



19 Darling Point Road, Darling Point
Aboriginal Heritage Impact Assessment

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Report to:	Tribe Studio Architects on behalf of Ascham
LGA:	Woollahra Municipal Council
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Executive Summary

Tribe Studio Architects on behalf of Ascham are proposing the renovation of the existing residential dwelling at 19 Darling Point Road, Darling Point. Woollahra Municipal Council's Aboriginal Heritage Sensitivity Map places the study area in an Area of Potential Aboriginal Heritage Sensitivity. As such, Council require an Aboriginal heritage impact assessment and Unearthed Archaeology & Heritage were commissioned by Tribe Studio Architects on behalf Ascham to undertake this Aboriginal heritage impact assessment. This Aboriginal heritage impact assessment has been prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment & Heritage 2011), the *Code of practice for the archaeological investigation of Aboriginal Objects in NSW* (Office of Environment & Heritage 2010) and Woollahra Municipal Council's *Attachment 10: Aboriginal Heritage Impact Statement*.

The property has undergone significant modification as a result of the construction of the existing residential unit building that presently occupies the site. The building sits much higher than the present level of Darling Point Road. There are three garages constructed at street level at the front of the property and a small grassed garden is situated on the roof of the garages leading into the entrance of the unit building. At the rear of the building, a small concrete courtyard area is situated at the same level as the unit building. Behind this a steep slope formed into a garden bed with a central set of stairs leads up to a flat grassed garden area on the eastern boundary of the property. At the southern end of the flat, grassed area is a small brick outbuilding/shed. The construction of the garages has removed any natural material from the front of the property. The steep slope of the study area has been heavily modified for the construction of the present residential unit building. The site of the building itself has been cut and levelled to provide a flat area around the building. Evidence at the rear of the property indicated that the slope had been modified to create a flat grassed area and the slope that leads up to it. Given the historic topography of the study area and the modification of the property that has been undertaken in association with the construction of the existing residential unit building, garages and landscaping, it is not anticipated that the proposed works will impact on any Aboriginal archaeological deposits.

Therefore, it is recommended that:

1. There is no objection to the proposed redevelopment of 19 Darling Point Road, Darling Point on Aboriginal archaeological grounds and no further archaeological investigation is required.
2. No Aboriginal objects were recorded during the site inspection and it is not expected that any sites or subsurface deposits will be harmed during the proposed works, therefore an Aboriginal Heritage Impact Permit under Part 6 of the *National Parks and Wildlife Act 1974 (as amended)*.
3. The study area is shown on the Woollahra Municipal Council's Aboriginal Heritage Sensitivity Map as in an area of Potential Aboriginal Heritage Sensitivity. The Aboriginal Heritage Sensitivity Map does not need to be updated as a result of this assessment.
4. If during the proposed works any unexpected Aboriginal objects, midden (shell) material, rock engravings or any other evidence of Aboriginal occupation is uncovered, all work must cease in the vicinity of the suspected Aboriginal objects or evidence of occupation, and further advice should be sought from a qualified archaeologist.
5. If, in the unlikely event, any skeletal material is uncovered during the proposed works, all work must cease and the following steps be immediately undertaken:
 - a) You must not further disturb or move these remains.
 - b) You must immediately cease all work at the particular location.
 - c) You must notify NSW Police.
 - d) You must notify Heritage NSW's Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location.

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- e) You must not recommence any work at the particular location unless authorised in writing by Heritage NSW.
 - f) Any Aboriginal skeletal remains must be recorded and reported under the direct supervision of a specialist physical anthropologist.
6. A copy of this report will be submitted to the Aboriginal Heritage Information Management System (AHIMS) and the La Perouse Local Aboriginal Land Council.

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1.0 Background Information

1.1 Introduction

Tribe Studio Architects on behalf of Ascham are proposing the renovation of the existing residential dwelling at 19 Darling Point Road, Darling Point. Woollahra Municipal Council's Aboriginal Heritage Sensitivity Map places the study area in an Area of Potential Aboriginal Heritage Sensitivity. As such, Council require an Aboriginal heritage impact assessment in accordance with Council's *DA Guide – Aboriginal Heritage Impact Statement* to ensure that the proposal will not have an adverse impact on the Aboriginal cultural heritage or archaeological significance of the study area.

As such, Unearthed Archaeology & Heritage were commissioned by Tribe Studio Architects on behalf Ascham to undertake this Aboriginal heritage impact assessment. This Aboriginal heritage impact assessment has been prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment & Heritage 2011), the *Code of practice for the archaeological investigation of Aboriginal Objects in NSW* (Office of Environment & Heritage 2010) and Woollahra Municipal Council's *Attachment 10: Aboriginal Heritage Impact Statement*.

1.2 Study Area Location

19 Darling Point Road, Darling Point is located on the Darling Point peninsula, approximately 2.5km east of the Sydney Central Business District (CBD). It is situated within the Woollahra Municipal Council Local Government Area (LGA). It comprises Strata Plan (SP) 67209.

The study area is bound by 23 Darling Point Road to the north, Ascham to the east, 17 Darling Point Road to the south and Darling Point Road itself to the west.

Figure 1 below shows the location of Darling Point. Figure 2 below shows 19 Darling Point Road on the NSW map. Figure 3 shows the study area on the aerial photograph.

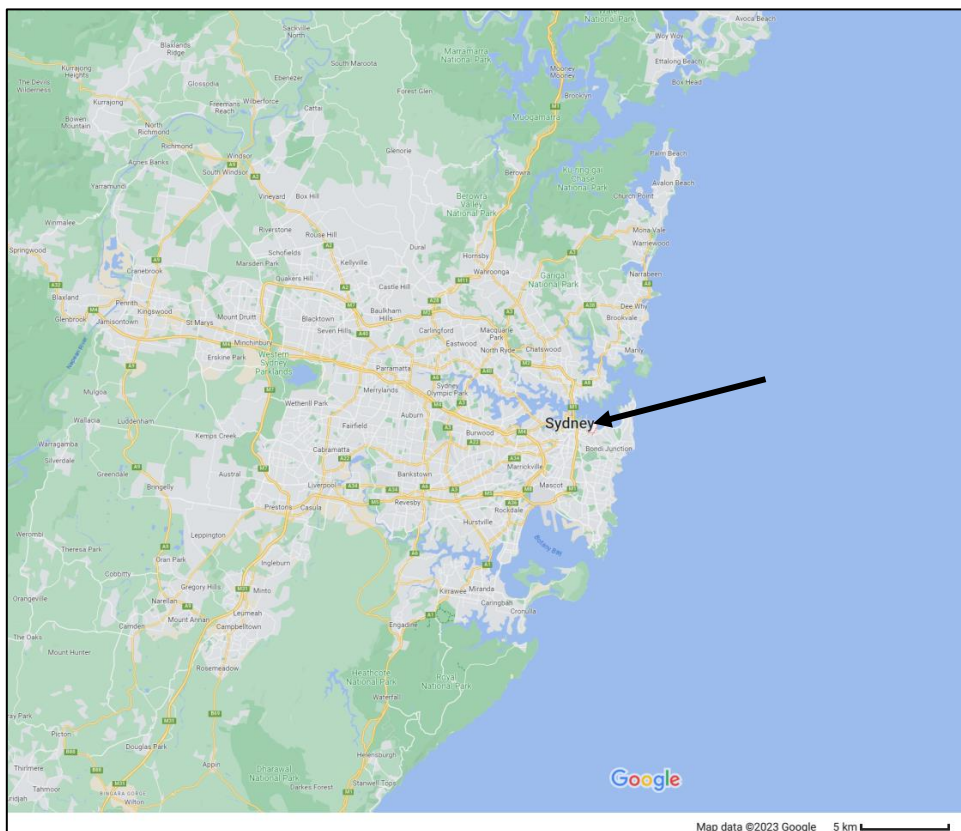


Figure 1: Showing the location of Darling Point, indicated by the arrow (map courtesy of Google Maps).

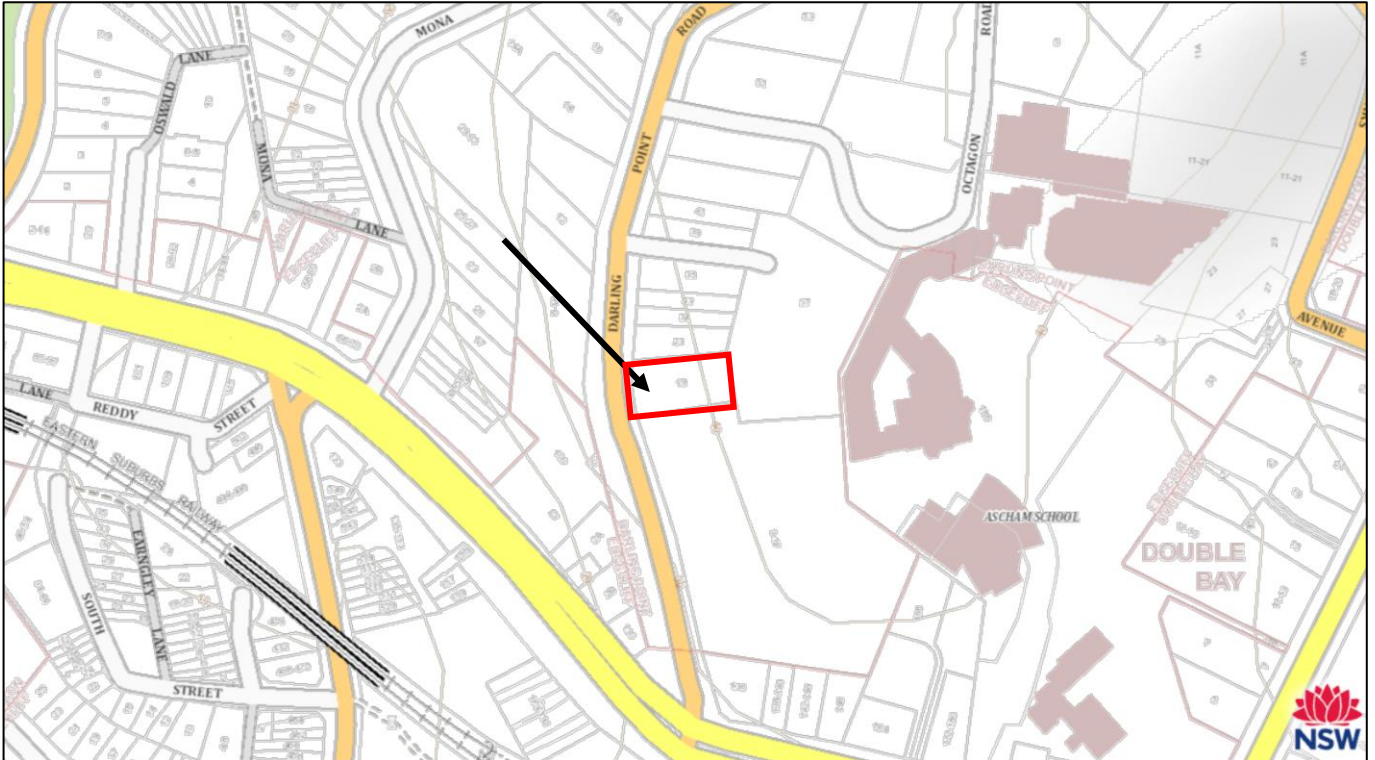


Figure 2: Showing the location of 19 Darling Point Road outlined in red and indicated by the arrow on the NSW map (map courtesy of www.maps.six.nsw.gov.au).



Figure 3: Showing 19 Darling Point Road outlined in red on the aerial photograph (map courtesy of www.maps.six.nsw.gov.au).

1.3 Proposed Works

The proposed works include the construction of an extension at the rear of the existing residential building, demolition of a small outbuilding in the rear yard and the construction of stairs leading from Ascham to the rear of the new extension. The installation of photovoltaic cells (solar panels) on the roof is also proposed.

Figure 4 below shows the proposed site plan for 19 Darling Point Road. Figure 5 and Figure 6 show the proposed north and south elevations for 19 Darling Point Road.

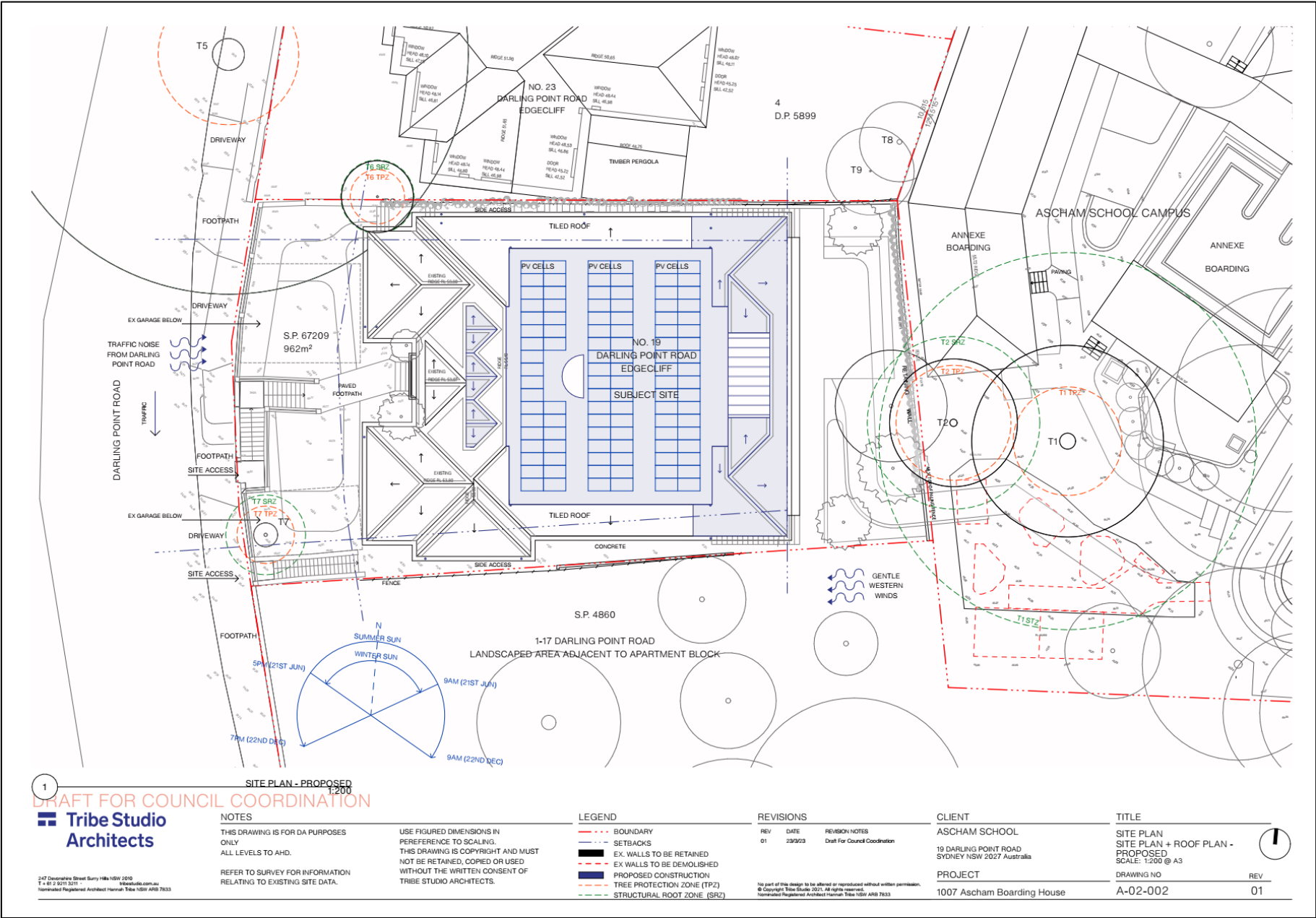


Figure 4: Showing the proposed site plan for 19 Darling Point Road (plan courtesy of Tribe Studio Architects).

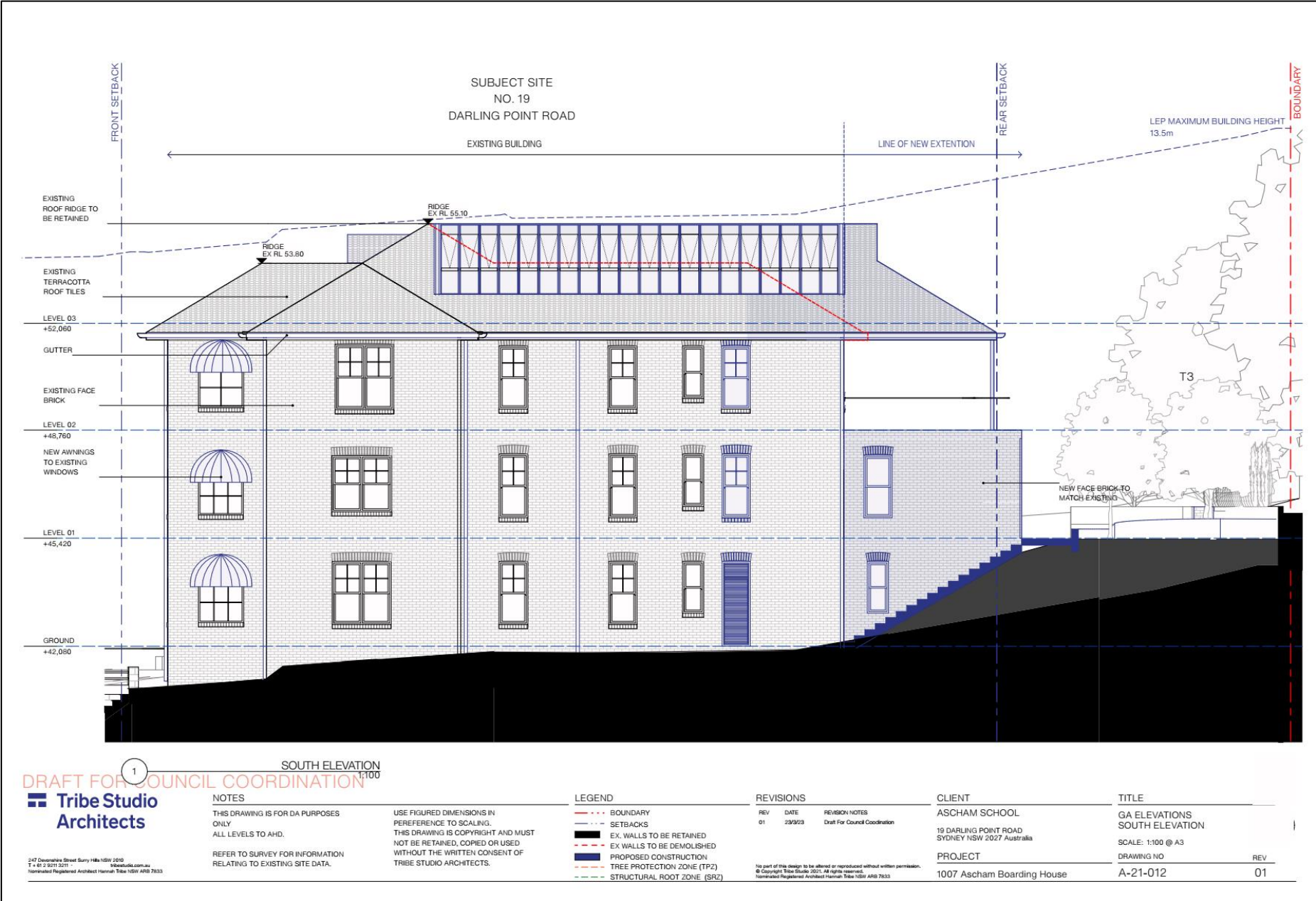


Figure 5: Showing the proposed south elevation for 19 Darling Point Road (plan courtesy of Tribe Studio Architects).

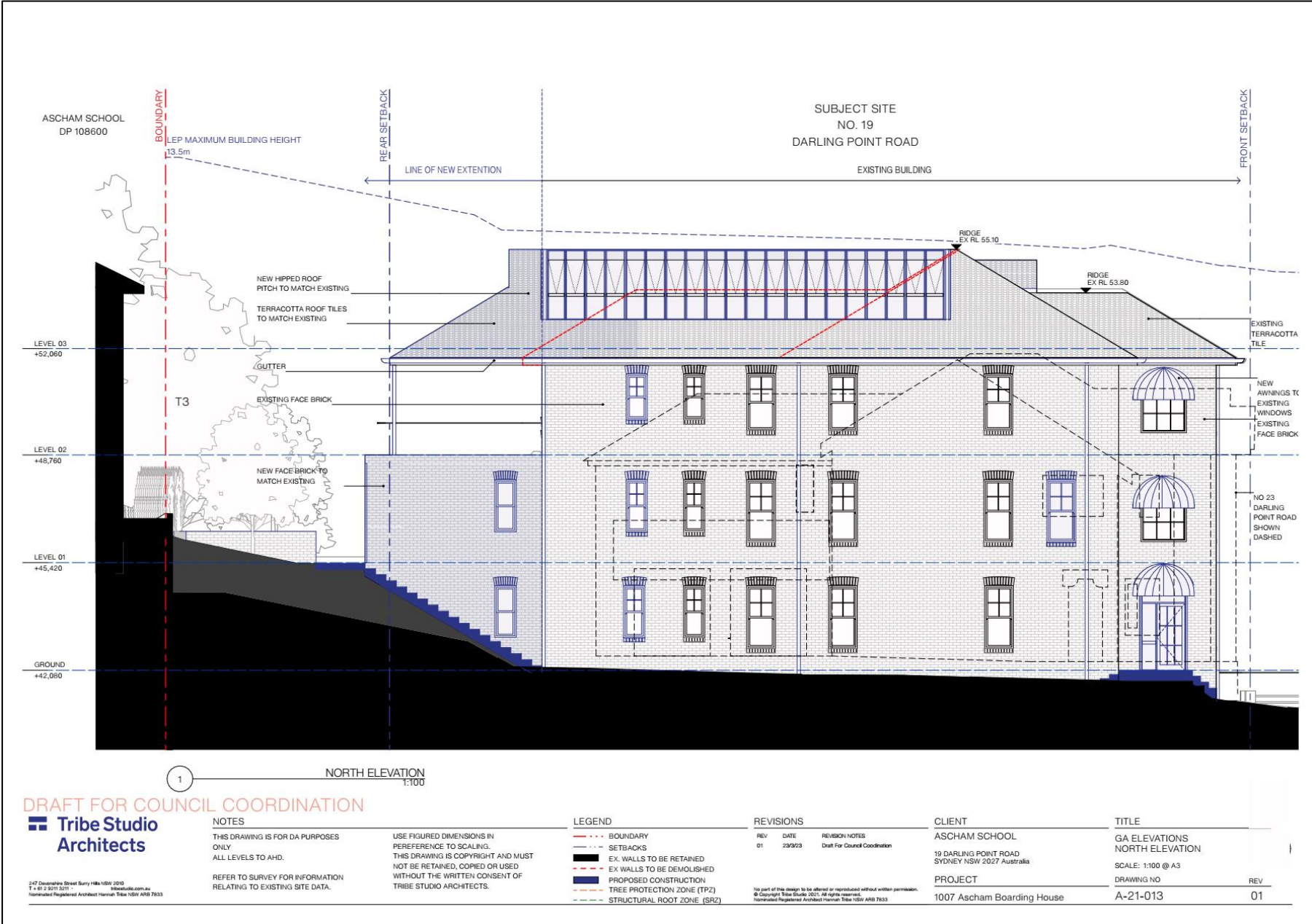


Figure 6: Showing the proposed north elevation for 19 Darling Point Road (plan courtesy of Tribe Studio Architects).

2.0 Landscape and Environmental Context

2.1 Topography

Darling Point is located within the central portion of the Sydney Basin. The Sydney Basin is a geological basin of the Permian-Triassic era that covers an area of 64,000km² on the central eastern coast of Australia (<http://www.environment.nsw.gov.au/bioregions/SydneyBasin-Landform.htm> 12/10/2017). The Sydney Basin is comprised of sandstone and shales which has been subjected to erosion, creating a landscape of steep sandstone cliffs and escarpments, plateaus over areas of shale and coastal sand dune and wetland systems (Stening 2018:4).

The study area is located where the isthmus of Darling Point peninsula connects to the mainland. The Darling Point peninsula is characterised by a ridgeline extending north to south along the centre of the peninsula which drops steeply to the water on the north, east and west of the peninsula.

It is located approximately 400m to the east of the creek which has been channelised through Rushcutter's Bay Park, known historically as West's Creek, and approximately 350m from the harbour foreshore at Rushcutter's Bay.

Figure 7 below shows the study area on the topographic map.

An 1833 plan of Darling Point by surveyor Thomas Mitchell shows the topography of Darling Point prior to significant European development (Figure 8 below). The location of the 19 Darling Point Road on this plan. The study area on the steep slope below the ridgeline.

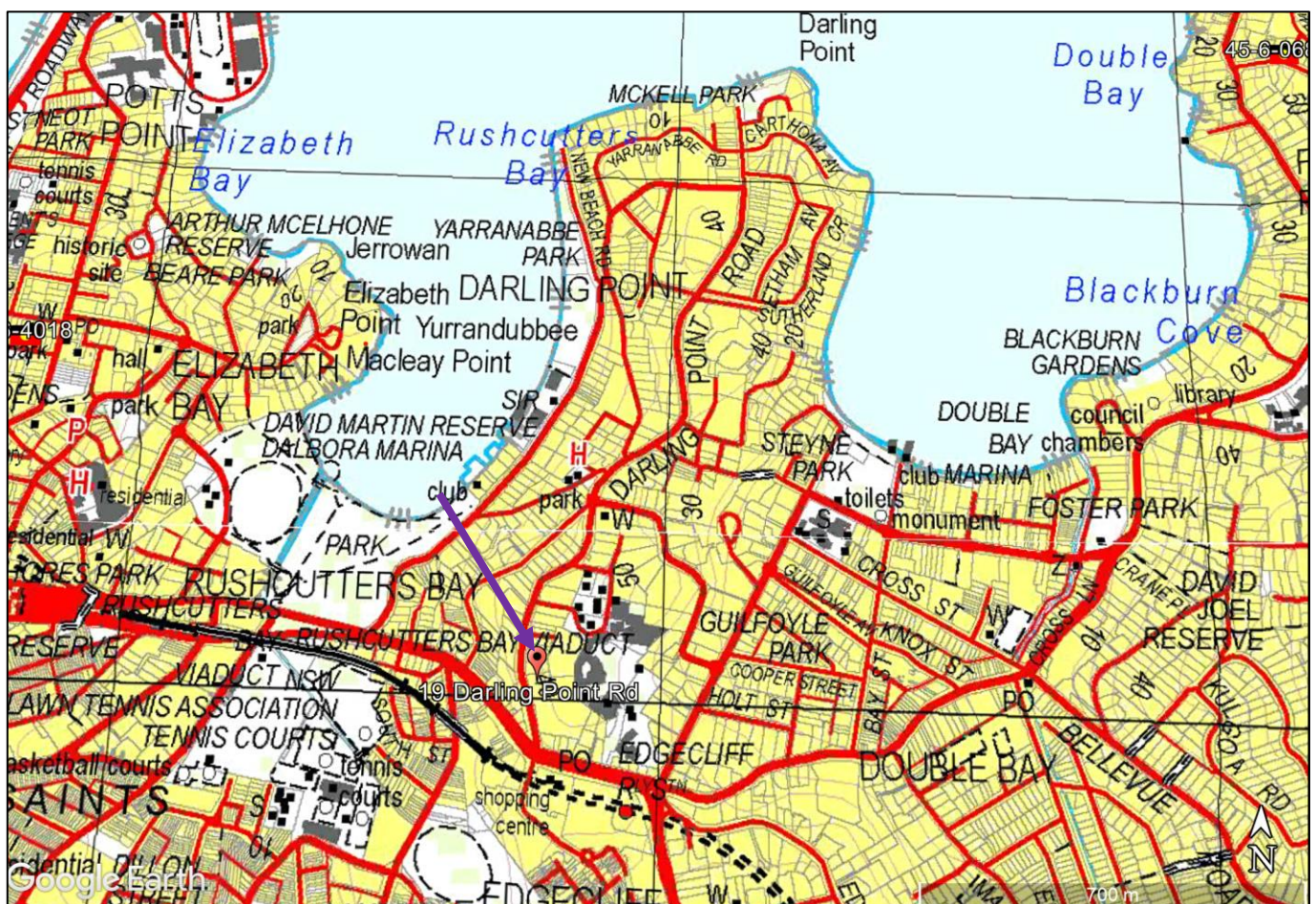


Figure 7: Showing the location of 19 Darling Point Road indicated by the purple arrow on the topographic map (map courtesy of Google Earth Pro).



Figure 8: Showing the approximate location of 19 Darling Point Road indicated by the arrow on Thomas Mitchell's 1833 Plan of Subdivision Allotments for Sale (plan courtesy of State Library of NSW [a4692001/Ca 83/16]).

2.2 Geology and Soils

The geology of the Sydney CBD is characterised by Hawkesbury Sandstone with areas of overlying Wianamatta Shales (Stening 2018:6).

Darling Point is situated on the Hawkesbury Sandstone and the marine sand dunes. The Hawkesbury Sandstone weathers into overhangs and shelters suitable for habitation and protection from the elements and provides surfaces suitable for the manufacture of ground edge implements and for the engraving and painting of art. Outcrops of materials suitable for small tool manufacture, such as chert, silcrete, tuff and quartz, weather from the Hawkesbury Sandstone (Stening 2019:11).

19 Darling Point Road is located on a band of marine sands which extends from Botany Bay and Bondi to King's Cross. These sand dune systems were formed as a result of inundation of low lying areas due to sea level rises approximately 6000 years BP. Sea level rises of up to 130m formed sand dunes which overlaid earlier Pleistocene sands (Nutley 2006). Darling Point comprises the remnants of the back of the coastal sand dunes which protected a number of inland wetland and water catchment areas.

A number of fissures formed through the erosion of basalt dykes are present and two volcanic columns which contain localised quartzite which could be used by Aboriginal people for the manufacture of small stone tools in the vicinity of Watsons Bay (Steele 2009:38). Remnants of the basalt dykes are visible at Bottle and Glass Bay, Bradleys Head and North Head (Nutley 2017:21).

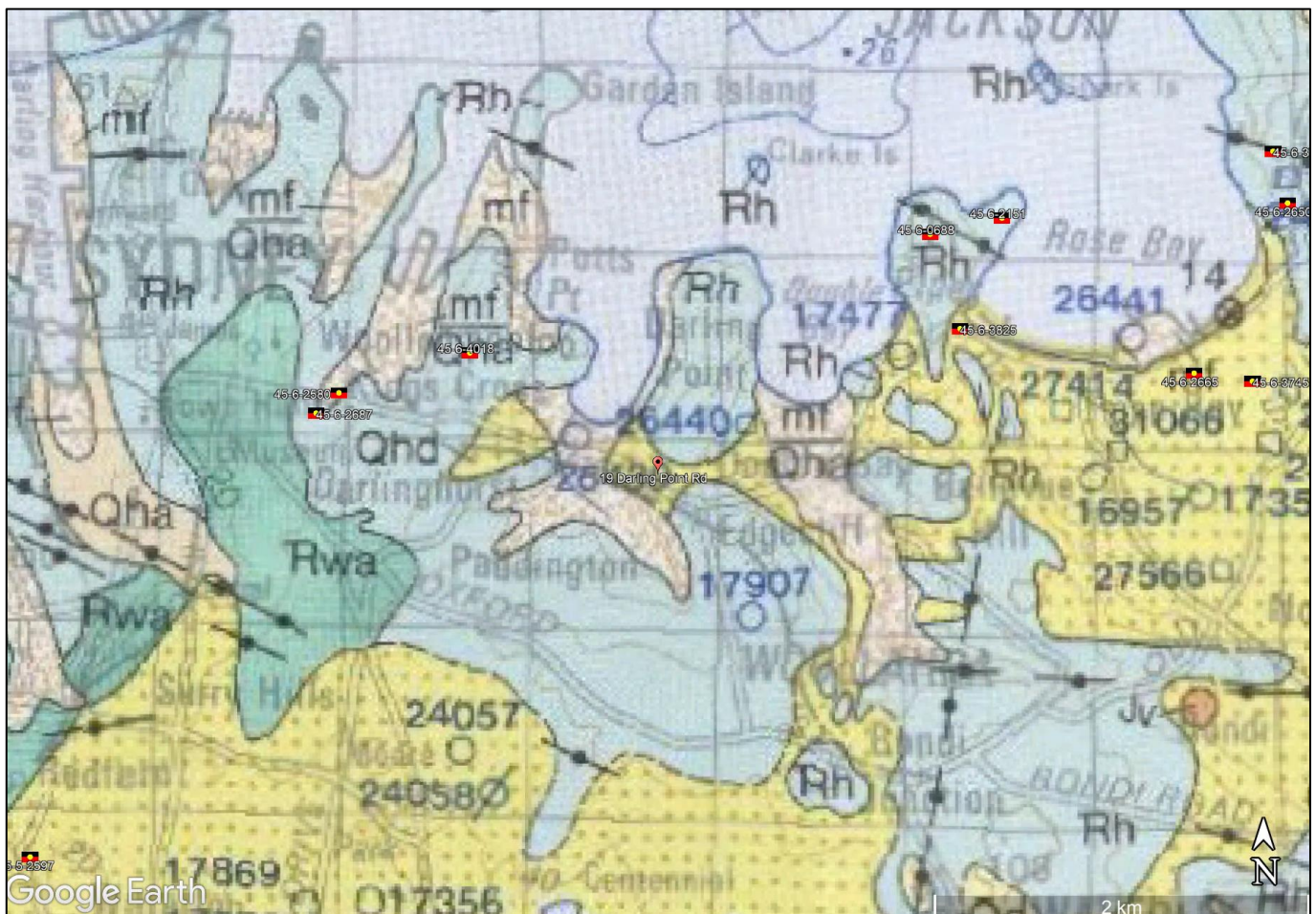


Figure 9: Showing the location of 19 Darling Point Road on the Sydney 1:100,000 Geological Map).

The study area is located on the Gynea Erosional Soil Landscape (9130gy). That soil landscape is characterised by the following soil profile, as taken from *Soil Landscapes of the Sydney 1:100,000 Sheet* (Chapman and Murphy 1989:72–76):

A1 horizon (topsoil): brownish black (10YR 2/2) to bleached dull yellow orange (10YR 7/2), loose, coarse sandy loam. Occasional shells and shell fragments present. Roots, charcoal fragments and small pieces of sandstone and platy ironstone fragments are common.

B horizon (subsoil): yellowish brown (10YR 6/8) clayey sand which commonly occurs as subsoil over sandstone bedrock. Where exposed it forms a hard setting topsoil. Charcoal fragments, sandstone and ironstone fragments are common. Roots are rare.

B or C horizon (subsoil): yellowish brown (10YR 5/8, 6/6, 6/8; 2.5YR 5/6, 5/4) which commonly occurs as subsoil on coarse sandstone. Strongly weathered sandstone fragments are common, while roots and charcoal are rare.

B or C horizon (subsoil): yellowish brown (10YR 6/6) clay which occurs as subsoil on shale bedrock. Shale and ironstone fragments are often present, but charcoal fragments are absent and roots are rare.

2.3 Vegetation

Historically the coastal regions of the Sydney Basin would have been vegetated by Turpentine Ironbark Forest which is characterised by *Eucalyptus saligna* (Sydney blue gum), *Eucalyptus pilularis* (blackbutt), *Syncarpia glomulifera* (turpentine), *Eucalyptus paniculate* (grey ironbark), *Eucalyptus punctate* (grey gum), *Corymbia maculate* (spotted gum), *Eucalyptus sieberi* (Australian black ash/silvertop ash) and *Eucalyptus botryoides* (bangalay). The Turpentine Ironbark Forest comprises understorey of *Macrozamia communis* (burrawang), *Livistona australis* (cabbage tree palm), *Pittosporum undulatum* (sweet pittosporum), *Polyscias sambucifolia* (elderberry panax) and a variety of banksia species (Baker 1986).

Flowers of the many eucalypt and banksia species provide a rich nectar that was eaten by Aboriginal people and the wide variety of vegetation provided a food source for animal species, such as small marsupials and birds, which are associated with the Aboriginal diet. The large trees provided bark and wood for coolamons (a shallow carrying vessel for food or water), shields, spears and canoes (Low 1989). Freshwater sources would have provided drinking water and fresh water animals for consumption while the nearby harbour foreshore would have provided a range of edible salt water species.

2.4 Land Use History and Current Land Use

19 Darling Point Road is presently occupied by a three storey red brick residential unit building with a double garage at street level and a yard on top of the garages. The building is set back from the road and is situated much higher than Darling Point Road. At the rear of the building is a small concrete courtyard space, constructed at the same level as the unit building, a steep slope leading up to a small flat grassed area which houses an old outbuilding. The 1943 aerial photograph (Figure 10) shows the same unit building and the outbuilding in place.



Figure 10: Showing 19 Darling Point Road outlined in red on the 1943 aerial photograph (aerial photograph courtesy of www.maps.six.gov.nsw.au).

3.0 Archaeological Context

3.1 Sydney Basin

Research into the regional and local archaeological context of the study area can be used to develop an understanding of the patterning of Aboriginal land use and enable the preparation of a predictive model to determine the likelihood of particular site types being located within the study area.

The Last Glacial Maximum (LGM), the last period when Earth's ice sheets were at their maximum glaciation, occurred between 15,000 – 18,000 years ago. Sea levels were up to 130m below current sea levels during this period (Nutley 2006: 1). As temperatures started to rise at the end of the LGM, the polar ice caps started to melt and sea levels began to rise, and in doing so helped to form the present day Sydney landscape.

As sea levels rose, people were forced to move inland, abandoning formerly coastal sites which were now being inundated by the sea (Nutley 2006). Sea levels began to stabilise about 6,000 years ago and the majority of sites around the Sydney region date to the last 5,000 years after sea levels had stabilised. Research into submerged Aboriginal sites has demonstrated that several submerged sites in the Sydney region date to more than 10,000 years BP.

Rock engravings were commonly created by Aboriginal people around the Sydney region and the Sydney Harbour foreshore. The *Journal of the Royal Anthropological Institute* (1880) and the published *Aborigines of Australia* (Flanagan 1883) record an engraving of either a whale or a shark at Dawes Point (AHIMS 45-6-0030). The site has been destroyed, most likely during construction of the Sydney Harbour Bridge. While engravings of a whale, kangaroo and a fish were recorded on "upright surfaces in creek bed" at Goat Island (AHIMS 45-6-0811). Other engravings are recorded on sandstone throughout the Sydney Basin.

McDonald (2008) undertook an extensive analysis of engraving and shelter art sites throughout the Sydney Basin as part of her PhD thesis. Her analysis of the nature and distribution of these sites concluded the following about the Sydney Basin:

- The majority of engraving sites are located on open expanses of sandstone on ridge lines and hill slopes.
- These engravings are likely to be outlines of figurative motifs with little or no decorative infill.
- Assemblages of engravings at a site are likely to be small, representing less than 20 motifs at an individual site with a singular motif being common.
- The ancestral being's footprint, known locally as a *mundoe*, is the most commonly occurring motif "followed by fish, macropods, bird tracks and men" (McDonald 2008:130).
- At the time of her analysis, 15% of previously recorded engravings were no longer identifiable due to sandstone weathering.
- Fish and marine animals are the most likely motifs in coastal areas with the prevalence of land animals increasing as distance from the coast increases.

Aboriginal middens are commonly encountered along the foreshore and islands of Sydney Harbour and the coast of Sydney. Three middens (AHIMS 45-6-0811; 45-6-1957; 45-6-2382) were recorded on Goat Island, which was recorded in 1798 as belonging to Bennelong, the first account of Aboriginal land ownership. Goat Island is also documented as being used by Aboriginal people for imprisonment (Comber and Stening 2015:np).

On the eastern shore of Darling Harbour, Comber (2012) excavated a redeposited midden. Ten retouched flakes and flaked pieces were uncovered in association with the midden material. On the western shore of Darling Harbour, a series of middens along the Harbour foreshore were uncovered during archaeological excavations for the new International Convention Centre. These middens were dated to between 1690 and

1850 and a discreet knapping floor was recorded on the edge of one of the middens (Comber and Stening 2015).

Artefact scatters have also been recorded throughout the Sydney CBD, including a large assemblage of 952 artefacts which was uncovered by Steele during archaeological excavations at a site bounded by Kent, Erskine, Napoleon and Sussex Streets (the KENS site). Steele (2006) indicates that the site was occupied by Aboriginal people between 2880BP and 1788.

A large artefact scatter (AHIMS 45-6-2169) was uncovered on Bondi Beach following a large storm in 1899. A description given in the Australian Museum's Curator Report for 1900 states the following:

The old land surface at Bondi, as I saw it, in company with the discoverer, was covered in thousands of these chips, some of them exquisitely made, with core pieces, chippers and rubbers ... These 'workshops' at Bondi revealed that the whole length of the back of the beach was covered with tons of stones, and that they had been taken there. In a kind of delta in the centre of the beach coarser materials were deposited. While chips and flakes were few and far between, thousands of implements which had been used there were found (Etheridge and Whitelegge 1907:233–35).

A letter from the Australian Museum curator, Mr Etheridge, to a Mr Johnston, described the Aboriginal objects collected at the beach further, stating:

The weapons collected were very valuable, including tomahawks, grindstones, a nose ornament, knives, scrapers, gravers, drills and spear points, and lastly, a very peculiar lancet like surgical knife or scarifier.

Two engraving sites (AHIMS 45-6-0720 and 45-6-0750) were recorded by the surveyor WD Campbell in 1899. These represent fish, a seal, a shark and a whale located at Ben Buckler Point on the north Bondi headland (AHIMS 45-6-0720) and at Marks Park, Tamarama on the south Bondi headland (AHIMS 45-6-0750). Although not registered with AHIMS, a partial female Aboriginal skeleton was exposed by a sand drift at Bondi Beach (SMH 1855: 5). These sites indicate the significance of the region to the Aboriginal inhabitants of the area.

A rock shelter with midden and an engraving on the ceiling of the shelter (AHIMS 45-6-2151), has been recorded at Point Piper. During excavation in what is presumed to be 1991 (although the site card states 1911) by Thorpe, some fragments of human skull were uncovered.

A series of engravings are recorded on the point at Point Piper (AHIMS 45-6-0688) comprising two sets of engravings recorded which are located within "the grounds of Lady Martin's home" and the other in "Sir Daniel Cooper's grounds". The group in Lady Martin's grounds include a kangaroo, two men two sharks, three fish, three circles, a line of ovals and a human foot. These engravings are situated on a rock shelf above a shelter with deposit. The second group, within Cooper's grounds, includes a 25 foot long whale, twelve fish, a shield and two conjoined circles.

Mr Chris Ingreys and Mr Dave Ingreys of the La Perouse Local Aboriginal Land Council (LPLALC), have previously raised the possibility of the burial of Bungaree, the "chief of the Broken Bay tribe" (Barani <http://www.sydneybarani.com.au/sites/bungaree/>) within the vicinity of the Rose Bay Police Station. Research has indicated that Bungaree was "interred at Rose Bay, beside the remains of his late Queen" (The Sydney Gazette 27th Nov 1830:2). The exact location of Bungaree's burial has been lost.

The NSW Heritage Database Inventory Sheet for the early Queen Anne House 'Leura', located at 24 Victoria Road Bellevue Hill, and the National Trust of Australia Listing Report from November 1978 state that Leura is the "Site of an old Aboriginal camp and has a natural spring". It is unclear what evidence this statement is based on and this site is not registered on the AHIMS database, but it confirms the significance of the area to the Aboriginal inhabitants of the area.

The remains of a 30–40-year-old Aboriginal woman’s burial was uncovered during works in 2003 within the B₂ soil horizon at the Royal Sydney Golf Club (RSCG). The B₂ soil horizon is the subsoil horizon with a dominant feature of clay, iron, aluminium and humic material. Her burial was associated with grave goods including scissors, musket balls, and a cloth with a metal button, indicating that she was buried post contact.

During further excavations undertaken by McDonald (2010) at the RSCG, skeletal remains belonging to at least three individuals were uncovered. Analysis determined that these skeletal remains belonged to a probable young Aboriginal male; a possible middle aged Aboriginal man; and a probable adult Aboriginal woman. Tooth wear and decay indicated that these individuals lived before or in the very early days of British colonisation (McDonald 2010: 38). Fragments of bones and teeth were uncovered from across what is known as the North Lawn.

A total of 5,738 stone artefacts were uncovered from the excavations within the North Lawn, which is situated directly to the north of the club house. McDonald states that the highest density of Aboriginal objects were collected from “within the dark grey sand which appears to have been deposit removed from the crest of the dune during construction of the club house and re-deposited above the natural dune surface on the Northern Lawn” (2010:53). Aboriginal artefacts were also found throughout the natural soil profile and were found “in lower densities into the natural yellow sand to c. 1m depth” (McDonald 2010: 53).

AHIMS site 45-6-3745 is a Potential Archaeological Deposit within the Royal Sydney Golf Course Championship Course. It was identified as having the potential for Aboriginal archaeological deposits and burials as it sits on the same landscape feature as AHIMS 45-6-2665. Aboriginal test excavations undertaken by Coast Archaeology in 2020 demonstrated that the area contained Aboriginal objects in disturbed contexts. Further archaeological excavation is proposed but has not yet been undertaken.

Emma’s Well (AHIMS 45-6-2650) is a perennial spring on New South Head Road, near Towers Road and opposite the Convent. The site is a water hole and the site card refers to oral history from elderly women in Double Bay who, in the 1960s, spoke of an Aboriginal woman named Emma Collins who was known to have used the well in the 1870s. The well or spring was recorded as being perennial with no change in the volume of water in either winter or summer and as having crystal clear water. The spring still flows with clear, cold water to this day.

Archaeological excavations at the Rose Bay end of the Cranbrook Oval in 2019 – 2020 for the construction of the swimming pool and carpark complex, revealed that the area was swampy with a creek running east to west through the centre of the oval. A background scatter of Aboriginal objects were uncovered indicating that the swampy landscape was a favoured resource zone, but not a camp site (Stening 2020).

A study of Aboriginal subsistence patterns and cultural change across the Sydney region was undertaken by Attenbrow (2002). She determined that the Sydney region was not intensively occupied until sea levels rose about 5,000 years ago. She concluded that middens and open campsites comprised over half of the over 4000 Aboriginal sites registered on the AHIMS database at the time and that the main focus of Aboriginal occupation was “on the valley bottoms and shorelines” (2002: 47). Her analysis also determined that Aboriginal people were more likely to occupy the coastal and estuarine landscapes on Hawkesbury sandstone rather than the hinterland and freshwater environments on the Wianamatta shales.

The study area is located in the coastal estuarine landscape on Hawkesbury sandstone, conforming to the predictive model presented by Attenbrow (2002).

3.2 Darling Point

A search of the Aboriginal Heritage Information Management System (AHIMS) on 10th September 2023 indicates that there are no registered Aboriginal sites within 1000m of the study area. Table 1 below shows

the details of the nearest registered Aboriginal sites within the vicinity of the study area. Figure 11 shows the location of known AHIMS sites in the vicinity of the study area.

AHIMS No.	Site Name and Location	Site Type
45-6-2580	“Junction Lane”, located just off Palmer Street, Woolloomooloo. The site is located within estuarine deposits, close to sandstone in the vicinity of a spring.	Rock shelter and engravings somewhere on Victoria Street, Watsons Bay.
45-6-2687	“Crown Street PAD 1”, located at 76 – 88 Crown Street, Woolloomooloo. The site is located on the mid slope of a modified hill approximately 550m south of Woolloomooloo Bay.	Potential Archaeological Deposit (PAD). Monitoring of the removal of fill was undertaken and it was determined that the study area had been “heavily cut down to sandstone levels across the majority of the site”. It was determined to not be an Aboriginal site.
45-6-4018	“Metro-Minerva PAD”, located at the corner of Orwell Street and Orwell Lane, Potts Point, approximately 420m from Elizabeth Bay.	Potential Archaeological Deposit (PAD).
45-6-3825	“Cranbrook Oval”, located within the northern half of the Cranbrook School oval on New South Head Road, Bellevue Hill. Historical and archaeological evidence indicates that a creek ran through the centre of the Cranbrook Oval.	29 Aboriginal objects were uncovered during archaeological test excavations. 11 of these artefacts were uncovered from the redeposited sand on the oval and 28 were uncovered from the natural sand profile.
45-6-0688	Within Lady Martin’s grounds and Sir Daniel Cooper’s grounds on Point Piper.	Two groups of rock engravings: the first is on “a rock face above a rock shelter and a kitchen midden, shows a kangaroo (10 feet tall), two men figures, two sharks, three fish, three circles, a lines of ovals and a human foot”; the second, “features a whale, 25 feet long and deeply etched, twelve fish, a shield and two conjoined circles. These are located about 15 to 20 feet above the high water mark”. There is also reportedly a rock shelter with midden below the large kangaroo engraving.

45-6-2151	“Woollahra Point”, location not provided.	A rock shelter with midden material. The excavated materials included some fragments of human skull.
45-6-2665	Restricted – no name or location provided.	Camp site with burials.

Table 1: Showing the details of the registered AHIMS sites in the vicinity of the study area.

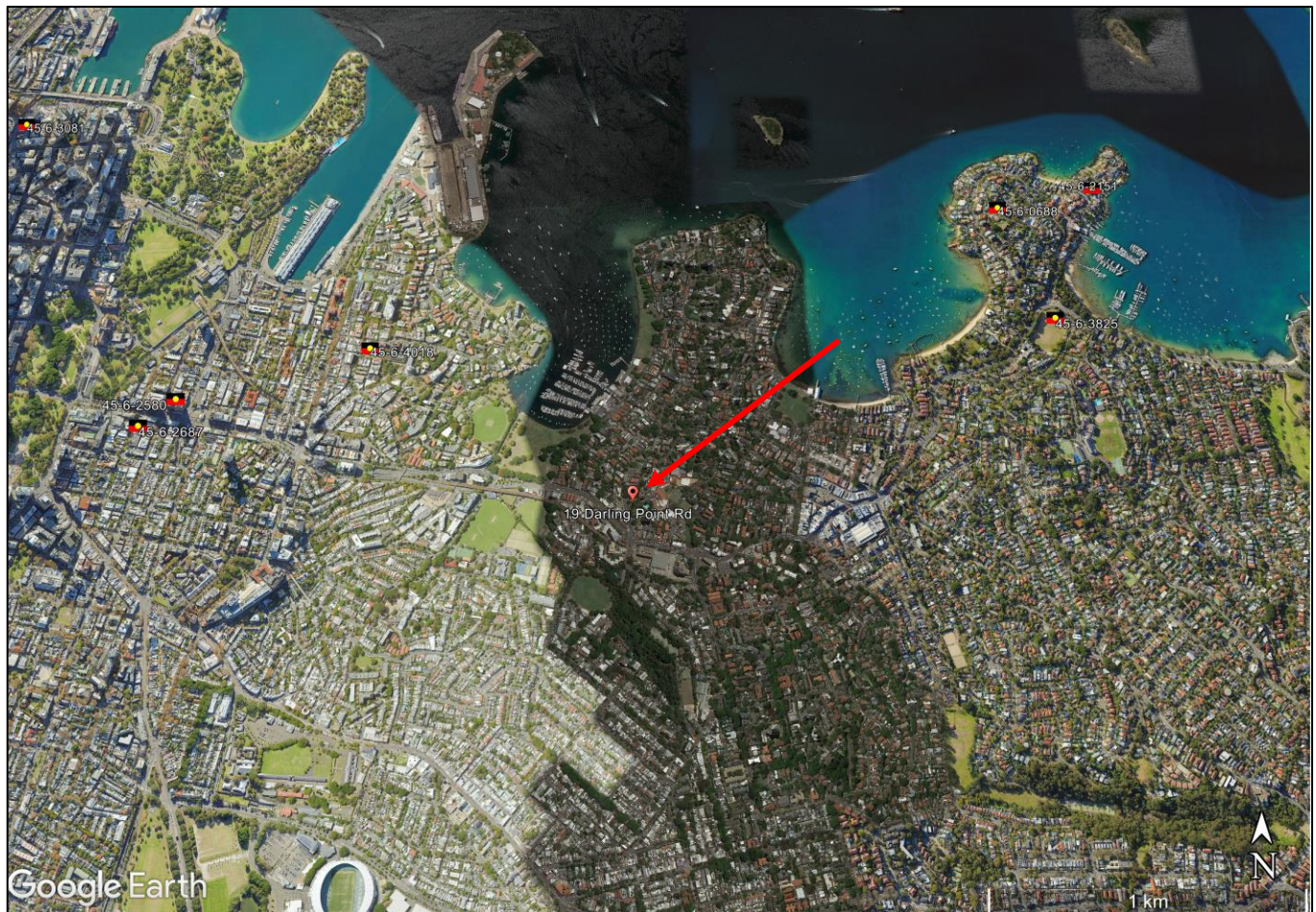


Figure 11: Showing the location of known registered AHIMS sites, indicated by the Aboriginal flags, in the vicinity of 19 Darling Point Road, which is indicated by the arrow (map courtesy of Google Earth Pro).

3.3 The Study Area

A search of the AHIMS database dated 10th September 2023 indicates that there are no registered Aboriginal sites within the study area.

3.4 Predictive Model

The above environmental and archaeological research indicates that Darling Point could have been a significant landscape for Aboriginal people. Darling Point is a peninsula into Sydney Harbour on Hawkesbury Sandstone.

The background research and the predictive model provided by Attenbrow (2002) for the Sydney Region, indicate that the main focus of Aboriginal occupation was “on the valley bottoms and shorelines” (2002: 47). Her analysis also determined that Aboriginal people were more likely to occupy the coastal and estuarine landscapes on Hawkesbury sandstone, such as the present study area, rather than the hinterland and freshwater environments on the Wianamatta shales.

Across Darling Point, evidence of Aboriginal occupation including, but not limited to stone artefacts, midden material, rock shelters, art and/or engravings, and burials could be located within the study area.

4.0 Methodology

4.1 Background Research

A search of the Heritage NSW's AHIMS database was undertaken on 10th September 2023. Research was undertaken into the environmental background of the study area, outlining the topographic, geological and vegetation context of the study area. An analysis of the archaeological background of the Sydney Basin and Darling Point was undertaken. This background research facilitated an understanding of Aboriginal land use patterns within the region and the preparation of a predictive model of occupation.

A review of plans for the proposed development of the study area enabled an understanding of the impact of the proposed works on any potential archaeological deposit.

4.2 Site Inspection

A site inspection was undertaken on 22nd August 2023 by Tory Stening. Attempts were made to engage the La Pouse Local Aboriginal Land Council (LPLALC) to participate in the site inspection, however no response was received. Copies of the emails sent to LPLALC are attached at Appendix B of this report.

The entire study area was inspected on foot to develop an understanding of the environmental and potential archaeological context and to record any evidence of Aboriginal occupation.

The surrounding landscape was also examined to facilitate an understanding of the environmental context of the study area and to attempt to locate previously recorded Aboriginal sites within the vicinity of the study area.

4.3 Effective Survey Coverage

The study area is comprised of the existing unit building and landscaped gardens. Ground visibility during the site inspection was nil due to the presence of grass and paved surfaces.

4.4 Report

This Aboriginal Heritage Impact Assessment Report was prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in New South Wales* (Office of Environment & Heritage 2011) and *Code of practice for the archaeological investigation of Aboriginal objects in NSW* (Office of Environment & Heritage 2010) and Woollahra Municipal Council's *Attachment 10: Aboriginal Heritage Impact Assessment*.

5.0 Results and Mitigation

5.1 Results

The site inspection was undertaken on 22nd August 2023 and the whole of the study area was inspected on foot with particular attention being paid to the historic topography and the disturbance from European development. The areas of the proposed works were inspected carefully to understand the potential impacts of the works. No Aboriginal objects or sites were recorded during the site inspection. An AHIMS search dated 10th September 2023 indicates that no Aboriginal sites had previously been recorded within the study area, or within 1000m of the study area.

The study area is occupied by a large residential unit building which occupies the majority of the property. The 1833 survey plan by surveyor Thomas Mitchell (Figure 8) shows the study area on the steep slope below the ridgeline. The property has undergone significant modification as a result of the construction of the existing residential unit building that presently occupies the site. The building sits much higher than the present level of Darling Point Road. There are three garages constructed at street level at the front of the property and a small grassed garden is situated on the roof of the garages leading into the entrance of the unit building. At the rear of the building, a small concrete courtyard area is situated at the same level as the unit building. Behind this a steep slope formed into a garden bed with a central set of stairs leads up to a flat grassed garden area on the eastern boundary of the property. At the southern end of the flat, grassed area is a small brick outbuilding/shed.

During the site inspection, a large amount of shell was observed on the sloped garden bed at the rear of the building. At first glance, it appeared that midden material may have been eroding out of the slope. However, on closer inspection, it was determined that the garden bed was full of highly weathered snail shells and small pieces of chicken eggshell, which had likely been placed there by one of the tenants to benefit the garden. No marine species were observed among the shell material. It was determined that the shell was all fairly recent and not of Aboriginal origin.

The construction of the garages has removed any natural material from the front of the property. The steep slope of the study area has been heavily modified for the construction of the present residential unit building. The site of the building itself has been cut and levelled to provide a flat area around the building. Evidence at the rear of the property indicated that the slope had been modified to create a flat grassed area and the slope that leads up to it.

The predictive model presented by Attenbrow (2002) indicates that evidence of Aboriginal occupation is likely to be found on the valley bottoms and shorelines within the coastal landscape on Hawkesbury Sandstone. The study area is situated on a band of sand extending from Bondi Beach which overlies Hawkesbury Sandstone. The study area is located on the steep slope of the Darling Point peninsula, on the isthmus. The closest recorded Aboriginal sites are located at Woolloomooloo, Point Piper and Rose Bay. These include rock shelters, camp sites, burials, midden and rock engravings. It is anticipated that, due to the steep slope of the study area, if Aboriginal objects or sites had existed within the study, it would have been in the form of rock shelters. However, there was no evidence of any exposed sandstone within the property or surrounding properties.

The proposed works include the construction of an extension at the rear of the existing unit building, the demolition of the brick outbuilding and the construction of a set of stairs to link 19 Darling Point Road to Ascham. Impacts to the ground surface are expected to be associated with the construction of the extension at the rear of the building, construction of the stairs and removal of the outbuilding.

Given the historic topography of the study area and the modification of the property that has been undertaken in association with the construction of the existing residential unit building, garages and landscaping, it is not anticipated that the proposed works will impact on any Aboriginal archaeological deposits.

5.2 Impact and Mitigation

As it is not anticipated that any evidence of Aboriginal occupation or any Aboriginal objects will be impacted upon by the proposed works, there will not be any impacts on any Aboriginal cultural heritage. Therefore, no further archaeological investigation in respect of Aboriginal archaeology is required for the proposed alterations and additions. An Aboriginal Heritage Impact Permit (AHIP) will not be required.

If during the proposed works, any unexpected Aboriginal objects or evidence of Aboriginal occupation: such as rock engravings; rock shelters; midden material; or Aboriginal objects; is uncovered, all work must cease in the vicinity of the suspected Aboriginal objects or evidence of Aboriginal occupation, and further advice should be sought from a qualified archaeologist.

In the unlikely event that any skeletal material is uncovered during the proposed works, all work must cease immediately on site and the following steps must be undertaken:

1. Not further disturb or move these remains.
2. Immediately cease all work at the particular location.
3. Notify NSW Police.
4. Notify Heritage NSW's Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location.
5. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
6. Any Aboriginal ancestral remains must be recorded and reported under the direct supervision of a specialist physical anthropologist, such as Dr Denise Donlon at the University of Sydney.

6.0 Legislation

6.1 The National Parks & Wildlife Act 1974 (as amended)

The *National Parks & Wildlife Act 1974* (NPW Act) provides statutory protection to all Aboriginal objects and Aboriginal places within New South Wales. The Department of Planning and Environment (DPE) is the State Government agency responsible for the implementation and management of this Act.

Part 6 of the NPW Act provides provision for the protection of all Aboriginal “objects” which are defined as “any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains”. Part 6 of the Act states that it is an offence to harm or desecrate an Aboriginal object or Aboriginal place, without an Aboriginal Heritage Impact Permit (AHIP).

This assessment was undertaken in accordance with the *Code of practice for the archaeological investigation of Aboriginal objects in NSW* (Office of Environment & Heritage 2010) and *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment & Heritage 2011).

6.2 The Woollahra Local Environmental Plan 2014

Section 5.10 of the Woollahra Local Environmental Plan 2014 (WLEP) provides provision for Heritage Conservation. Under the WLEP, development consent is required to demolish, move or alter the exterior of a heritage item, Aboriginal object or item within a heritage conservation area. Section 5.10(2) also makes development consent necessary to disturb or excavate an archaeological site or to build on or subdivide land that contains a heritage item.

However, it is not expected that the proposed works will impact on any Aboriginal objects or evidence of Aboriginal occupation, it is not necessary from an Aboriginal cultural heritage perspective to apply for development consent prior to the commencement of works. It should be noted that the proposed project may require development consent in respect of other elements of the proposed works.

7.0 Recommendations

The following recommendations are made in accordance with:

- The legal requirements of the *National Parks & Wildlife Act 1974* (as amended) which states that it is an offence to harm or desecrate an Aboriginal object without gaining prior consent of the Director General of the Department of Planning and Environment.
- Research into the environmental and archaeological record of the study area.
- The results of this Aboriginal heritage impact assessment which concludes that it is highly unlikely that subsurface archaeological deposits remain within the study area.

Therefore, it is recommended that:

7. There is no objection to the proposed redevelopment of 19 Darling Point Road, Darling Point on Aboriginal archaeological grounds and no further archaeological investigation is required.
8. No Aboriginal objects were recorded during the site inspection and it is not expected that any sites or subsurface deposits will be harmed during the proposed works, therefore an Aboriginal Heritage Impact Permit under Part 6 of the *National Parks and Wildlife Act 1974 (as amended)*.
9. The study area is shown on the Woollahra Municipal Council's Aboriginal Heritage Sensitivity Map as in an area of Potential Aboriginal Heritage Sensitivity. The Aboriginal Heritage Sensitivity Map does not need to be updated as a result of this assessment.
10. If during the proposed works any unexpected Aboriginal objects, midden (shell) material, rock engravings or any other evidence of Aboriginal occupation is uncovered, all work must cease in the vicinity of the suspected Aboriginal objects or evidence of occupation, and further advice should be sought from a qualified archaeologist.
11. If, in the unlikely event, any skeletal material is uncovered during the proposed works, all work must cease and the following steps be immediately undertaken:
 - g) You must not further disturb or move these remains.
 - h) You must immediately cease all work at the particular location.
 - i) You must notify NSW Police.
 - j) You must notify Heritage NSW's Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location.
 - k) You must not recommence any work at the particular location unless authorised in writing by Heritage NSW.
 - l) Any Aboriginal skeletal remains must be recorded and reported under the direct supervision of a specialist physical anthropologist.
12. A copy of this report will be submitted to the Aboriginal Heritage Information Management System (AHIMS) and the La Perouse Local Aboriginal Land Council.

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Photographs



Photograph 1: Facing west and showing the stairs leading from the front yard down to Darling Point Road. The garages are located beneath the grass.



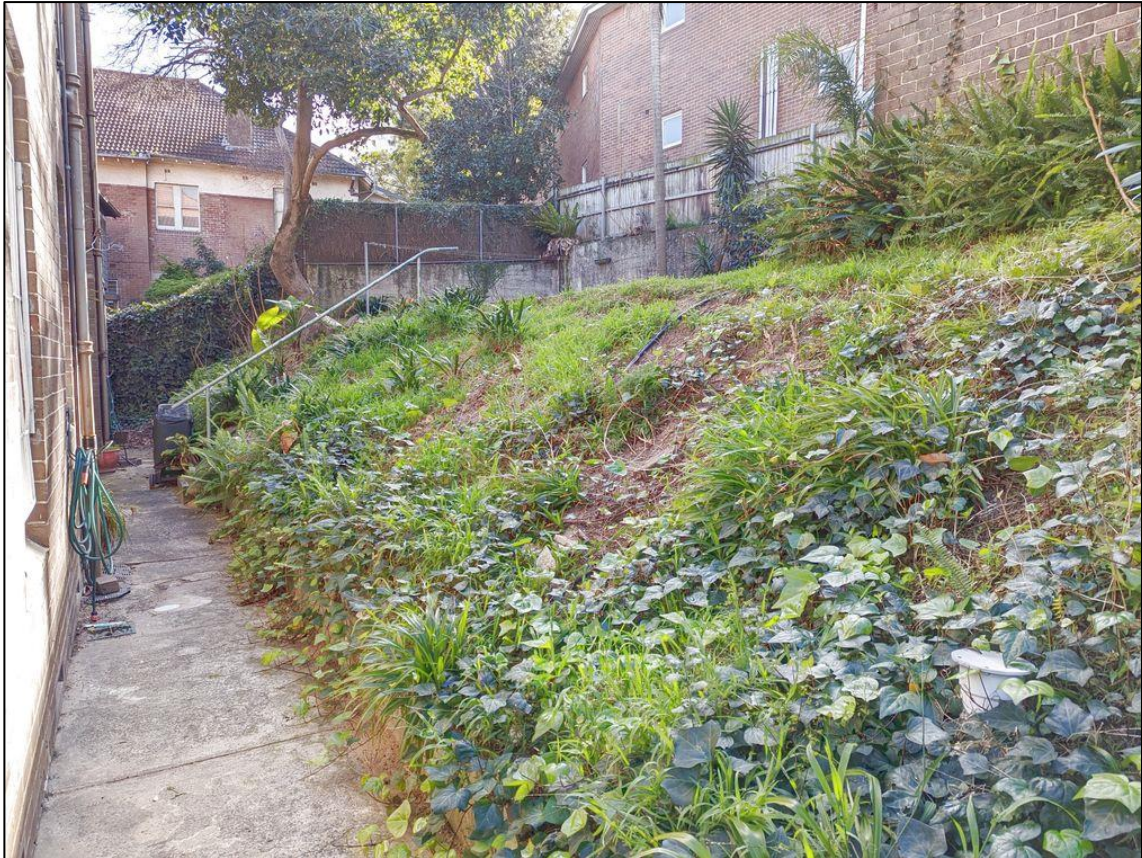
Photograph 2: Looking at the front of the residential unit building.



Photograph 3: Showing the garages which front Darling Point Road and are located under the grass of the front yard.



Photograph 4: Facing east and showing the difference in levels between the adjacent property (the grassed yard) and the study area (the concrete path), indicating that the study area has been cut and levelled.



Photograph 5: Showing the slope at the rear of the building leading up to the flat grassed area.



Photograph 6: Facing north and showing the rear of the residential unit building, the slope and the difference in levels with the adjacent property.



Photograph 7: Facing south and looking across the flat grassed area toward the brick outbuilding which will be removed as part of the proposed works.



Photograph 8: Showing the slope which leads from the flat grassed area to the rear of the residential unit building.



Photograph 9: Showing a whole snail shell on the slope in the rear yard.



Photograph 10: Showing snail shell on the slope in the rear yard.



Photograph 11: Showing fragments of snail shell and chicken eggshell on the slope in the rear yard.



Photograph 12: Showing fragments of snail shell and chicken egg shell on the slope in the rear yard.

Appendix A: AHIMS Search Results



AHIMS Web Services (AWS)
Search Result

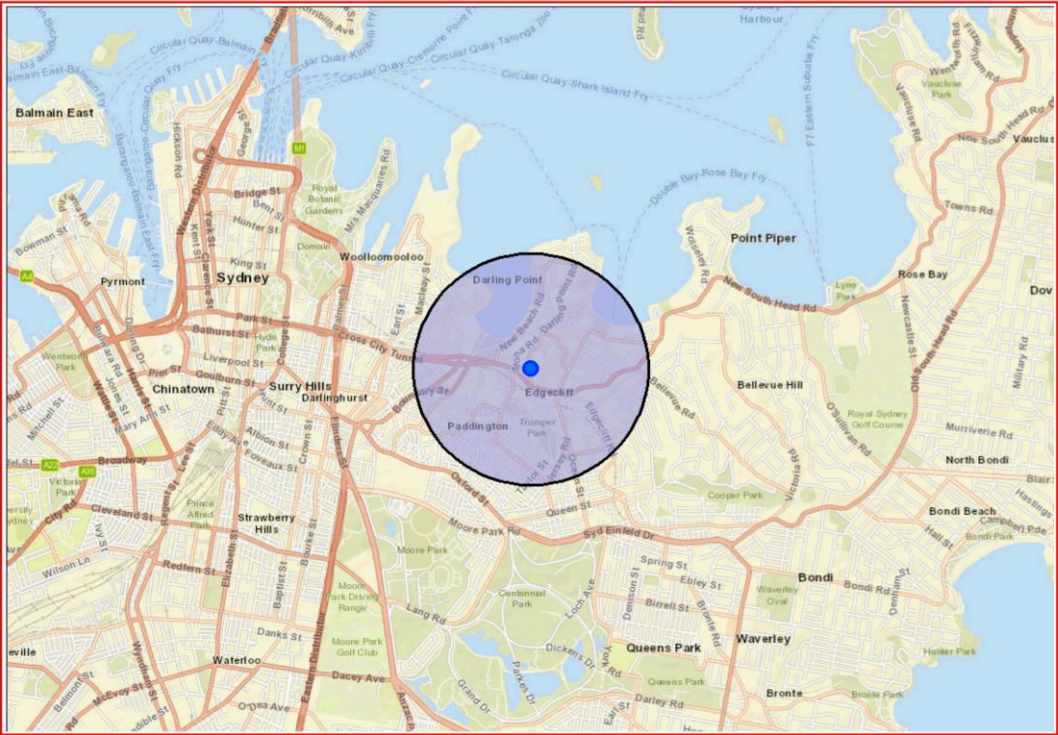
Your Ref/PO Number : Ascham
Client Service ID : 818270

Unearthed Archaeology & Heritage
PO Box 3132
REDFERN New South Wales 2016
Attention: Tory Stening
Email: info@unearthedarchaeology.com.au
Dear Sir or Madam:

Date: 10 September 2023

AHIMS Web Service search for the following area at Address : 19 DARLING POINT ROAD DARLING POINT 2027 with a Buffer of 1000 meters, conducted by Tory Stening on 10 September 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

Table with 2 rows and 1 column containing search results: 0 Aboriginal sites are recorded in or near the above location. 0 Aboriginal places have been declared in or near the above location. *

Appendix B: Emails to LPLALC

Unearthed Archaeology & Heritage <info@unearthedarchaeology.com.au>
To: admin@laperouse.org.au





To Whom It May Concern

We have been engaged to undertake an archaeological assessment of 19 Darling Point Rd, Darling Point. Would you have a site officer available on the 22nd August to undertake an inspection of the site?

With kind regards

Unearthed Archaeology & Heritage
Administration/Accounts
0410 686 309
info@unearthedarchaeology.com.au
www.unearthedarchaeology.com.au
Unearthed Archaeology & Heritage Pty Ltd

Unearthed
Archaeology & Heritage



11 August 2023 at 13:47

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