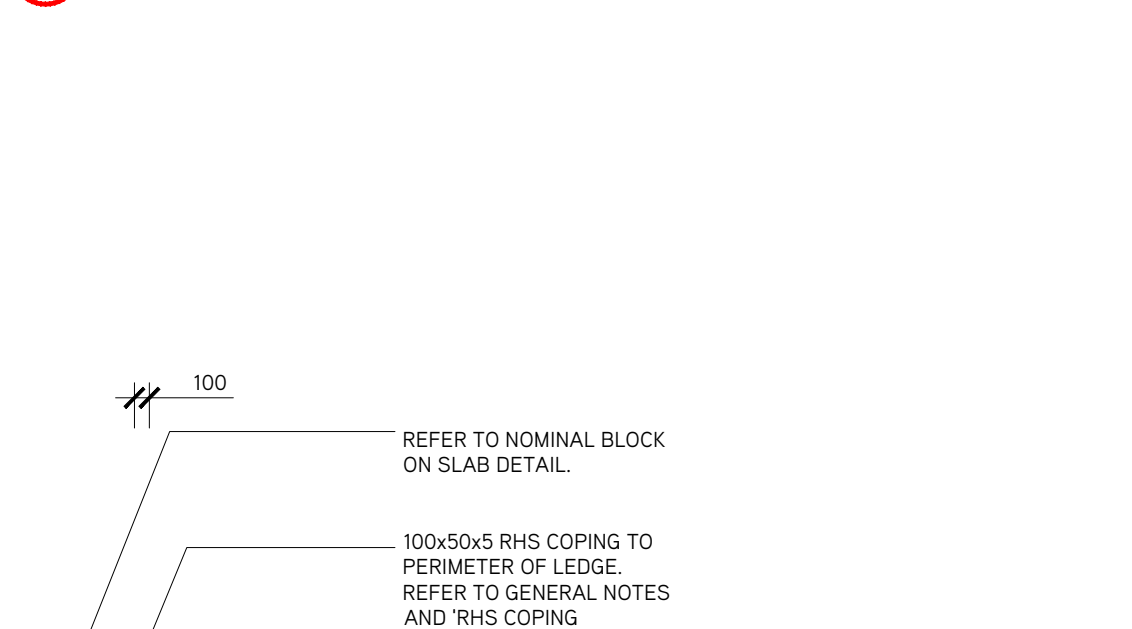
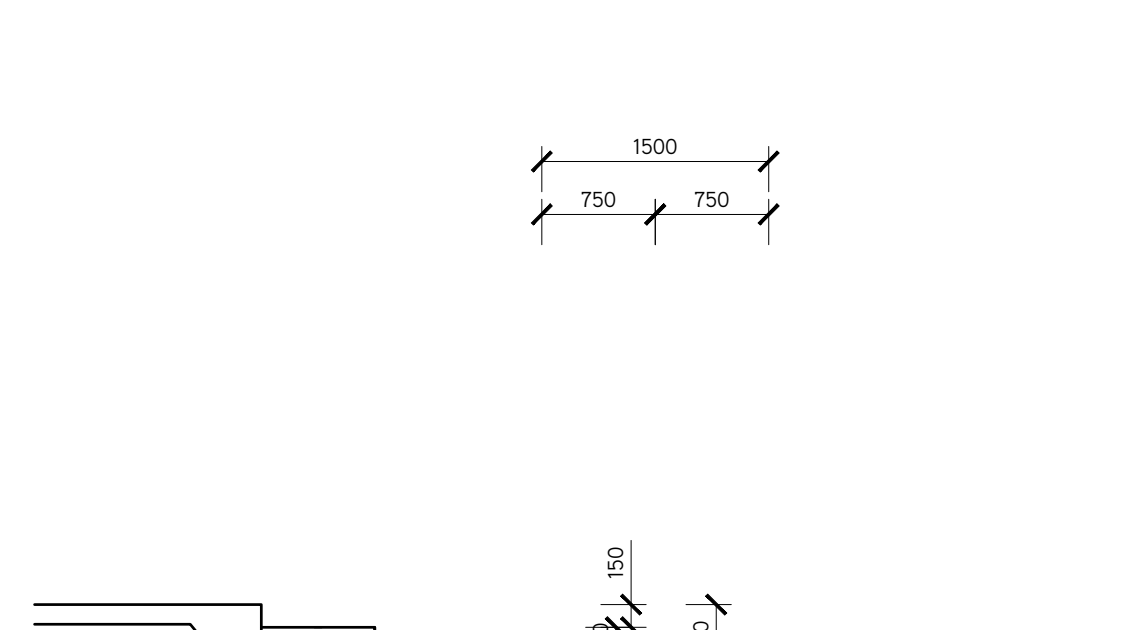
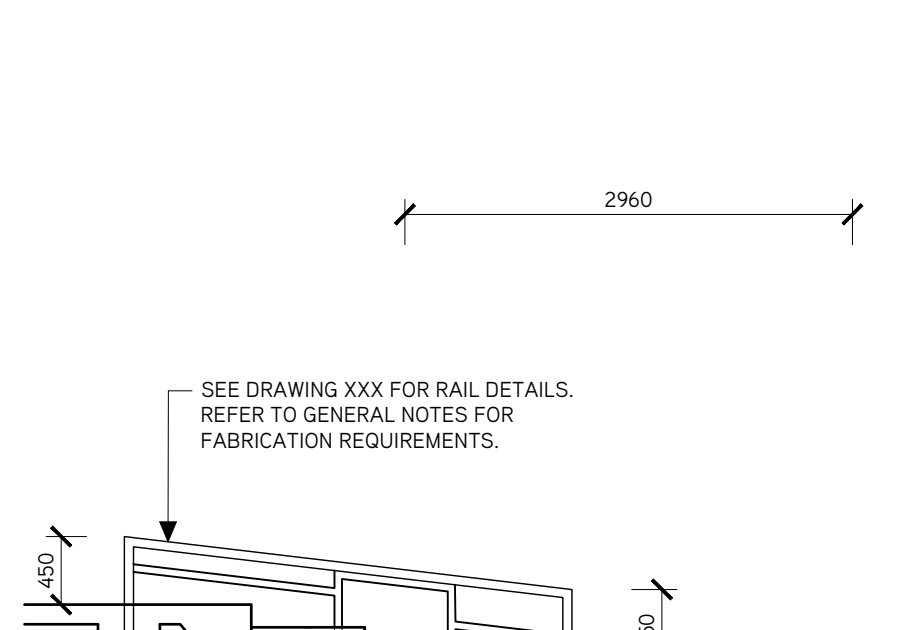
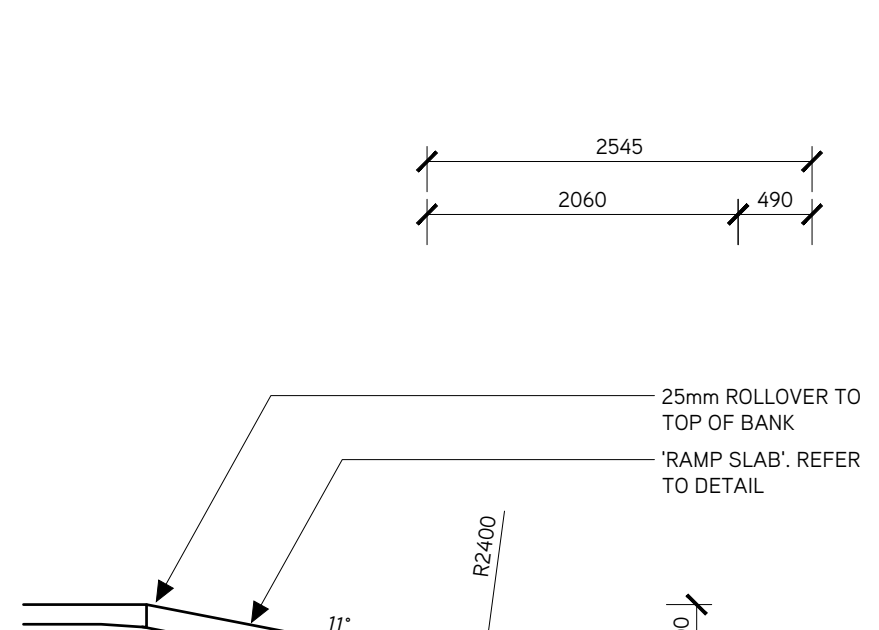
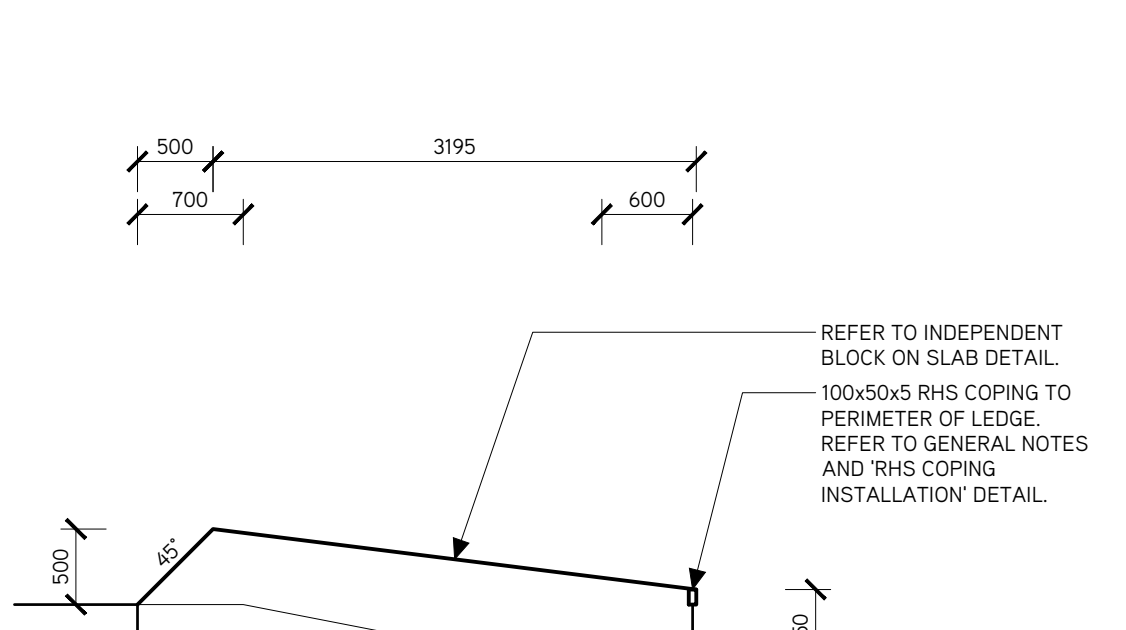
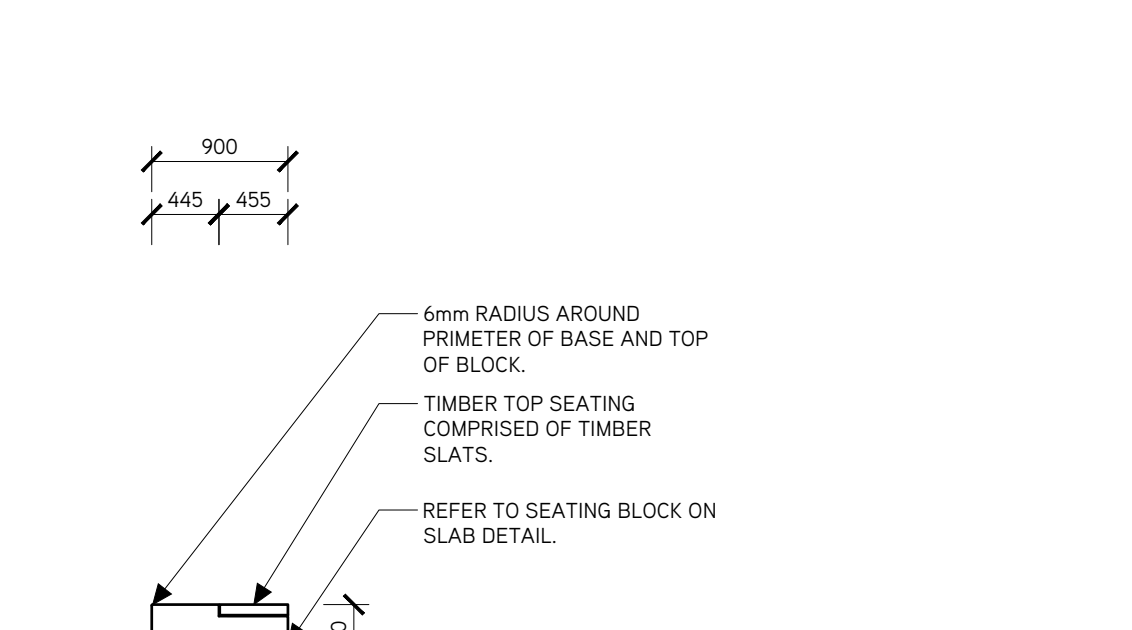
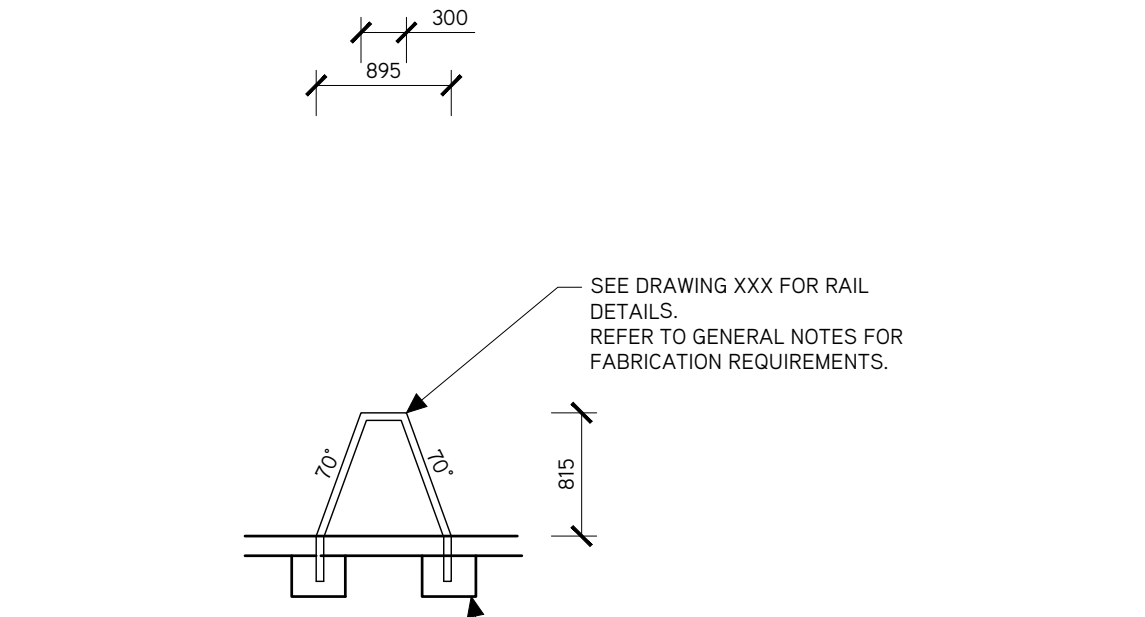
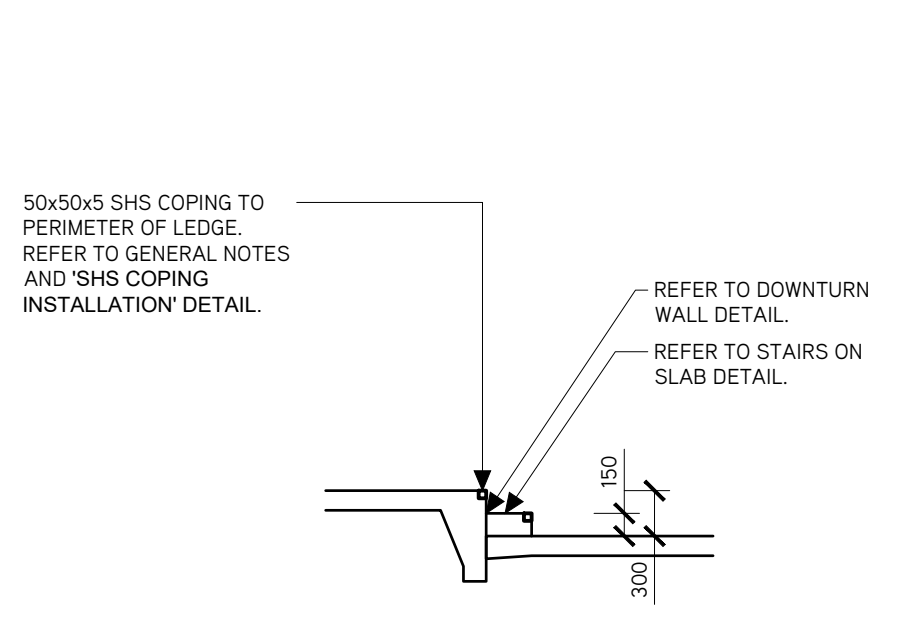
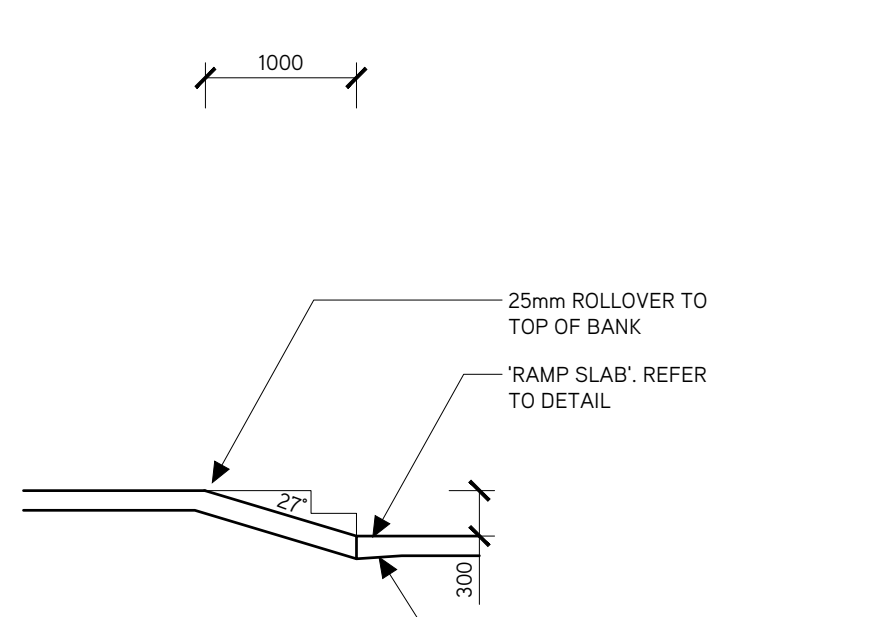
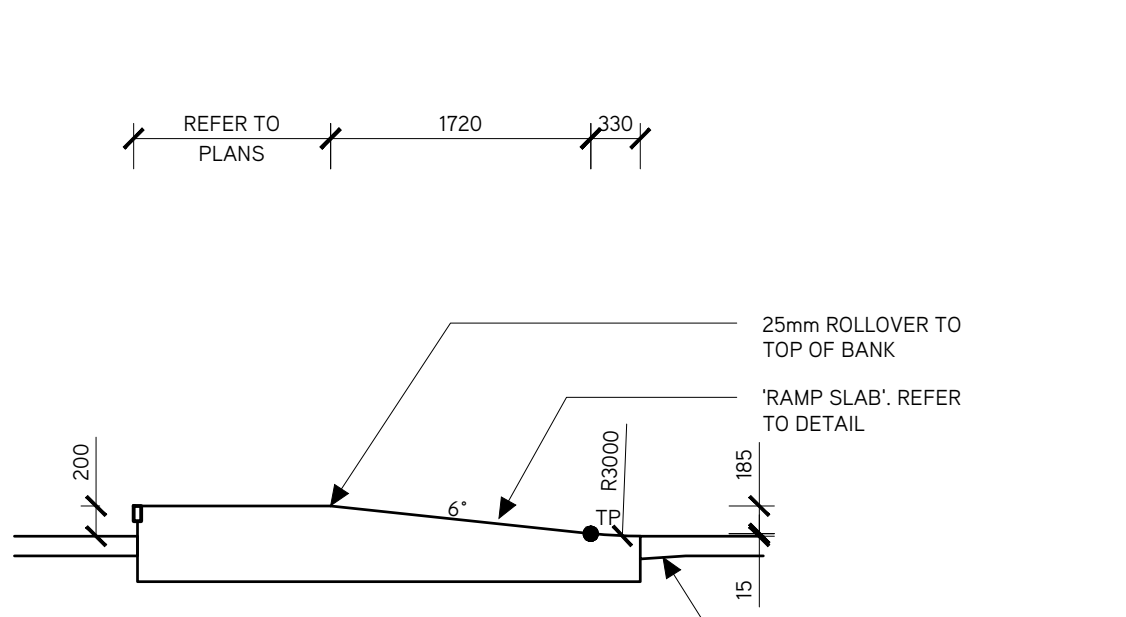
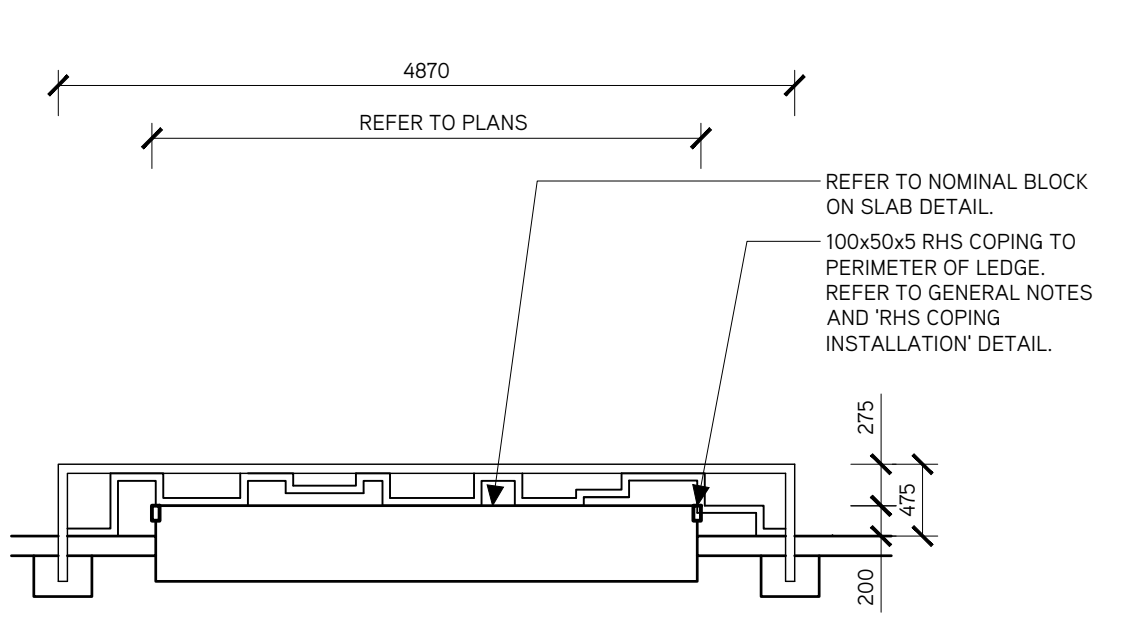
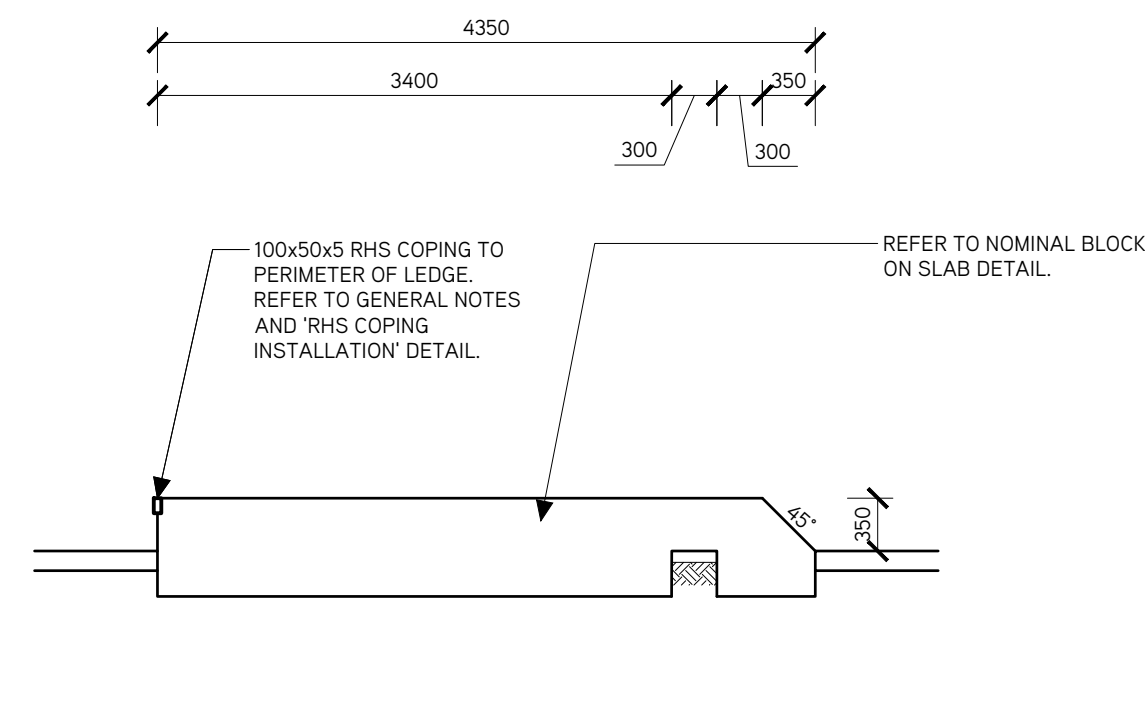
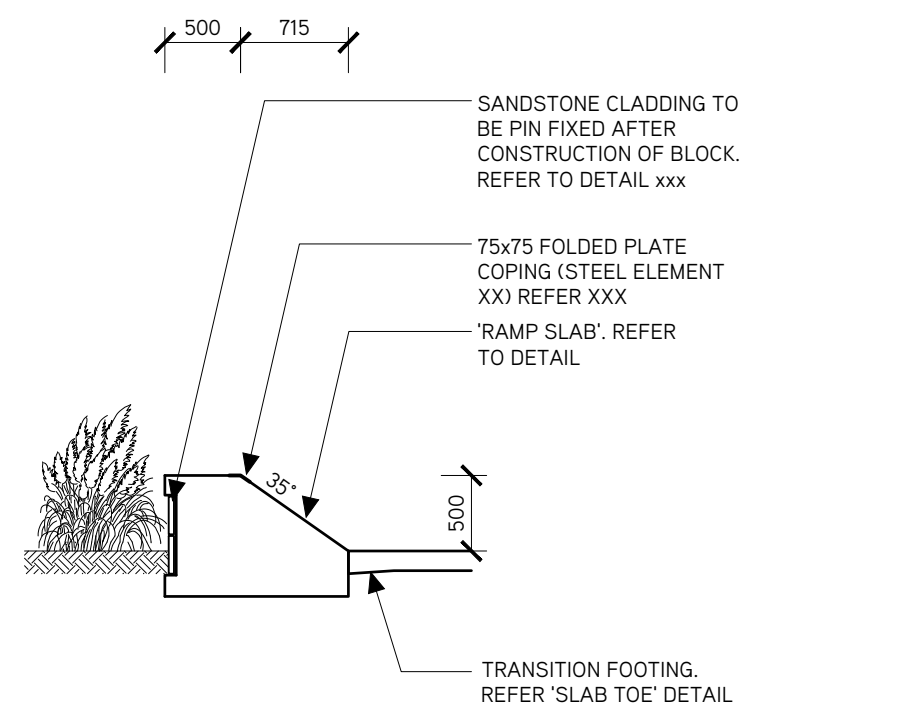
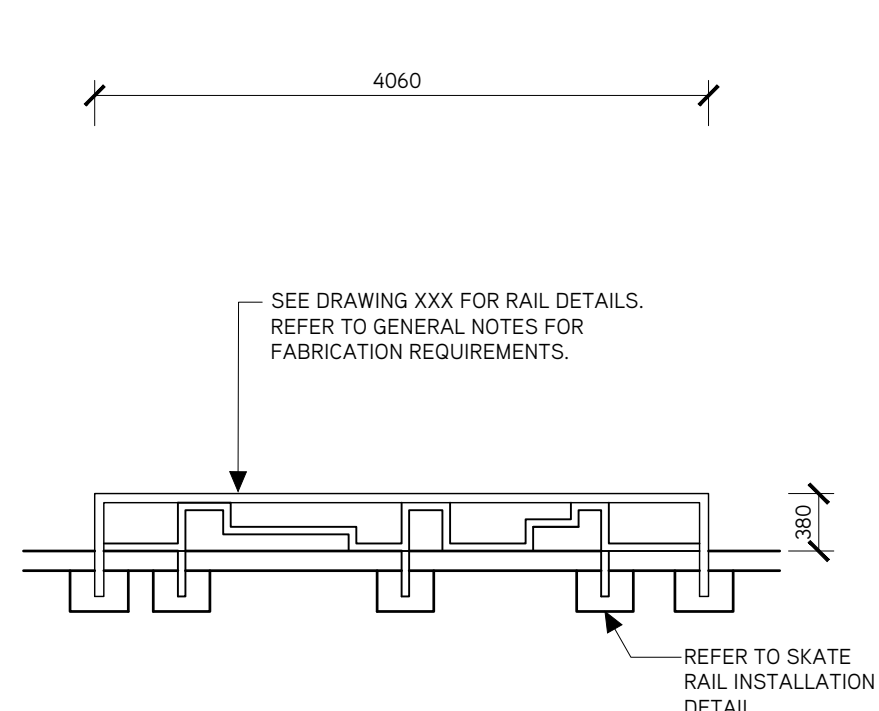
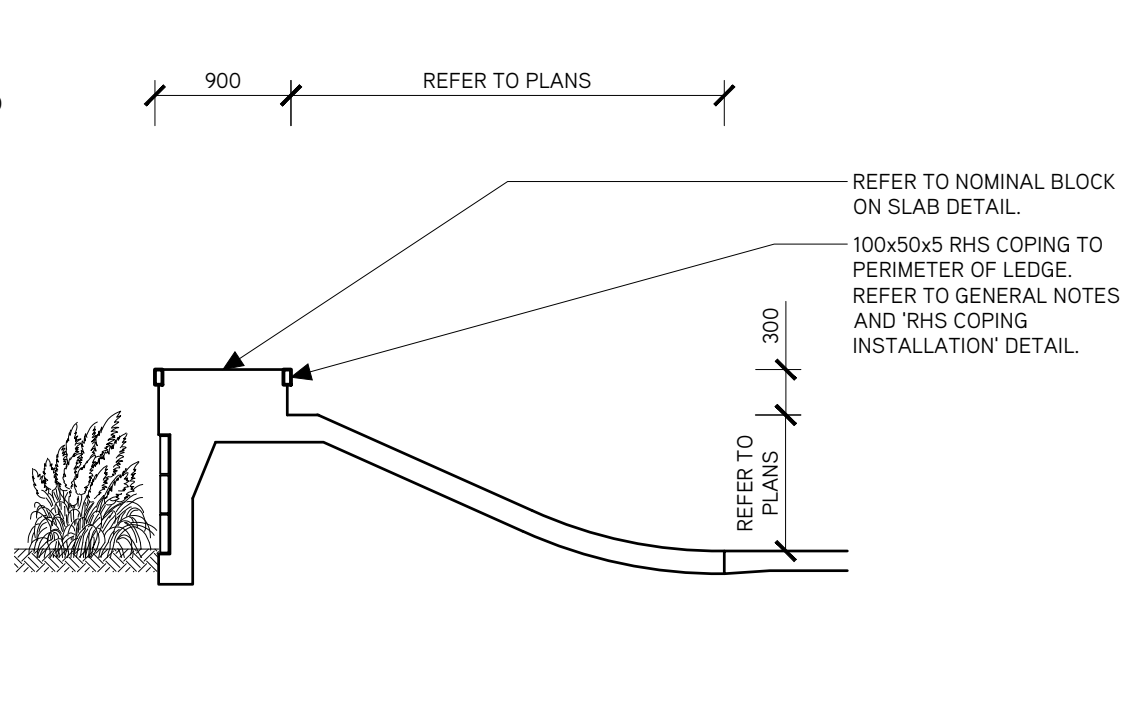
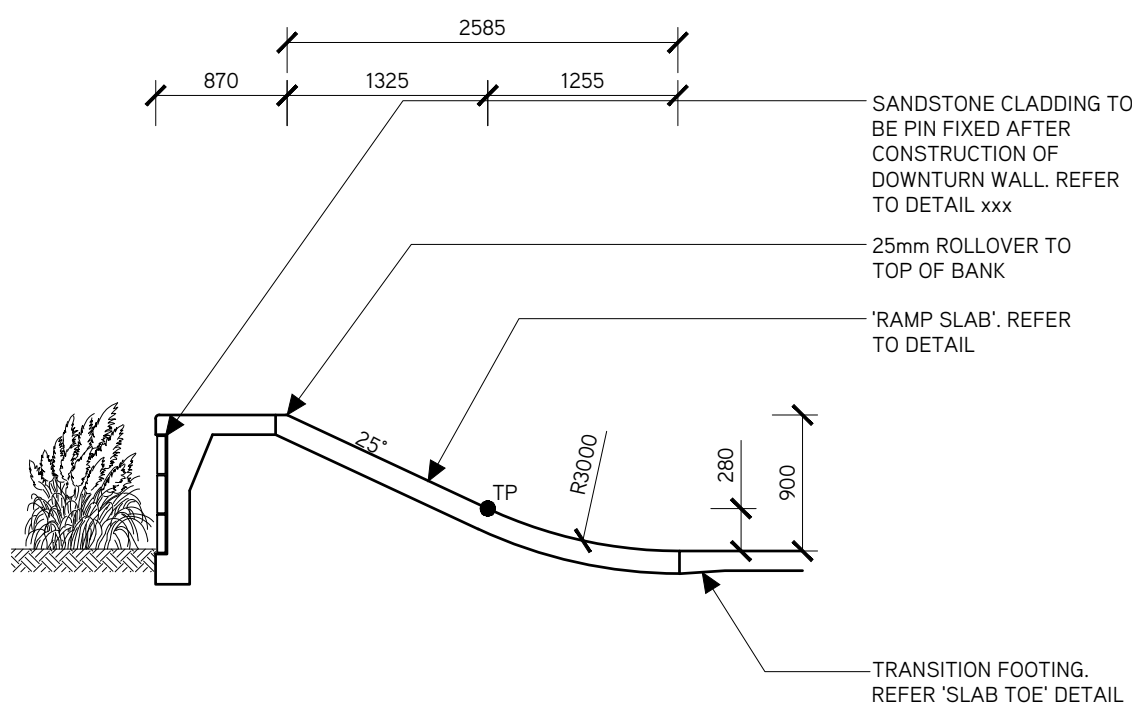


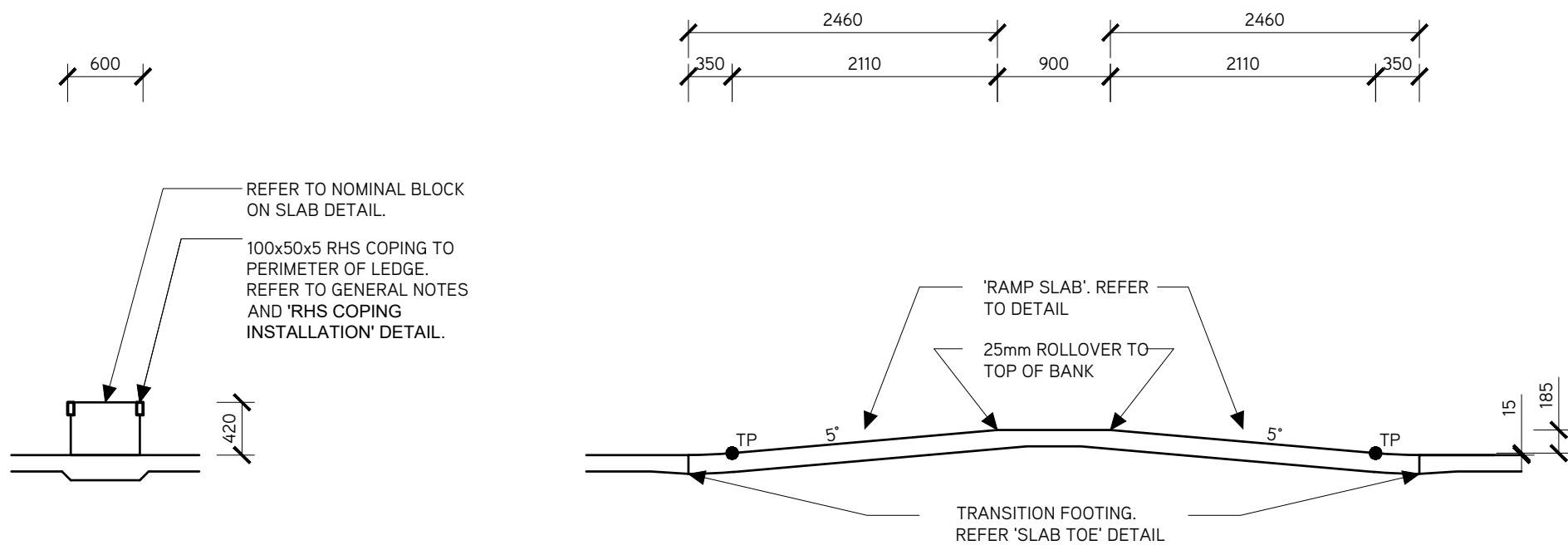
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 - 50MM N.B. 'DURAGAL' CHS COPING
- REFER TO DETAILS
 - FLAT BANK
BANK ANGLE & HEIGHT - SEE SECTIONS
 - QUARTER PIPE
RADIUS & HEIGHT - SEE SECTIONS
 - ROLL-IN / WATERFALL
RADIUS & HEIGHT - SEE SECTIONS
 - 25MM ROLL-OVER
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 - 201 A - REFER TO SKATE SECTIONS CD201 FOR FURTHER INFORMATION



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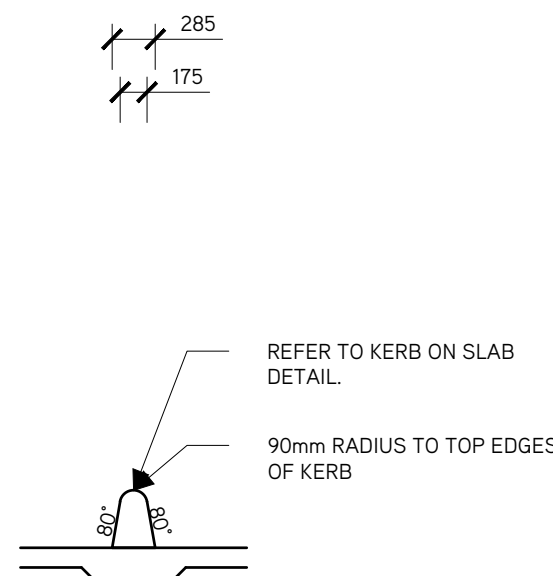
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- PLANTING AREA 2 - TALLER GRASSES 80 - 90CM HIGH. LOMANDRA LONGIFOLIA
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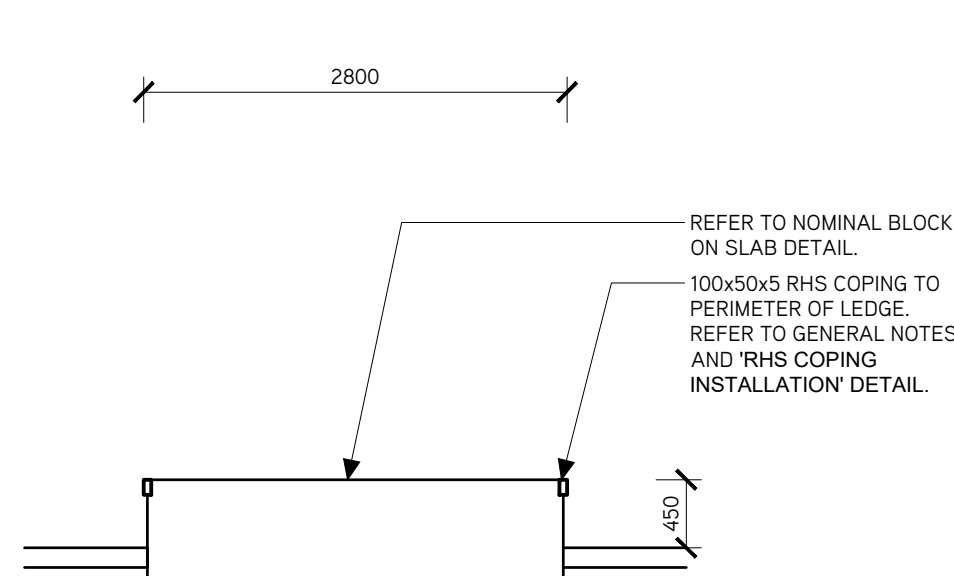


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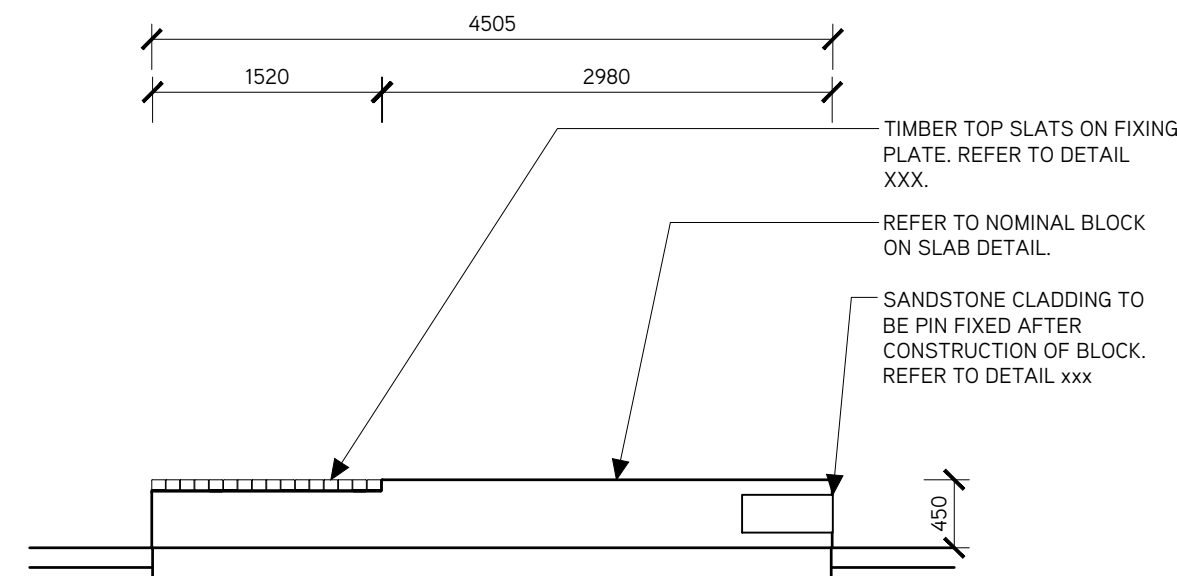
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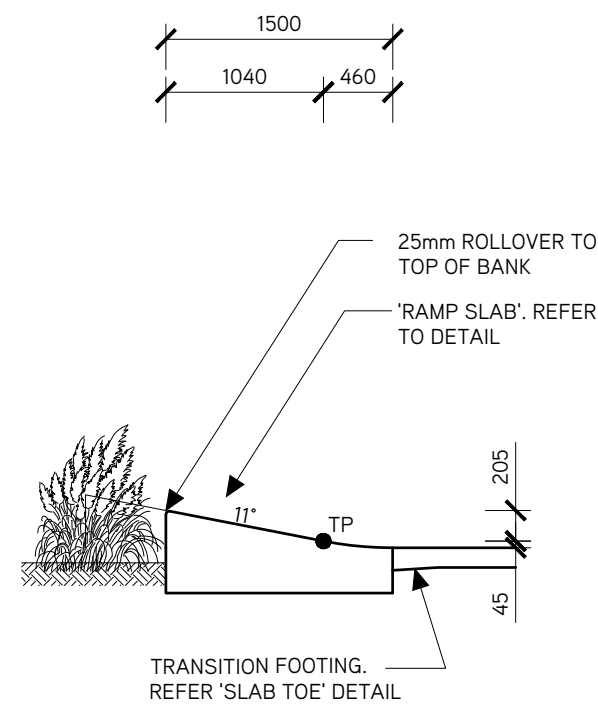
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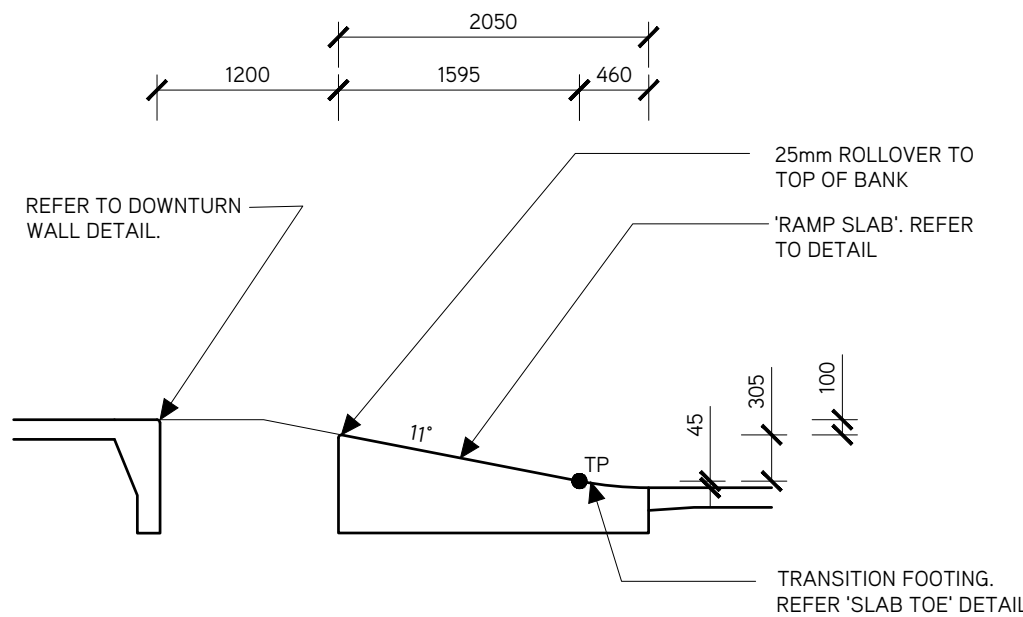
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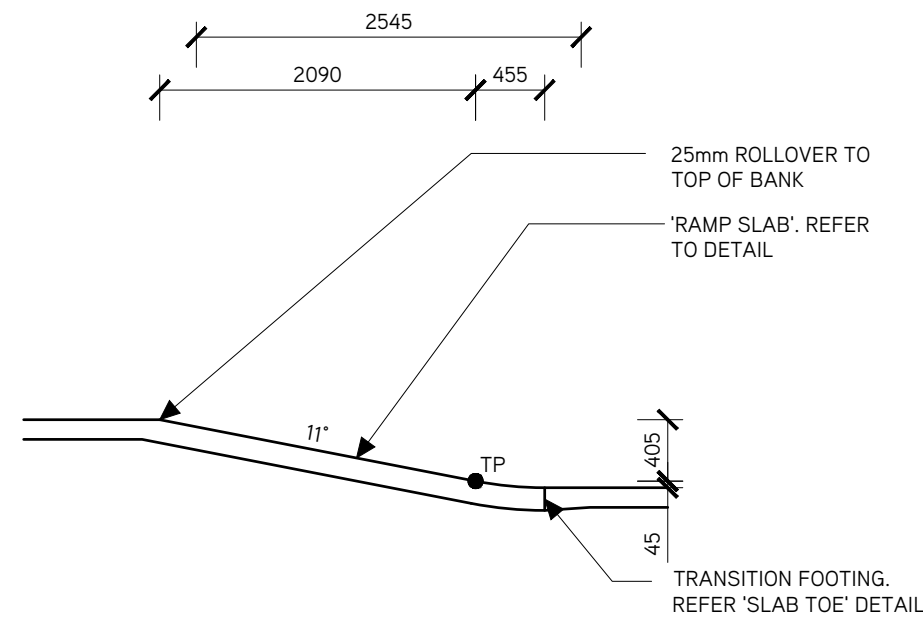
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450H HIGH SEAT
SECTION
SCALE 1:50



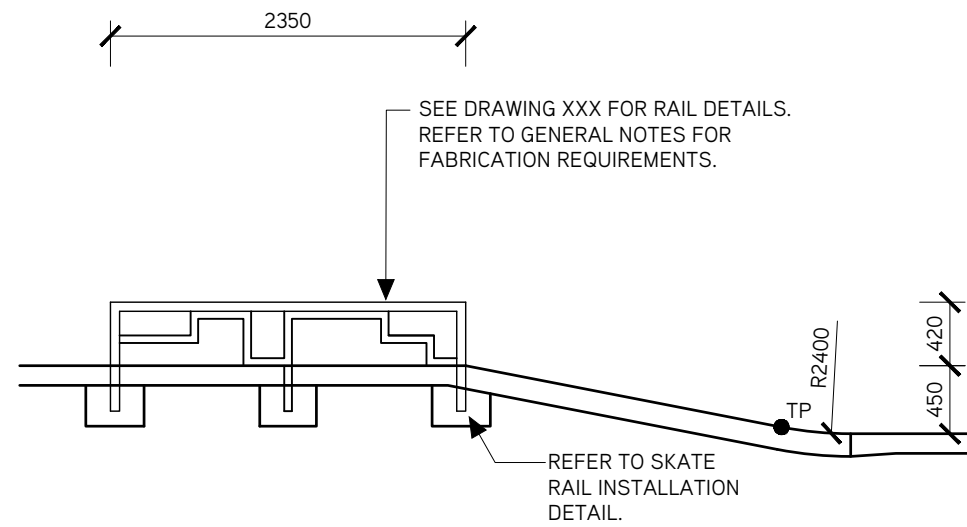
201
F
KICKER BANK
SECTION
SCALE 1:50



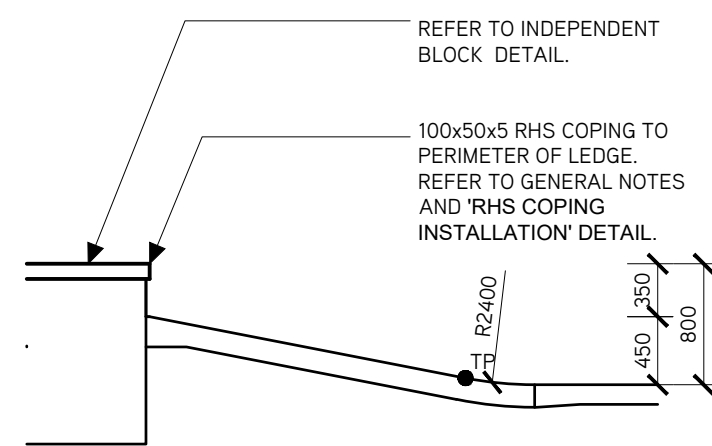
201
G
CUT OUT STEP UP GAP
SECTION
SCALE 1:50



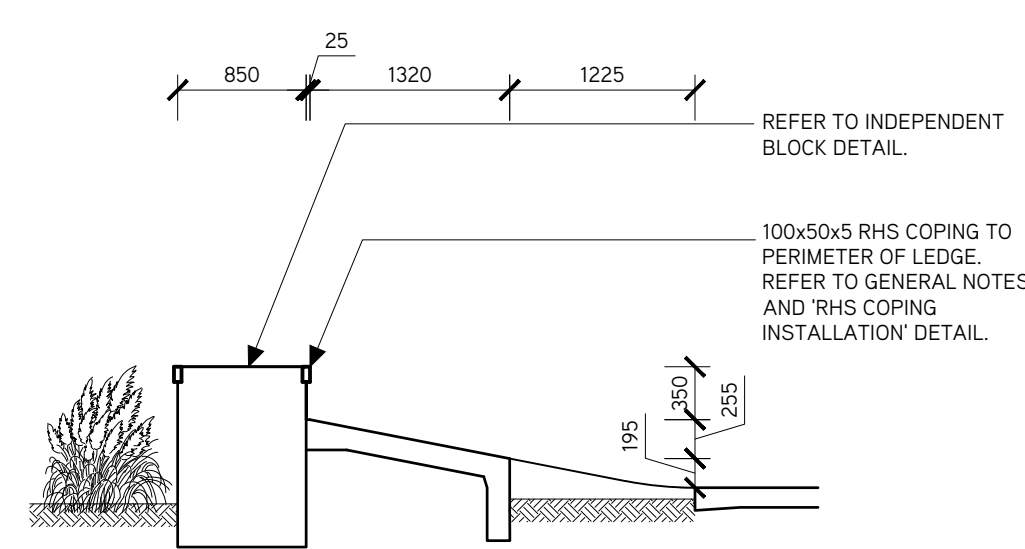
201
H
450H FLATBANK
SECTION
SCALE 1:50



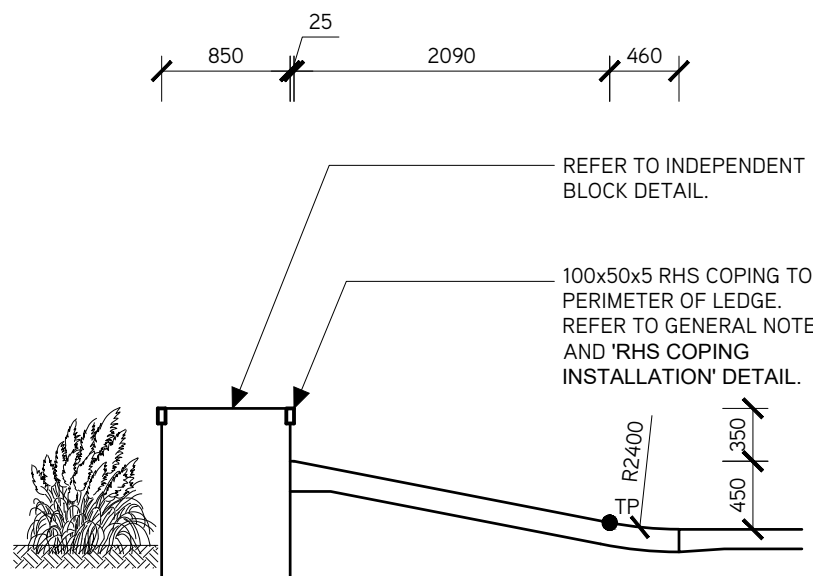
201
I
FLATBANK TO 420H FLAT BAR
SECTION
SCALE 1:50



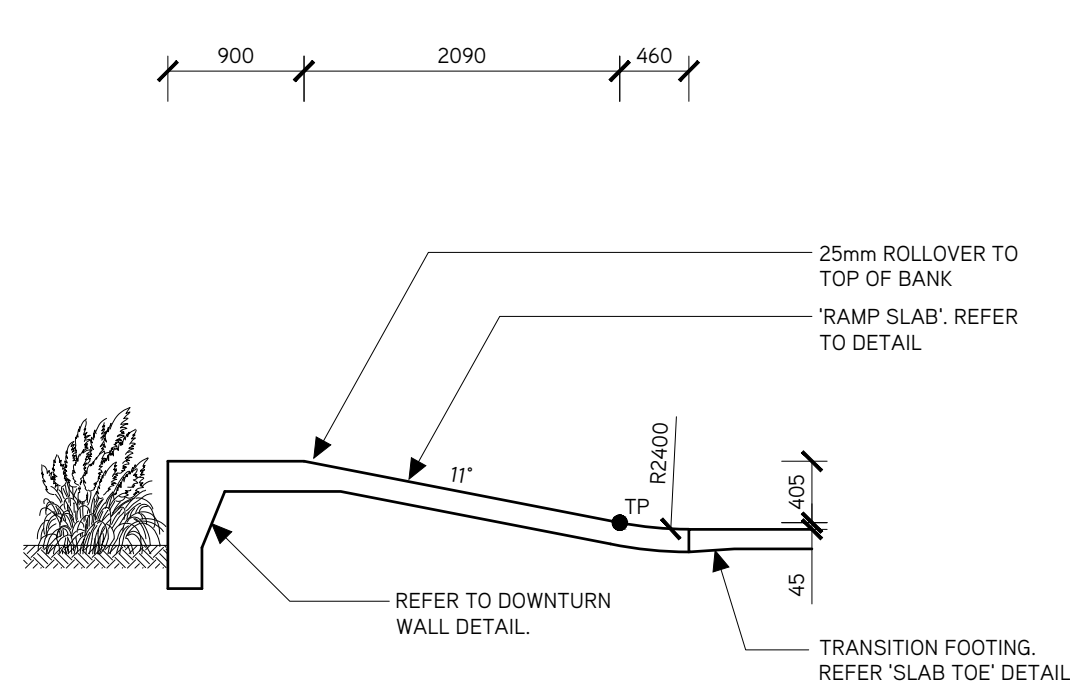
201
J
FLATBANK TO 350H FLAT LEDGE
SECTION
SCALE 1:50



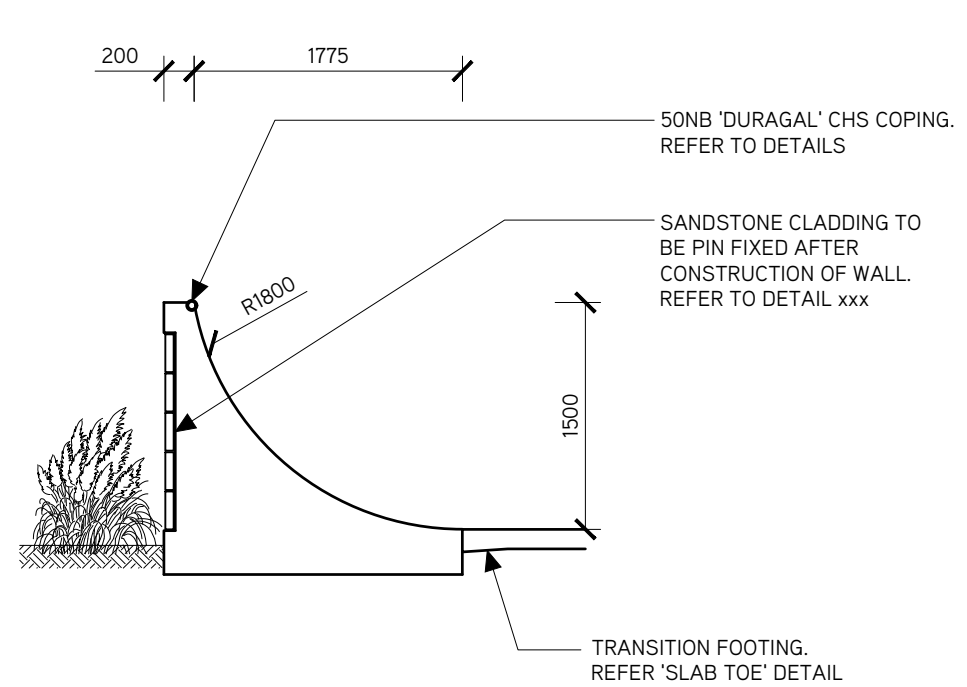
201
K
DRAINAGE DOORWAY GAP
SECTION
SCALE 1:50



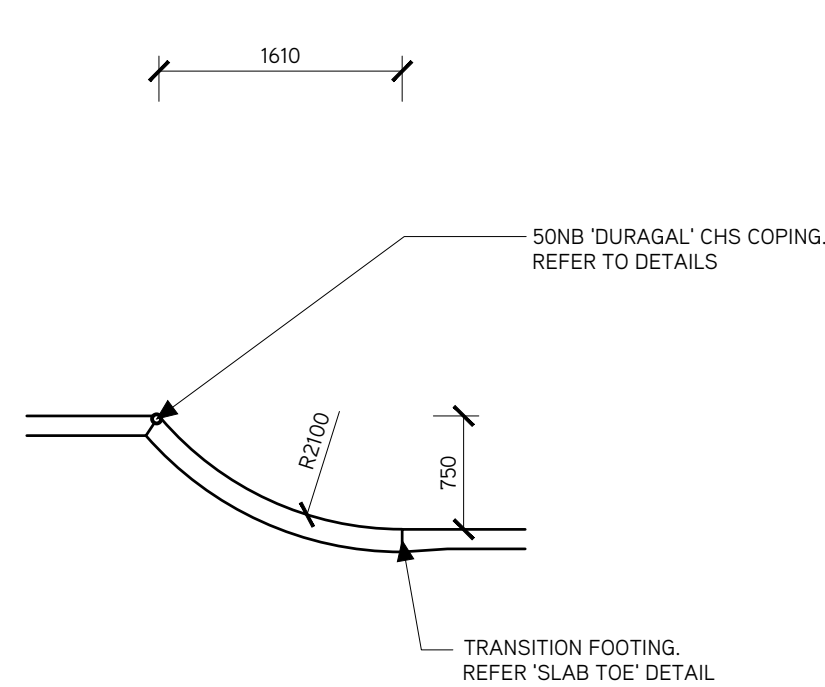
201
L
FLATBANK TO 350H FLAT LEDGE
SECTION
SCALE 1:50



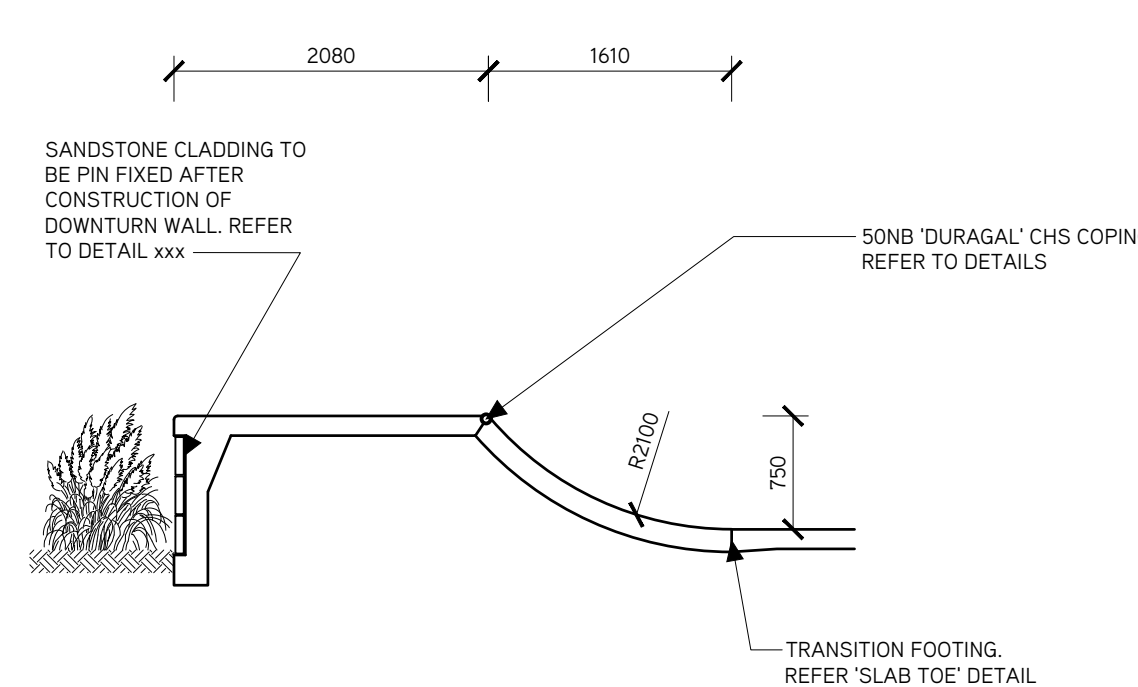
201
M
450H FLATBANK
SECTION
SCALE 1:50



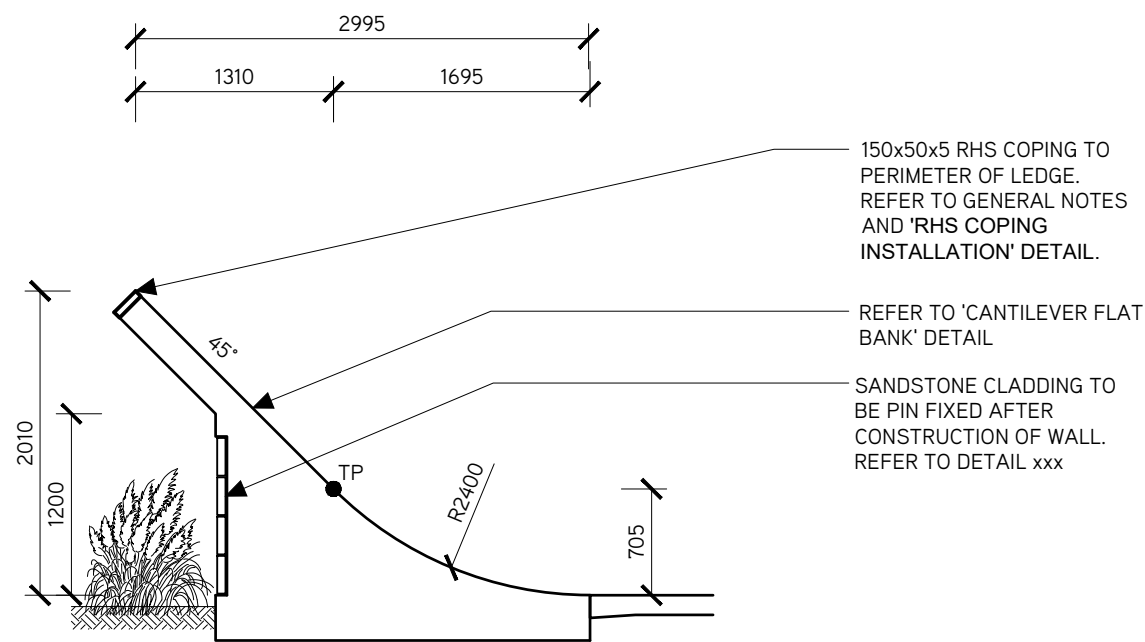
201
N
STANDALONE WHIPPY QUARTER PIPE
SECTION
SCALE 1:50



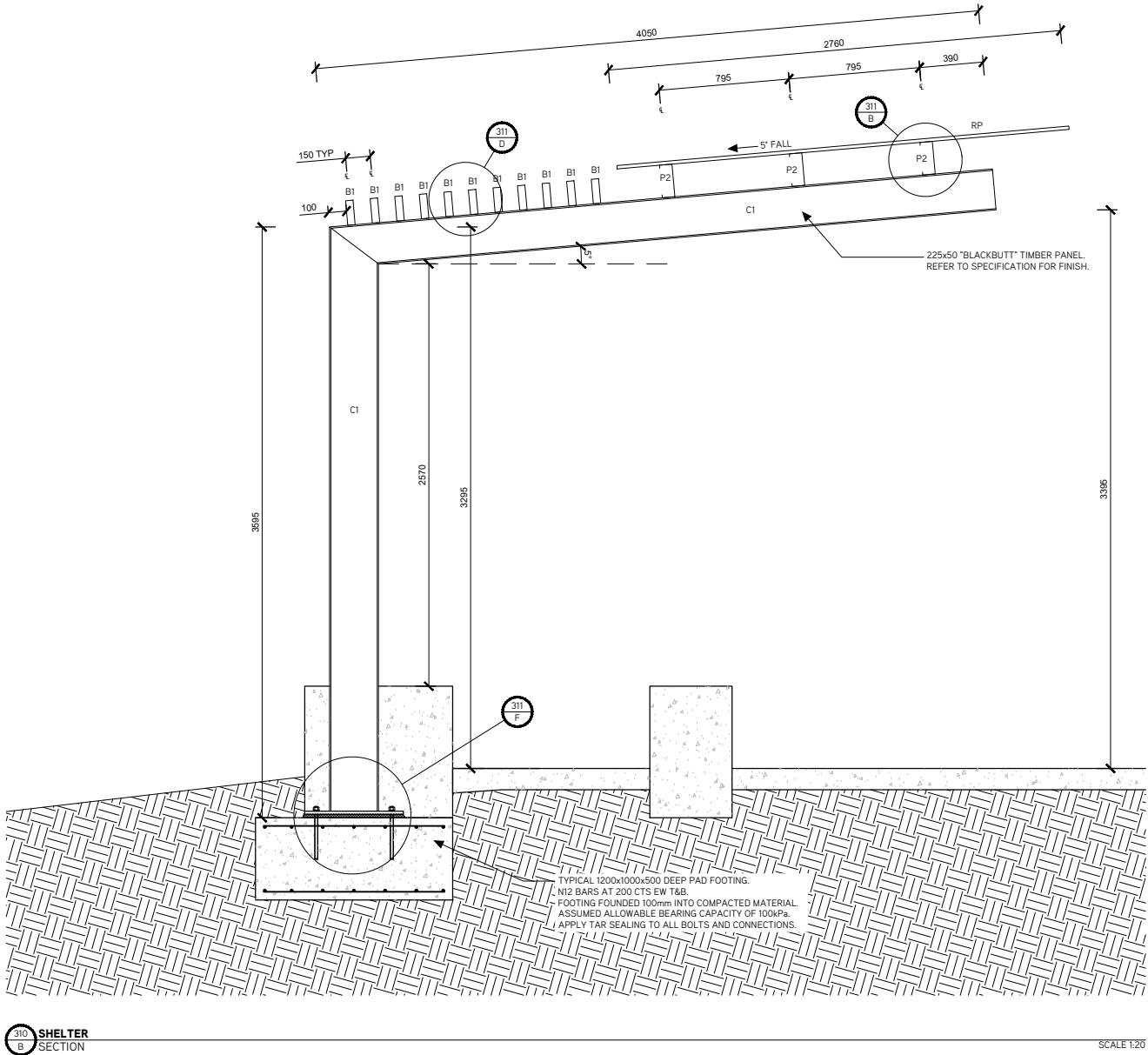
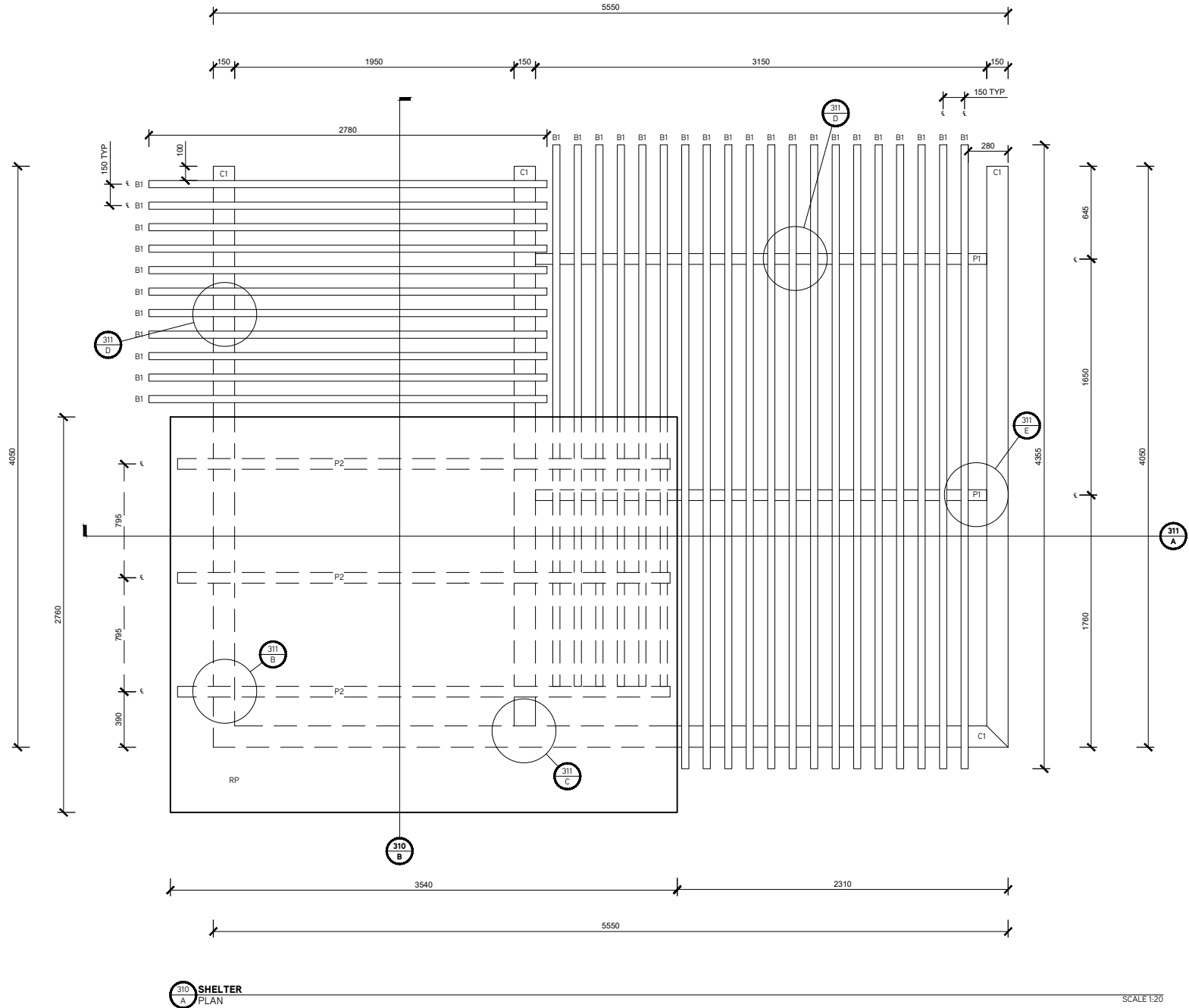
201
O
750H QUARTER PIPE
SECTION
SCALE 1:50



201
P
750H QUARTER PIPE
SECTION
SCALE 1:50

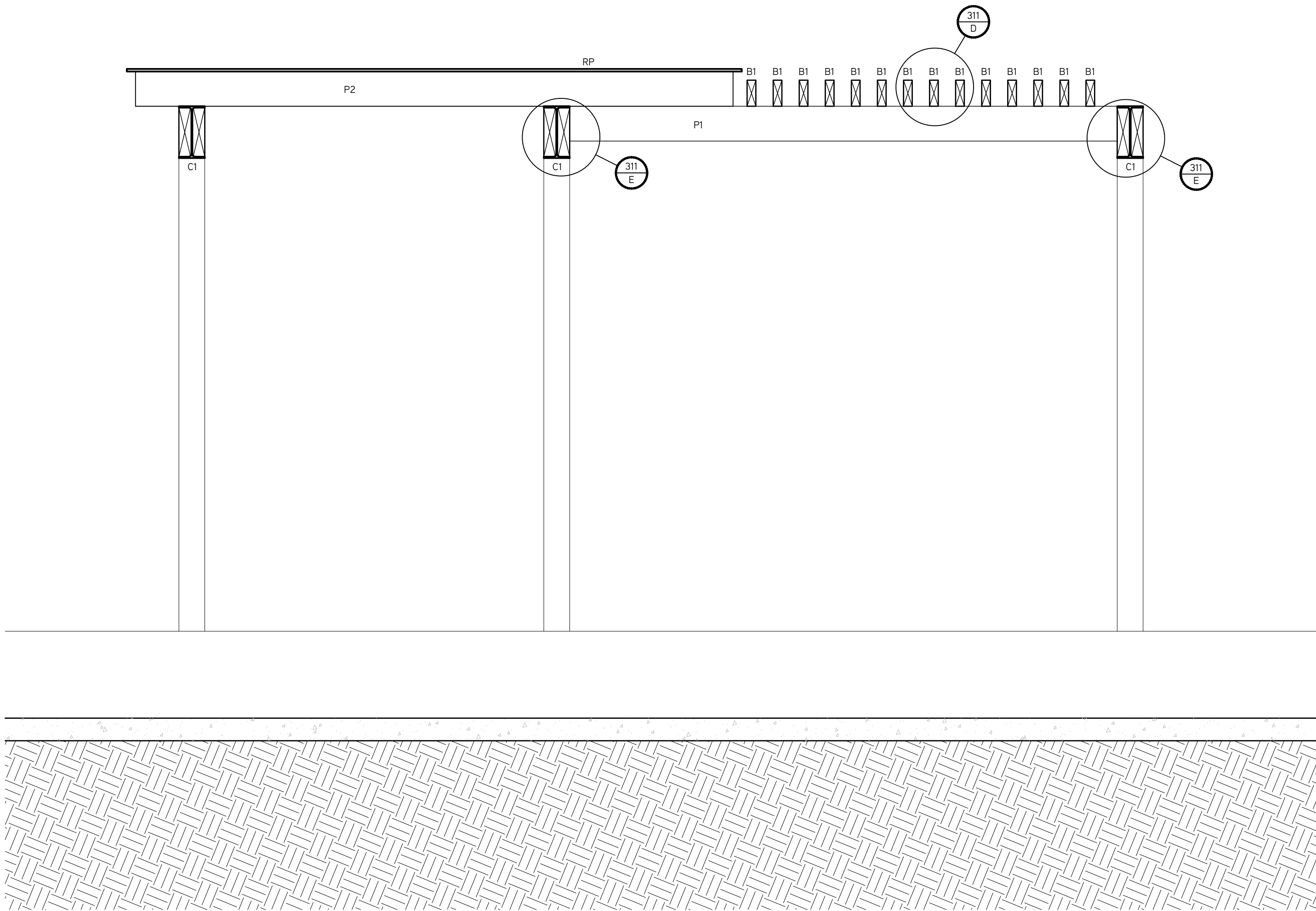


201
Q
2010H CANTILEVER FLAT BANK
SECTION
SCALE 1:50

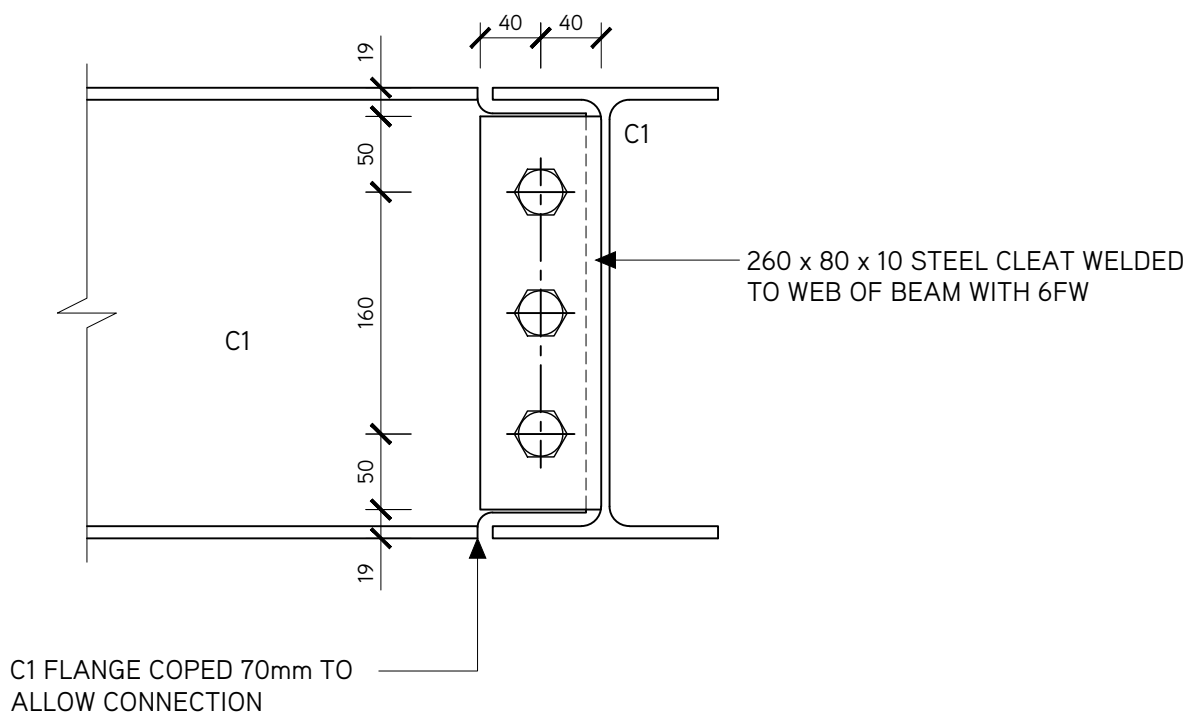


SHELTER SCHEDULE			
MEMBER	DESCRIPTION	SIZE	FINISH
RP	ROOF PANEL	2780x3540x6 THICK STEEL PLATE	HDG AND PAINTED TEAL REFER TO GENERAL NOTES COLOUR: TBC
C1	COLUMN AND ARMS	310UB 32	HDG AND PAINTED BLACK WITH TIMBER INSET REFER TO GENERAL NOTES COLOUR: TBC
P1	PURLIN	150x75x6mm THICK CHANNEL	HDG AND PAINTED BLACK REFER TO GENERAL NOTES COLOUR: TBC
P2	PURLIN	200x75x6mm THICK CHANNEL	HDG AND PAINTED BLACK REFER TO GENERAL NOTES COLOUR: TBC
B1	BATTENS	150x50 TIMBER BATTENS	REFER TO GENERAL NOTES COLOUR: TBC

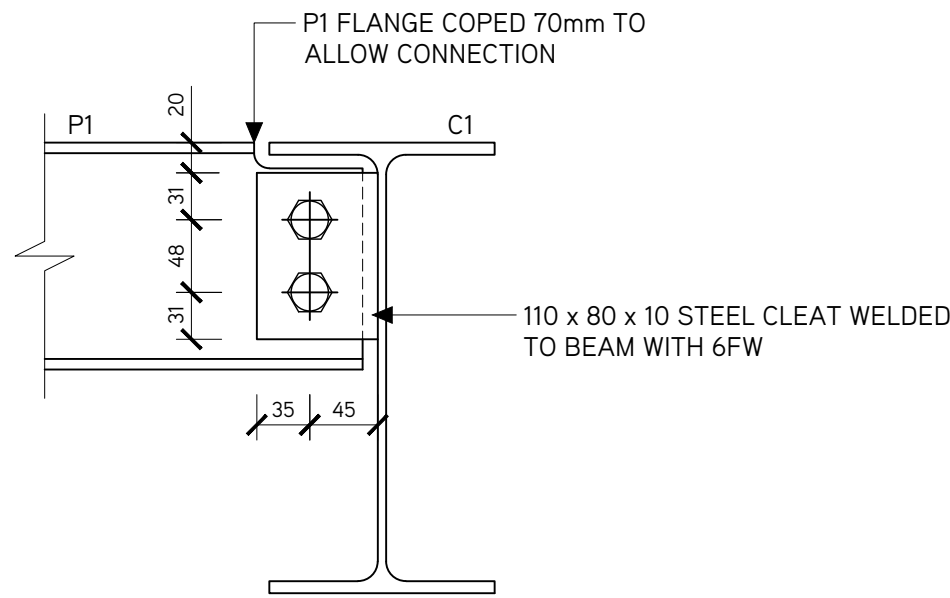
B	50% DOCUMENTATION	04.05.22
A	50% DOCUMENTATION	12.03.2019



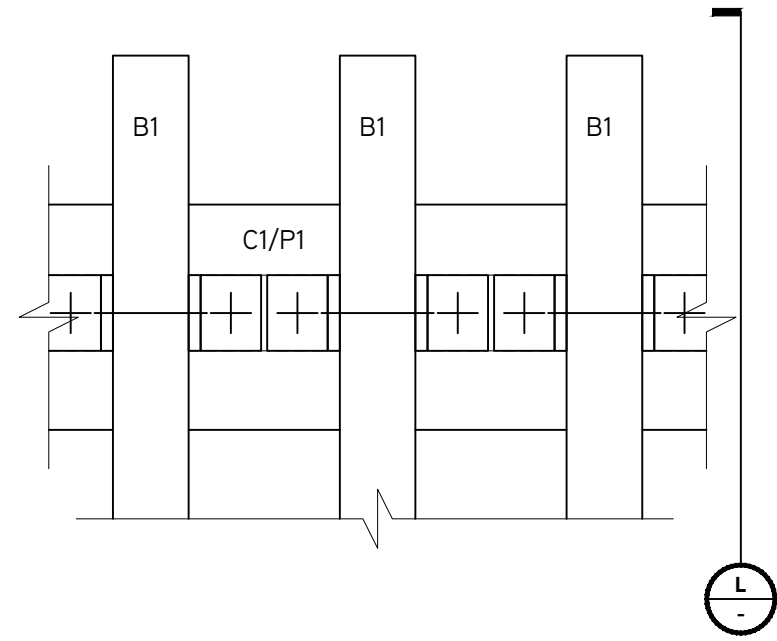
311 A SHELTER SECTION SCALE 1:20



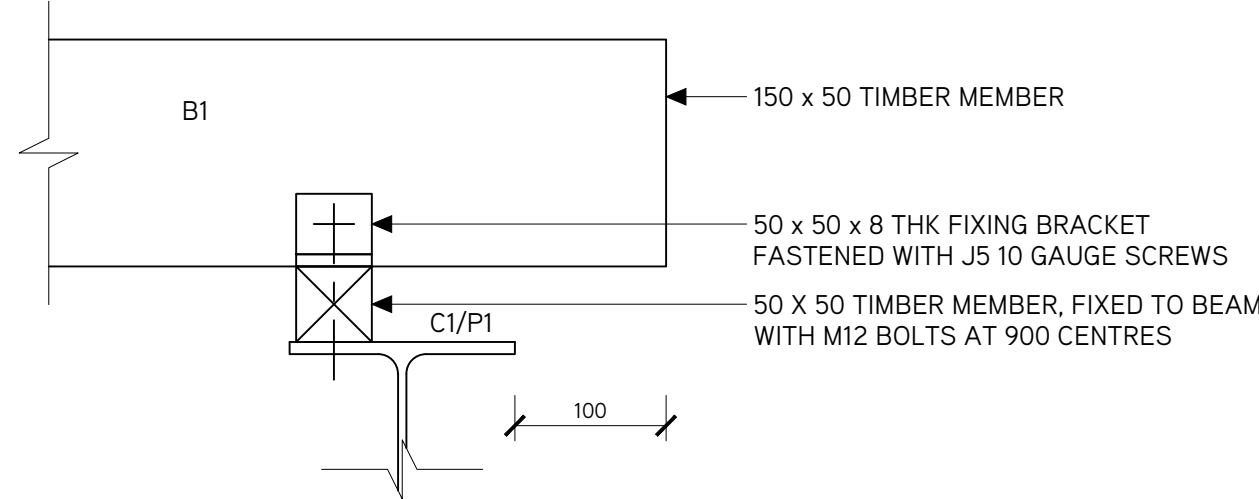
311 C C1 TO C1 MIDDLE CONNECTION SECTION SCALE 1:5



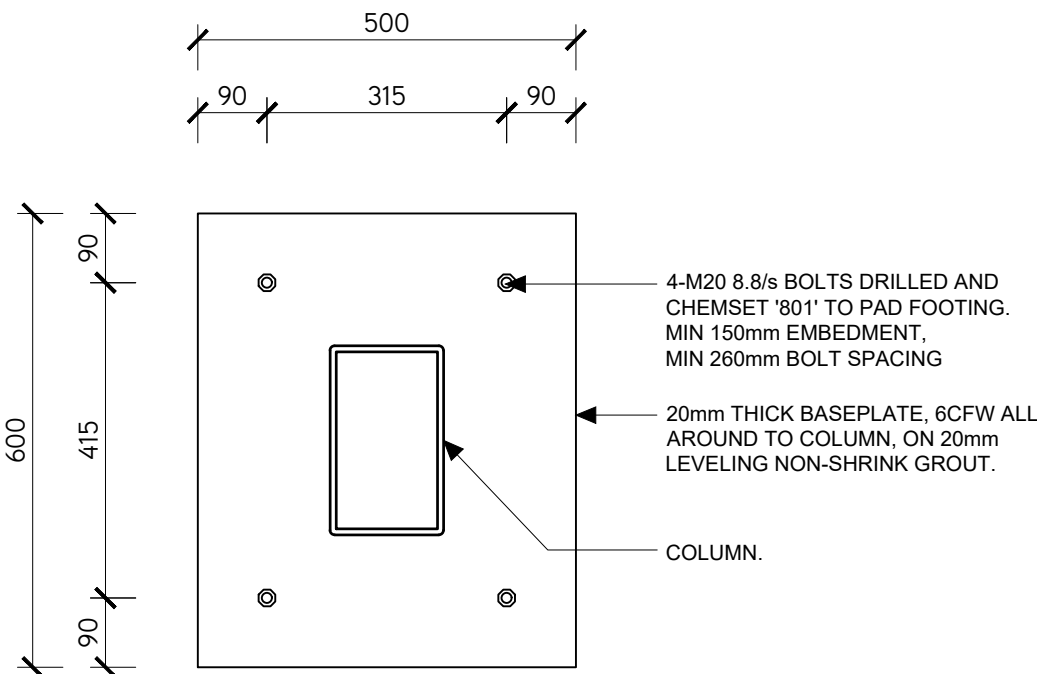
311 E P1 TO C1 CONNECTION SECTION SCALE 1:5



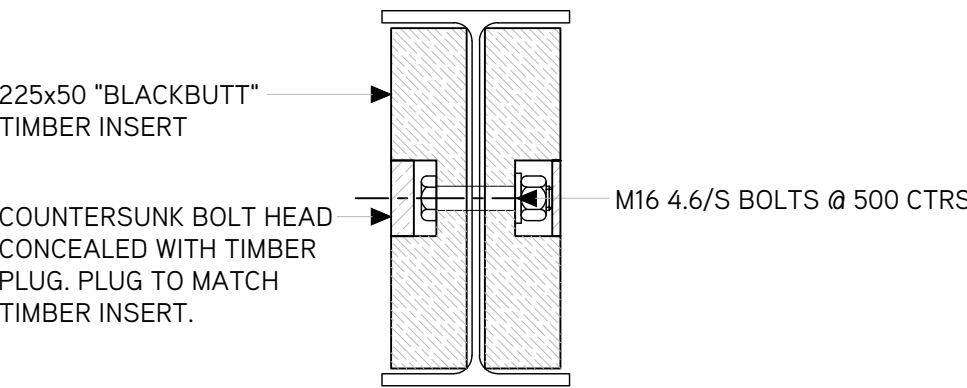
311 D TYPICAL TIMBER TO BEAM CONNECTION CONNECTION DETAIL SCALE 1:5



311 E TIMBER TO BEAM CONNECTION SECTION SCALE 1:5



311 F POST BASE PLATE DETAIL PLAN SCALE 1:10



311 G B2 TIMBER INSERT DETAIL CONNECTION DETAIL SCALE 1:5

