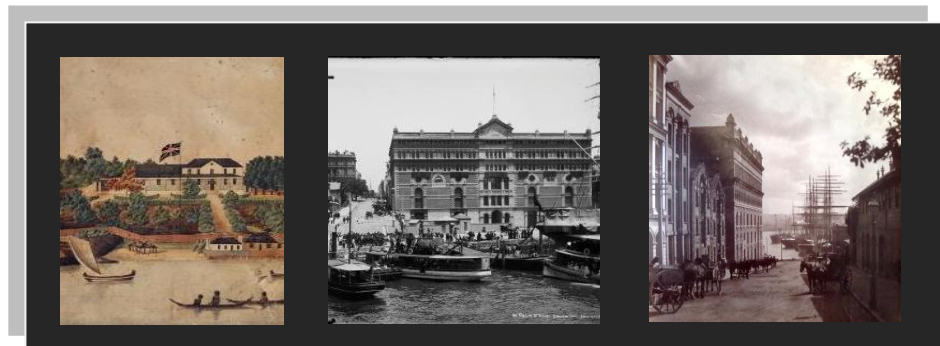


AMP Circular Quay Precinct

Assessment of Aboriginal and Historical Archaeological Potential

December 2012



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Executive summary

Artefact Heritage was commissioned by Urbis, on behalf of AMP, to undertake an assessment of Aboriginal and historical archaeological potential for the AMP Circular Quay Precinct. This report will be included in the Planning Justification Report submission as part of a formal request to the City of Sydney for an amendment to the Sydney LEP 2012 (SLEP) and Sydney DCP 2012 (DCP), to facilitate a significant redevelopment of the AMP Circular Precinct.

The subject site is located immediately south of Circular Quay and is bounded by Phillip Street to the east, Loftus Street to the west, Bridge Street and Loftus Lane to the south, and Scouts Place and Customs House Lane to the north. Following European settlement the subject site was part of the First Government House gardens until c. 1845, and was extensively developed with commercial buildings including warehouses and wool stores from c. 1850. From c. 1960, most of the site has been subject to major disturbance through the construction of multi-storey buildings including the AMP Building and AMP Centre Tower.

There is no potential for either Aboriginal or historical archaeological resources across the majority of the subject site, due to major subsurface disturbance during the latter half of the 20th century. However, a portion of the site is assessed to be of moderate archaeological potential, including the sites of Hinchcliff House and the Gallipoli Club, and the land occupied by Loftus Lane and Customs House Lane.

Hinchcliff House and the Gallipoli Club are extant 19th century buildings which could potentially preserve earlier deep subsurface features such as wells or privies beneath them. The adjacent laneways have existed on their current alignments since the mid-19th century and have therefore been protected from development or significant disturbance. It is possible that original soil deposits could exist below the current bitumen surfaces of the lanes, and these could potentially include rare evidence for former Aboriginal occupation in the Sydney CBD, and the First Government House gardens. Evidence related to First Government House may be of national heritage significance. Evidence for 19th century activities or earlier pavements may also exist beneath the lanes.

A small portion of the land below 2-10 Loftus Street has not been developed with a basement, and the Bennelong SVC passes intact through this area. It is therefore possible that other archaeological resources survive below this part of the building, and this area has been assessed to be of moderate archaeological potential.

The building at 16-20 Loftus Street is known to have a basement, however the extent of this basement is unknown and it is possible that some parts of the area beneath this building have not been subject to deep excavation. The site of this building has therefore been assessed to be of low archaeological potential, as evidence for deep subsurface features may survive in some places. Further information regarding the extent of the basement beneath the building would enable a more accurate evaluation of the likelihood of surviving archaeological material.



The majority of the Bridge and Alfred Block has been assessed to be of no archaeological potential, because plans supplied by Urbis show that underground basements and car parking are present beneath the entire area, aside from the location of the Bennelong SWC. The Bennelong SWC is straddled by the modern buildings, with the basement and underground car parking located on either side of the SWC. The SWC is of high archaeological potential.

If archaeological deposits associated with the First Government House garden, or burials of Aboriginal people are identified and found to be of National heritage significance, the impacts would need to be assessed under the provisions of the Commonwealth EPBC Act. Referrals may need to be made to the Australian Government Minister for the Environment, Heritage and the Art prior to works commencing.

The Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) sites register indicated that a recorded Aboriginal site, AHIMS # 45-6-2299, was located in the forecourt area of the Museum of Sydney on the southern side of Bridge Street, and outside the subject site. The intent of the site recording was to document the Aboriginal burials that occurred within the gardens of First Government House. The gardens covered a wide area between the location of the house and the southern shoreline of Sydney Cove. It is not possible to determine the exact location of the burials, with background research and the AHIMS site recording indicating that there is a potential for the burials to occur at any location within the subject site where there is natural ground surface.

If future development is proposed within areas that have been assessed to be of moderate or high archaeological potential, it is recommended that an Aboriginal Archaeological Impact Assessment and a Historical Archaeological Impact Assessment and Research Design are prepared for the affected area(s). These would provide recommendations to investigate and manage the potential archaeological resource, including whether archaeological monitoring or test excavation would be appropriate. The Aboriginal Archaeological Impact Assessment should also take into consideration the potential for Aboriginal burials to occur where there is natural ground surface. Excavation permits may be required prior to impacts, unless the proposed development is approved as a State Significant Development (SSD) in which case archaeological investigations would adhere to the Director General's Requirements (DGRs).

If future development is proposed within areas that have been assessed to be of low or no archaeological potential, it would not be necessary to prepare archaeological impact assessments or research designs prior to works commencing, and no heritage approvals or permits would be required. However, if unexpected archaeological material was encountered during works, it would be necessary to stop all work in the immediate vicinity of the identified deposits. The NSW Heritage Council would be notified and a qualified archaeologist would be engaged to assess the significance of the material and recommend whether further investigation is required.

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1.0 Introduction and background

1.1 Background

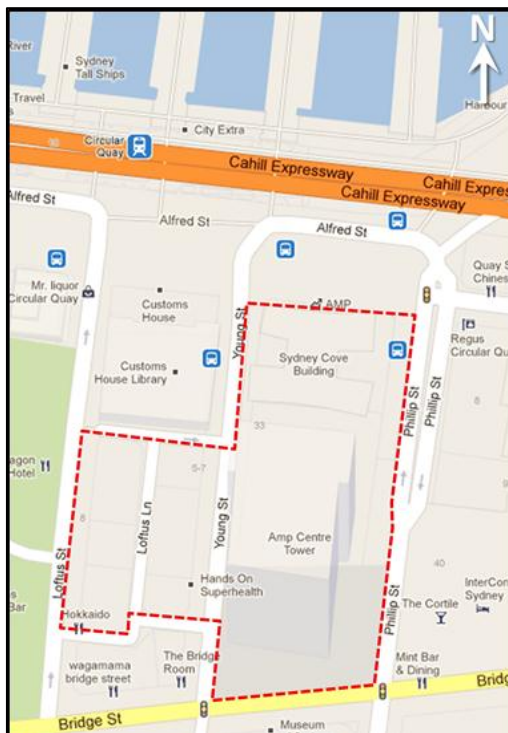
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1.2 The subject site

The subject site is located immediately south of Circular Quay and is bounded by Phillip Street to the east, Loftus Street to the west, Bridge Street and Loftus Lane to the south, and Scouts Place and Customs House Lane to the north (Figures 1 and 2).

The portion of the site between Loftus and Young streets is here referred to as the 'Young and Loftus Block', while the portion between Phillip and Young streets is referred to as the 'Bridge and Alfred Block'.

Figure 1: Subject site outlined red



[Source: Google Maps]

Figure 2: Aerial photograph of subject site



[Source: Urbis]



The majority of the subject site is occupied by multi-storey 20th century buildings, including:

- The AMP Building (26 storeys)
- The AMP Centre Tower (46 storeys)
- 2-10 Loftus Street (14 storeys)
- 16-20 Loftus Street (8 storeys)
- 9-13 Young Street (11 storeys)
- 15-17 Young Street (11 storeys)

Two 19th century buildings survive on the site. These are Hinchcliff House (formerly Hinchcliff's wool store) at 5-7 Young Street, and the Gallipoli Club (formerly F. L. Barker's wool store) at 12-14 Loftus Street.

I.3 Report authorship

Archaeologists Adele Anderson and Josh Symons wrote this report, with management input from Dr Sandra Wallace.

2.0 Statutory context

2.1 Aboriginal heritage legislation

This study has been undertaken in the context of several items of legislation that relate to Aboriginal heritage and its protection in New South Wales.

2.1.1 National Parks and Wildlife Act (1974)

The *National Parks & Wildlife Act 1974*, administered by the OEH provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) under Section 90 of the Act, and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community) under Section 84.

The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal Places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is, of special significance to Aboriginal culture.

The Act was recently amended (2010) and as a result the legislative structure for seeking permission to impact on heritage items has changed. An s.90 permit is now the only AHIP available and is granted by the OEH. Various factors are considered by OEH in the AHIP application process, such as site significance, Aboriginal consultation requirements, ESD principles, project justification and consideration of alternatives. The penalties and fines for damaging or defacing an Aboriginal object have also increased. AHIPs are not required for projects assessed as State Significant Developments (SSD).

As part of the administration of Part 6 of the Act OEH has developed regulatory guidelines on Aboriginal consultation, which are outlined in *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Guidelines have also been developed for the processes of due diligence - *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (2010), and for investigation of Aboriginal objects - *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (2010) in accordance with the 2010 amendment to the Act.

There is one registered Aboriginal site which extends into the study area. Although the coordinates for the site place its location on the southern side of Bridge Street and outside the current subject site, the site detail infers that it would cover the entire extent of the First Government House site, which included the gardens that extended north across the current subject site.

2.1.2 Aboriginal Land Rights Act (1983)

The *Aboriginal Land Rights Act 1983* is administered by the NSW Department of Education and Communities - Aboriginal Affairs. This Act established Aboriginal Land Councils (at State and Local levels). These bodies have a

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statutory obligation under the Act to; (a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and (b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

There are no registered Land Claims within the study area. The study area is within the Metropolitan Local Aboriginal Land Council boundary.

2.1.3 Native Title Act (1994)

The *Native Title Act 1994* was introduced to work in conjunction with the Commonwealth Native Title Act. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act.

There are no Native Title claims within the study area.

2.2 Historical cultural heritage legislation

There are several items of State legislation that form the basis for managing historical heritage in NSW. This section provides a summary of these items of legislation and associated statutory registers.

2.2.1 The Heritage Act 1977

The NSW *Heritage Act 1977* (the Heritage Act) is the primary item of State legislation affording protection to items of environmental heritage (natural and cultural) in NSW. Under the Heritage Act, 'items of environmental heritage' include places, buildings, works, relics, moveable objects and precincts identified as significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. State significant items are listed on the NSW State Heritage Register (SHR) and are given automatic protection under the Heritage Act against any activities that may damage an item or affect its heritage significance.

The Heritage Act also protects 'relics', which can include archaeological material, features and deposits. Section 4(1) of the Heritage Act (as amended 2009) defines 'relic' as follows:

“relic means any deposit, artefact, object or material evidence that:

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

Sections 139-145 of the Heritage Act prevent the excavation or disturbance of land known or likely to contain relics, unless in accordance with an excavation permit. Section 60 excavation permits are required to disturb relics within State Heritage Register (SHR) sites, while Section 140 permits are required for sites that are not listed on the SHR. Under the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act), excavation permits to disturb relics under Section 60 or Section 140 of the Heritage Act are not required for SSD projects.

The State Heritage Register

The SHR was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites. The SHR is administered by the Heritage Branch of the OEH and includes a diverse range of over 1500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW.

No archaeological sites within the subject site are listed on the SHR.

Section 170 Registers

The Heritage Act requires all government agencies to identify and manage heritage assets in their ownership and control. Under Section 170 of the Heritage Act, government instrumentalities must establish and keep a register which includes all items of environmental heritage of State or local significance that are owned, occupied or managed by that government body. All government agencies must also ensure that all items entered on its register are maintained with due diligence in accordance with State Owned Heritage Management Principles approved by the Minister on advice of the NSW Heritage Council. These principles serve to protect and conserve the heritage significance of identified sites, items and objects and are based on relevant NSW heritage legislation and statutory guidelines.

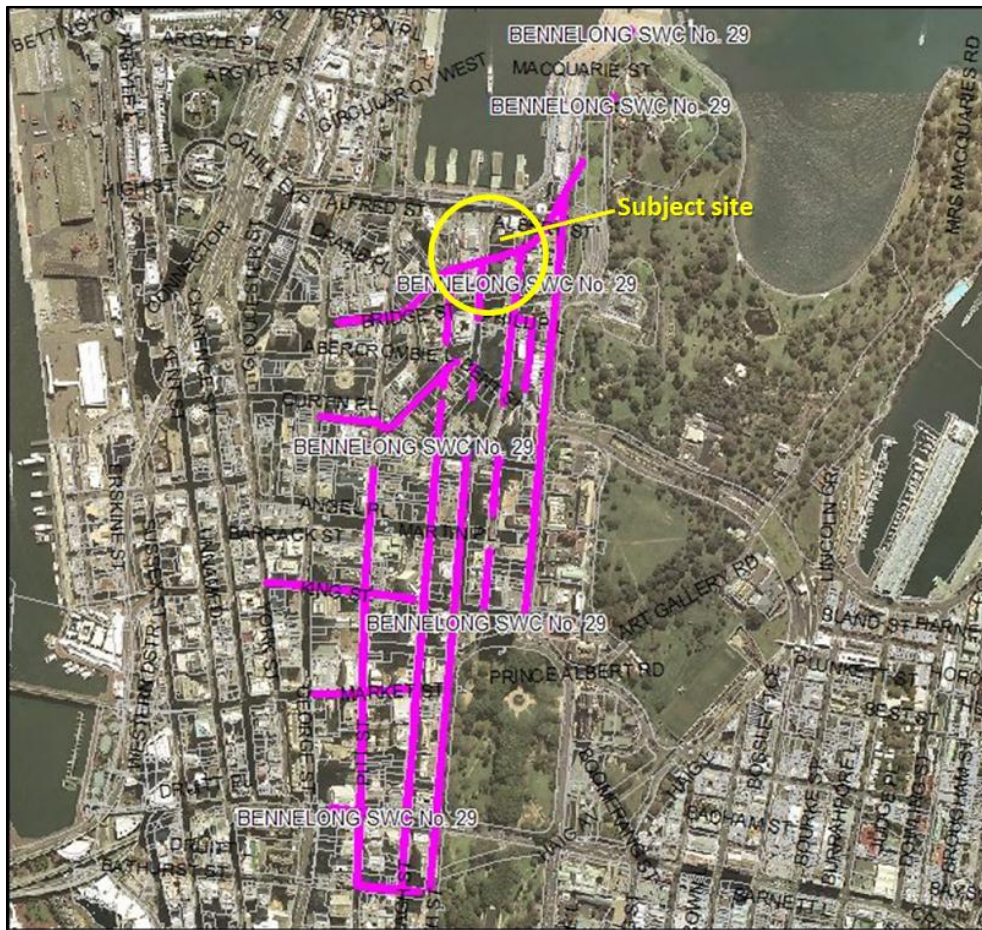
The Bennelong Storm Water Channel [SWC] No. 29 is listed on the Sydney Water s170 Register (Figure 3). This is one of five original combined sewers built in Sydney c. 1857, by the City Council. It is a combined sewer/stormwater drain, made of brick and oviform in shape. The item includes a network of drains running throughout the CBD. The Bennelong SWC runs roughly E-W through the approximate middle of the subject site, with branches also diverging to run south along Phillip, Young and Loftus streets.

2.2.2 The Environmental Planning and Assessment Act 1979

The EP&A Act establishes a framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits. The EP&A Act also requires that Local Governments prepare planning instruments (such as Local Environmental Plans [LEPs] and Development Control Plans [DCPs]) in accordance with the Act to provide guidance on the level of environmental assessment required. The current site falls within the boundaries of the Sydney LGA and is covered by the Sydney LEP 2005 and the Sydney Heritage DCP 2006.

No archaeological sites within the subject site are listed on the Sydney LEP 2005.

Figure 3: Bennelong SWC No 29 heritage curtilage (in purple)



[Source: Sydney Water s170 Register]

2.2.3 Environment Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. These are defined in the EPBC Act 1999 as matters of national environmental significance. Under the EPBC Act 1999, nationally significant heritage items are protected through listing on the Commonwealth Heritage List or the National Heritage List.

No items located within the subject site are listed on the Commonwealth Heritage List or National Heritage List.

The First Government House archaeological site, located to the south of the subject site, is included on the National Heritage List.

2.2.4 Non-statutory listings

Listing on non-statutory registers does not provide any legal protection to heritage items or sites, but does demonstrate the recognised heritage value of items.



Register of the National Trust

The Register of the National Trust was established in 1949 and is maintained by the National Trust of Australia.

No archaeological sites within the subject site are listed on the Register of the National Trust.

Register of the National Estate

The Register of the National Estate is a list of natural, Indigenous and historic heritage places throughout Australia. It was originally established under the Australian Heritage Commission Act 1975. Under that Act, the Australian Heritage Commission entered more than 13,000 places in the register. Following amendments to the Australian Heritage Council Act 2003, the Register of the National Estate (RNE) was frozen on 19 February 2007 and ceased to be a statutory register in February 2012. The RNE is now maintained on a non-statutory basis as a publicly available archive and educational resource.

No archaeological sites within the subject site are listed on the RNE. The site of First Government House, to the south of the subject site, is listed on the RNE.

3.0 Historical overview

3.1 Aboriginal history

3.1.1 Environmental context

Geology

The subject site was located on the southern foreshore and slopes bordering a flooded river valley within the Sydney Basin, a large depositional geological feature that spanned from Batemans Bay to the south, Newcastle to the north, and Lithgow to the west. The underlying geology of the lower portions of the subject site bordering the estuarine flat and Sydney Cove foreshore comprised Quaternary sediments consisting of quartz sand, silt and clay. The underlying geology of the remainder of the subject site consisted of Hawkesbury Sandstone, which comprised medium to coarse-grained sandstone, very minor shale, and laminate lenses.¹ Hawkesbury Sandstone was one of the most ubiquitous geological layers of the Sydney Basin, and was used extensively by both Aboriginal and European people for a variety of shelter and subsistence requirements.

Evidence of Aboriginal use of Hawkesbury Sandstone in the Sydney area includes stone artefact and shell midden deposits within natural shelter formations created by weathering processes in exposed sandstone, grinding grooves where edge-ground stone axes were manufactured or maintained, and rock engravings or pigment motifs that were applied to exposed sandstone.

Soils

The subject site has undergone considerable modification, with the tidally influenced estuarine flat that extended around the southern shore of Sydney Cove buried by at least 3 metres of fill during reclamation works that began in the 1830s.² The original southern foreshore of Sydney Cove would have predominantly comprised tidal mud banks associated with the mouth of Tank Stream, the main watercourse through inner Sydney.³ Although it was likely that sections of the original southern shoreline of Sydney Cove were preserved intact beneath the reclamation fill, the contemporary ground surface across the northern boundary of the subject site is considered to be disturbed terrain.⁴

¹ Herbert, C 1983, *Geology of the Sydney 1:100,000 Sheet 9130*, NSW Department of Mineral Resources, Sydney.

² Thorp, W 1995, *Customs House, Sydney: Archaeological Assessment*, report prepared for Sydney City Council: 32.

³ Godden Mackay Heritage Consultants 1997, *Angel Place Project 1997 Volume 3: Prehistory Report, Salvage Excavation of Site # 45-6-2581*, report prepared for AMP Asset Management Australia Ltd, the NSW Heritage Council and the National Parks and Wildlife Service (NSW): 11.

⁴ Chapman, GA, Murphy, CL, Tille, PJ, Atkinson, G and Morse, RJ 2009, *Ed. 4. Soil Landscapes of the Sydney 1:100,000 Sheet (Map)*, Department of Environment, Climate Change and Water, Sydney.



Generally shallow soils existed across the Hawkesbury Sandstone slope south of the shoreline, with soil developed *in situ* from the underlying sandstone geology. This soil context, called the Gynea soil landscape, consisted generally of sandy soils with high erosion hazard in cleared areas.⁵ The upper lens of Hawkesbury sandstone beneath the Gynea soil landscape was likely to be weathered and fractured, resulting in 'floating' bedrock at the soil/bedrock transition.⁶

Landform and Hydrology

The subject site was located across the moderate to gradual slopes on the western side of a sandstone ridgeline. The orientation of the main crest of the ridgeline, approximately 250 metres east of the subject site, was north towards the Opera House, and was aligned with the eastern side of Macquarie Street. The highpoint of the subject site was at the intersection of Bridge Street and Phillip Street, with the terrain from that point dropping north to Circular Quay and west towards Pitt Street.

The natural drainage catchment within the inner Sydney area was a watercourse called the Tank Stream that flowed north from a swampy area stretching between Market Street and Park Street. The watercourse flowed between the current alignments of Pitt Street and George Street, with the mouth of the creek originally a tidally influenced estuarine flat covering the area north from Bridge Street, east from Pitt Street and west from Loftus Street. The tidal flat area stretched east across the northern end of Loftus Street and across the northern boundary of the subject site (see Figure 4).

The northern boundary of the subject site formed the southern shore of Sydney Cove at the time of first European settlement in 1788. The Tank Stream formed the main source of freshwater for the colony of Sydney until it was replaced in the early 1800s because the water was continually fouled by activities including washing, rubbish dumping and animal slaughtering. The Tank Stream was officially abandoned as a source of water in 1826, and the stream gradually closed over from 1852 with sections used for sewage.⁷

The estuarine tidal flat at the mouth of the Tank Stream was gradually in-filled with introduced dredged sand and mud, demolition rubble, industrial and household waste.⁸ The in-fill of the estuarine flat extended the southern foreshore of Sydney Cove northwards by approximately 70 metres from the original alignment along the northern boundary of the subject site.

⁵ Chapman, GA and Murphy, CL 1989, *Soil Landscapes of the Sydney 1:100,000 Sheet (Report)*, Department of Conservation and Land Management, Sydney.

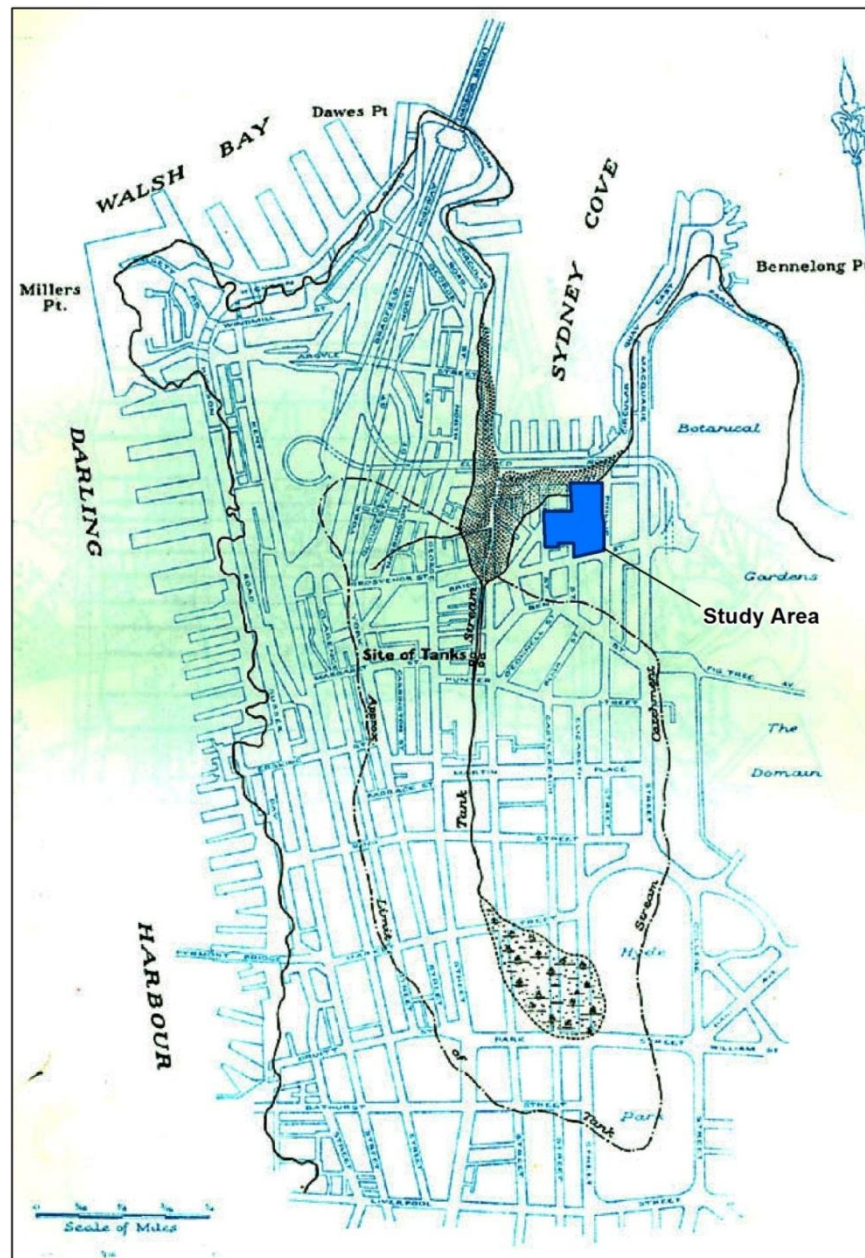
⁶ Lawrie, R 1999, 'Soil Chemical Properties at Historical Archaeological Sites of Inner Sydney, New South Wales', in *Australasian Historical Archaeology*, 17: 70.

⁷ Godden Mackay Heritage Consultants 1995, *Tank Stream Tunnel Stage 1 – Preliminary Assessment of Significance and Issues*, report prepared for Sydney City Council: 4.

⁸ Herbet 1983

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Figure 4: Location of the study in relation to the Tank Stream and original shoreline of Sydney Cove



[Source: Aird 1961]

Flora and Fauna

The environmental context of the subject site and the inner Sydney region as a whole prior to European colonisation consisted of woodland flora species and a wide variety of fauna. The vegetation community of inner Sydney would have comprised dense open woodland including Scribbly Gums (*Eucalyptus racemosa*), Ti-tree (*Leptospermum flavescens*), Native Honeysuckle (*Banksia oblongifolia*), Bottlebrush (*Callistemon citrinus*), Swamp Mahogany (*Eucalyptus robusta*), Swamp Oak (*Allocasuarina glauca*) and Cabbage-tree Palm (*Livistona australis*). Fauna



would have included woodland species included wallabies, bandicoots, possums, dingo, as well as fish and shellfish species in Sydney Cove and foreshore area.⁹

3.1.2 Archaeological context

The closest recorded Aboriginal site to the subject site was AHIMS site # 45-6-2299. The site, called 'First Government House' was recorded in 1991 to reflect the significance of the site of First Government House for Aboriginal people due to the recorded Aboriginal burials in the gardens of the house. Although the coordinates for the site place its location on the southern side of Bridge Street and outside the current subject site, the site detail infers that it would cover the entire extent of the First Government House site, which include the gardens that extended north across the current subject site.

Other sites in the vicinity of the subject site indicate the presence of Aboriginal archaeological deposit buried beneath standing buildings. This includes AHIMS site # 45-6-2581, approximately 460 metres southwest of the subject site at the site of Aboriginal archaeological excavation at Angel Place¹⁰ and AHIMS site # 45-6-2796, a recorded PAD at 320-328 George Street approximately 420 metres southwest of the subject site. Two sites recorded to the west of the subject site in The Rocks include AHIMS site # 45-6-2742, a PAD recorded on Gloucester Street and AHIMS site # 45-6-1853, a thin remnant of midden material identified in a bulldozer scrape on a building site at the intersection of Cumberland Street and Essex Street.

A broad variety of sites types is reflected in the results of the AHIMS sites register search (Table 1, Figure 5), demonstrating some of the varied Aboriginal subsistence and natural resource utilisation activities practiced in the area. This includes midden sites, sandstone shelters with archaeological deposit, rock engravings, pigment art, and potential archaeological deposit (PAD).

Compared with the frequency of recorded sites across the north shore of Port Jackson shown in Figure 5, relatively few Aboriginal sites have been recorded across the inner Sydney area. This does not necessarily reflect a differing use of the environment by Aboriginal people, but rather the much lower survival rate of the archaeological record due to dense residential and commercial development, and the much lower likelihood of recording any surviving archaeological material buried beneath layers of fill and building construction. As discussed above, those sites that are recorded in the inner Sydney area reflect those locations where Aboriginal archaeological deposit has been identified beneath buildings, or where assessment has identified the potential for Aboriginal archaeological deposit to occur.

⁹ Benson and Howell 1990, in Godden Mackay 1997.

¹⁰ Godden Mackay 1997.

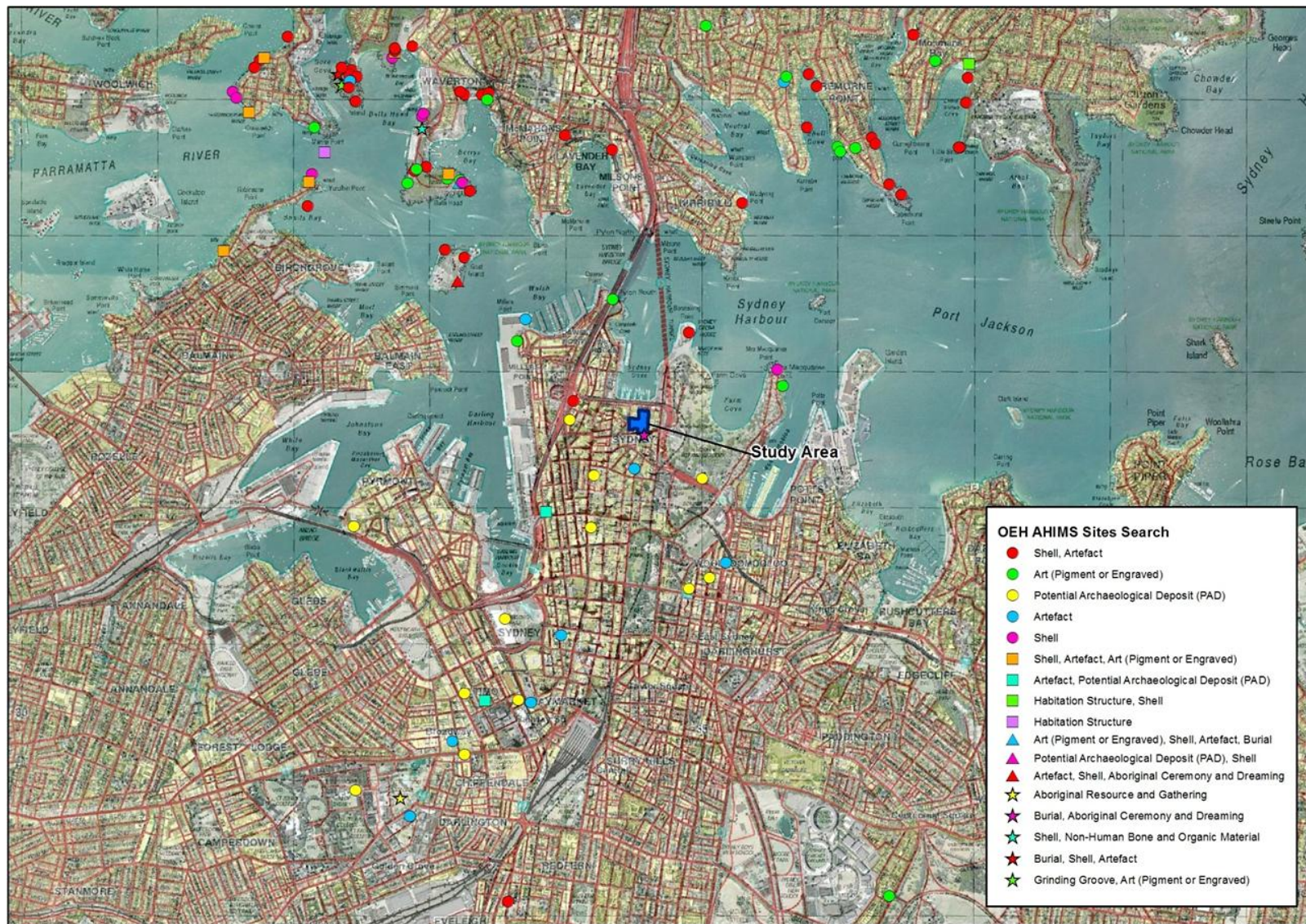
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Table 1: Frequency of site types from OEH AHIMS data

Site Type	Frequency	Percentage
Shell, Artefact	43	40.2
Art – Pigment or Engraved	16	15
Potential Archaeological Deposit (PAD)	12	11.2
Artefact	10	9.3
Shell	8	7.5
Shell, Artefact, Art – Pigment or Engraved	6	5.6
Artefact, PAD	2	1.9
Habitation Structure, Shell	1	0.9
Habitation Structure	1	0.9
Art – Pigment or Engraved, Shell, Artefact, Burial	1	0.9
PAD, Shell	1	0.9
Artefact, Shell, Aboriginal Ceremony and Dreaming	1	0.9
Aboriginal Resource and Gathering	1	0.9
Burial, Aboriginal Resource and Dreaming	1	0.9
Shell, Non-Human Bone and Organic Material	1	0.9
Burial, Shell, Artefact	1	0.9
Grinding Groove, Art – Pigment or Engraved	1	0.9

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Figure 5: OEH AHIMS registered sites, subject site shaded blue



[Source: Background map © Google and NSW Department of Finance and Services]

3.1.3 Aboriginal occupation and European contact

Prior to the appropriation of their land by Europeans, Aboriginal people lived in small family or clan groups that were associated with particular territories or places. It seems that territorial boundaries were fairly fluid, although details are not known. The language group spoken across Sydney was known as Darug (Dharruk – alternate spelling). This term was used for the first time in 1900, as before the 1800s language groups or dialects were not discussed in the literature.¹¹ The Darug language group is thought to have covered the area south from Port Jackson, north from Botany Bay, and west from Parramatta.¹²

The name Gadigal and its alternative spellings (Cadigal, Cadi) was used in the earliest historical records of the European settlement in Sydney to describe the Aboriginal band or clan that lived on the southern shore of Port Jackson, from South Head west to the Darling Harbour area. The term Eora is also used as a name for the Aboriginal people south of Port Jackson. The term Eora was likely a word used by the Gadigal people to refer to an Aboriginal person, rather than a reference to a clan or band in particular.¹³ However, it became a widespread term for the Aboriginal people on the southern shore of Port Jackson and is currently used by Gadigal people to refer to the central Sydney area – referred to as 'Eora Country'.¹⁴

Figure 6: Aboriginal activities on the shore of Port Jackson in 1824



[Source: Peron and Freycinet 1824 in McBryde 1989: 26]

¹¹ Matthews, RH and Everitt, MM 1900, 'The Organisation, Language and Initiation Ceremonies of the Aborigines of the South-East Coast of N.S. Wales', *Journal and Proceedings of the Royal Society of NSW*, 34: 262-281; Attenbrow, V 2010, *Sydney's Aboriginal Past: Investigating the Archaeological and Historical Records*. 2nd Edition, University of New South Wales Press Ltd, Sydney: 31.

¹² Attenbrow 2010: 34.

¹³ Ibid: 22, 35-36.

¹⁴ City of Sydney Council 2002, *Indigenous History of City of Sydney*, viewed 21 September 2012, <http://www.cityofsydney.nsw.gov.au/barani/>



The subject site was located across a landscape of varying subsistence resources. The tidally influenced mud flats associated with the mouth of the Tank Stream were located across the northern boundary of the subject site, while fresh water was available from the stream itself to the south-west in the vicinity of Pitt Street.

Archaeological and historical records indicate that marine and estuarine resources formed an important part of the subsistence activities of the Aboriginal people that inhabited the Port Jackson area (Figure 6). Shellfish not only formed an important subsistence resource, but were also utilised as tools. Shell tools included fish-hooks, shell hafted onto spears in various forms, as a tool to repair spears, and as a cutting edge.¹⁵ Other locally available raw materials, including quartz, were also favoured for cutting edges, and in some areas bordering readily abundant shellfish in inner Sydney, quartz may have actually been favoured as a cutting edge.¹⁶

Initial interactions at Sydney Cove

The European colonisation of Australia began with the establishment of a colony at Sydney Cove by Captain Arthur Phillip in January 1788 on land inhabited by the Gadigal people. The subject site and immediately surrounding area were an integral part of the pre- and post-contact history of both the Gadigal people and the Aboriginal peoples across the surrounding region.

The likely location of Captain Arthur Phillip's landing site in Sydney Cove was in the vicinity of the northern boundary of the subject site.¹⁷ Many of the early interactions between the British and the Gadigal were amicable. Watkin Tench, Captain of the Marine with the First Fleet, documented his first meeting with the Gadigal people, when he and a landing party visited the south shore of Port Jackson. Tench noted that they were greeted by a dozen Aboriginal people, with the landing party and the Aboriginal people cautiously approaching each other before observing one another and exchanging items.¹⁸

Within days of the initial landing at Sydney Cove, visits by Aboriginal people to the settlers had dropped in frequency to the point where the colonists were aware that they were being deliberately avoided.¹⁹ In 1789, Watkin Tench noted that²⁰:

The Indians for a little while after our arrival paid us frequent visits, but in a few days they were observed to be more shy of our company. From what cause their distaste arose we never could trace..... No quarrel had happened, and we had

¹⁵ Attenbrow 2010: 118.

¹⁶ Baker, N 2004, *Archaeological Salvage of an Aboriginal Site at William Street, East Sydney*, report to Zonie Construction and Design Pty Ltd: 31.

¹⁷ Torp 1995:33.

¹⁸ Tench, W 1789, *A Narrative of the Expedition to Botany Bay*, Printed for J Debrett, opposite Burlington House, Piccadilly, London: 54-58.

¹⁹ Attenbrow 2010:14.

²⁰ Tench 1789: 63-64.

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flattered ourselves, from Governor Phillip's first reception among them, that such a connection might be established as would tend to the interest of both parties.

The reference to Governor Phillip seeking to establish a connection with the local Aboriginal inhabitants and treat them amicably stemmed from his instructions on setting out from England in 1787 to open a discourse with the Aborigines and attempt to live in friendship without unnecessary interruption of their activities.²¹

Other historical records also note the avoidance of the colony by Aboriginal people, including letters written by Governor Phillip and David Blackburn, Master of the First Fleet ship *HMS Supply*.²² On 12 August 1790 in a letter to his sister, Blackburn noted that 'they will not come among us though every method has been used to invite them'.²³ By November 1788, Phillip noted that²⁴:

The natives now avoid us more than they did when we first landed, and which I impute to the robberies committed on them by the convicts, who steal their spears and fish – gigs which they frequently leave in their huts when they go out a fishing and which the people belonging to the transports purchase, though every possible precaution has been taken to prevent it.

With the exception of the first days of the colony at Sydney Cove, the remainder of 1788 was marked by the general avoidance of the area by the Aboriginal people.

Interactions between the Governor and Aboriginal people

In May 1788, on the highpoint near the current intersection of Bridge Street and Phillip Street, Phillip laid a plaque marking the future site of the Governor's house. The site of the building was located across the southern side of Bridge Street and concentrated in the area now occupied by the Museum of Sydney on the southwestern corner of the intersection of Bridge Street and Phillip Street.²⁵

The gardens in front of the Governor's house extended north towards the southern shore of Sydney Cove, linking the subject site to the history of the house. By December 1788, with the local Aboriginal people avoiding contact with the colonists, Phillip decided to forcefully capture an Aboriginal person to live on the site of the Governor's house. An Aboriginal man called Arabanoo was captured at Manly and brought back to the Governor's residence. During the initial period of his forced occupation at the house, Arabanoo was shackled to stop him from escaping.

²¹ McBryde, I 1989, *Guests of the Governor: Aboriginal Residents of the First Government House*, The Friends of the First Government House Site, Sydney: 5.

²² Attenbrow 2010:14; Neville, D 1975, *Blackburn's Isle*. Terence Dalton Limited, Lavenham, Suffolk.

²³ Neville 1975:152.

²⁴ Governor Phillip 1788, quoted in McBryde 1989:7.

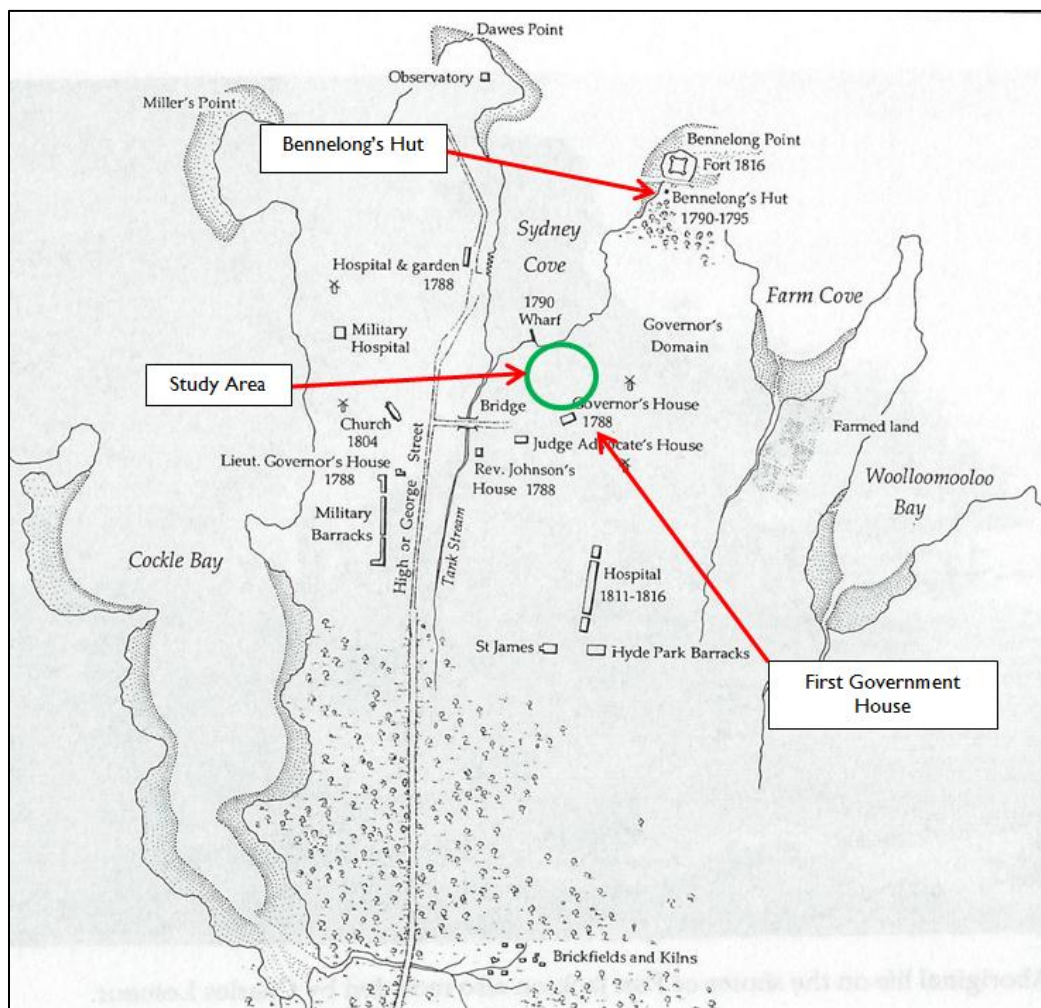
²⁵ Bickford, A 1983, *The First Government House, Sydney: The Archaeological Investigation of the First Government House Site, Phillip Street, Sydney*. First interim report, report to the Premier's Department and the Department of Environment and Planning, NSW.

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Arabanoo passed away in 1789 following one of the small pox epidemics that swept through the Aboriginal population of Sydney, and was buried in the garden of the house.²⁶

Following the passing of Arabanoo, two Aboriginal men called Bennelong and Colebee captured in 1789, were also brought back to be shackled at the Governor's house. Over the subsequent years, Bennelong became a frequent voluntary visitor to the Governor's house until his death in 1813, and for a period lived in a hut built for him on the eastern shore of Sydney Cove shown in Figure 7.²⁷ The forced capture of Arabanoo, Colebee and Bennelong started a period of close interaction between the Governors of NSW and a number of Aboriginal people from the Sydney region, including several Aboriginal people taking the long voyage to England.

Figure 7: Map of the early colony of Sydney, showing the approximate location of the subject site, first Government house, and Bennelong's hut



[Source: McBryde 1989: 19 – drawn by McBryde and based on unspecified early maps]

²⁶ McBryde 1989: 9, 11.

²⁷ Ibid: 13, 17.



The first Government house has symbolic importance as the seat of Government in NSW until 1845, and therefore the location of decisions that affected Aboriginal people throughout the colony. Hinkson (2002) notes that the first Government House was ‘a central location for interaction between British officers and local Aboriginal people in the early years of the colony, especially during Phillip’s governorship’.²⁸ The site is also the burial ground of Aboriginal people, including Arabanoo, Baluderry, and an Aboriginal child buried near the Government house garden.²⁹

3.2 European history

3.2.1 Early European settlement

On their arrival in Sydney Cove on 26 January 1788, Governor Phillip and party erected a flagpole near the present-day site of Customs House to proclaim the establishment of the new colony. At this time, the High Water Mark was located approximately where Customs House stands today, and the shoreline consisted of some areas of sandy beach at high tide, and exposed mud flats at low tide.³⁰ Within the first few months of settlement a Government Wharf was built near the flagpole, approximately on the alignment of present-day Loftus Street. In the following years a number of small huts and sheds were built along the shoreline close to the subject site.³¹

First Government House was built soon after the arrival of the First Fleet (immediately south of the subject site), and illustrations from the early years of settlement show that gardens associated with the house occupied the subject site. An unpaved path led from the house to the shoreline, and a timber picket fence separated the garden from the shore (Figures 8 and 9). In a plan of the Governor’s Domain dating to 1816, the area of the subject site is shown within a “Pleasure Ground” located between First Government House and the shore (Figure 10). By 1812, the whole of the Domain was enclosed, including the construction of a stone wall along the shoreline of Sydney Cove.³² While it is not possible to accurately pin-point the location of this wall in relation to the current built landscape, it seems to have been located near the rear of the present-day Customs House.³³

As part of the Governor’s Domain, the subject site remained largely undeveloped until after the new Government House was built and the First Government House was dismantled in 1845.

²⁸ Hinkson, M 2002 ‘Exploring ‘Aboriginal’ Sites in Sydney: A Shifting Politics of Place?’ in *Aboriginal History* 26: 73.

²⁹ Ibid:73; McBryde 1989:11, 17.

³⁰ Thorp, W 1995:12.

³¹ Ibid:13.

³² Casey & Lowe 2002, *Archaeological Investigation Conservatorium Site Macquarie Street, Sydney Volume 1: History & Archaeology*, report to the NSW Department of Public Works & Services: 52.

³³ Thorp 1995:13.

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Figure 8: First Government House in 1791



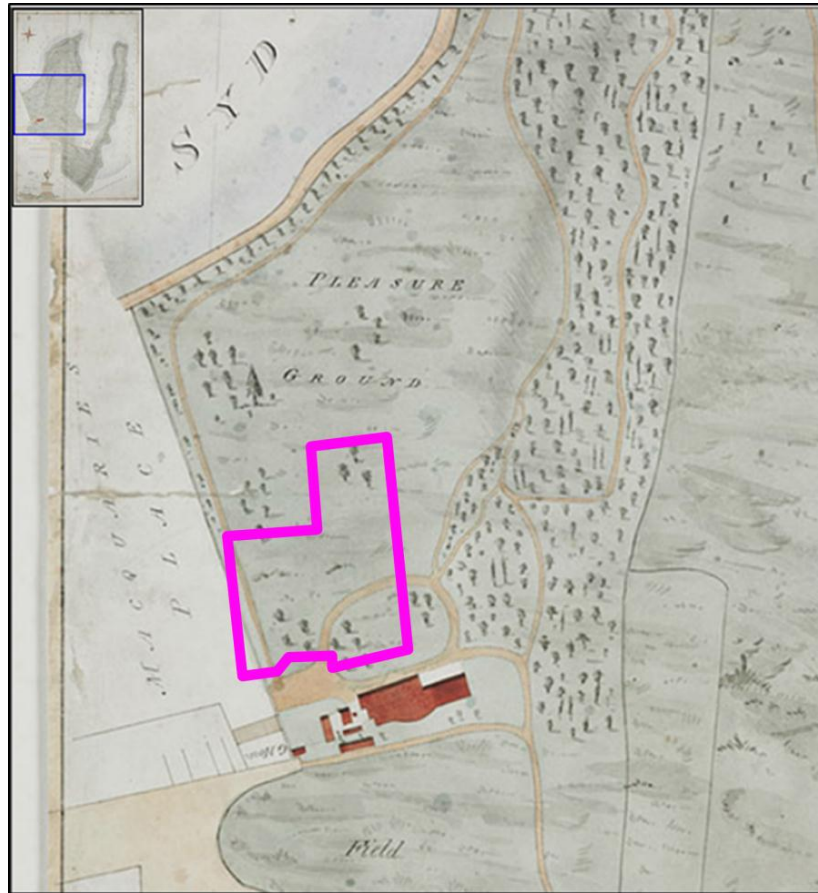
[Source: William Bradley - Drawings from his journal 'A Voyage to New South Wales', 1802+. Opp. p. 225. 'Governor's House at Sydney, Port Jackson 1791'. Mitchell Library a3461024]

Figure 9: First Government House c. 1807



[Source: First Government House, Sydney / watercolour drawing by John Eyre ca. 1807. Mitchell Library a128359]

Figure 10: Plan of the Governor's Domain in 1816 – approximate location of study area outlined in pink.



[Source: Plan of Governors Demesne Land / surveyed in the year 1816 by C. Cartwright. Mitchell Library a2869001]

3.2.2 Land reclamation and Semi-Circular Quay

The 1807 survey plan of Sydney showed leases drawn out over the harbour where it was intended that land would be reclaimed (Figure 11). In 1833, an official investigation was held into the problems of the cove, including siltation and pollution, and the difficulty of mooring ships due to the shallowness of the water. The investigation recommended that a sea-wall be constructed and the land behind it reclaimed.

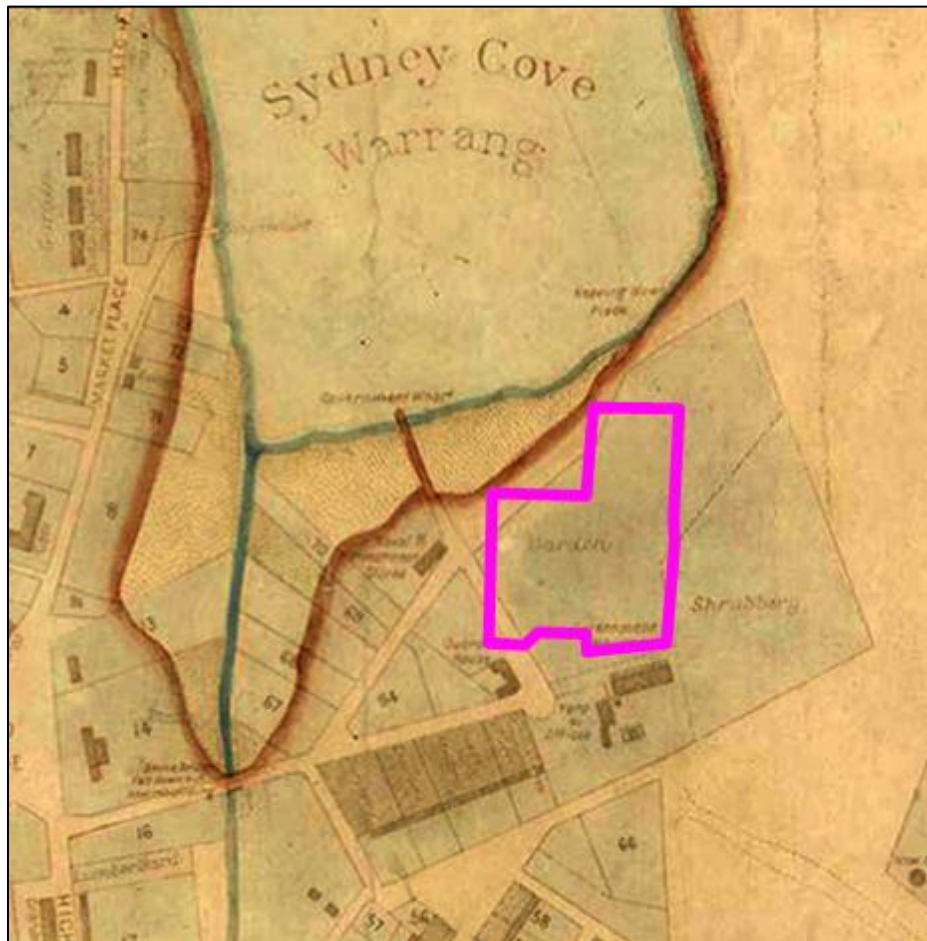
Work on the creation of Semi-Circular Quay began in 1839 and continued until 1847. A stone quay wall was constructed and the area behind it was filled with huge quantities of rubble, soil and waste, to provide a firm foundation for later construction. The original shoreline was buried metres below the new ground surface.³⁴

Existing city streets were extended over the reclaimed land to join the new Alfred Street.

³⁴ Thorp 1995:14.

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Figure 11: 1807 Plan of the Town of Sydney – approximate location of study area outlined in pink.



[Source: *Plan of the town of Sydney in New South Wales* / by Jas. Meehan, assistant surveyor of Lands by order of His Excellency Governor Bligh, 31st October 1807. Mitchell Library a3940001].

3.2.3 Commercial development

The creation of Semi-Circular Quay enabled the construction of many new buildings, most of which were related to the role of the quay in the transport of goods by ship. The Customs House was built immediately north and west of the subject site between 1843 and 1845, and several structures were present on the subject site by 1855, when they were recorded in the City Detail Sheets. Documentary research indicates that most of these structures were store buildings, generally associated with the sale of wool.

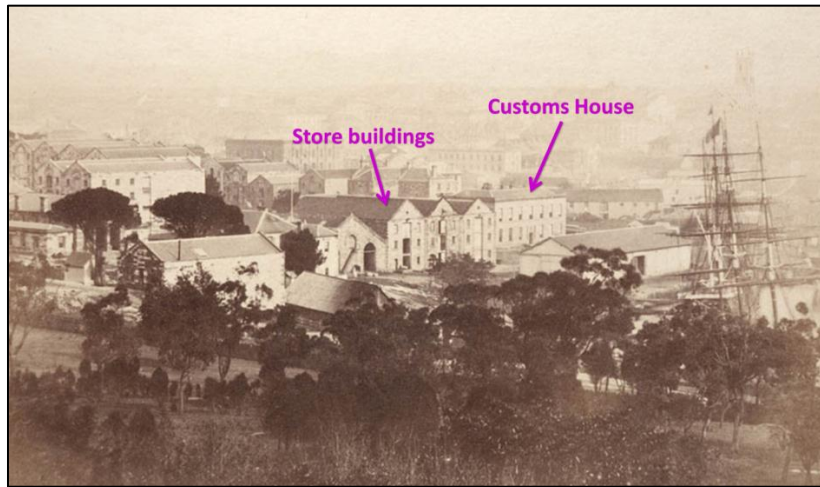
1850-1860

The first permanent structures erected within the subject site appear to have been built in around 1850. These included five stone buildings fronting Alfred (then Albert) Street between Phillip Street and Young (then Elizabeth) Street (Figure 12). The 1851 Assessment Book for the ward of Bourke listed Robert Campbell as the owner of four of these buildings. One of the buildings, described as a warehouse, was still unfinished in 1851, and it is likely

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that the others had been recently completed. Three of the finished buildings were described as warehouses and were occupied by George Were (merchant), J. H. Atkinson (wool stapler), and Mort and Brown (auctioneers). The remaining finished building was occupied by the offices of Robert Campbell (merchant).³⁵ By 1855, a number of small brick buildings had been constructed to the rear of these buildings. Also by 1851, five stone buildings had been constructed along Loftus (then Castlereagh) Street (Figure 13). These were a hotel on the corner of Loftus Street and Customs House Lane (which ran along the rear of Customs House, linking Young and Loftus Streets), two warehouses, an unoccupied store, and a house.³⁶

Figure 12: 1858 photograph showing store buildings along Alfred Street



[Source: Blackwood's panorama of Sydney & Harbour from Government House, 1858: 2. Mitchell Library a853002]

Figure 13: c. 1862 engraving showing Customs House and buildings along Loftus Street



[Source: The Custom House, Circular Quay, c. 1862, from the National Library of Australia <http://nla.gov.au/nla.pic-an8190744>]

³⁵ City Assessment Book, Bourke, 1851.

³⁶ Ibid.

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A plan of the area dating to 1855 (Figure 23) shows that by this time a number of small brick buildings had been constructed to the rear of the stone stores that fronted Alfred Street, and an iron structure had been erected within a yard further to the south. The 1858 Assessment Book describes this iron structure as a store, and at this time it was owned by Robert Campbell and occupied by Mason Brothers (importers). Four stone buildings had been constructed fronting Young Street by 1855, and in 1858 these were all owned by L. S. Harris. All four buildings consisted of four storeys with slate roofs, two of them were stores and two were combined stores and offices. One of the buildings was unoccupied in 1858, while the remainder were occupied by general merchants who stored and sold a range of goods from the stores.³⁷

The 1855 plan shows that an iron structure had been erected on the corner of Young Street and Customs House Lane by this time, with a stone building located beside it to the south. The remainder of land along the western side of Young Street was vacant, and a lane ran from Customs House Lane to Bridge Street, located mid-way between Young Street and Loftus Street (Figure 23). The Assessment Book for that year indicates that the iron structure was a store, and the stone building was a two storey house with a small rear yard. Both buildings were owned and occupied by Messrs How Walker & Co (merchants) at this time. By 1858, the stone building had either been converted for use as a store, or replaced by a new stone store building.³⁸

By 1858, two further stone store buildings had been constructed fronting Phillip Street opposite the Water Police Court (now the Justice and Police Museum). These are visible in Figure 20.³⁹

1860-1870

Assessment Books from 1861 and 1863 show that the buildings constructed during the previous decade retained their original functions, although their owners and occupiers were subject to change. Three additional stone store buildings were built fronting Loftus Street between 1858 and 1861 (Figure 14), and the two westernmost store buildings fronting Alfred Street were listed as unoccupied during 1861 and 1863.⁴⁰

By 1867, the iron and stone store buildings on the corner of Young Street and Customs House Lane were occupied by Andrew Hinchcliff and functioned specifically as wool stores (Figure 15). A blacksmith's shop and cooperage had been established on the eastern side of Young Street, and four brick houses with associated brick stables had been constructed on the north-west corner of Bridge and Phillip streets (Figure 24).⁴¹

³⁷ City Assessment Book, Bourke, 1858.

³⁸ Ibid.

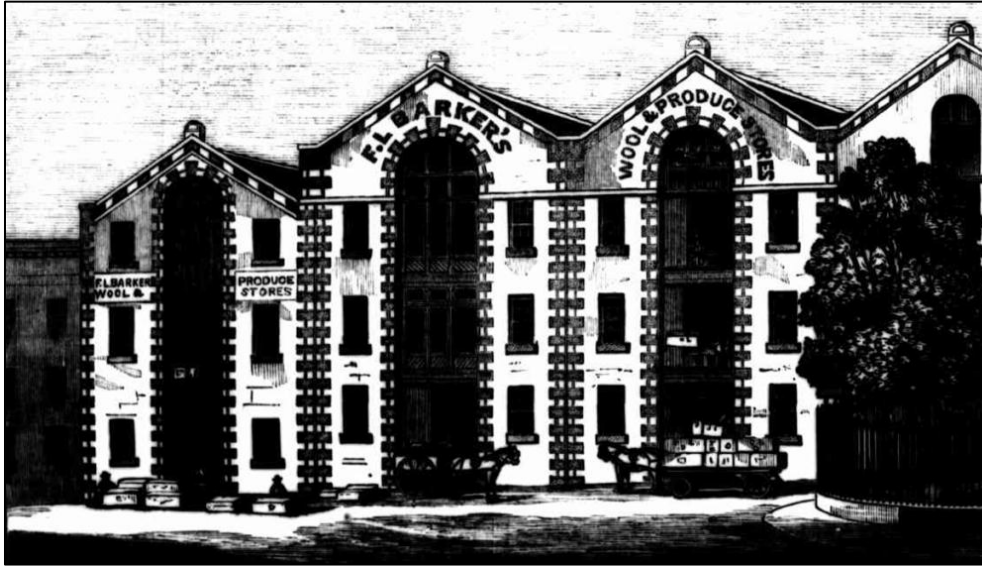
³⁹ Ibid.

⁴⁰ City Assessment Books, Bourke, 1861 and 1863.

⁴¹ City Assessment Book, Bourke, 1867.

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Figure 14: Store buildings fronting Loftus Street in 1876



[Source: *Australian Town and Country Journal* 16 September 1876:20]

Figure 15: Hinchcliff's Wool Stores, pre-1882



[Source: View of A. Hinchcliff's wool stores. Mitchell Library a6072001]

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1870-1880

In 1870, the prominent wool dealers Mort and Co constructed their new wool store on the corner of Phillip and Alfred Street (Figure 16). The new store occupied the sites of the two easternmost store buildings that had been constructed c. 1850, and was a reflection of the need for larger, purpose-built wool stores as a result of the expansion of the wool industry. At the time of its construction, the Mort and Co Wool Store was described as “a striking monument of the rapid increase which has taken place in the production and export of our principal staple [wool]”.⁴²

The building was designed by Edmund Blacket and was a major advance in wool store architecture, which previously had followed the vernacular tradition of general storage buildings. The new store adopted a palazzo form which accommodated a saw tooth roof to create a top floor display area illuminated with natural light from the south. This solved the long-standing problem of how to provide diffused, even natural light for wool classing and inspection. The building had a stone basement, while the remainder of the five-storey building was constructed of brick and capped with freestone.⁴³

Figure 16: Mort and Co Wool Store, 1872 (Phillip Street on left)



[Source: Photographs of Public and Other Buildings, &c ... / photographed by Charles Pickering]

⁴² *Australian Town and Country Journal* 27 August 1870:16.

⁴³ Ibid; Wilson, A 1990, *F. L. Barker Wool Store: Conservation Plan*, report to Allen Jack + Cottier, Architects: 13.

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In the same year, the two original store buildings still standing to the west of the new Mort and Co Wool Store were occupied by Harrison, Jones and Devlin, who used them as a wool store. In 1874, Harrison, Jones and Devlin added a new building to the rear, which was connected to the existing buildings. By 1876, the original store building on the corner of Alfred and Young Streets was occupied by Maiden, Hill and Clarke and was also used as a wool store. The stores occupied by Harrison, Jones and Devlin and Maiden, Hill and Clarke each consisted of three floors and a basement. The basement floors of the stores were used for the storage of tin ore, hides, bones, tallow, horns and other such produce, while wool leather and skins were stored on the other three floors. The northern end of the basement floors, which opened out near the quay, was used for sales of produce.⁴⁴ Figures 17 and 18 show the c. 1850 stores in relation to the Mort and Co Wool Store.

By 1880, two more store buildings (Gedde's Stores), a cooperage, and some sheds, stables and yards had been added along the western side of Phillip Street (Figure 25).

Figure 17: Mort and Co Wool Store and c. 1850 store buildings to west (c. 1868-1881)

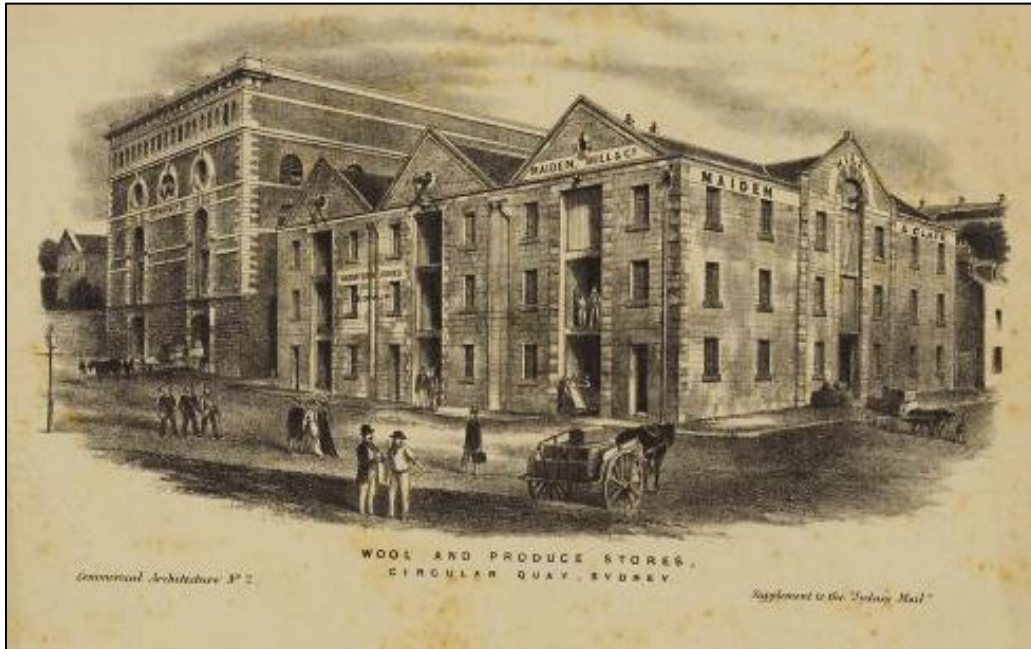


[Source: Views of Sydney and its streets, 1868-1881 / compiled by John Lane Mullins (1868-1881)]

⁴⁴ *Australian Town and Country Journal* 8 July 1876: 28.

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Figure 18: Wool stores fronting Alfred Street in c. 1880s



[Source: Wool and produce stores, Circular Quay, Sydney, from the National Library of Australia]

1880-1890

A number of changes occurred within the subject site during the early 1880s. In 1882, Hinchcliff's iron wool store on the corner of Young Street and Customs House Lane was pulled down and replaced with a stone store. The remaining c. 1850 stores fronting Alfred Street and the buildings immediately to their rear were also pulled down. Several buildings along Phillip Street (iron store, cooperage, shed, stables, and the office of Gedde's Stores) were also demolished at this time. By 1882, new stores had been constructed on the land to the east of Young Street that had previously been occupied by a lumber yard, blacksmith's shop and sheds. These new stores were occupied by Harrison, Jones and Devlin.⁴⁵

In 1883, Mort and Co called for designs for the extension of their wool store across the remainder of the Alfred Street frontage to Young Street. The extension was eventually completed in 1886, and was a reflection of the continued rapid growth of the wool trade. The extension was designed to be in keeping with the architectural style of the original portion of the building, and an extra floor was added to the original portion to make the entire building seven storeys high (Figure 19).⁴⁶

⁴⁵ City Assessment Book, Bourke, 1882.

⁴⁶ *Sydney Morning Herald* 9 August 1886:5.

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Figure 19: Extended Mort and Co Wool Store after 1886

[Source: Phillip St., Sydney. Circular Quay / H. King. Mitchell Library a089764]

1890-1958

By 1891, three new brick store buildings and a brick house had been constructed along Phillip Street, in the locations that had previously been occupied by the cooperage, sheds and stables (Figure 22). New brick stores (known as Kilmarnock House by c. 1917) were also built by the Government on the north-east corner of Bridge and Young streets (Figure 21).⁴⁷

By 1907, a new two-storey brick store had been constructed between Hinchcliff's Wool Store and Kilmarnock House.⁴⁸ In 1911, number 10 Loftus Street (occupied by J. Burns on the 1880 plan in Figure 25) was demolished and replaced with a five-storey brick office block (Figure 22), and by 1914 a four storey brick building had been constructed on the north-eastern corner of Bridge and Young streets to house the offices and stores of Winchcombe Carson Ltd. In 1925, 18 Loftus Street was demolished and replaced by "Wall House", an eight storey brick building.⁴⁹

While various changes in ownership and occupation occurred during the ensuing years, aside from some minor alterations the structures within the subject site remained unchanged between 1925 and 1958 (Figures 26 and 27).

⁴⁷ City Assessment Book, Bourke, 1891.

⁴⁸ City Assessment Book, Bourke, 1907.

⁴⁹ City Assessment Books, Bourke, 1911 and 1914; City of Sydney Archives, *Planning Street Cards 1929-1994, Loftus Street*.

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Figure 20: Phillip Street, looking north to Circular Quay c. 1900



[Source: Mobsby Collection, Fryer Library, Brisbane, Australia. Accessed online at <http://www.flickr.com/photos/hwmobs/6918109278/>]

Figure 21: Kilmarnock House, 1928



[Source: 15-17 Young Street; Kilmarnock House, John Walker & Sons, 1928. Mitchell Library hall_34995]

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Figure 22: 1911 office building at 10 Loftus Street, with earlier buildings on either side



[Source: Australian-Italian Shipping Line, no. 10 Loftus Street, Sydney and Macquarie Chambers nos. 12-14 Loftus Street, Sydney. Mitchell Library hall_38422]

1958 –

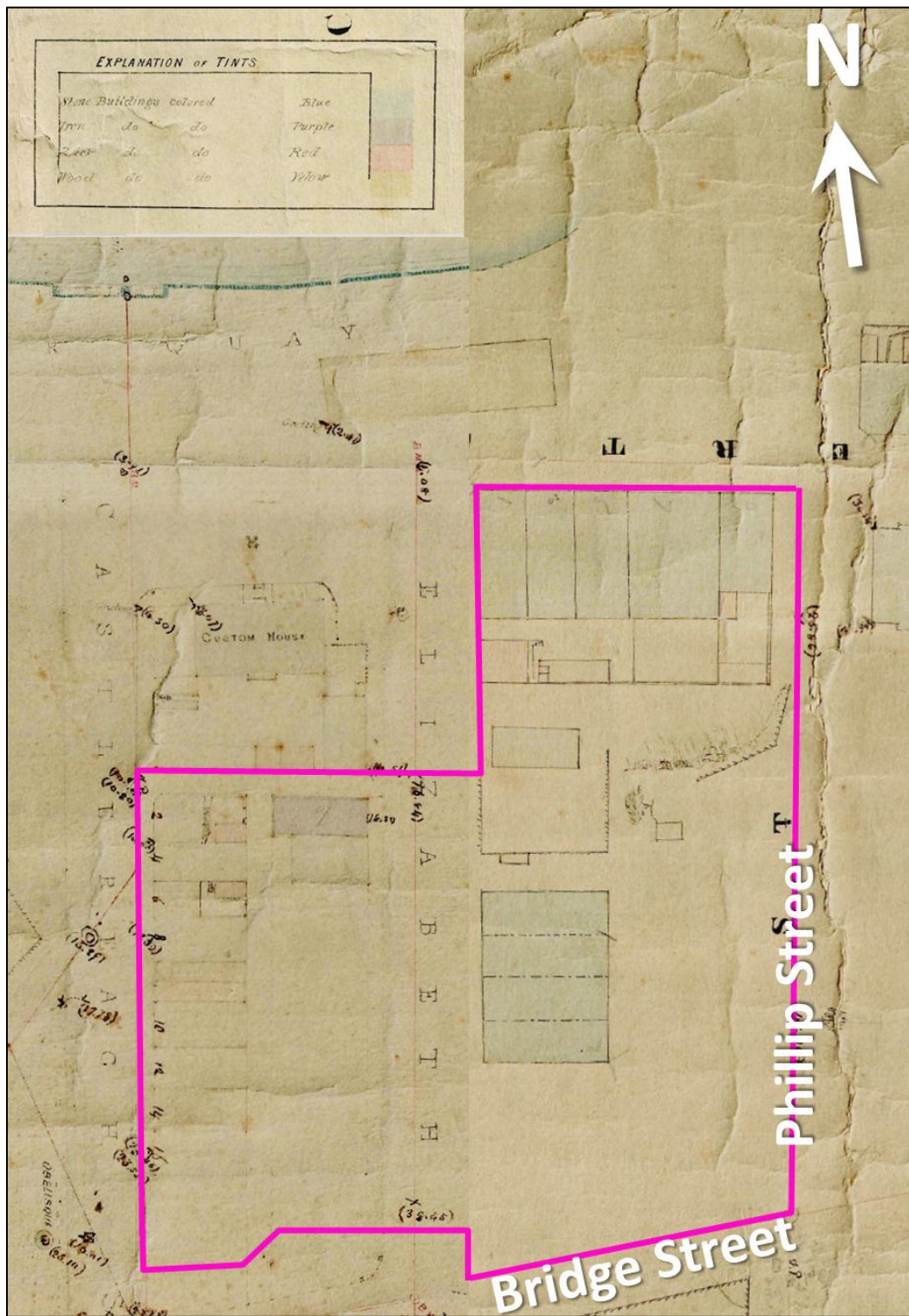
In 1959, the Mort and Co Wool Store (then called the 'Farmers and Graziers Building') and 5 Phillip Street were demolished to make way for the construction of the AMP Building. The AMP Building is 25 storeys high and was completed in 1962. The other buildings within the Bridge and Alfred Block were demolished c. 1969, to accommodate the remainder of the AMP development, including AMP Centre Tower and AMP plaza.

The buildings at 9-13 and 15-17 Young Street were demolished c. 1968, to make way for new multi-storey buildings; while the buildings occupying 16-20 Loftus Street were demolished and replaced in 1972. Numbers 2-6, 8 and 10 Loftus Street were also demolished in 1983 and replaced with a multi-storey building.

Today, the only buildings surviving from the 19th century are 12-14 Loftus Street (the Gallipoli Club) and 5-7 Young Street (Hinchcliff House).

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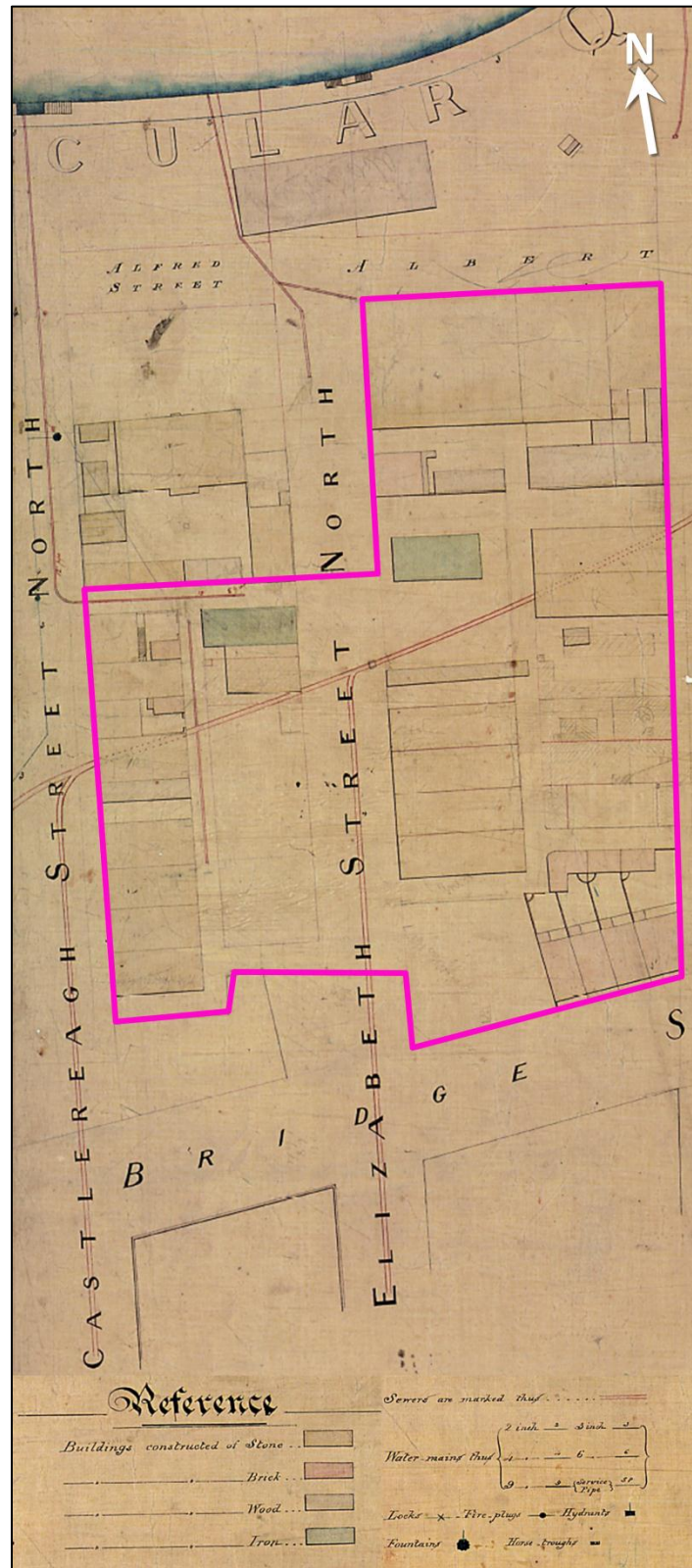
Figure 23: 1855 plan of the subject site (outlined in pink)



[Source: City Detail Sheets 1855, Sheets 4 (left) and 28 (right), from the Historical Atlas of Sydney, City of Sydney Archives]

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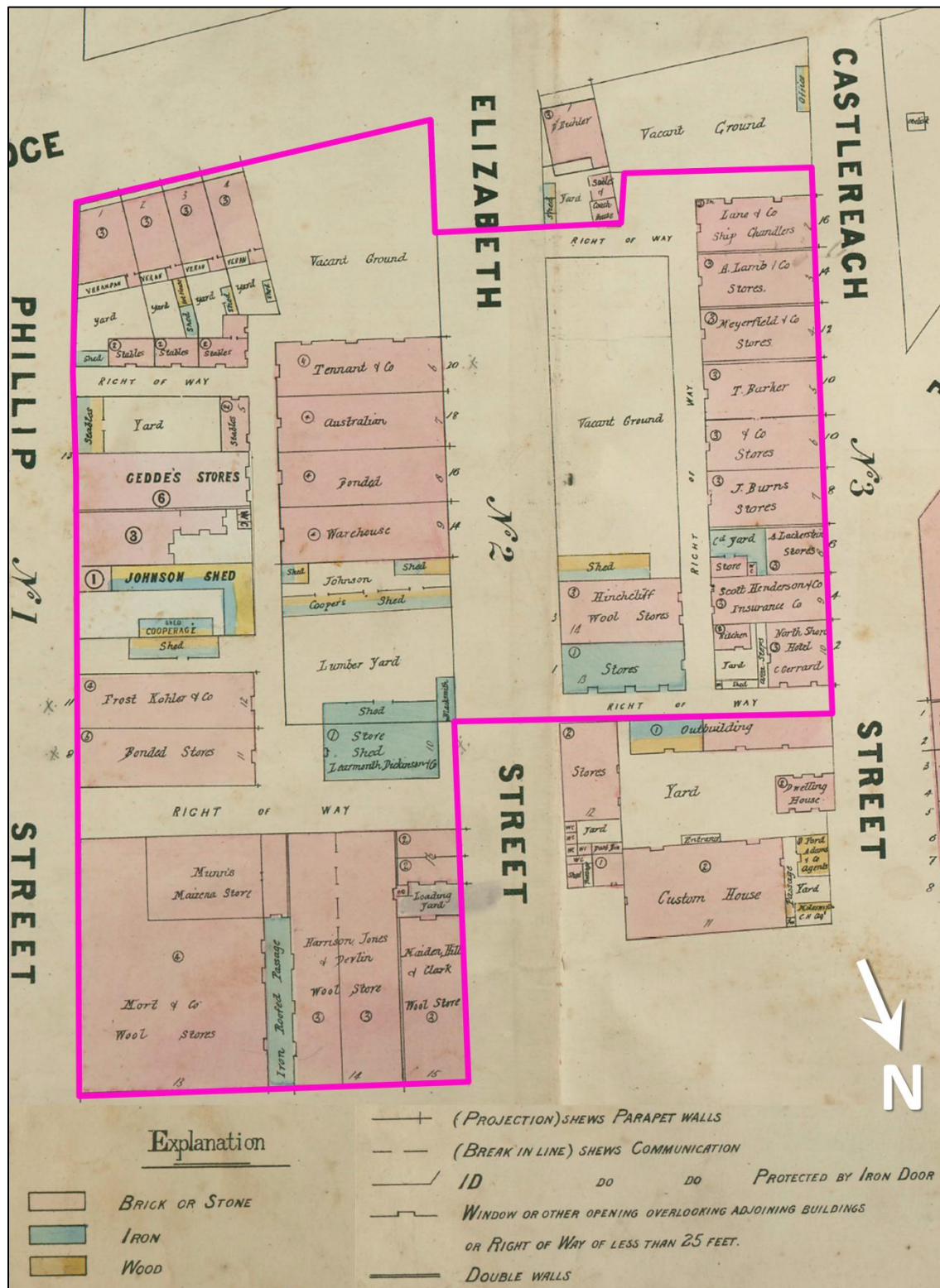
Figure 24: 1865 plan of the subject site



[Source: Trigonometrical Survey of Sydney, 1855-1865, Block B1, from the Historical Atlas of Sydney, City of Sydney Archives]

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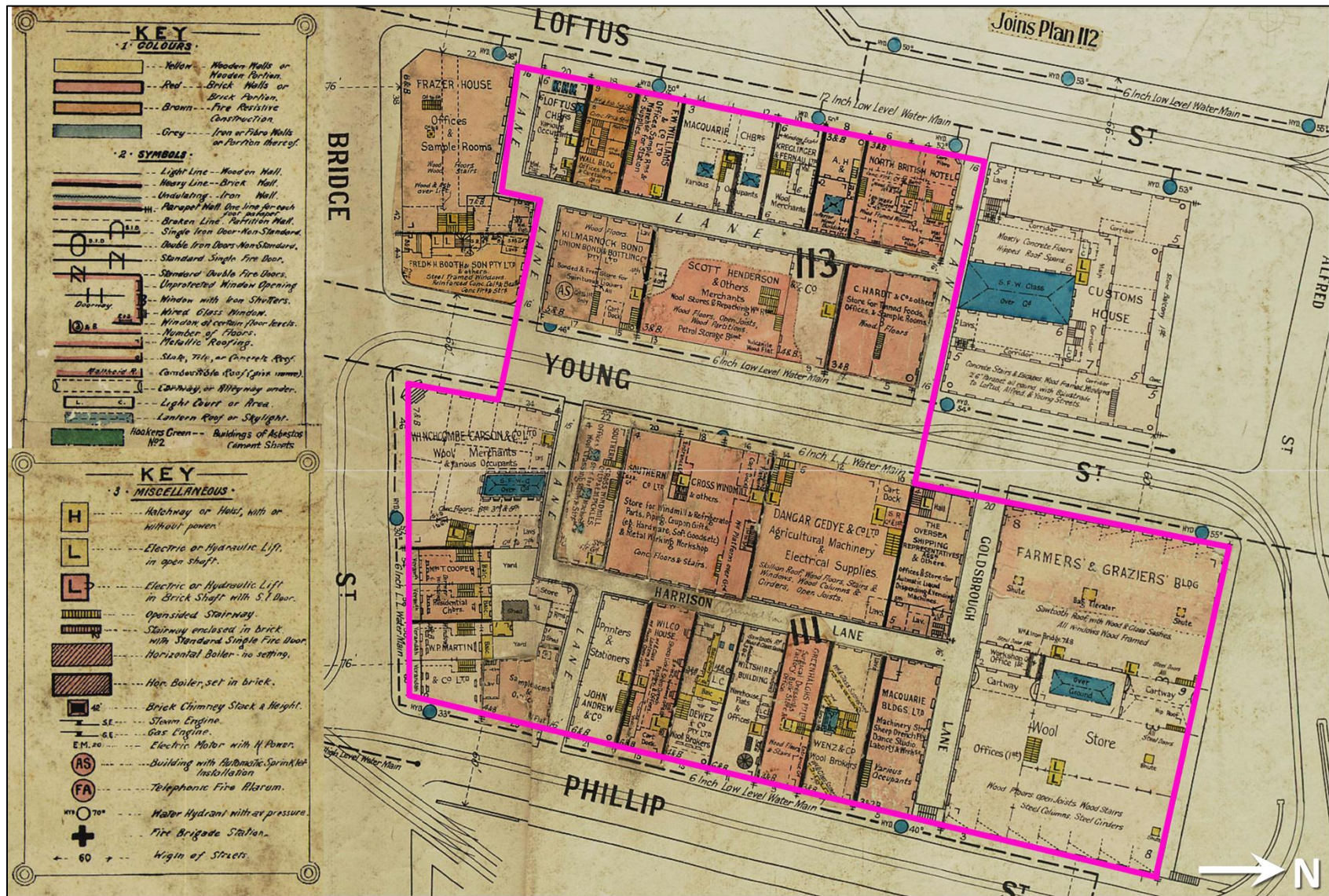
Figure 25: 1880 plan of the subject site



[Source: Doves Plans of Sydney 1880, Block I_2_3_4, from the Historical Atlas of Sydney, City of Sydney Archives]

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Figure 26: c. 1917-1919 plan of the subject site (outlined in pink)



[Source: Fire Underwriters' Plans, c. 1917-1939, Block III-III, from the Historical Atlas of Sydney, City of Sydney Archives]

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Figure 27: 1949 aerial photograph of the subject site (outlined in pink)



[Source: Aerial Survey of the City of Sydney, 1949, AO013, from the Historical Atlas of Sydney, City of Sydney Archives]

3.2.4 Historical themes

The 'Assessing Heritage Significance' guidelines included in the *NSW Heritage Manual* (NSW Heritage Office 2001) highlight the importance of the relationship between a site and its historical context in the assessment process.

The NSW Historical Themes were developed by the Heritage Council of NSW to connect local issues to the broader history of NSW and provide a context in which the heritage assessment criteria can be applied.

A consideration of these themes can aid in assessing the potential research significance of an archaeological site.

The following themes have been found to be relevant to the subject site:

Table 2: Historical themes for the subject site

Australian Theme	NSW Theme
Peopling Australia	Convict
Governing	Government and administration
Developing local, regional and national economies	Commerce
Developing local, regional and national economies	Industry
Developing local, regional and national economies	Environment – cultural landscape
Developing local, regional and national economies	Pastoralism
Building settlements, towns and cities	Towns, suburbs and villages
Building settlements, towns and cities	Utilities
Developing local, regional and national economies	Transport

4.0 Assessment of archaeological potential

4.1 Aboriginal cultural heritage and archaeology

4.1.1 Previous archaeological investigations

A number of Aboriginal archaeological excavations have been conducted within the Sydney CBD/south Sydney region. These have included archaeological excavations conducted at sites identified during the course of historical archaeological investigations.

Examples of Aboriginal archaeological deposit being identified during the course of historical archaeological excavations include locations at Broadway, at Angel Place, and on William Street in Woolloomooloo.⁵⁰

At Broadway, Aboriginal objects were retrieved from archaeological deposit revealed during extensive historical archaeological excavation across the site. The area had formerly been located on the southern margin of the estuarine environment of Blackwattle Bay.⁵¹

At Angel Place, Aboriginal archaeological deposit was identified when a small number of Aboriginal stone artefacts were retrieved during the course of historical excavation at the site. The site, AHIMS site # 45-6-2581, was located across a 4 x 4 metre area of surviving topography bordering the Tank Stream. Excavation revealed that only small portions within that area were relatively free of disturbance.⁵²

A total of 54 stone artefacts were retrieved from excavation of the Aboriginal archaeological deposit at Angel Place, consisting predominantly of silicified tuff raw material, followed by mudstone, silcrete and quartz. The distribution of the artefacts across the intact portions of a tiny area bordering the Tank Stream led Godden Mackay to conclude that the banks of the stream were likely the site of repetitive Aboriginal occupation.⁵³

At the William Street site, archaeological excavation at AHIMS site # 45-6-2629 included salvage of an intact sandy deposit bordering a watercourse that flowed north to Woolloomooloo Bay, which was identified during the course of historical archaeological investigation of the site.⁵⁴

Predominant raw material types amongst the stone artefact assemblage retrieved from the William Street site included quartz, grey tuff, silcrete and mudstone. Bipolar flaking techniques were frequent amongst the quartz assemblage, with Baker (2004) suggesting that utilised quartz pebbles were likely sourced from exposed portions

⁵⁰ Steele, D, and Czastka, J 2003, *Archaeological Salvage Excavations at the Quadrant, Broadway*, Report to Australand Holdings; Godden Mackay 1997; Baker 2004.

⁵¹ Steele and Czastka 2003.

⁵² Godden Mackay 1997: 9, 45.

⁵³ Ibid: 59, 4.

⁵⁴ Baker 2004.

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of Hawkesbury Sandstone in the area. Baker also suggested that the prevalence of bipolar quartz flakes with sharp cutting edges in the assemblage showed a preference for quartz over the sharp edges of shellfish, which were abundantly available in nearby estuarine environments.⁵⁵

A definite date for the archaeological deposit excavated at the William Street site was not determined. Based on the artefact assemblage and geomorphology of the site, it was assessed that the archaeological deposit represented cumulative occupation of the site over the last 6,500 years. Baker has noted that the implications of Aboriginal archaeological deposit being identified beneath several phases of building construction was that the survivability of Aboriginal heritage should be considered on inner Sydney building sites, especially areas adjacent to former watercourses.⁵⁶

An archaeological assessment conducted for Customs House, located on the northern boundary of the current subject site, indicated that there was a small possibility that Aboriginal archaeological deposit may be located across the former foreshore area at depths of two-three metres below the current ground surface.⁵⁷

The subject site and Customs House were located across the gardens and associated area between the site of the First Government House on Bridge Street and the southern foreshore of Sydney Harbour. Thorp has suggested that the association of this area with the First Government House site may have protected it to a certain extent from significant disturbance prior to the foreshore area being buried with fill for the start of the Circular Quay reclamation works in the 1830s. Thorp indicated that if any intact Aboriginal archaeological deposit was located in the foreshore area it would be of outstanding significance and that 'the rarity of such archaeological evidence within the CBD is greater than that of first European settlement'.⁵⁸

Since Thorp's 1995 archaeological assessment, archaeological monitoring within the Customs House site has taken place as part of excavation works associated with an adaptive re-use program for the site. Most of the excavated trenches did not extend below the thick layer of fill that covered the area for the Circular Quay reclamation works, whilst the few places where excavation reached the original foreshore level tidal waters prevented further examination. No Aboriginal archaeological deposit was identified during the monitoring works, although Thorp maintained that there was high probability that intact foreshore deposit would be located beneath the reclamation fill.⁵⁹

To the south of the subject site on Bridge Street, Aboriginal stone artefacts and worked glass were retrieved from archaeological excavations on the site of the first Government House. To the west of the first Government House site, an archaeological assessment of the Lands Building, located opposite Macquarie Place Park, suggested that due

⁵⁵ Baker 2004:31.

⁵⁶ Baker 2004:37-39.

⁵⁷ Thorp 1995:2.

⁵⁸ Thorp 1995:49.

⁵⁹ Thorp, W 1998, Customs House Sydney: Monitoring of Archaeological Deposits, report to City of Sydney Council: 18.

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to the relatively shallow depth of Hawkesbury Sandstone beneath the original soil profile, subsequent demolition and clearance activities at that site would likely have removed any of the original ground surface.⁶⁰

4.1.2 Survivability of Aboriginal archaeological deposit

The survivability of Aboriginal archaeological deposit on sites in inner Sydney depends largely on the extent and nature of subsequent phases of historical construction activities. The excavation of basements or car parks substantially lowers the survivability potential of intact archaeological deposit.

At William Street, it was demonstrated that the sandstone footings from the first phase of building construction had actually acted to protect the underlying Aboriginal archaeological deposit during subsequent demolition and deposition of fill across the site.⁶¹ In 1995, Thorp noted that incidences of intact Aboriginal archaeological were rare, but that the unique circumstances that existed over the subject site and the site of Customs House may have aided the survival of intact Aboriginal archaeological deposit.⁶²

Aboriginal archaeological deposit at Angel Place was largely destroyed by subsequent building construction and other related activities bordering the Tank Stream. Only a very small portion of archaeological deposit remained intact.⁶³

On the southern foreshore of Sydney Cove across the northern boundary of the subject site and Customs House, it has been suggested that the association of the area with the First Government House may have preserved the area to a large extent from significant disturbance before the area was buried with several metres of fill for the Circular Quay reclamation works. The placement of fill on the original ground surface, as at William Street and Broadway, may have acted to preserve Aboriginal archaeological material.

4.2 Historical archaeological potential

4.2.1 Previous archaeological investigations near the subject site

A number of previous archaeological investigations have been conducted within the Sydney CBD in the vicinity of the subject site.

First Government House site, Bridge and Phillip Streets

Archaeological investigations were first conducted at the site of First Government House (immediately south of the subject site) in 1983, and additional excavations were carried out periodically into the early 1990s. These

⁶⁰ Thorp, W 1996, *Lands Building Development Archival Resources*: 29.

⁶¹ Baker 2004:38.

⁶² Thorp 1995:32.

⁶³ Godden Mackay 1997:4.



excavations indicated that the majority of the house is located beneath Bridge and Phillip Streets, and revealed foundations of the house and various outbuildings, privies and drains.

These excavations did not extend to the north of Bridge Street, into the area of the former garden.⁶⁴

Customs House, Alfred Street

In 1988, monitoring of archaeological deposits within Customs House was undertaken while alterations were being made to the building. Excavation occurred in the lobby, the eastern and western wings, the forecourt, and the back of the building, and varied from less than 30cm to over 3 metres in depth.

The main component of the subsurface profile at all excavation locations was found to be introduced fill used in the land reclamation of c 1830s. This fill was comprised of rubble, loam and sand and was up to 3 metres in depth.⁶⁵

7-15 Macquarie Place

In 1988, Higginbotham excavated 7-15 Macquarie Place prior to redevelopment. This excavation found that the construction of commercial buildings with basements during the 1880s had removed the natural soil profile across the site. The surface of the bedrock only survived in a small area where it had been protected beneath a laneway that was reserved in the 1880s.

This laneway also preserved structural remains of part of the service wing of a three-storey stone and brick house that was built between 1803 and 1810 by Thomas and Mary Reiby. Elsewhere, the basements of buildings constructed in the 1880s had destroyed any archaeological remains, aside from the lower portion of a well which survived under basement levels of 2.8 metres AHD.⁶⁶

Dalley Street

In 1987, Thorp conducted archaeological investigations at the site of a car park in Dalley Street prior to its redevelopment. The study area had been continuously occupied since the end of the 18th century, but the scale of development had been relatively minor until the mid-19th century. During the later-19th century, a variety of stores and warehouses were erected, before being replaced by a number of multi-storey buildings during the 1950s and 1960s. By 1986, the modern buildings on the site had been demolished and it was used as a car park.

Excavation revealed that most of the subsurface structural material was related to the 1950s and 1960s buildings and consisted of a series of foundation walls and piers. The excavations for these foundations had significantly

⁶⁴ Crook, P, Ellmoos, Laila and Murray, T 2003, 'Assessment of Historical and Archaeological Resources of the First Government House site, Sydney', *Volume 5 of the Archaeology of the Modern City Series*.

⁶⁵ Thorp, W 1998.

⁶⁶ Higginbotham, E 1991, *Report on the Archaeological Excavations in Macquarie Place, Sydney, NSW, 1988*, report to Peddle, Thorp and Walker.

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disturbed the subsurface material and the only surviving evidence related to the later-19th century buildings was a portion of a sandstone drain. The earliest levels on the site, approximately 4 metres below the ground surface, were remnant traces of the Tank Stream estuarine deposits. A very deep layer of fill, which contained many artefacts, extended across the site.

Due to the high levels of 20th century subsurface disturbance, the site was not able to yield fruitful comparative information.⁶⁷

4.2.2 The Central Sydney Archaeological Zoning Plan

The Central Sydney Archaeological Zoning Plan identifies areas in the City of Sydney which possess archaeological potential, and assesses their degree of potential based on levels of ground disturbance. The zoning plan was formulated through documentary research and field inspection.

Three areas within the subject site were assessed to be either an AAP or AAP – DFS, which are defined as follows:

Area of Archaeological Potential (AAP)

An allotment of land or feature that has been identified in the field survey as being an area of high archaeological potential due to limited physical disturbance (usually due to the most recent building development). This category includes both above and below ground archaeological features such as remnant structures, significant fabric of extant buildings / structures, as well as below ground sites. Most areas identified will contain sites of former occupations / activity and buildings. These sites may be known through historic documentation (not undertaken as part of the AZP project), or may become evident during the fieldwork. An example of the latter is within currently vacant allotments (generally development sites and car parks), where the shadows or outlines of the most recently demolished structures are evident on the walls of adjoining buildings.

Area of Archaeological Potential / Deeper Sub-surface Features only (AAP - DSF)

An allotment of land or feature that has been identified by the field survey as being an area of some archaeological potential, where the most recent building redevelopment would have significantly disturbed or destroyed shallow sub-surface remains, but where there still exists potential for deeper sub-surface features. Examples would include wells, cisterns, former watercourses and their associated historic landfill (such as the Tank Stream), drains, sewers

⁶⁷ Thorp, W 1987, *Archival and Archaeological Report: Dalley Street, Sydney, New Telephone Exchange Site*, report to the Department of Housing and Construction.

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(e.g. the Bennelong sewer), tunnels (e.g. Busbys' Bore and Telstra tunnels) and other services (such as former gas works and storage tanks).⁶⁸

5-7 Young Street (Hinchcliff House) and 12-14 Loftus Street (Gallipoli Club) are occupied by 19th century buildings and were assessed to be AAP; while 16-20 Loftus Street, which is occupied by an 8-storey modern building, was assessed to be an AAP – DSF.

Three other areas located adjacent to the subject site were assessed to be AAP:

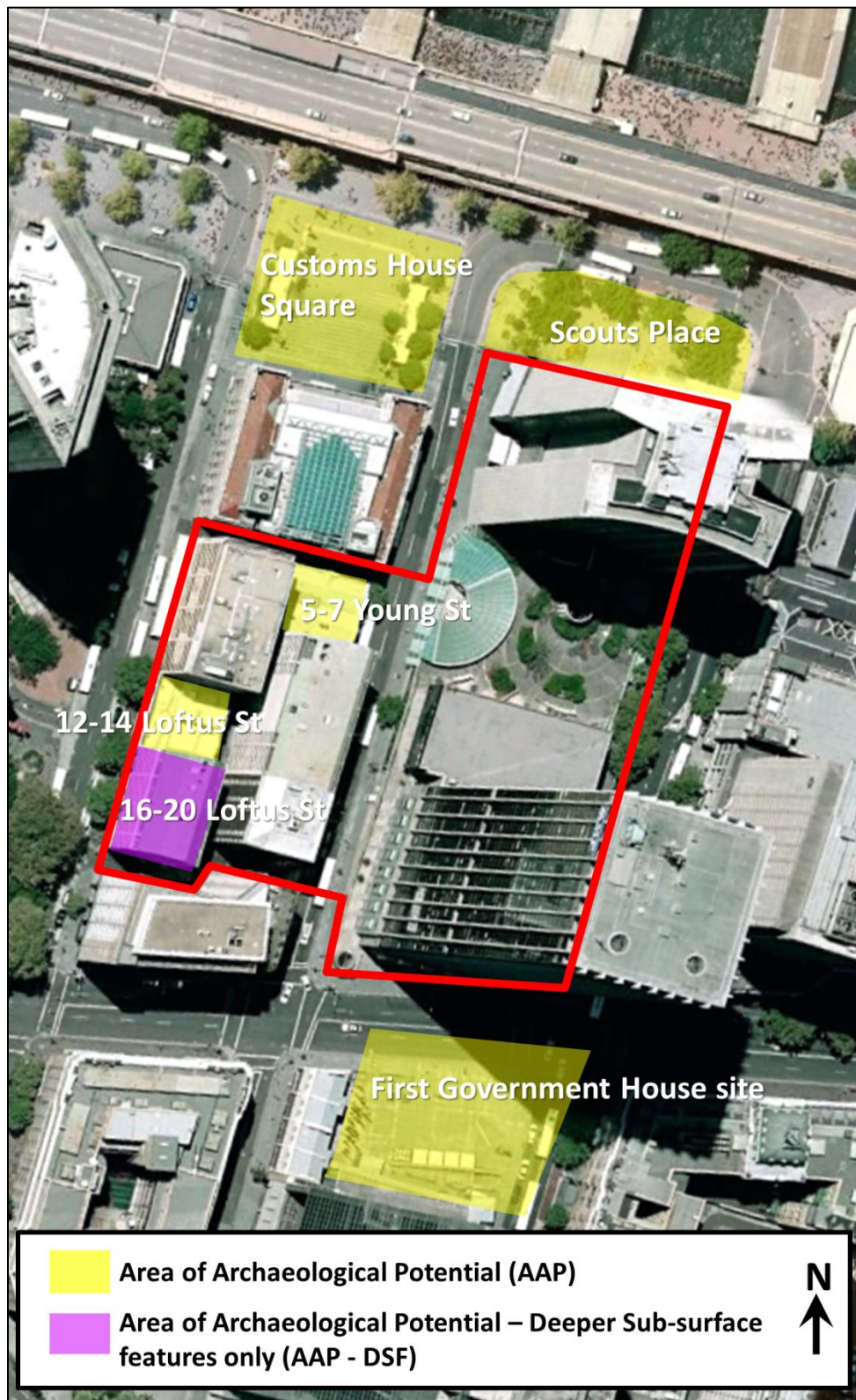
- Customs House Square
- Scouts Place
- First Government House site

Figure 28 shows the locations of AAP and AAP – DSF within and near the subject site, based on the schedule included in the Central Sydney AZP.

⁶⁸ City of Sydney 1992, *Central Sydney Archaeological Zoning Plan*.

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Figure 28: Areas of archaeological potential from the Central Sydney AZP



4.2.3 Assessment of historical archaeological potential

Methodology

Initially, documentary research was undertaken to identify former structures that were located within the subject site, and to gain some idea of the location and degree of subsequent disturbance. On 1 November 2012, a site inspection was carried out to ground-truth the desktop assessment and identify any areas where archaeological deposits could potentially survive beneath the ground surface. A photographic record was kept, with photographs taken of significant features of the built and natural landscape. Underground car parking or basement areas beneath the existing buildings were not accessed during the survey.

This assessment was undertaken in accordance with the NSW Heritage Council standards and guidelines.

Site description

The majority of the subject site is occupied by multi-storey 20th century buildings, including:

- The AMP Building (26 storeys)
- The AMP Centre Tower (46 storeys)
- 2-10 Loftus Street (14 storeys)
- 16-20 Loftus Street (8 storeys)
- 9-13 Young Street (11 storeys)
- 15-17 Young Street (11 storeys)

Between the AMP Building and AMP Centre is a plaza area. Plans supplied by Urbis indicate that the entire Bridge and Alfred Block is underlain by underground car parking and basements.⁶⁹ However, the Bennelong SWC still passes through this area, and is straddled by the modern buildings, with the basement and underground car parking located on either side of the SWC (Figure 29). A small section of the SWC (16 metres) at the eastern side of the Bridge and Alfred Block was replaced in 1959, however, the remainder of the SWC where it passes beneath the subject site consists of the original fabric, dating to 1855⁷⁰.

In the Young and Loftus Block, the laneways that weave between the buildings have survived on the same alignment since the 19th century and are now surfaced with bitumen (Figures 30-35). Also surviving from the 19th century are Hinchcliff House (Figure 37 and 38) and the Gallipoli Club (Figure 36). Basements are present beneath 9-13 and 15-17 Young Street, and beneath most of 2-10 Loftus Street. There is also a basement under 16-20 Loftus Street, however, its extent is unknown. No underground development has occurred beneath Hinchcliff House, the Gallipoli Club, or the laneways.

⁶⁹ AMP Circular Quay Precinct Master Plan – Draft. Rev A 19 October 2012.

⁷⁰ Yvonne Kaiser-Glass – Sydney Water Heritage Adviser (Archaeology) pers. comm. 11/12/2012.

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Figure 29: Existing below ground built form



[Source: Map by Artefact Heritage, based on plans supplied by Urbis⁷¹]

⁷¹ AMP Circular Quay Precinct Master Plan – Draft. Rev A 19 October 2012.

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Figure 30: Loftus Lane looking west toward Loftus Street



Figure 31: Loftus Lane looking west toward Loftus Street



Figure 32: Loftus Lane looking north



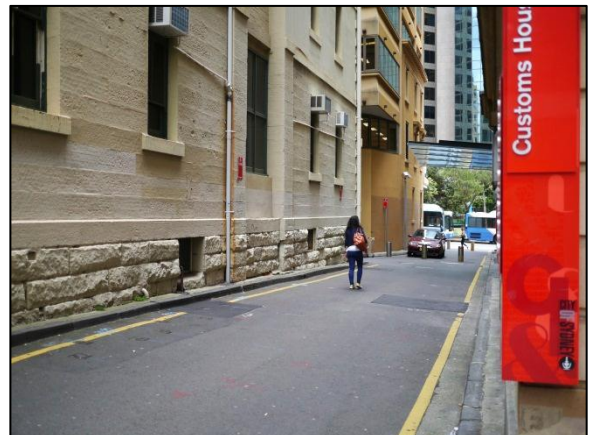
Figure 34: Loftus Lane looking south



Figure 33: Customs House Lane looking east



Figure 35: Customs House Lane looking west



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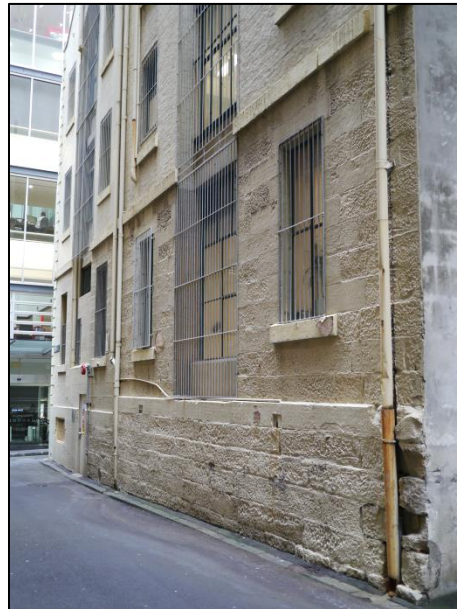
Figure 36: The Gallipoli Club (12-14 Loftus Street)



Figure 37: Looking NW across Young Street toward Hinchcliff House (5-7 Young Street)



Figure 38: West wall of Hinchcliff House



Archaeological potential vs. research potential

Archaeological potential is defined as the potential of a site to contain archaeological relics, as classified under the Heritage Act. Archaeological potential is assessed by identifying former land uses and associated features through historical research, and evaluating whether subsequent activity may have impacted on evidence for these former land uses.

The research potential of a site is its potential ability to contribute to knowledge of one or more aspects of local or NSW history.

Archaeological potential should essentially be understood as 'what is the potential for remains to be present', whereas research potential should be understood as 'how important or significant might those remains be?' It is

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possible for an area to be of high archaeological potential but low research potential. See Section 4.2.3 for a discussion of the research potential of potential archaeological material within the subject site.

Archaeological potential

While the history of the subject site could have produced a range of archaeological evidence related to former activities and phases, the likelihood of such evidence surviving to the present is influenced by a range of factors. These factors include the durability of the material evidence and subsequent impacts such as demolition and construction.

Figure 39: Historical archaeological potential within the subject site



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The majority of the site has been subject to major subsurface disturbance through demolition and construction during the 19th, 20th and 21st centuries, including the deep excavation for the foundations and basements of multi-storey buildings and the creation of underground car parking. A few small areas have been spared such major disturbance and may have some potential for archaeological deposits.

Table 3, below, lists the former structures and features that are known to have existed within the site and identifies processes that may have affected the survival of archaeological material associated with those features. It assesses the potential for the survival of such material as either none, low, or moderate.

Based on this assessment, the subject site has been divided into areas of either no, low or moderate archaeological potential (see Figure 39). Areas that are assessed to be of moderate archaeological potential have some potential to include archaeological material, while areas of low potential are unlikely to include archaeological material due to high levels of subsequent disturbance. Areas of no potential are known to have been subject to such major subsurface disturbance that no archaeological material could have survived intact.

The majority of the site is assessed to have low or no archaeological potential. Some areas of moderate archaeological potential have been identified in the Young and Loftus Block and beneath Young Street, while the extant Bennelong SWC drain is of high archaeological potential.

Table 3: Potential historical archaeological material and likelihood of survival

Potential Historical Archaeological Material	Date range	Processes affecting likelihood of survival	Likelihood of survival
Evidence for the First Government House Gardens	1788-1845	The area of garden is unlikely to have contained any substantial structures during its history, and any evidence for the garden is likely to have been relatively ephemeral. The majority of the 19 th structures subsequently built on the site were of multiple storeys and had basements, and evidence from archaeological excavation at similar sites ⁷² suggests that the excavation for the construction of these buildings would have removed most of the natural soil profile, and any evidence for the garden with it. Some small parts of the site were protected from development through reservation as laneways (Customs House Lane and Loftus Lane) from the mid-19 th century to the present. These laneways potentially preserve subsurface material related to the First Government House gardens.	Low – moderate (moderate in the areas occupied by Customs House Lane and Loftus Lane)
Evidence for 1830s land reclamation	c. 1830s	The northernmost end of the subject site appears to be slightly south of the original shoreline of the cove and the subject site is therefore not likely to contain any evidence for land reclamation.	Low
Evidence for 19 th and early 20 th century commercial development	c. 1850 -	Within the Bridge and Alfred Block, construction from c.1960 has caused major subsurface disturbance. Deep excavation for foundations, basements and underground car parks in this area would have removed any evidence	Low – Moderate (depending on levels of disturbance across

⁷² Higginbotham 1991

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Potential Historical Archaeological Material	Date range	Processes affecting likelihood of survival	Likelihood of survival
		for earlier structures. In the Young and Loftus Block, the land preserved beneath the laneways may contain evidence for 19 th century activities. The extant 19 th century buildings of Hinchcliff House and the Gallipoli Club may themselves possess archaeological potential, and might also preserve earlier deep subsurface features such as wells or privies beneath them. It is also possible that deep subsurface features may survive beneath part of 2-10 and 16-20 Loftus Street, in any areas that have not been excavated to create basements; however, basements are present beneath the remainder of the site.	the site)
Bennelong SWC No. 29	c. 1857	A branch of the Bennelong SWC survives beneath the subject site, extending from Phillip Street to Loftus Street.	High
Former road surfaces of Young Street	19 th -20 th centuries	Young Street still follows its original alignment dating from c. 1850, and it is possible that former road surfaces have been preserved beneath the current surface.	Moderate

4.2.4 Assessment of research potential

Assessing research potential

In 1984, Bickford and Sullivan examined the concept and assessment of archaeological research potential; that is, the extent to which archaeological resources can address research questions. They developed three questions which can be used to assess the research potential of an archaeological site:

- Can the site contribute knowledge that no other resource can?
- Can the site contribute knowledge that no other site can?
- Is this knowledge relevant to:
 - General questions about human history?
 - Other substantive questions relating to Australian history?
 - Other major research questions?⁷³

In its guidelines for *Assessing Significance for Historical Archaeological Sites and 'Relics'*, the NSW Heritage Branch has since provided a broader approach to assessing the archaeological significance of sites, which includes consideration of a site's intactness, rarity, representativeness, and whether many similar sites have already been

⁷³ Bickford, A and Sullivan, S 1984, 'Assessing the research potential of historic sites', in Sullivan, S & Bowdler, S (eds) *Site surveys and significance assessment in Australian archaeology*, Department of Prehistory, Research School of Pacific Studies, Australian National University, Canberra: 19-26.

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recorded, as well as other factors. This document also acknowledges the difficulty of assessing the significance of potential subsurface remains, because the assessment must rely on predicted rather than known attributes.⁷⁴

A site can be of high archaeological potential (meaning that remains are likely to be present), and yet still be of low research potential if those remains are unlikely to provide valuable or useful information.

Research potential of the subject site

Table 4 provides an assessment of research potential for the former features that are known to have existed within the subject site.

Table 4: Research potential of former features

Potential feature	Assessed research potential	Reasons for assessed research potential level	Relationship to NSW historical themes
Evidence for the First Government House Gardens	High	If any evidence for the First Government House gardens was encountered within the subject site it would be extremely rare and could provide information related to the early settlement of the colony, and the lives of the first nine governors and their families; as well as early efforts to shape the landscape of the country.	<i>Government and administration; Environment – cultural landscape</i> Evidence related to the First Government House gardens could potentially provide information regarding the initial establishment of government in the colony and the relationship between the role of the governor and the cultural landscape. It could also provide information related to early efforts to shape the natural landscape.
Evidence for 19 th and early 20 th century commercial development	Moderate	Any archaeological evidence related to commercial development within the subject site during the 19 th and early 20 th centuries could be of moderate research potential for its ability to provide information related to the evolution of the area surrounding Circular Quay and its role in local and national economies. Such material could potentially provide evidence related to the construction and functioning of warehouses and wool stores. However, it is likely that surviving material would be limited and fragmentary and similar information could be obtained through documentary research and architectural analysis of extant commercial buildings from this period.	<i>Commerce; Industry; Pastoralism; Towns, suburbs and villages</i> Evidence for 19 th and early-20 th century commercial development could provide information related to the changing nature of commerce and industry, including the rise of the wool industry and the importance of pastoralism to the national economy. It could also demonstrate the importance of Sydney Harbour as a transport hub, and illustrate the role played by commerce in the development of the built heritage of the area.
Bennelong SWC No. 29	Moderate	The section of the Bennelong SWC within the subject site could provide information regarding the construction of the mid-19 th century sewerage and stormwater system. However, such information could also be obtained from the many other surviving sections of the SWC located throughout the CBD.	<i>Government and administration; Utilities</i> The Bennelong SWC provides evidence for the role of the City Council in providing utilities to prevent the spread of disease through the city.
Former road surfaces of Young	Moderate	If former road surfaces are encountered beneath the current surface of Young	<i>Transport</i> Evidence for former road surfaces would

⁷⁴ NSW Heritage Branch 2009, *Assessing Significance for Historical Archaeological Sites and 'Relics'*.

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Potential feature	Assessed research potential	Reasons for assessed research potential level	Relationship to NSW historical themes
Street		Street, they could provide information related to the creation of city streets during the 19 th century. However, such information could also be obtained through other sources and evidence for earlier road surfaces is relatively common throughout the city.	relate to the historical theme of transport.

4.3 Heritage significance of the potential archaeological resource

The following assessment of the heritage significance of potential Aboriginal and historical archaeological material within the site has been prepared in accordance with the 'Assessing Heritage Significance' (2001) guidelines from the NSW Heritage Manual, based on the seven assessment criteria.

The following statements and rankings of significance in relation to each of the assessment criteria are based on the potential values of the site and are therefore preliminary only.

Fulfilment of the NSW heritage assessment criteria

Criterion A (Historic significance – Evolution)

Statement	Local significance	State significance
Archaeological material within the subject site would be of historical significance for its ability to provide information related to various phases of the area's history.		
Aboriginal archaeological material would be of significance for its potential to provide information on the Aboriginal history of the site, from the pre-contact activities across the southern shore of Sydney Cove, to the Aboriginal people who lived for periods of time at the First Government House.	✓	✓
Historical archaeological material may demonstrate change over time, from the use of the site for the First Government House gardens, to the land reclamation of the 1830s, and the subsequent commercial development of the subject site.		

Criterion B (Historic significance – Association)

Statement	Local significance	State significance
Aboriginal archaeological material may be of significance for its association with the Gadigal people and with the Aboriginal people who visited or lived for periods of time at the First Government House.		
Historical archaeological material at the site could potentially demonstrate an association with the first nine governors of the colony and their families, or prominent merchants and wool brokers who later occupied buildings on the site (e.g. Mort and Co).	✓	✓

Criterion C (Aesthetic significance)

Statement	Local significance	State significance
It is acknowledged that archaeological features can sometimes be of aesthetic significance once exposed (e.g. intact building footings). However, it is unlikely that any remains within the site would be highly intact or extensive and therefore it is not anticipated that they would be of aesthetic significance.	X	X

Criterion D (Social significance)

Statement	Local significance	State significance
Archaeological material relating to the Aboriginal history of the area may be of social significance for its ability to demonstrate the pre- and post-contact history of the site		
In the event that archaeological material related to the history of the First Government House gardens is encountered, it may be of social significance for its association with the initial European settlement of the country.	✓	✓

Criterion E (Research potential)

Statement	Local significance	State significance
Any archaeological features or deposits within the subject site would be of research potential for their ability to provide information regarding the history of the site. Such information could relate to Aboriginal activities on the site, the establishment of the First Government House gardens, and commercial development during the 19 th and 20 th centuries (see Section 4.2.3, above for a more detailed assessment of the historical research potential of the site).	✓	✓

Criterion F (Rarity)

Statement	Local significance	State significance
Intact Aboriginal archaeological deposits within the inner Sydney area are rare, and any potential intact archaeology within the subject site may therefore include rare evidence of Aboriginal activities.		
Potential historical archaeological material at the site may include rare evidence for the early development and occupation of Sydney Cove, including evidence for the First Government House gardens, 1830s land reclamation, and commercial development from c. 1850.	✓	✓

Criterion G (Representativeness)

Statement	Local significance	State significance
It is unlikely that any surviving archaeological material within the subject site would be highly intact or extensive and it is therefore not likely to be significant for representative qualities.	X	X

Fulfilment of the National Heritage List criteria

Archaeological material associated with First Government House, including evidence for the gardens or the burial sites of Aboriginal people, has the potential to be of national heritage significance. A place is considered to be of

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national heritage significance if it fulfils one or more of the National Heritage List criteria. Each criterion is addressed in Table 5, below.

Table 5: Assessment of the national heritage values of potential archaeological material associated with the First Government House gardens

Criteria		Criterion fulfilled?
a. the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history	Archaeological evidence for the First Government House gardens would be of outstanding heritage value as part of the site of the first seat of government in Australia, the site of some of the earliest experiments in cultivation and landscaping in the colony, and an important site in the history of early relations between the governors of the colony and Aboriginal people.	☒
b. the place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history	Archaeological material associated with the First Government house gardens would be of outstanding heritage value as evidence of some of the earliest attempts at landscaping and cultivation in Australia, with a direct association with the first nine governors of the colony. The burial sites of Aboriginal people captured by Governor Phillip to live at First Government House would be of outstanding heritage value to the nation as a site representing initial relations between Aboriginal people and the first governor of the colony, and the attitudes of the colonial government toward Aboriginal people.	☒
c. the place has outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history	Archaeological material associated with the gardens would be of outstanding heritage value to the nation for its potential to provide evidence related to initial attempts at shaping the Australian landscape, including landscaping and cultivation. Aboriginal burial sites within the gardens have the potential to provide information regarding European attitudes to the death and burial of Aboriginal people.	☒
d. the place has outstanding heritage value to the nation because of the place's importance in demonstrating the principal characteristics of: i. a class of Australia's natural or cultural places; or ii. a class of Australia's natural or cultural environments	Archaeological material associated with the First Government House gardens would not be of outstanding heritage value for its ability to demonstrate the principal characteristics of Australia's natural or cultural places or environments.	☐
e. the place has outstanding heritage value to the nation because of the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group	Archaeological evidence for the First Government House gardens would not be of outstanding heritage value for its ability to demonstrate particular aesthetic characteristics.	☐

Criteria		Criterion fulfilled?
f. the place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period	Archaeological material associated with the First Government House gardens is unlikely to be of outstanding heritage value for its ability to demonstrate a high degree of creative or technical achievement.	☒
g. the place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons	Any archaeological material associated with the First Government House gardens would be of outstanding heritage value to the nation for its association with the first seat of government in the colony. Any Aboriginal burials located within the gardens would be of outstanding heritage value for their association with present-day Aboriginal communities, by providing evidence for the events that followed European settlement at Sydney Cove and the initial relations between the colonial government and Aboriginal people.	☒
h. the place has outstanding heritage value to the nation because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history	Archaeological evidence for the First Government House gardens would be of outstanding heritage value to the nation for its association with the life and works of the first nine governors of the colony, and their families. Evidence for Aboriginal burials within the gardens would be of outstanding heritage value as the burial sites of known individuals who played an important role in early interactions between the government of the colony and Aboriginal people.	☒
i. the place has outstanding heritage value to the nation because of the place's importance as part of Indigenous tradition.	Aboriginal burials within the First Government House gardens are likely to be of outstanding heritage value as an important part of Indigenous tradition.	☒

Summary statement of significance

Potential archaeological material within the subject site may be of historical significance at a State level for its ability to provide rare evidence related to Aboriginal occupation, the early European settlement and development of Sydney Cove, and commercial development near Circular Quay from the mid-19th century.

Historical archaeological material could include extremely rare evidence for the First Government House gardens and Aboriginal burial sites within the gardens. Such evidence would be of National heritage significance for its association with the first seat of government in Australia, the life and works of the first nine governors and their families, and known Aboriginal individuals who played an important role in early interactions between the government and local Aboriginal people.

It is unlikely that surviving archaeological material within the subject site would be highly intact or extensive, however, if pockets of intact material survive they may be of high research potential.

4.4 Heritage significance of potential Aboriginal burials

The following assessment of the heritage significance of potential Aboriginal burials within the site has been prepared in accordance with the 'Assessing Heritage Significance' (2001) guidelines from the NSW Heritage Manual, based on the seven assessment criteria.

The following statements and rankings of significance in relation to each of the assessment criteria are based on the potential values of Aboriginal burials and are therefore preliminary only.

Fulfilment of the NSW heritage assessment criteria

Criterion A (Historic significance – Evolution)

Statement	Local significance	State significance
Aboriginal burials within the subject site would potentially be of significance for demonstrating significant contact between Aboriginal people of the region and the European settlement at Sydney Cove, and for their ability to demonstrate some of the nature of contact between Governor Phillip, Arabanoo and Ballederry.	✓	✓

Criterion B (Historic significance – Association)

Statement	Local significance	State significance
Aboriginal burials within the gardens of First Government House would potentially be of significance for their association with the lives of Arabanoo, Ballederry, and Governor Phillip; and their association with the Aboriginal people of the Sydney region.	✓	✓

Criterion D (Social significance)

Statement	Local significance	State significance
Aboriginal burials would potentially be of social significance to Aboriginal people as demonstrating a sense of place, and an association with the events that followed European settlement at Sydney Cove.	✓	✓

Criterion E (Research potential)

Statement	Local significance	State significance
Aboriginal burials would potentially be of research potential for their demonstration of European attitudes to death and burial of Indigenous people.	✓	✓

Criterion F (Rarity)

Statement	Local significance	State significance
Aboriginal burials relating to the early post-contact period in NSW are rare, and are the only documented burials on the site of the First Government House.	✓	✓

Criterion G (Representativeness)

Statement	Local significance	State significance
The burials of Aboriginal people within the gardens of the First Government House, including the burial of Arabanoo and Ballederry, have potential significance for their	✓	✓

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Statement	Local significance	State significance
representativeness of the initial period of contact between the European colonisers at Sydney Cove and the Aboriginal people of the Sydney region.		

Summary statement of significance

If Aboriginal burials are located within the subject site, they would be of historical significance and research potential at a National level for their ability to provide rare and representative evidence for the early period of interaction between Governor Phillip and the Aboriginal people of the Sydney region. They would also be of very high social significance to the Aboriginal people of Sydney.

5.0 Discussion

The subject site is located immediately south of Circular Quay and is bounded by Phillip Street to the east, Loftus Street to the west, Bridge Street and Loftus Lane to the south, and Scouts Place and Customs House Lane to the north. Following European colonisation the subject site was part of the First Government House gardens until c. 1845, and was extensively developed with commercial buildings including warehouses and wool stores from c. 1850. From c. 1960, most of the site has been subject to major disturbance through the construction of multi-storey buildings including the AMP Building and AMP Centre Tower.

There is no potential for either Aboriginal or historical archaeological resources across the majority of the subject site, due to major subsurface disturbance during the latter half of the 20th century. However, a small portion of the site is assessed to be of moderate archaeological potential, including the sites of Hinchcliff House and the Gallipoli Club, and the land occupied by Loftus Lane and Customs House Lane.

Hinchcliff House and the Gallipoli Club are extant 19th century buildings that may themselves possess archaeological potential, and which could potentially preserve earlier deep subsurface features such as wells or privies beneath them, while the laneways have existed on their current alignments since the mid-19th century and have therefore been protected from development or significant disturbance. It is possible that original soil deposits could exist below the current bitumen surfaces of the lanes, and these could potentially include rare evidence for Aboriginal occupation of the area and the First Government House gardens. Such evidence would be of national heritage significance. Evidence for 19th century activities or earlier pavements may also exist beneath the lanes.

A small portion of the land below 2-10 Loftus Street has not been developed with a basement, and the Bennelong SWC passes intact through this area. It is therefore possible that other archaeological resources survive below this part of the building, and this area has been assessed to be of moderate archaeological potential.

The building at 16-20 Loftus Street is known to have a basement, however the extent of this basement is unknown and it is possible that some parts of the area beneath this building have not been subject to deep excavation. The site of this building has therefore been assessed to be of low archaeological potential, as evidence for deep subsurface features may survive in some places. Further information regarding the extent of the basement beneath the building would enable a more accurate evaluation of the likelihood of surviving archaeological material.

The majority of the Bridge and Alfred Block has been assessed to be of no archaeological potential, as plans supplied by Urbis show that underground basements and car parking are present beneath the entire area, aside from the location of the Bennelong SWC. The Bennelong SWC and is straddled by the modern buildings, with the basement and underground car parking located on either side of the SWC. The SWC is of high archaeological potential.

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If archaeological deposits associated with the First Government House garden, or burials of Aboriginal people are identified and found to be of National heritage significance, the impacts would need to be assessed under the provisions of the Commonwealth EPBC Act. Referrals may need to be made to the Australian Government Minister for the Environment, Heritage and the Arts prior to works commencing.

The OEH AHIMS sites register indicated that a recorded Aboriginal site, AHIMS # 45-6-2299, was located in the forecourt area of the Museum of Sydney on the southern side of Bridge Street, and outside the subject site. The intent of the site recording was to document the Aboriginal burials that occurred within the gardens of First Government House. The gardens covered a wide area between the location of the house and the southern shoreline of Sydney Cove. It is not possible to determine the exact location of the burials, with the inference of background research and the AHIMS site recording indicating that there is a potential for the burials to occur at any location within the subject site where there is natural ground surface.

If future development is proposed within areas that have been assessed to be of moderate archaeological potential, it is recommended that an Aboriginal Archaeological Impact Assessment and a Historical Archaeological Impact Assessment and Research Design be prepared for the affected area(s). These would provide recommendations to investigate and manage the potential archaeological resource, including whether archaeological monitoring or test excavation would be appropriate. The Aboriginal Archaeological Impact Assessment should also take into consideration the potential for Aboriginal burials to occur where there is natural ground surface. An Aboriginal Heritage Impact Permit (AHIP) may be required prior to impacts, unless the proposed development is approved as a State Significant Development (SSD).

If future development is proposed within areas that have been assessed to be of low or no archaeological potential, it would not be necessary to prepare archaeological impact assessments or research designs prior to works beginning, and no heritage approvals or permits would be required. However, if unexpected archaeological material was encountered during works, it would be necessary to stop all work in the immediate vicinity of the identified deposits, notify the NSW Heritage Council and engage a qualified archaeologist to assess the significance of the material and recommend whether further action is required.

If suspected human skeletal remains were uncovered at any time through earthworks on the site, the following actions would need to be followed:

- Immediately cease all excavation activity in the vicinity of the remains
- Notify NSW Police
- Notify Office of Environment and Heritage via the Environment Line on 131 555 to provide details of the remains and their location, and
- No recommencement of excavation activity unless authorised in writing by OEH.

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