



Reference: 21099
7 December 2021

Suek Lim
Architect
Team2 Architects
By email to: suek@team2.com.au

Dear Suek,

**RE: PRELIMINARY ABORIGINAL CULTURAL HERITAGE AND HISTORICAL
ARCHAEOLOGICAL ADVICE FOR 61-71 GOULBURN STREET,
LIVERPOOL, NEW SOUTH WALES**

Austral Archaeology (Austral) has been commissioned by Team 2 Architects (the proponent) to determine whether the proposed development at 61-71 Goulburn Street, Liverpool, New South Wales (NSW) [the study area] will impact on items of Aboriginal cultural heritage or on historical archaeological items (Figure 1 and Figure 2). This report will form part of a Planning Proposal (PP) being made to Liverpool City Council under Part 4 of the *Environmental Planning and Assessment Act 1979* (EPA Act).

The study area consists of the following parcels of land (Figure 3):

- Lot 1, DP25642
- Lot 1 & 2, DP610334
- Lot 8, DP758620
- Lot 20, DP1113807
- SP18729

The study area is located within Liverpool Central Business District (CBD) and is within the Liverpool Council Local Government Area (LGA).

1. ASSESSMENT OBJECTIVES

The purpose of this letter of advice is to determine whether any Aboriginal cultural material or historical archaeological material is likely to be present within the study area, and to assess the potential impact from the development on the significance of any heritage values that may be identified. The report will provide suitable management recommendations should impacts to heritage values be anticipated.

The objectives of this report are to:

- Identify any potential Aboriginal heritage values within or in the vicinity of the study area;
- Identify any potential historical archaeological heritage items within or in the vicinity of the study area;
- Produce an archaeological predictive model and sensitivity map to guide any management decisions regarding the study area;
- Make appropriate management and mitigation recommendations.



2. METHODOLOGY

Due to the preliminary nature of reporting required at this stage of the project, background research has consisted primarily of searches of public statutory and non-statutory heritage databases with limited background research in order to characterise Aboriginal occupational models. The purpose of this is to determine the likelihood of Aboriginal and/or historical archaeological material being present.

The following database and register searches were undertaken:

- A search of the Aboriginal Heritage Information Management System (AHIMS) database, maintained Heritage NSW. This database lists known sites of archaeological and cultural significance to Aboriginal people.
- A search for items or places of Aboriginal and historical significance on statutory heritage databases. These include the National Heritage List and the State Heritage Register.
- A search for items or places of Aboriginal and historical significance on non-statutory heritage databases. These include the Register of the National Estate and the National Trust.
- A search of the *Liverpool Local Environmental Plan 2008* (Liverpool LEP) for Aboriginal and historical heritage places or issues.

In addition to these database searches, this letter report documents an overview of the environmental, archaeological and historical context of the surrounding area to determine the potential for Aboriginal and historical archaeological and cultural material to be located within the study area. Furthermore, a site inspection was undertaken to assess levels of historical disturbance and ground truth the landforms within the study area.

It is to be noted that only an initial review of historical land ownership history has been undertaken and research has been limited to examination of historical aerial photographs and relevant maps, to the degree required in order to determine whether the study area was subject to identifiable historical development.

3. SUMMARY OF ABORIGINAL HERITAGE VALUES

While preparation of this letter of advice has not included consultation with local Aboriginal stakeholders, it provides an overview of the potential for the site to contain Aboriginal cultural heritage in accordance with the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010) [the Code of Practice]. As such, this letter report considers the following key questions from the Code of Practice.

Does the study area contain any culturally modified trees?

The study area does not contain old growth vegetation, and as such, no culturally modified trees will be impacted by the proposed works.

Search the Aboriginal Heritage Information Management System (AHIMS) database and use any other sources of information of which you are already aware

An extensive search of the AHIMS database was conducted on 14 September 2021 (Client service ID: 622086). The search identified 93 Aboriginal archaeological sites and one Aboriginal place within a 4.5 kilometre search area centred on the proposed study area. None of these registered sites are located within the study area (Figure 5), and the summary of the site features can be seen in Table 1

Spatial information for this report is displayed using the GDA94 Datum. Where AHIMS site records were provided on a different datum, they were converted using standard functions in QGIS software. There were no previously recorded sites at locations where either their original or converted datum placed them in or near the study area.



The search identified that isolated artefacts and artefact scatters are the most commonly identified Aboriginal site in the area. This is followed by modified trees and Potential Archaeological Deposits (PADs). Aboriginal resource sites and shell middens are also present but are very rare.

Nearly all sites are within 500 metres of a water source, with most being within 250 metres. The sites registered are generally found in parkland surrounding riparian zones, these areas are mostly undeveloped which has allowed these sites to be spared from destruction by the urbanisation in the area.

The closest previously identified site to the study area is 'Liverpool Boys & Girls High School Artefacts' (AHIMS #45-5-5507), located 410 metres to the north-east. This is recorded as an artefact scatter found on the oval of the local high school. Heavy and continuing development within the study area is likely to have removed other remnants of the Aboriginal past in the area.

Table 1 AHIMS site features within 4.5 kilometres of the study area

Site type	Occurrence	Percentage
Aboriginal Resource and Gathering, Potential Archaeological Deposit	1	1%
Artefact	46	49%
Artefact, Modified Tree	1	1%
Artefact, PAD	11	12%
Modified Tree	25	27%
PAD	8	9%
Shell	1	1%
Total	93	100%

A review of the reports held on the AHIMS database identified several archaeological studies which have been undertaken in the locality of the study area. These are summarised in Table 2. Austral has also undertaken a review of information to identify whether the activity is located within landscape features likely to contain Aboriginal objects. This includes an assessment of ethnographic information, soils, geology, landform, disturbance and resource information pertinent to the study area. The outcome of this review is outlined in Table 3.

Table 2 Archaeological studies undertaken in the vicinity of the study area.

Author	Year	Details
Gandangara Local Aboriginal Land Council	1996	The assessment covered an area of approximately 7,000m ² associated with Liverpool Weir, located 500 metres to the south of the study area. The survey identified 2 isolated stone artefacts on a dirt track leading down the bank of the Georges River. The artefacts were made of grey mudstone and red silcrete. The location of the site is unknown, as no spatial information was recorded. This is recorded as AHIMS site #45-5-2540.
Extent Heritage	2018	A due diligence report was completed covering roughly the same area as the Gandangara Local Aboriginal Land Council report (1996). The report noted that site exhibited a high level of disturbance from European development and farming. As such, the potential of <i>in situ</i> Aboriginal cultural material being present was assessed as very low. The associated survey attempted to relocate the 2 previously identified artefacts; However, they were not found.



Author	Year	Details
Urbis	2020	<p>A due diligence report was undertaken over a 3,000m² area approximately 150 metres south-west of the study area.</p> <p>The study found the site had been highly urbanised and disturbed by multiple phases of development. No Aboriginal artefacts were located and the site was deemed to have low archaeological potential due to the disturbances present within the area.</p>
Comber Consultants	2021	<p>A survey was undertaken over a 7.5 hectare area, 200 metres to the north-east of the current study area. Two silcrete artefacts were recorded approximately 100 metres apart on the edges of the old running track within the Liverpool Public School grounds. This site is listed on AHIMS as 45-5-5507.</p> <p>Much of the western portion of the study area was covered with asphalt and thus had zero visibility, no other artefacts were located.</p> <p>The survey identified that the entire site was in a low-lying area close to wetlands and water sources, as such, it was likely to have been used by Aboriginal people in the past in dry periods.</p> <p>Minimal development of the grounds of the school lead the consultants to believe that there was a possibility for further subsurface cultural heritage to be present and recommended archaeological testing to be undertaken. Results of the testing program are not yet available.</p>

Table 3 Assessment of landscape features

Information	Details
Ethnographic	<p>Aboriginal people local to the study area are likely to have belonged to the Darug (Dharug) language group. The Aboriginal people of the Liverpool area were specifically referred to as the Gahbrogal (Attenbrow 2010, p.25). Aboriginal culture is synonymous with movement throughout the landscape in order to acquire resources and fulfil the ceremonial and functional practicalities of daily life (Niche 2018). As such, defined borders for tribal groups need to be recognised as an artificial constraint designed by anthropologists (Organ 1990, p.xliii).</p> <p>The survival of Darug traditions and knowledge of the surrounding region to the present day is a story of resilience against this history of cultural disruption and geographic dispossession</p>
Soils	<p>The study area falls within the Blacktown (bt) soil landscape which has 2 main layers; around 300mm of a brownish-black loam which overlies 200mm – 700mm of a hard-setting brown clay loam (Chapman & Murphy 1989, pp.23–24).</p> <p>This suggests that soils will be reasonably deep, and any subsurface artefacts present may be stratified.</p>
Hydrology	<p>The majority of sites listed on AHIMS are within 500m of a water source, with most being within 250m. The study area is located 300m to the north-west of the Georges River, which place the study area slightly outside of the optimal range from a perennial water source and resource collection area.</p>
Geology	<p>The study area falls within the Bringelly Shale and Alluvium geological units. The topography of the site precludes rock shelters from being present, there are no rocky outcrops that could have been used as quarries, and the lack of rock sheets precludes grinding grooves being present.</p> <p>As such, if artefactual material is present, it is likely to have been brought into the study area from a quarry location elsewhere.</p>



Information	Details
Landform	<p>The study area is located on a gentle slope which is sloping to the east toward the Georges River. It is located adjacent to an alluvial flat, which was a more ideal place to camp than the study area itself.</p> <p>As such, settlement sites were much likely to occur to the east of the study area rather than within the study area. Any Aboriginal cultural material present within the study area is likely to be the result of discard as people moved through the study area preferred locations elsewhere in the landscape.</p>
Disturbance	<p>Known evidence of historical disturbance within the study area is limited to the construction of a sewer main, shown in maps from 1890, but it is likely that the area was .</p> <p>Historic aerials from 1947 show two houses and associated outbuildings within the study area. By 1965, the whole study area appears to have been developed with five houses present within the study area. 1975 shows the demolition of two of the houses in the southern portion and the space is left bare, there also appears to be the construction of an apartment complex in the northern half of the study area. By 1978 the two remaining houses in the southern half of the study area have been removed, with no construction occurring across the vacant lots.</p> <p>By 1986, two apartment complexes have been constructed in the southern portion of the site. Likely disturbing any remaining land and removing all Aboriginal artefacts.</p> <p>From 1986 to the present, the study area remains similar with no significant development. However, the disturbance occurred by the construction and destruction of multiple buildings is likely to have removed any significant Aboriginal deposits present within the study area.</p>

Activities in areas where landscape features indicate the presence of Aboriginal objects

Several studies have been undertaken that have established a general criterion for predicting the location of Aboriginal sites in landforms associated with the Cumberland Plain. The most relevant of these studies was prepared by Biosis (2016) for the Mamre West Precinct at Orchard Hills. This model suggests that:

- *Artefact scatters are the most frequent site type identified in soil landscapes, landforms and underlying geological formations within the local area, and are commonly found within 161 metres of permanent water sources and 266 metres of ephemeral water sources.*
- *PADs are often found within 189 metres of ephemeral water sources.*
- *Modified trees are found in areas of old vegetation growth, often preserved as riparian corridors, and located approximately 193 metres from permanent water sources.*
- *Shell middens, art sites and stone quarries are not known from the surrounding area.*
- *Burial sites, rock shelters and grinding grooves are unlikely to occur in the study area due to the lack of suitable soil profiles and incorrect underlying geology.*
- *There are no known Aboriginal ceremony or dreaming sites, or post contact sites, in the surrounding area (Biosis Pty Ltd 2016).*

The study area contains no recorded Aboriginal sites, no objects were identified during the site inspection, and the study area does not contain landform features which indicate a high likelihood for the presence of unrecorded Aboriginal cultural material, based on:

- Distance from a known water source.
- Lack of landforms such as elevated flats and ridgelines, which could be used for continued occupation or transitional movement.
- Known history of 20th century disturbance within the study area.

It is therefore considered that there is low potential for Aboriginal cultural heritage to be present within the study area **and no further heritage investigations area required in this regard.**



4. HISTORIC BACKGROUND

The following historical background is designed to contextualise a site-specific history post-European settlement which will aid in the understanding of the heritage values of the study area. This work will provide a useful and concise summary of the history of the study area.

Early History of Liverpool

The location of the township of Liverpool was first decided upon and dedicated in 1810 by Governor Macquarie after visiting the area. The town was laid out by Surveyor Meehan only 2 days later, with the official proclamation of the town occurring a month after Macquarie's first visit (Jack 2010, pp.15–17).

The location was chosen as it had good access to the Georges River, which at the time permitted large, burdened ships to travel from Botany Bay all the way upstream to the new township. However, settlement was slow to start with very little development initially occurring, and as such the plan of the town was worked on by Surveyor Meehan until 1819, when the grid pattern, still present today, was formally approved (Jack 2010, p.17).

Liverpool continued to grow slowly, as people had instead chosen to move to more fertile areas such as the Southern Highlands or along the Hawkesbury River. Being located on a major road to the south however, the area became a key stop on the thoroughfare and expanded to service the people travelling through. Many began to settle in the area and by the middle of the 1820's the town had a church, courthouse, gaol, military barracks, hospital and multiple stores which serviced over 1,000 people who lived there (Cunningham 1828, p.99).

HISTORICAL SKETCH OF THE STUDY AREA

The following section seeks to document the known development history of the site.

Phase 1 – Initial Settlement (1827-1891)

Surveyor Hoddle's 1827 plan of Liverpool shows no development present within the study area (Figure 6). However, one structure is shown within the same lot as the study area, although immediately south of it, and the land to the south of the study area is shown to contain 3 separate structures.

Despite a property boundary being shown on Hoddle's plan to the south of the study area, it appears that the southern half of the study area formed part of a single lot which was formerly granted to Daniel Tindall (or Tyndall) in 1841. Preliminary research has indicated that the northern part of the study area was vacant, although it was reserved for use as a paddock for the police station across the road to the east.

Tindall was a carpenter by trade and a convict who arrived on the *Duke of Portland* in 1807, having been arrested and charged for his part in the "Despard Plot"; a conspiracy to assassinate King George III in 1802. Of the 13 participants arrested, only 3 were spared from hanging, with Daniel being one of the lucky escapees who was given a reprieve and sentenced to life imprisonment in Australia (Unknown 2017, pp.212–213). Tindall received a pardon while in Sydney, presumably due to skilled carpenters being in short supply, and was eventually granted this small plot of land in Liverpool. When Tindall died, the land was passed to his daughter, Mary Burcher in 1856 (Primary Application 8414).

In 1867, the entire block was surveyed and this shows Mary Burcher as still being the owner of the land (Figure 7). However, the 3 buildings present on Hoddle's plan have been removed and replaced with a single building shown fronting onto Elizabeth Street. No other development is shown within the study area (Crown Plan L31.895). The plan also shows a large drain passing through the study area on the alignment of the present sewer main. The northern part of the study area still formed part of the police paddock. This land would have served as open grazing for police horses, and it is likely they would have been stabled in the main police compound for their own security. The southern portion of the property eventually passed to George Frederick Rowley Burcher in 1891, and was in turn was purchased by John Schell in 1912. Schell passed away in 1914 and his property passed to his wife, Mary, and son, Frances Anton (LPI Volume 1032 Folio 20).



Phase 2 – Subdivision (1932 To Now)

The northern portion of the study area remained reserved as the police paddock until 1932, when reservation was revoked and the land subdivided for residential development. The subdivision included 4 lots of which 2 fall within the study area (Crown Plan L54.895). These boundaries match the present cadastral lots. The study area generally remained undeveloped through the 1940s, with historical aerial imagery from 1947 showing only two small sheds and a fenced area present in the southern part of the study area at this time (Figure 8).

Eventually, the southern half of the study area, which coincided with Tindall's original grant, was split into 3 smaller lots, which were sold at roughly the same time as those in the north, suggesting that there may have been an organised subdivision and sale of land within the block. Of the southern lots, Lot 3 was purchased Francis Thomas Murray in 1954 who then sold it 3 years later to William James Masterton. Lot 2 was purchased by Roma Mary Jones and her husband Kenneth Henry in 1955, and Lot 4 was purchased by Donald Leslie Becquet in 1958 (Volume 6889 Folio 6889-140, Volume 6927 Folio 130 and Volume 7436-103).

With the exception of the 1950s house still present in the central part of the study area, the remaining portions of land became increasingly developed throughout the latter half of the 20th century, culminating in the construction of several large apartment blocks which are still present within the study area. Further works have included the excavation of a modern underground stormwater or sewage pipe on the alignment of the former above-ground drainage channel.

5. SITE INSPECTION

The site inspection was conducted by David Marcus (Director, Austral) on 24 September 2021. The survey confirmed the results of the background research in terms of anticipated levels of disturbance present. A majority of the site is heavily disturbed through the construction of the various apartment blocks, and the earthworks required to build these structures are likely to have removed all traces of any historical buildings that existed within their footprint (Figure 10). Even where grassed areas were present, these appear to have undergone at least low levels of disturbance (Figure 11).

The background research identified that the only known historical development within the study area consisted of the drain running east-west through the central part of the study area. The survey noted that the easement which now contains the drain has been heavily disturbed by the construction of a modern, below ground sewer main (Figure 12). As such, it is likely that the construction of this sewer will have destroyed or removed the historic drain, removing all archaeological potential in the area. Other parts of the site varied from high to moderate levels of disturbance relating to the post-1950s development of the site, and even areas which are currently grassed did not display any evidence of historical archaeological material (Figure 11).

The level of historical disturbance across the site is likely to have removed all evidence of Aboriginal occupation, which is combined with no direct documentary evidence for historical use of the study area. The survey also failed to identify any Aboriginal cultural heritage or PADs as being present within the study area.

As such, the entirety of the study area exhibited a low level of potential for Aboriginal cultural heritage or historical archaeological material.

CONCLUSIONS

There is a low probability of Aboriginal cultural heritage to be present within the study area due to the unfavourable landforms present and the high levels of European disturbance within the site.

It is unlikely that Aboriginal people would have spent large periods of time occupying the study area given the distance from water and presence of a large alluvial flat to the east, which would have provided easy access to resources and water. Aboriginal people likely passed through the study area but did not camp.



What little Aboriginal cultural material that may have been present is also now likely destroyed by the 20th century urbanisation which has occurred within the study area, with results comparable to those identified by Urbis on a similar site near to the study area (Urbis 2020).

In regard to European heritage, there is limited evidence demonstrating any historical development of the study area, as it lay on the periphery of the original grid alignment of Liverpool. While structures were shown on properties immediately adjacent to the study area, it remained undeveloped, with the northern portion eventually forming part of grazing land for police horses.

While there is evidence from the 1867 Crown plan of a brick drain running through the property, the route of the drain was subsequently subsumed into the alignment of a later underground sewer main, construction of which is likely to have removed all evidence of the earlier drain.

The police paddock that was present through to 1932 in the northern part of the study area is unlikely to have any archaeological remains directly associated with it or, if any were present, they are likely to have been removed by subsequent development of that part of the study area.

It is noted that while the finding of Casey and Lowe's *Liverpool Archaeological Zoning and Management Plan* (1996) generally agrees with the above conclusions, it does show that the alignment of the former brick drain is considered to hold archaeological potential and require further investigation. However, the results of historical research and the site inspection undertaken as part of this assessment has demonstrated that the excavation of the sewer main is likely to have removed any such archaeological material.

RECOMMENDATIONS

On the basis of the above information, it is recommended that:

- 1) No further investigations or assessment is required concerning Aboriginal cultural heritage.
- 2) If Aboriginal archaeological material or deposits are encountered during earthworks, all works affecting that material or deposits must cease immediately to allow an archaeologist to make an assessment of the find. The archaeologist may need to consult with Heritage NSW and the relevant Aboriginal stakeholders regarding the find. Section 89A of the *National Parks & Wildlife Act 1974* requires that Heritage NSW must be notified of any Aboriginal objects discovered within a reasonable time.
- 3) No further investigations or assessment is required concerning historical archaeological material within the study area.
- 4) If historical archaeological relics are identified during the works, all works in the immediate vicinity are to cease immediately and Heritage NSW are to be notified in accordance with the *NSW Heritage Act 1977*. A qualified archaeologist is to be contacted to assess the situation and consult with Heritage NSW regarding the most appropriate course of action.

Please do not hesitate to contact me on 0427 607 837 if you wish to discuss any aspect of this submission.

Yours sincerely,

William Andrews
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6. REFERENCES

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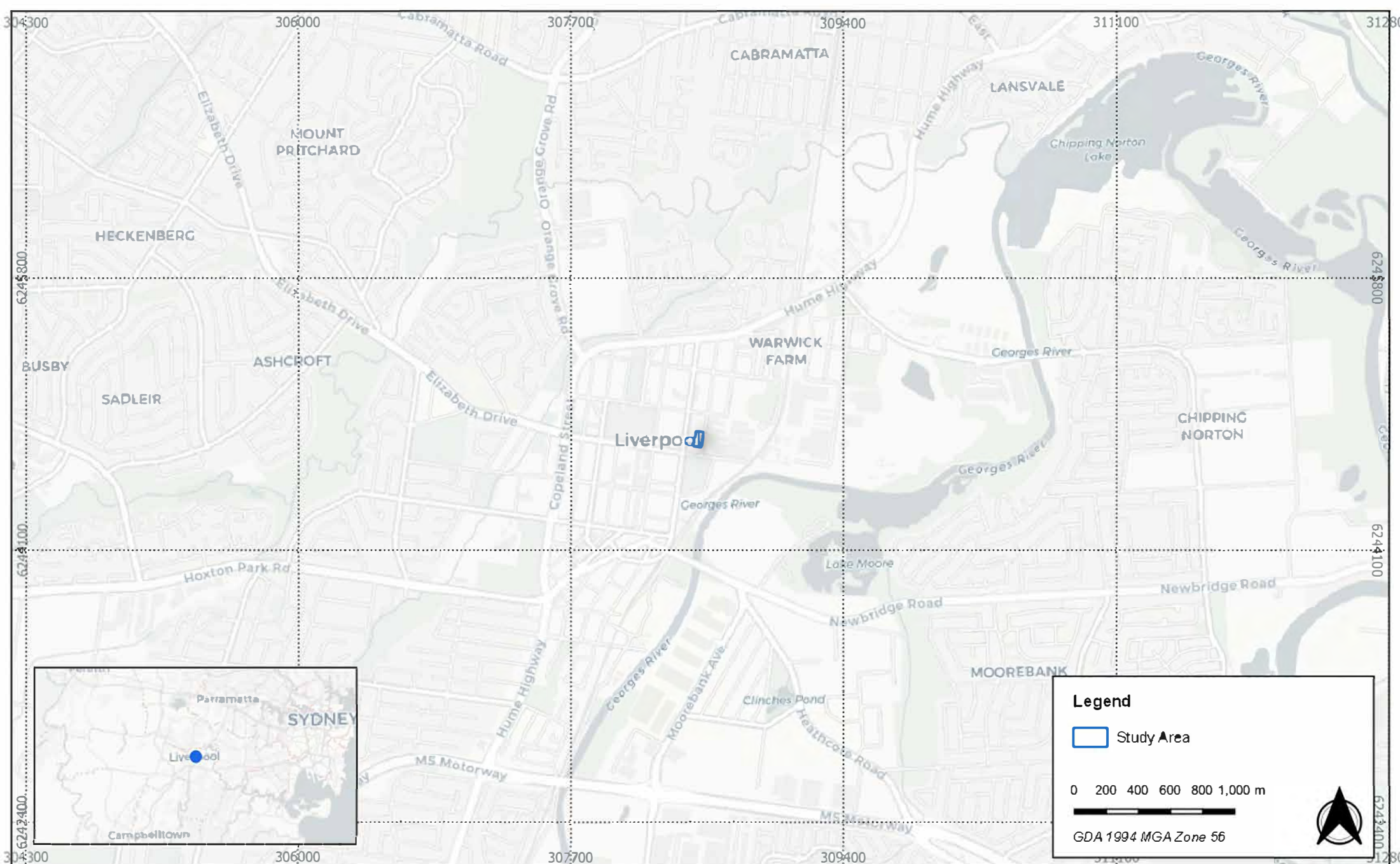


Figure 1 Location of the study area

21099 - 61-71 Goulburn Street, Liverpool

Source: CartoDB

Drawn by: WA Date: 2021-09-13





Figure 2 Detailed aerial imagery of the study area

21099 - 61-71 Goulburn Street, Liverpool





Figure 3 Study area and neighbouring properties

21099 - 61-71 Goulburn Street, Liverpool



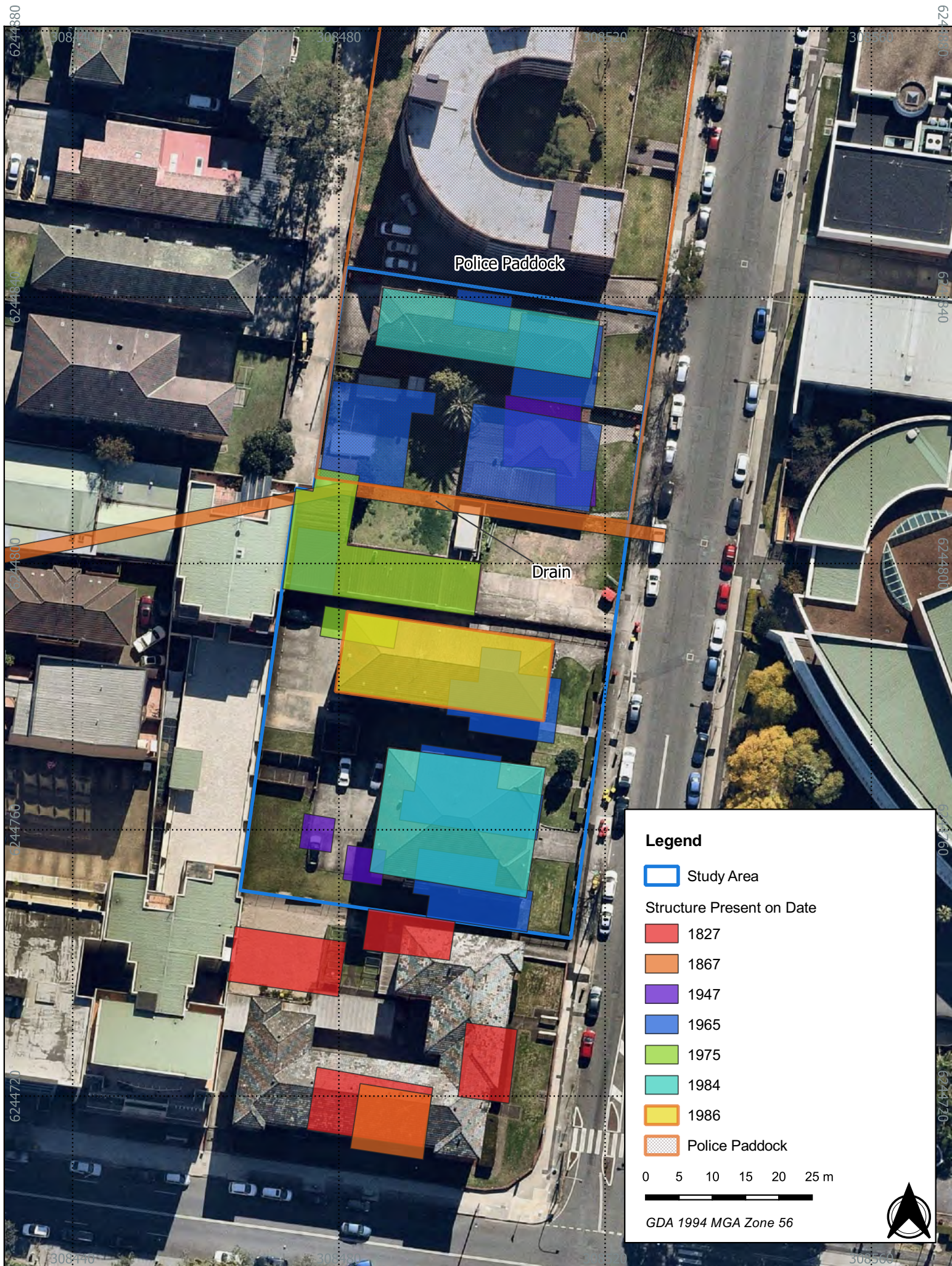


Figure 4 Location of structures within the study area

21099 - 61-71 Goulburn Street, Liverpool

Source: Nearmap

Drawn by: WA Date: 2021-09-16



AUSTRAL
ARCHAEOLOGY

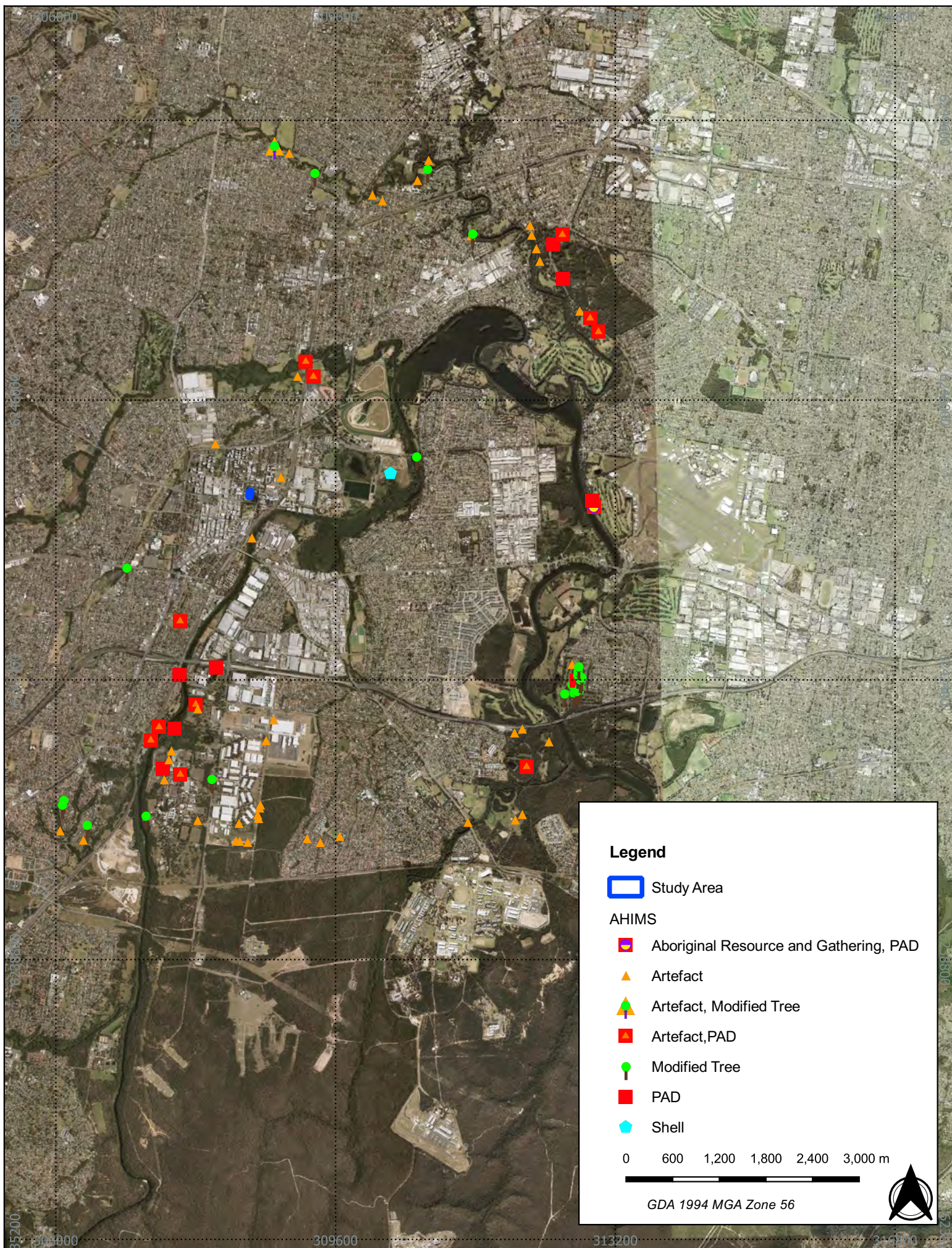


Figure 5 AHIMS in relation to the study area

21099 - 61-71 Goulburn Street, Liverpool





Figure 6 Hoddle's 1827 Plan of Liverpool with location of the study area

21099 - 61-71 Goulburn Street, Liverpool



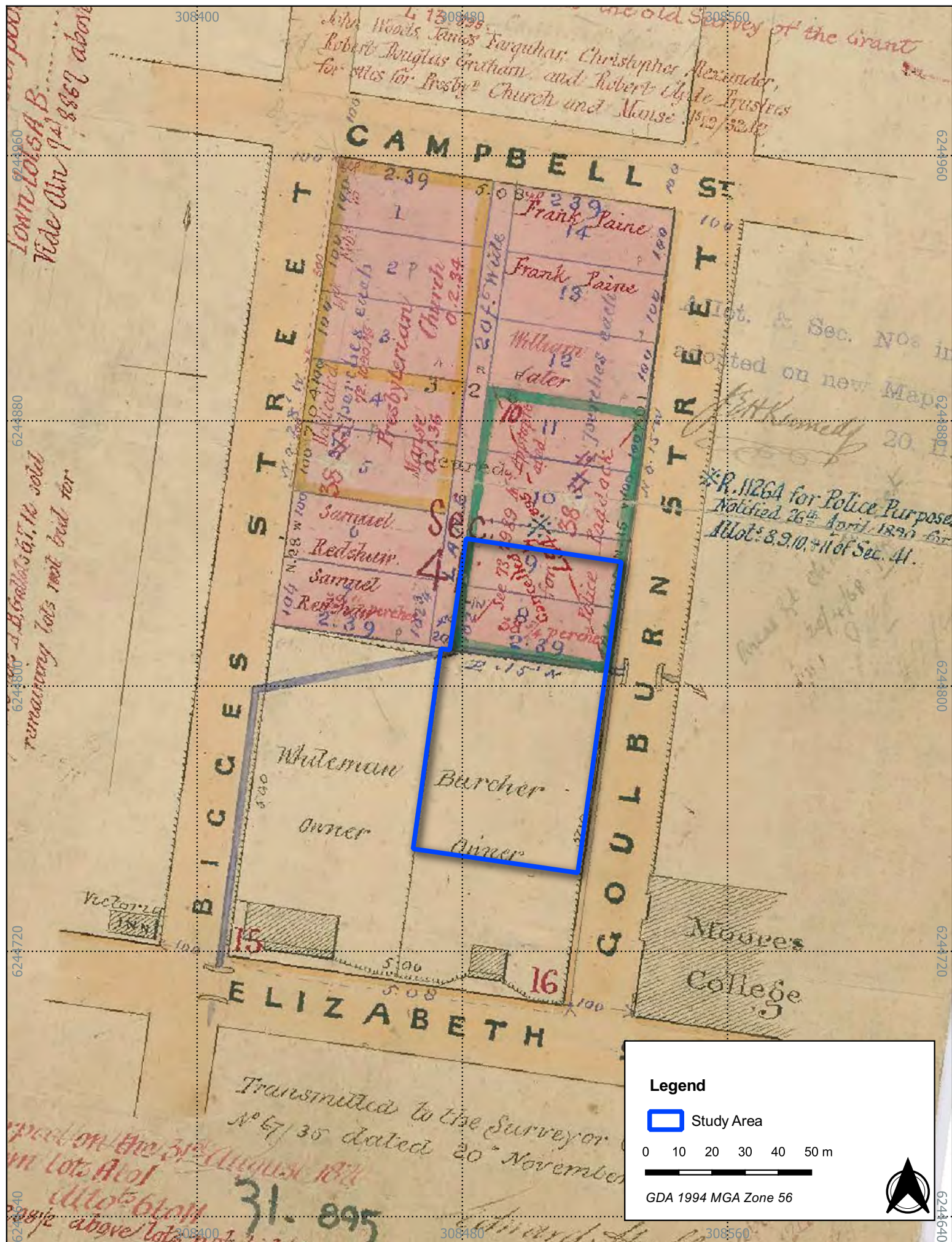


Figure 7 1872 Crown plan of Liverpool

21099 - 61-71 Goulburn Street, Liverpool





Figure 8 1940 Aerial of the study area

21099 - 61-71 Goulburn Street, Liverpool



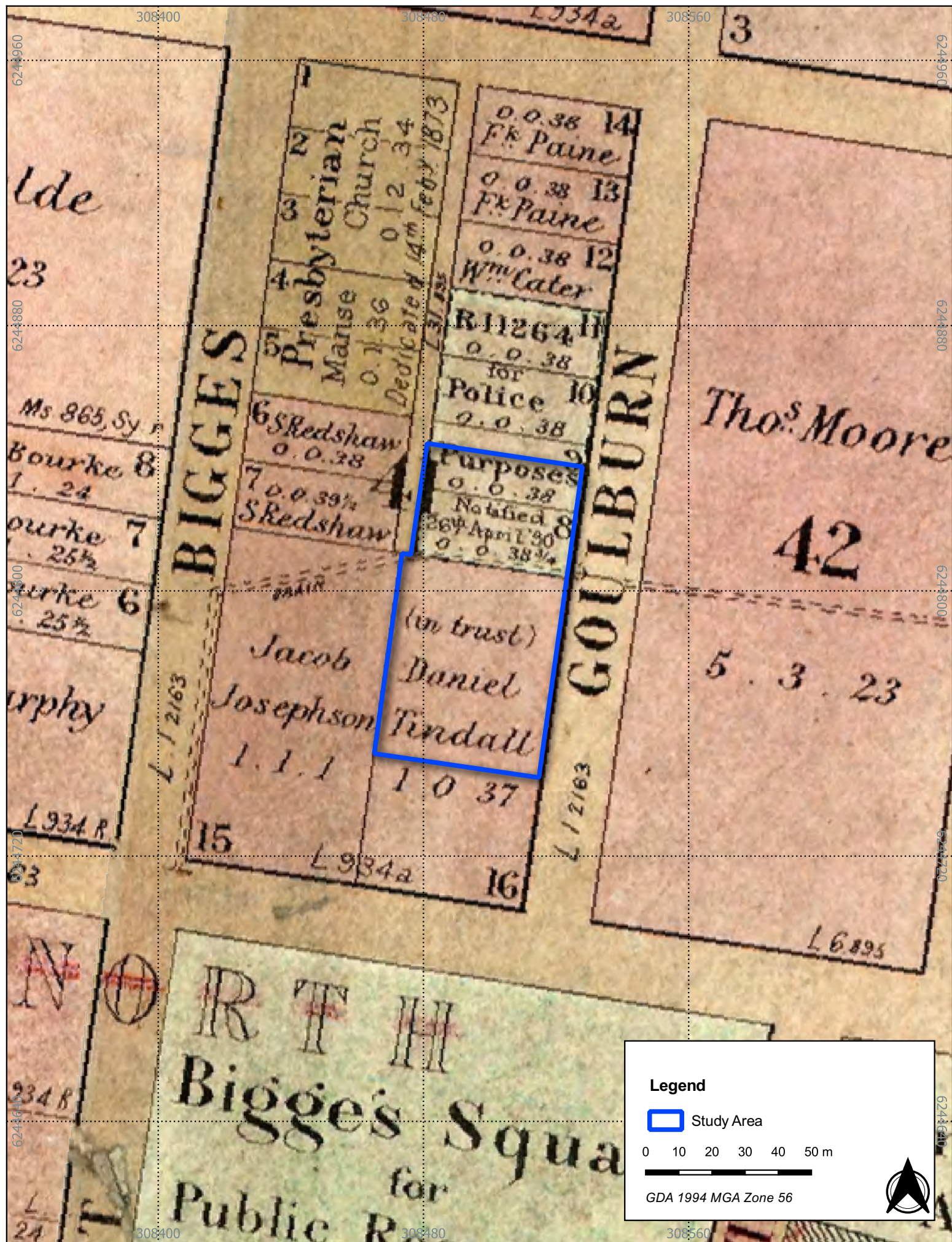


Figure 9 1898 Liverpool town plan

21099 - 61-71 Goulburn Street, Liverpool





Figure 10 West facing photograph showing the heavy modification to the landscape



Figure 11 East facing photograph showing grassed areas with minimal disturbance



Figure 12 West facing photograph of the area affected by the installation of the sewer main.

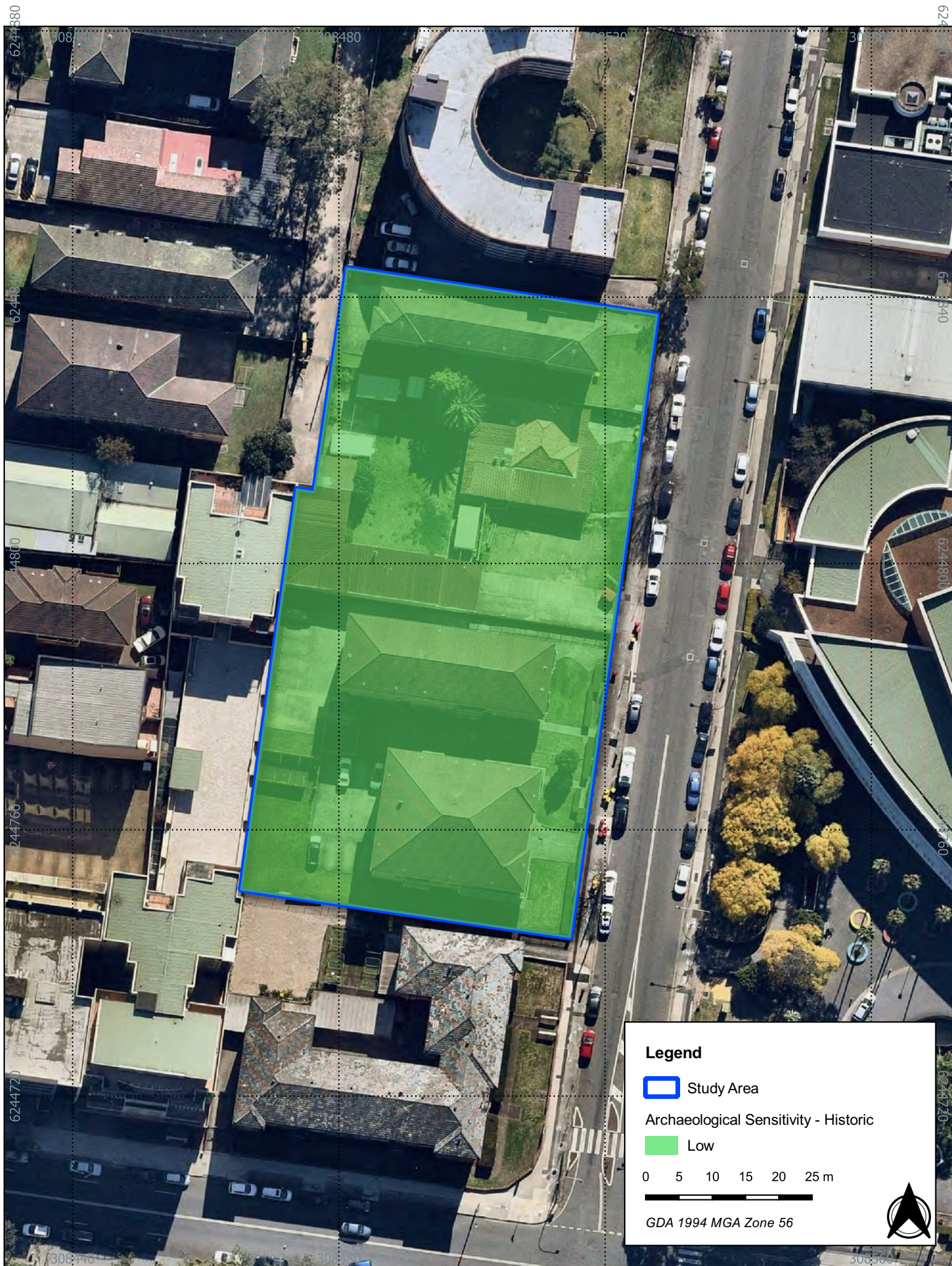


Figure 13 Archaeological sensitivity - historic heritage

21099 - 61-71 Goulburn Street, Liverpool

