



total earth care

126 Greville Street, Chatswood West

Aboriginal Heritage and Archaeological Assessment

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Prepared for:	EDAW Pty Ltd		
Prepared by:	O Brown		
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**126 Greville Street, Chatswood West
Aboriginal Heritage and
Archaeological Assessment**

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**126 Greville Street, Chatswood West
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Executive Summary

A full heritage survey of the site was conducted on Wednesday 31st January 2007 by Allen Madden (Metropolitan Local Aboriginal Land Council) and Oliver Brown (TEC). Total survey coverage of all areas likely to have contained visible items or places of Aboriginal heritage significance was achieved. All sandstone exposures were searched for the presence of grinding grooves or engravings; all cliff lines / bluffs were examined for potential overhang / rockshelter deposits; all forested areas were examined and assessed for the potential presence of scarred trees; the overall landscape was assessed for areas where significant artefact assemblages may have accumulated. Limitations in surface visibility only really applied to the search for surface artefacts, the assessment of which was supplemented by predictive analysis based on environment and landforms.

No items or places were located and it is assessed that there are no areas likely to contain significant subsurface deposits.

The recommendations are that no Aboriginal cultural heritage items or places are likely to be affected by the proposed development, and the development therefore has no heritage constraints. There is no requirement for application to the Department of Environment and Conservation with regard to Aboriginal cultural heritage. Normal stop-work provisions would be put in place in the event that unanticipated Aboriginal heritage items are encountered at any stage of work.

Summary Maps

Fig 1. Study location and AHIMS site search area

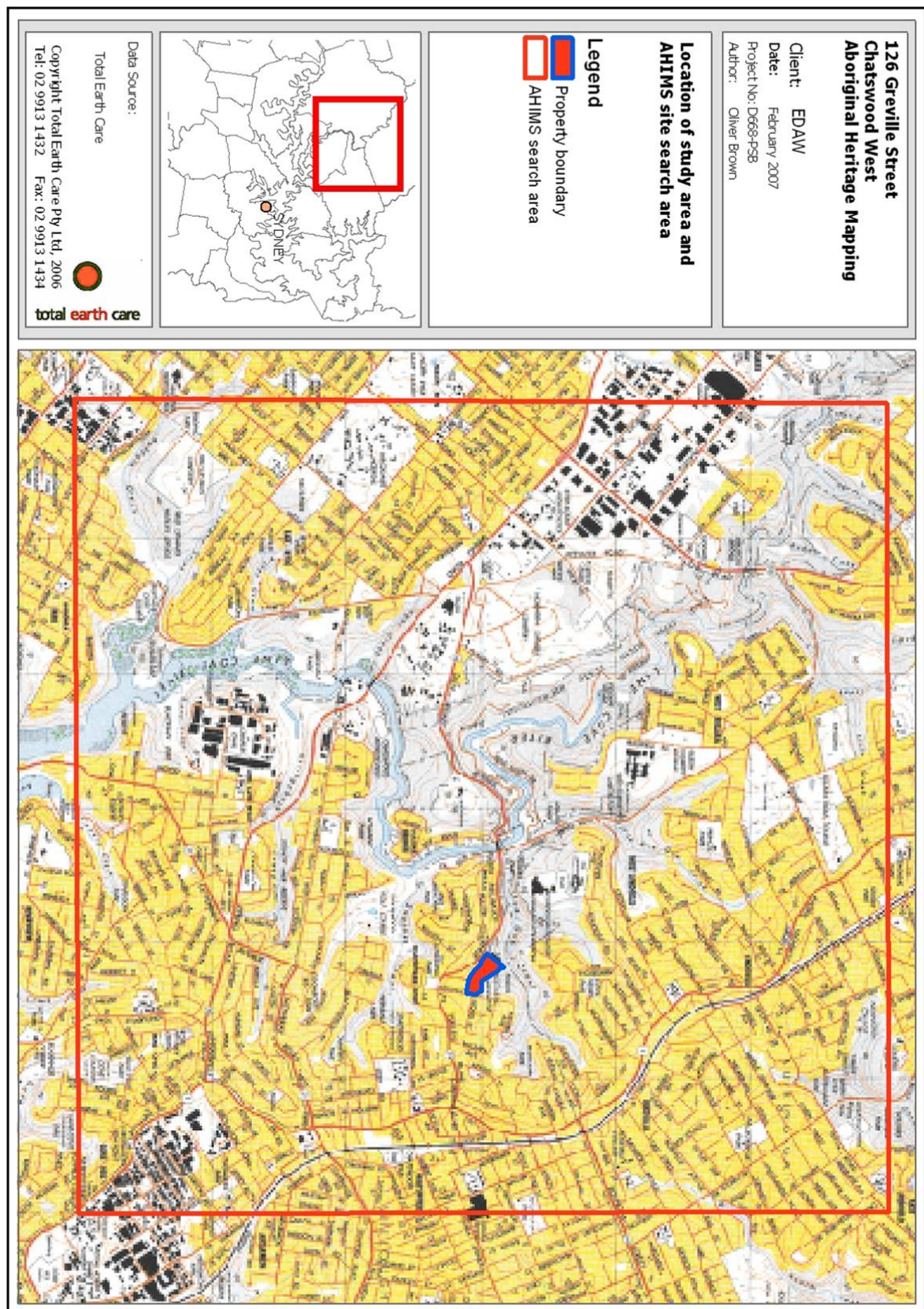
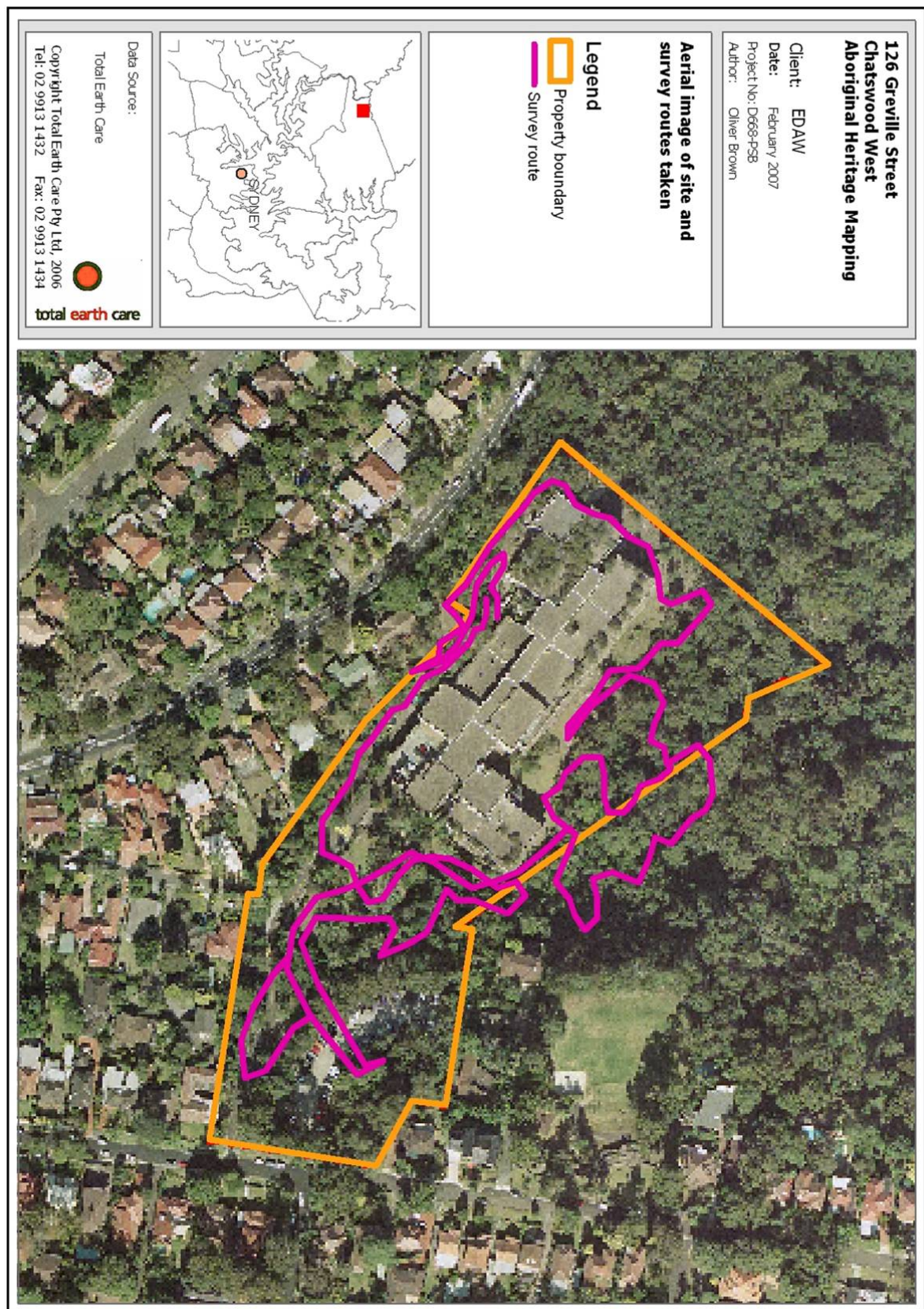


Fig 2. Aerial image of property and survey route taken



1 Introduction

1.1 The Study Area

126 Greville Street (Lot 1 DP532353) occupies 3.435 ha alongside an unnamed tributary to Blue Gum Creek, itself a tributary of the Lane Cove River, some 9.5 km to the east (Figure 1). The site consists of gently to steeply sloping areas of which a substantial amount has been levelled for the construction of an elevated three and four level concrete office building and a separate two storey concrete car park. The northern corner of the site consists of steeply sloping land alongside the creek that contains remnant Sydney Sandstone Gully Forest with areas of weed infestation. The watercourse running through the site runs largely along a bed of the underlying Hawkesbury sandstone. This creek drops over two low waterfalls with associated low cliff lines.

1.2 Development Proposal and Impacts

Development proposal is not currently fully defined, although development options suggested by PSB include the construction of new medium density apartments and/or conversion of the existing concrete laboratory building for the same purpose. The proposed footprints are broadly in line with the current developed area.

1.3 Project Objectives

The objectives for the project were based on the project brief outlined by the engaging firm (EDAW), legislation and best-practice principles for Aboriginal cultural heritage assessment. These objectives were to:

- Satisfy the requirements of the Department of Environment and Conservation and relevant legislation and guidelines;
- Identify relevant Aboriginal stakeholder parties and consult with those parties in accordance with the *National Parks and Wildlife Act 1974*: Part 6 Approvals 'Interim Community Consultation Requirements for Applicants';
- To conduct background research on identified Aboriginal cultural sites in the area and the regional heritage and archaeological context;
- Conduct an Aboriginal heritage survey to determine whether any Aboriginal cultural heritage places or items are present on the site and to assess the likelihood of the presence of any subsurface archaeological material;
- Assess the cultural heritage values and significance of the survey findings and provide recommendations in relation to any potential future impact;

1.4 Authorship, Acknowledgements and Qualifications

This report has been compiled by Oliver Brown with the input of material and ideas from EDAW and Aboriginal stakeholders. All information drawn from previous academic and consulting research is fully referenced. The Aboriginal cultural heritage field survey relied on a collaborative effort by 2 participants: Allen Madden (Metro LALC) and Oliver Brown.

Oliver Brown completed a BA (hons1) in 2000 in Prehistoric and Historical Archaeology at the University of Sydney and has since worked in consulting archaeology and education in Sydney and Oxford (UK). He is the Principal Archaeologist at TEC and has previously conducted Aboriginal cultural heritage surveys and excavations in Sydney and elsewhere in NSW.

2 Legislative Context

2.1 Introduction

Cultural heritage is protected and managed under a variety of different state and federal legislation as well as local government regulations and a range of governmental and non-governmental guidelines (such as codes of ethics). The information provided here is a digest of the legislation that pertains most specifically to the current study. It must be noted that this is not presented as a legal interpretation by the consultant.

The most important piece of legislation protecting Aboriginal cultural heritage in NSW is the *National Parks & Wildlife Act 1974*. Because most other legislation defers to this Act with regard to Aboriginal cultural heritage management, this is the only legislation discussed in any detail in this report.

The *Environmental Planning and Assessment Act 1979* is also relevant in the way that it guides and regulates the consideration of environmental impacts in the planning and development process. Regulations in the local government LEP reflect many of the EP&A Act requirements. In certain cases, post-invasion sites may also be covered by provisions in the *NSW Heritage Act 1977*. At a federal level the *Aboriginal and Torres Strait Islander Heritage Protection Act 1987*, the *Australian Heritage Commission Act 1975* and the *World Heritage Properties Conservation Act 1983* can also be relevant to Aboriginal cultural heritage management. None of these Acts had applications relevant to the current study.

2.2 *The National Parks and Wildlife Act, 1974*

The *National Parks and Wildlife Act 1974* is the main piece of NSW state legislation that provides for the protection of Aboriginal objects (sites, relics and cultural material) and Aboriginal places. Under Section 5 of the Act, an Aboriginal object is defined as;

any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.

An Aboriginal place is defined under the Act as an area that has been declared by the Minister administering the *National Parks and Wildlife Act* as a place of special significance for Aboriginal culture. An Aboriginal place does not necessarily contain physical Aboriginal objects.

Under Section 90 of the Act, it is an offence to knowingly destroy, deface, damage or desecrate, or cause or permit the destruction, defacement, damage or desecration of, an Aboriginal object or Aboriginal place, without the prior written consent from the Director-General of the Department of Environment and Conservation (DEC). In order to obtain such consent, a Heritage Impact Permit must be applied for under Section 90 of the Act and approved by the DEC Director-General. In considering whether to issue a S90 Permit, DEC will take into account:

- The significance of the Aboriginal object(s) or place(s) subject to the proposed impacts;
- The effect of the proposed impacts and the mitigation measures proposed;
- The alternatives to the proposed impacts;
- The conservation outcomes that will be achieved if impact is permitted; and

- The outcomes of the Aboriginal community consultation regarding the proposed impact and conservation outcomes.

Under Section 91 of the Act, it is a requirement to notify the DEC Director-General of the location of an Aboriginal object. Identified Aboriginal items and sites are registered with the NSW DEC on the Aboriginal Heritage Information Management System (AHIMS).

The *National Parks and Wildlife Act 1974* also requires that reasonable precautions are taken and due diligence is exercised to determine whether an action would, or would be likely to, impact on an Aboriginal object or Aboriginal place. Without being able to demonstrate due diligence, a person risks prosecution if Aboriginal objects or Aboriginal places are impacted upon and a Permit has not been issued.

2 Aboriginal Consultation

2.1 Introduction

Input from the Aboriginal community is an essential part of assessing the significance of those Aboriginal objects likely to be impacted by an activity and is a requirement for the preparation of an application for a permit or consent under Part 6 of the *National Parks and Wildlife Act 1974*. As of January 1 2005 the DEC issued new Interim Community Consultation Requirements for Applicants¹; these recognise that:

- Aboriginal heritage has both cultural and scientific/archaeological significance and that both should be the subject of assessment to inform its decision making;
- Aboriginal people are the primary determinants of the significance of their heritage;
- Aboriginal community involvement needs to occur early in the assessment process to ensure that their values and concerns are taken fully into account, and so that their own decision-making structures are able to function;
- Information arising out of consultation allows the consideration of Aboriginal community views about significance and impact, as well as the merits of management or mitigation measures to be considered in an informed way.

2.2 Outcomes

Information on Aboriginal stakeholder groups was obtained from all the sources suggested by DEC, including advertisement in the *Koori Mail* on January 17th 2007. Contact was made with the Aboriginal Heritage Office (Dace Watts) that services several North Shore councils, including Willoughby.

3 groups or individuals registered as interested parties. These were:

- Metropolitan Local Aboriginal Land Council (Metro LALC)
- Darug Custodian Aboriginal Corporation (DCAC)
- Gordon Morton (individual Darug stakeholder working through Darug Aboriginal Cultural Heritage Assessments)

Engagement of advisory services from among the registered stakeholders was undertaken according to the *National Parks and Wildlife Act (NPW) 1974*: Part 6 Approvals 'Interim Community Consultation Requirements for Applicants' issued by the DEC. Allen Madden (Metro LALC) was engaged to take part in field survey. All registered parties are to receive the draft copy for comment and will be issued a copy of the final report.

¹ www.nationalparks.nsw.gov.au/PDFs/interim_consultation_guidelines.pdf

3 Regional and Local Archaeological Context

3.1 Aboriginal Antiquity

Although almost all the dated sites in the Sydney basin have relatively recent Holocene dates (mostly within the last few thousand years), the extensive spread of Pleistocene dates (>10,000 years ago) around the country suggest that occupation of the area is expected to pre-date 40,000 years BP. The oldest published Pleistocene date within the Sydney basin itself is only around 14,700 BP for the Shaws Creek K2 site near the Nepean River, although other dates for the area as old as 40,000 BP are under review (Attenbrow, 2002; Nanson *et al.*, 1987).

In the vicinity of the study area, sea level rises after the Late Glacial Maximum and through to the Mid-Holocene (c. 6000 BP), have brought it to within less than 1 km of the site with the tidal Lane Cove River. Between 25,000 and 15,000 BP, the site would have been in an upland area of sandstone plateau with the coast as much 30 km to the east across a broad undulating plain (Attenbrow, 2002; Roy, 1988). The oldest dated sites are all from near this modern sea level and it is therefore not surprising that the oldest secure dates in the area are from the late Holocene, including dates of 4,170±40 BP for the Sugarloaf 1 site excavated some 3.4 km SW of the study site, and 4,520±100 BP at Bantry Bay 6.3km to the ENE (Ross & Specht, 1976; Attenbrow, 2002).

The period after the mid-Holocene is not only seen in archaeological terms as a time of landscape and climate change, but also of cultural and technological change throughout the Australian mainland. These changes can be seen reflected in the stone tool record with reference to the development of a 'small tool tradition', which in the Sydney area is associated with the appearance of small backed blades or 'Bondi points' and an associated period of 'Bondaian technology' (Hiscock, 1994; Hiscock & Attenbrow, 2003).

In terms of social organisation and landscape and resource use, mid-Holocene changes have also been described in terms of a late Holocene 'intensification' by many authors. For coastal people such as those living in the study area this is reflected in an increase of the use of some marine resources and a general increased diversity of the resources exploited (e.g., Lourandos, 1997; Walters, 1992, but see also Ulm, 2002). This is certainly reflected in the diversity of culturally accumulated faunal material represented in the nearby estuarine midden deposits (Attenbrow, 2002). Older extensive archaeofaunal records are not however available for comparisons deeper in the past – and indeed are unlikely to be preserved given the relatively high acidity typical of Sydney Basin deposits.

Much has been written on the reasons for Aboriginal cultural changes in the last few thousand years, and there are indeed a great many co-incident possibilities, such as increased climate variability associated with the onset and intensification of the El Niño Southern Oscillation (ENSO) around 3-5000 BP, changes in land area associated with sea-level rise, technological imports from elsewhere, or simply a happenstantial development and change through time (Attenbrow, 2002; Beaton, 1995; Lourandos, 1997; Rowland, 1999). The details of these are beyond the scope of this report, and the main point here is to establish that through the tens of thousands of years of Aboriginal history and cultural development the study area, like any Australian landscape, has witnessed a rich and complex human history. The Aboriginal group that was heir to this history at the time of European arrival, the Guringai, can be shown to have had a complex economic relationship with the entirety of their landscape.

3.2 Guringai Language, Eora Nation

The term Guringai for the Traditional Owners of the study area is based on language grouping. The delineation of pre-invasion tribal and language groups in many parts of southeast Australia is not without problems, but a description of Guringai Country has been given by Capell as extending from the north shores of Port Jackson, east of the Lane Cove River and as far north as Tuggerah Lake on the Central Coast (Capell, 1970). With this description of Guringai Country, Darug Country is to the west, Darkinjung to the northwest, and Awaba to the north. Other authors have questioned whether a distinction is valid between those people on the south side of Port Jackson with those on the north and suggest Guringai as the language right down to Botany Bay (Ross, 1988). Still others suggest that Capell's establishment of Guringai as a separate language can itself be questioned and that a solution to the debate is to consider that a distinct coastal dialect of Darug was spoken from Botany Bay along the coast as far as Broken Bay (Attenbrow, 2002:34). Many, including stakeholders in the area, assert clear cultural designation between the inland or 'sweetwater' Darug and the coastal 'saltwater' people. In this interpretation, all of Sydney's saltwater people were part of the Eora Nation (Allen Madden, Metro LALC, pers. comm.). A wide range of ethnohistoric and other evidence supports this sweetwater and saltwater distinction in many parts of Australia. Within the Eora Nation, different areas are assigned to different clans including the Gamaragal (the source of the modern suburb name of Cammeray), who are the most likely to have occupied the study area (Attenbrow, 2002).

3.3 Population, Contact / Invasion and Dispossession

The number of Aboriginal people living in the study area at Contact cannot be accurately estimated, but there were probably one to three thousand living in the area of the current Eora Nation. Hunter (1968) mentions 67 canoes, 94 men, 34 women and 9 children in an attempt at a census of the Aboriginal population around Port Jackson on 17th August, 1788 (in Champion & Champion, 1990). He also noted that people, especially women, were trying to avoid them. The nature of early cultural interactions meant that an accurate census was always going to have had such limitations, and this creates a need for latitude to be given in interpreting all early colonial estimates of Aboriginal population. Tench (1979) noted of the same mission: "No estimate, however, of even tolerable accuracy, can be drawn from so imperfect a datum; though it was perhaps the best in our power to acquire". Based on more general impression over his time in the area, Phillip suggested that there were upwards of 1500 Aboriginal people originally living in the parts of Sydney that he visited (i.e., excluding the current western extremities). More recent estimations for the whole of the Sydney Basin and into the surrounding higher country have been as high as 8000 people, but all must still be covered by the caveat offered by Attenbrow that "Although estimates can be made based on historical descriptions and archaeological evidence we shall never know the actual size of the population that lived in the Sydney region when the British arrived" (2002:17).

The outbreak of a smallpox epidemic in the year following the arrival of the British decimated the Aboriginal populations of the Sydney basin and therefore any subsequent opportunity to arrive at a good population estimate was also lost (see Attenbrow, 2002:21). This devastation by disease is known to have a great impact on the Eora and surrounding people and it is thought the majority died within the space of a few years (Barrington, 1802:52). In 1821, it was noted that the area still held an Aboriginal population, albeit decreased. Today, the rich Aboriginal cultural heritage of the area is however not without heirs – Eora people have survived and constitute a living, dynamic and modern culture.

3.4 Aboriginal Cultural Sites in the Study Area

All archaeological site features listed in the NSW Department of Environment and Conservation Aboriginal Heritage Management System (AHIMS) database were considered and assessment made of those which might possibly occur. These were mostly sites that might have been associated with the area of sandstone exposure and low cliff lines on the property: rock engravings, grinding grooves and rock shelters that may have contained cultural deposits (stone tools and/or animal remains) or rock art. As with any Aboriginal heritage assessment, search effort was also directed at finding surface stone artefact material. Scarred trees were also considered.

The NSW Department of Environment and Conservation Aboriginal Heritage Management System (AHIMS) database lists no Aboriginal sites within the property itself. However, there are 89 sites within a 6km X 6km area encompassing the property (search area mapped in Figure 1). This includes 4 sites within 1km to the west in the lower reaches of Blue Gum Creek: (1 midden (AHIMS #45-6-1633), 1 midden / open camp site (AHIMS #45-6-1946), 1 shelter with midden (AHIMS #45-6-2210) and 1 potential archaeological deposit (AHIMS #45-6-1633). 6 other sites are located within 1 km of the property. The majority of nearby sites relate to the use of estuarine resources and the utilisation of sandstone shelters near to the Lane Cove River. AHIMS sites are not mapped in this report according to the wishes of Aboriginal stakeholders.

Table 1. AHIMS registered sites in 6km X 6km area around property

(Some have multiple site features, so total is >89)

Site type	No.
Open camp site	7
Midden	15
Shelter with midden	25
Shelter with deposit	16
Shelter with art	9
Rock engraving	11
Grinding groove	8

3.5 Predictive assessment of likelihood of sites within property

The location of Aboriginal archaeological sites can largely be predicted according to various commonsense predictive factors that will have influenced people's choices in the past. When considering a specific study site, the assessment of these factors can be reduced to considering the relative amenity of the site compared to other areas nearby.

Table 2. Predictive factors affecting site location in the local area

Predictive factor	Study site
Proximity to water	Limited
Proximity to estuarine resources	No
Sandstone rockshelter	No
Sandstone exposure	Limited
Level area raised above water course	Limited
Open aspect and view	Limited

While water would be available in the property at most times it is only a couple of hundred metres from the more reliable source of Blue Gum Creek. Camp sites are typically located nearer to such larger water courses, as is reflected by the cluster of sites downstream. These sites are also nearer to the estuarine resources of the Lane Cove River and have areas of

shelter beneath sandstone rockshelters. The amenity factors of the site are therefore diminished by the areas of greater amenity nearby. Essentially the question to ask is why people would focus the kind of activities likely to leave an archaeological signature when there are creekside rockshelters nearby that are closer to food, as well as other areas with better level expanses and sunnier, more open aspects.

While these factors do not suggest that the property was not visited and its resources exploited, such use is not likely to leave archaeological evidence in the same way that repeated focused activity is. This 'predictive' assessment could not however be made on the basis of examining aerial images and topographic mapping but required verification of the amenity factors during site survey. The assessment is therefore more accurately 'retrospective' in combination with the results of field survey than 'predictive' and therefore supports the findings as much as it guided the search.

4 Archaeological Field Survey

4.1 Aims, methods, limitations

Field survey was undertaken on 31st January 2007 by Allen Madden (Metro LALC) and Oliver Brown (TEC). The aim of the field survey was to conduct a comprehensive surface survey for the site features listed above (Section 3.4). The survey was advised by the preliminary desktop assessment and AHIMS database search to indicate the local archaeological context and the targeting of certain areas. The size of the property allowed for comprehensive survey coverage of the site to be undertaken. Survey was undertaken on foot and the survey route is shown in Figure 2. Soil surface visibility was limited by thick vegetation in most parts of the property, however this only really affected the ability to detect open camp sites and isolated occurrences of surface artefacts. There were negligible limitations for detecting all of the other site types common in the area listed in Table 1.

4.2 Results

No items or places were located and it is assessed that there are no areas likely to contain significant subsurface deposits.

One of the cliff lines showed limited potential to contain deposits, however on close inspection the only area of substantial overhang was within the central creek line itself. Other overhang areas were small and rather than having a dripline, slime mould and algae growth indicated that water runs down the rock wall itself. The area was therefore assessed as having no amenity for occupation. Surface visibility at the foot of the cliff line was very good, and no artefacts or other cultural material was located.

Figure 3. Cliffline inspected for occupation evidence



All other exposed areas of sandstone were also inspected and had no grinding grooves or engravings. No suitable level areas raised above the creek line were assessed as being likely to contain open camp site deposits. No trees of suitable age or size were present that may have been culturally scarred by Aboriginal people.

4.3 Discussion

126 Greville Street is located in an area with extensive archaeological evidence of the pre-invasion occupation of Sydney Harbour and its tributaries. However, the site itself is removed from most of the principle amenity factors affecting the location of the common archaeological site types in the area. While it is possible that some subsurface artefactual material occurs there, it is predicted that it would only be in very low densities that would not have notable heritage significance – such occurrences essentially being a background scatter to almost all areas in Australia.

5 Significance Assessment and Recommendations

5.1 Significance Assessment

The purpose of a Statement of Heritage Impact would be to evaluate and explain how the values of heritage items and/or places will be affected by proposed development. However, as there are no identified items or places of Aboriginal cultural heritage significance, this is not required in the current case.

5.5 Cultural Heritage Management Recommendations

The recommendations are that no Aboriginal cultural heritage items or places are likely to be affected by the proposed development, and the development therefore has no heritage constraints. There is no requirement for application to the Department of Environment and Conservation with regard to Aboriginal cultural heritage. Normal stop-work provisions would be put in place in the event that unanticipated Aboriginal heritage items are encountered at any stage of work.

5.6 Stop Work Provisions

The *NSW National Parks and Wildlife Act 1974* requires that in the event that unanticipated Aboriginal cultural deposits are encountered, work must cease immediately in the vicinity of the find. It is recommended that action follow consultation with the relevant Heritage Branch of the NSW Department of Environment and Conservation. An archaeologist will need to make an assessment and identified Aboriginal stakeholders must be invited to inspect the find.

In the event that bones which may be human are located during any subsequent works on the site, the NSW Police and/or the State Coroners Office must be contacted. They will determine whether the remains are associated with heritage (Aboriginal or historic) or a crime. They will then recommend an appropriate course of action that may require further involvement by an archaeologist and Aboriginal stakeholder groups. In the event that there is doubt as to whether bones are human or not, they should not be disturbed at all until this can be determined.

6 References

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7 Aboriginal Comment

Following survey, the findings and recommendations were discussed in the field. A draft copy of the report was forwarded and a response received from Allen Madden (Metro LALC).

Rx date/time 13-FEB-2007(TUE) 08:41
13 Feb 2007 10:17AM

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METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL

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

Oliver Brown
37 Irrawong Road
North Narrabeen NSW 2101

Tuesday, 13 February 2007

RE: Aboriginal Site Survey
National Acoustics Lab
126 Greville Street
CHATSWOOD

Dear Oliver Brown,

An Aboriginal Site Survey was carried out on National Acoustics Lab 126 Greville Street Chatswood for the purpose of identifying any Aboriginal Heritage Constraints to the proposed development.

The Survey was undertaken by Allen Madden Cultural & Educational Officer M.L.A.L.C and Oliver Brown Archaeologists A division of Total Earth Care Pty Ltd. This report outlines the findings of the M.L.A.L.C and makes recommendations and any constraints that the Land Council feels will protect any identified sites.

Prior to work commenced for the compiling of this report the M.L.A.L.C was notified and discussion took place with Oliver Brown, Archaeologist, about the proposal, a registered search was undertaken for any know sites in the area of the proposed development and subject to this no sites were identified within the surveyed area.

The Aboriginal site survey was carried out on foot, all exposed sand stone was carefully examined for cultural material (engravings) within the surveyed, area there layers two sand stone out crops, a creek bed which was also carefully examined for cultural material. **NO ABORIGINAL ENGRAVINGS OR RELICS WERE FOUND WITHIN THE SURVEYED AREA** National Acoustics Lab 126 Greville Street Chatswood.

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13 Feb 2007 10:17AM

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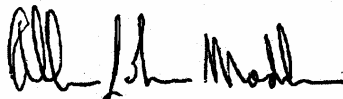
M.L.A.L.C have no objections to the development of the proposed development area National Acoustics Lab 126 Greville Street Chatswood . The following recommendation are based on the report that was produced by M.L.A.L.C carried out on National Acoustics Lab 126 Greville Street Chatswood.

But if any sites or relics are unearth during any stages of development then all work should cease and the M.L.A.L.C and NSW N.P.W.S should be notified as soon as possible, no further Aboriginal Heritage Assessment need to be under taken.

Metrolalc have a monitoring program that can be put in place if required at any stage of development.

If you require any further information please do not hesitate to contact me on the number above.

Yours Sincerely



Allen Madden
Cultural & Educational Officer
M.L.A.L.C