ABORIGINAL ARCHAEOLOGICAL ASSESSMENT

OXFORD FALLS RETIREMENT RESORT

OXFORD FALLS, NSW

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December 2006

Report to Tiffany Developments Pty Limited

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1.0 Project Summary

1.1 Introduction

This report has been prepared for *Tiffany Developments Pty Ltd* and presents the results of an Aboriginal archaeological survey and assessment that has been completed in partnership with the *Metropolitan Local Aboriginal Land Council* for a parcel of land located in the northern Sydney suburb of Oxford falls that is proposed for future redevelopment. The Aboriginal archaeological heritage assessment is based on two field surveys conducted in August 2004 and December 2006 which addressed the impact of the proposed development and subsequent alterations in the development plan.

The Aboriginal archaeological heritage assessment was completed to inform on any Aboriginal archaeological issues that may need to be addressed to ensure that the future redevelopment did not adversely impact upon the Aboriginal cultural heritage values of the place.

The general location of the subject site is illustrated in **Figure 1**. Bounded to the north by Weardon Road, to the east by Oxford Falls Road, to the west and south by a mix of existing residential housing and undeveloped bush-land, the precise configuration of the study area is indicated in **Figure 2**.

1.2 Development Proposal

The development concept design dated May 2006 for the proposal is illustrated in **Figure 3**. As indicated, the retirement resort will require the construction of a range of accommodation, inclusive of a Nursing Home, serviced apartments and assisted care units, leisure facilities, service infrastructure inclusive of power, water and sanitation and new access roads. The design will also incorporate areas of green open space.

1.3 Statutory Context and Controls

1.3.1 Statutory Protection for Aboriginal Heritage

Two principal pieces of legislation provide automatic statutory protection for Aboriginal heritage and the requirements for its management in New South Wales. These are the *National Parks and Wildlife Act* (1974) and the *Environmental Planning and Assessment Act* (1979). The *National Parks & Wildlife Service* (NPWS) is now part of the *Department of Environment and Conservation* (DEC).

The implications of these statutory controls (specifically the NPW Act) within the context of the current redevelopment proposal are outlined below.

1.3.2 National Parks & Wildlife Act

The *National Parks & Wildlife Act* (1974) provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the indigenous occupation of NSW) under Section 90 of the Act, and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community) under Section 84. Aboriginal objects are afforded automatic statutory protection in NSW whereby it is an offence (without the Minister's consent) to:

> *'damage, deface or destroy Aboriginal sites without the prior consent of the Director-General of the National Parks and Wildlife Service (*now the DEC*)'.*

The Act defines an Aboriginal 'object' as:

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

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.

1.3.3 Implications

Damage, destruction or removal of any Aboriginal 'places' or 'objects' is only permitted where a Permit or Consent has been issued by the Director-General of the DEC according to Sections 87 and 90 of the *NSW National Parks & Wildlife Act 1974* (as amended).

NPWS Permits and Consents are only granted where sufficient information is supplied in written form to the Director-General of the DEC from Aboriginal stakeholders, archaeologists and developers that demonstrate accuracy and transparency in the site assessment process and the good faith intended by each of these parties in applying for consent to either move, disturb and/or destroy statutorily protected objects.

Best practice advocates that development impact to documented and/or potential sites of Aboriginal cultural heritage sensitivity be avoided where practicable and/or mitigated at the minimum, and that all decisions made for either course of action be made consequent to direct guidance provided by Aboriginal stakeholders.

1.4 Scope of this Study

The objectives of the current study have been to provide an Aboriginal archaeological survey and assessment of the subject land according to the following directives.

1.4.1 Aboriginal Consultation

- To initiate consultation with the *Metropolitan Local Aboriginal Land Council* (MLALC).

- To incorporate into the assessment process of the study area the views, possible concerns and recommendations provided by the MLALC.

1.4.2 Background Research

- To undertake background research into the location and nature of any previously recorded Aboriginal archaeological sites that may be present either within the boundaries of the subject land and/or in areas immediately adjacent.
- From a review of the known archaeology of the local region, to prepare a predictive model describing the archaeological sensitivity of the subject land and to predict the potential for unrecorded sites to occur within the boundaries of the development footprint.

1.4.3 Site Survey & Assessment

- To undertake an archaeological survey of the study area in partnership with a representative of the MLALC.
- To identify and record any Aboriginal sites that may be present within the subject land and to assess their significance.
- To provide an assessment of the potential for undetected archaeological evidence to occur within the locations to be impacted by the proposed works.

1.4.4 Analysis, Evaluation and Report

- To prepare a report detailing the outcomes of the consultation undertaken with the MLALC, the results of the field survey, and an Aboriginal archaeological assessment of the study area that meets the requirements of the *NSW NPWS Aboriginal Cultural Heritage Standards & Guidelines Kit* (September 1997).
- To formulate a set of management options and recommendations that provide an appropriate framework for the ongoing protection of any documented Aboriginal sites that may be located in particular, and to guide the management of the potential archaeological resource of the subject land that may be identified in general.

1.5 Aboriginal Consultation

Following commission, Mary Dallas contacted the *Metropolitan Local Aboriginal Land Council* (MLALC) and the nature and scope of the project was discussed prior to the site being inspected. Mary Dallas and Dominic Steele undertook an archaeological field survey of the study area on the 20th of January 2004 in partnership with MLALC Sites Officer, Mr Adam Madden. The results of the archaeological survey, along with the conclusions and recommendations documented in this report, have subsequently been discussed with Mr Madden and the *Cultural Heritage Statement* prepared by the MLALC for the site that provides their views and recommendations with regards to the proposal is appended.

Mr Alan Madden, Aboriginal Sites and Education Officer with the Land Council and Chairperson of the Cadigal Native Title Claimants Organisation was contacted in November 2006 regarding the previous survey and provided an updated development plan. He participated in the December 2006 survey of Lot 1336. His report, on MLALC interests in the land, is contained in Appendix 1

1.6 Authorship

This report has been written by Dominic Steele and updated in the light of the new development proposal and additional survey by Mary Dallas.

1.7 Report Outline

This report presents the following:

- An introduction to the project (**Section 1.0**).
- A description of the environmental context of the study area including its geology, topography, vegetation and soils. This section also provides an evaluation of the existing condition of the survey area (**Section 2.0**).
- A review of the local Aboriginal archaeological context pertinent to the subject site, and a prediction of the types of archaeological evidence that may be resident within the boundaries of the land (**Section 3.0**).
- The methods employed to survey and record the subject land and the results of the site inspection (**Section 4.0**).
- A discussion of the results and conclusions that have been developed for the study area and an evaluation of archaeological sensitivity of the site relative to the proposed redevelopment. This is presented in the form of a *Statement of Heritage Impact* (**Section 5.0**).
- The provision of management recommendations that detail advice on the nature and scope of further Aboriginal archaeological requirements that may potentially be required within the context of the proposal (**Section 6.0**).
- References cited in this report (**Section 7.0**).
- Inclusion of supporting information (*Metropolitan Local Aboriginal Land Council* correspondence Appendix 1).

1.8 Summary of Results

No evidence for past Aboriginal visitation or use of the study area has been located during the current study. Namely, no midden deposits or flaked/ground stone artefacts, axe grinding grooves or rock engravings have been identified, nor do any of the trees present on the site

display any evidence for cultural modification (given that the native timber on the land is of insufficient age to possess Aboriginal scarification).

Three areas that are assessed to possess low *Potential Archaeological Sensitivity* (coded *Oxford Falls PAS 1, 2* and 3 respectively) have been identified. These comprise a sandstone scarp with overhangs situated along the north-west fringe of the study area (as indicated in **Figure 2** and **Figures 5** to **8**), and a section of a highly modified watercourse that traverses the eastern boundary of the redevelopment footprint (as illustrated in **Figures 12** and **13**) and a section of bush land in the south western corner of the study area (as illustrated in **Figures 14** and **15**). These areas do not contain any identified Aboriginal relics. Nor are they affected by the development footprint. These areas are identified as sensitive because they contain sandstone features which can contain occupation deposit or axe grinding grooves and because of the vegetation cover or partial modification have not been able to be thoroughly inspected.

No areas of definite *Aboriginal Archaeological Potential* relative to the current redevelopment proposal have been identified by the archaeologists or the *Metropolitan Local Aboriginal Land Council* in the course of completing this project.

The failure to detect any evidence for past Aboriginal use of the study area may partly be the result of the poor nature of archaeological visibility that is currently evident across the subject land (as discussed in **Section 4.0** and **5.0**). However, the results of the field inspection documented in this report nevertheless clearly demonstrate that the vast majority of the property has in the past been extensively disturbed as a consequence of the accumulated impacts associated with extensive vegetation clearance, construction activities and associated land improvements (inclusive of the creation of dams, the excavation of drainage channels, creek remediation works, the provision of access roads and horse agistment) which have in combination served to disturb sub-surface soil profiles across most of the site.

On the basis of these observations, it is therefore considered unlikely that extensive intact and *in situ* archaeological deposits or features are resident within the footprint of the proposed redevelopment. It is further considered likely that at best, any evidence for Aboriginal cultural heritage that may present within the subject land that remains undetected will comprise isolated finds and/or low density items with provenance to disturbed recovery contexts.

In conclusion, the background Aboriginal archaeological research, site inspection, analysis and assessment of the subject land undertaken for the current study indicate that:

- No *documented* Aboriginal archaeological sites or 'objects' will be affected by the proposed site works.
- The redevelopment proposal will impact upon land that display extremely high levels of disturbance associated with the establishment and ongoing occupation and use of the existing tennis centre and surrounding residential allotments.

- As illustrated in **Figure 3**, the works proposed for the north-west portion of the subject land (in Lot 1108 in particular) will be confined to existing cleared areas and will therefore not impact upon the sandstone overhang to the west that is assessed to comprise an area of low *Archaeological Sensitivity* (coded *Oxford Falls PAS 1*)
- Minor works are proposed within the vicinity of the existing channelised watercourse to the east of the study area, within Lot 1111, and will therefore have a minimal impact upon this locality that is assessed to comprise an area of low *Archaeological Sensitivity* (coded *Oxford Falls PAS 2*).
- Similarly, the works proposed in Lot 1336 is confined to the northern part of the Lot and the area of natural, albeit weed infested bush containing the sandstone bed of a creek line (coded *Oxford Falls PAS 3*) will not be affected by the proposed works.
- The remainder of study area to be affected by the redevelopment proposal is assessed to retain no archaeological potential.
- It is expected that any evidence for past Aboriginal visitation and use that may be exposed by the proposed site works will consist of isolated items of flaked stone and/or low-density distributions of artefacts will most likely be encountered within highly disturbed recovery contexts.

It is therefore evaluated that the proposed future redevelopment of the Oxford Falls site is unlikely to have an adverse impact upon the Aboriginal cultural heritage values of the place and should proceed as proposed subject to the implementation of the management recommendations that are presented in **Section 6.0**.

1.9 Summary of Recommendations

It is recommended that:

I The proposed redevelopment will not impact upon any Aboriginal archaeological sites or features and it is assessed that the *potential* for evidence of past Aboriginal use of the land to remain undetected to be low. It is concluded therefore that there are no Aboriginal archaeological constraints to the development proceeding and it is recommended that no further archaeological input is required prior to the commencement of site works should Development Consent be granted by Council.

II Should any future proposal include vegetation clearance and/or ground disturbance within the three areas identified as *PAS 1, 2 or 3*. (i.e., the sandstone scarp along the western boundary of *Survey Unit I;* that portion of the eastern creek within Lot 1111; and the bushland in the south west corner of the Lot 1336) that these activities be carried out under the supervision of the *Metropolitan Local Aboriginal Land Council*.

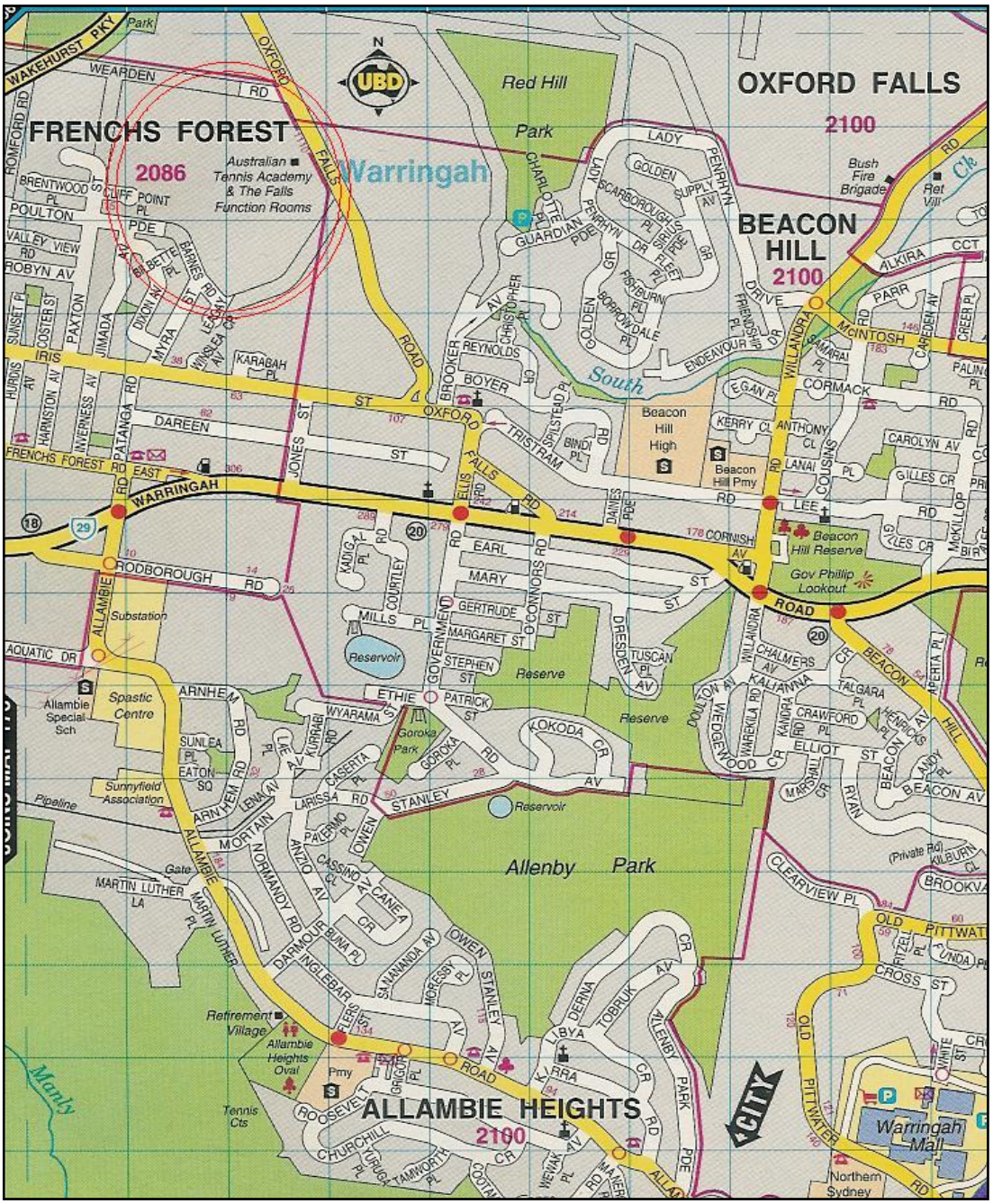

Figure 1: Site Location

Figure 2: Study Area Layout

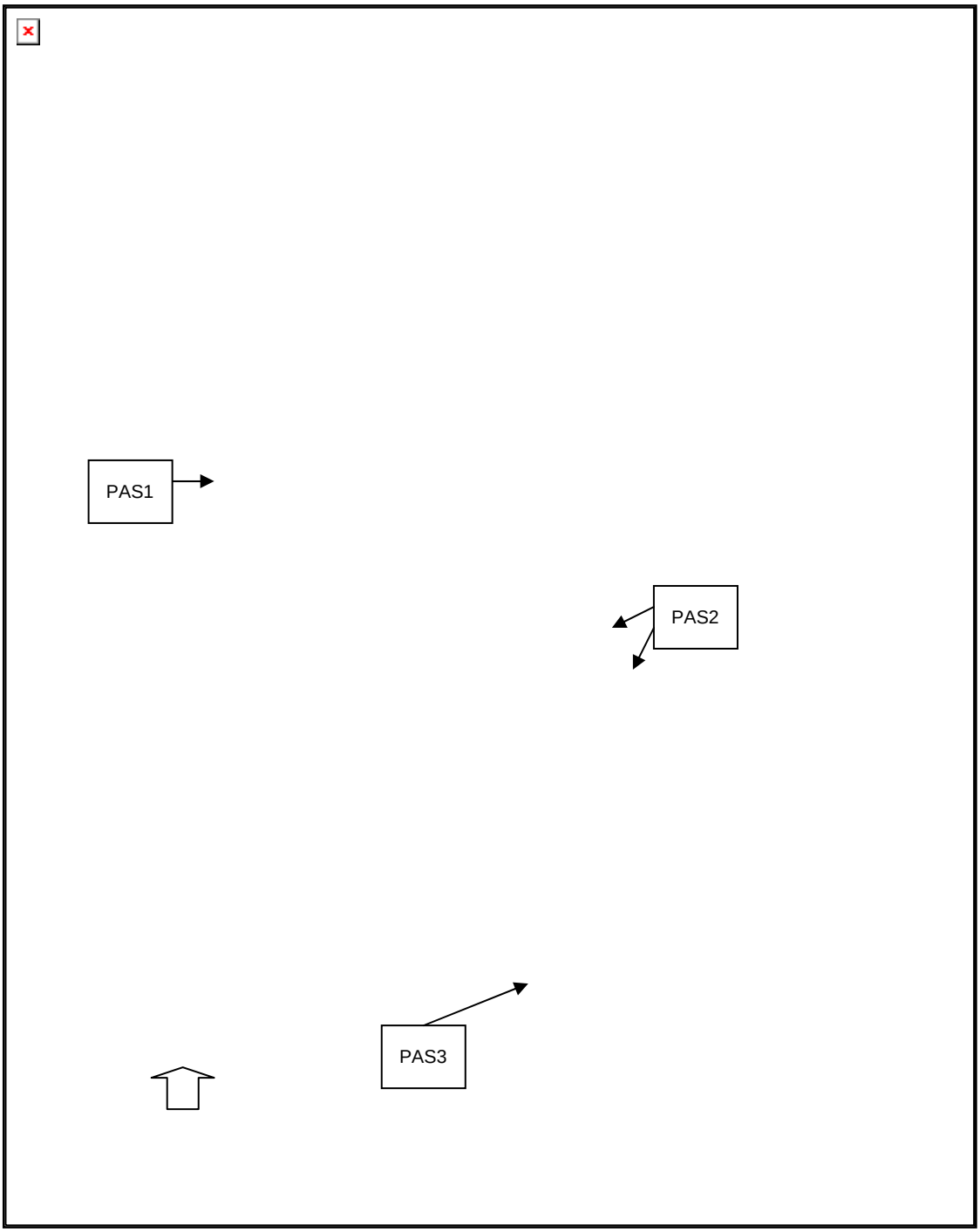

Figure 3: Development Concept Plan

2.0 Environmental Context

2.1 Site Setting and Archaeological Patterning

Ongoing archaeological research in the Sydney region indicates that the natural (pre-Contact) environment of a given area influenced not only the availability of resources to Aboriginal people in the past, but also largely determines in the present context what types of archaeological sites are likely to be located when land is inspected to assess potential Aboriginal heritage sensitivity.

The distribution and availability of resources such as drinking water, plant and animal foods, raw materials of stone, wood and vegetable fibre used for tool production and maintenance are all strongly influenced by the nature of soils, the composition of vegetation cover and the climactic characteristics of a given region. The location of different site-types (such as open campsites, middens, axe grinding grooves and engravings etc) that may occur in an area are therefore strongly influenced by factors such as these, along with a range of other associated features which are specific to different land-systems and bedrock geologies.

Likewise, the nature and extent to which a given parcel of land has been subject to impacts as a consequence of post-Contact landuse practices will also strongly define what types of Aboriginal archaeological evidence is likely to survive and its likely integrity.

Detailing the environmental context of a study region is therefore an integral procedure necessary for understanding potential past Aboriginal land-use practices and/or predicting site distribution patterns within any given landscape. The information outlined below is considered pertinent to the assessment of archaeological potential, site visibility, and likely levels of disturbance within the context of the current study.

2.2 Site Geology, Topography, Vegetation and Soils

The subject land is located in a portion of Oxford Falls that comprises a combination of two principal soil landscapes. These consist of the erosional Lambert Soil Landscape and the colluvial Hawkesbury Soil Landscape. Largely characterised by Hawkesbury Sandstone of the Triassic Period, where exposed the soils of the study area are shallow to skeletal, and a number of sandstone outcrops occur in different parts of the site as described below.

The topography across the site is variable. The central and eastern portions of the study area are in the main flat to gently sloping, and a branch of Middle Creek traverses the eastern boundary of the property that runs parallel with Oxford Falls Road. The channel and banks of the watercourse have been extensively formalised and are heavily vegetated. To the west and south of the site gradients are steeper, and are characterised by the presence of numerous sandstone outcrops.

As described below, the original native vegetation of the study area has been all but cleared, although remnant stands of immature re-growth (interspersed with weeds inclusive of lantana,

blackberry and privet) occur along the western, eastern and southern margins of the site. The central portions of the property now retain a mixed cover of low grass, introduced plantings, and built forms inclusive of tennis courts, buildings and sealed roads.

2.3 Existing Condition of the Site

As indicated in **Figure 2**, the vast majority of the study area has been extensively modified as a consequence of ongoing recreational and residential occupation. The northern and central portions of the site are dominated by the presence of the *Australian Tennis Academy & the Falls Function Rooms*. Much of the landscape in these areas has therefore been extensively impacted by building construction, the creation of tennis courts, car-parking areas and access roads. Limited areas of un-cleared vegetation remain around the fringes of this infrastructure and along the banks of the creekline that is present along the eastern site boundary.

The residential block situated to the northwest of the site (fronting Weardon Road) is generally flat and has been largely cleared, although sandstone outcrops occur to the south and west of this allotment that also extend into the block to its immediate south.

The central and southern portion of the study area comprises a number of large rural-residential blocks that retain a variety of dwellings and outbuildings and each have been subject to a range of impacts associated with past (and ongoing) landuse practices inclusive of vegetation clearance, housing construction, horse agistment (and other agricultural pursuits) and land improvement (dam construction etc). Further description of the study area is expanded upon in greater detail in **Section 4.0**.

3.0 Archaeological Background

3.1 Regional Archaeological Context

3.1.1 Aboriginal Site Types, Frequency and Survival

Over 4,000 Aboriginal archaeological sites have been located, recorded and registered with the NPWS for the greater Sydney region to date. Despite the extensive impacts that have occurred as a result of over 200 years of intensive landuse, sites have been located in all topographic contexts from ridge-top to valley floor and their range is diverse. Site types include shell middens and archaeological deposits in rock shelters and in open contexts, dry pigment, painted and engraved art in shelters, engraved images and axe grinding grooves on rock platforms, scarred and carved trees, stone arrangements, waterholes, burials, mythological sites, post-Contact historical campsites and places.

The distribution of Aboriginal sites in the Sydney region is strongly related to bedrock geology and local topographic features, including elevation and the presence of water resources. The most common site types that occur along the coastal strip are shell middens and are most often found to consist of low density scatters of shell (occasionally with some depth and hence antiquity) and may also be associated with other cultural remains such as stone tools, fish bone, hearths and burials.

In sandstone landscapes, middens are often found within rock overhangs and are frequently sited adjacent to watercourses situated close to sources of food. Other sites prevalent in sandstone country include axe-grinding grooves, painted rock art and rock engravings. The latter site type represents the most prevalent evidence for past Aboriginal occupation and use of the local landscape surrounding the study area.

3.1.2 First Occupation

Aboriginal people have occupied the greater Sydney region for at least 20,000 years. Dated rock shelter sites with evidence for first occupation occur in the Blue Mountains and its foothills that range from 15,000 and 22,000 years before present (see Stockton & Holland 1974 and Kohen et al 1984). Two dates ranging from between 10,500 to 12,000 ago have also been reported for an open camp site at Regentville (McDonald et al 1996), whilst a shelter on Darling Mills Creek at West Pennant Hills has also provided a date of a little over 10,000. Two other open campsites at Doonside (JMCHM 1999) and Rouse Hill (McDonald et al 1994) have also revealed dates ranging from between 4,600 and approximately 6,000 years ago.

The earliest coastal sites are located at Burrill Lake (dated to 20,000 years ago) and at Bass Point (dated to 17,000 years ago). Both of these sites would have been occupied at a time when sea level was much lower and the present coastline would have been an inland environment drained by streams (see Lampert 1971 and Bowdler 1970). Two other sites

dated to around 7-8,000 years before present comprise a sheltered midden at Curracurrang and an open campsite (containing a hearth) at the Prince of Wales Hospital in Randwick.

Excavated sites in the Blue Mountains (Kings Tableland) and its foothills (Shaws Creek K2 rock shelter situated along the Nepean River), along with those at Regentville and Darling Mills Creek (Darling Mills SF2 rock shelter), predate the end of the last ice age and demonstrate that Aboriginal people lived in the Sydney area throughout a period of extreme environmental change as previously described. However, most sites in the Sydney region date to within the last 5,000 years and the majority of these are dated to within the last 2,500 to 3,000 years.

Evidence suggests that the early Aboriginal occupation of the Sydney region was not intensive nor included large groups of people, and that around 5,000 to 6,000 years ago (when sea levels had stabilised at the present levels) more intensive use of the landscape by Aboriginal people began.

3.1.3 Changes in the Archaeological Record over Time

Flaked and ground stone artefacts represent the most durable form of evidence that is available for our understanding of how Aboriginal people lived in the Sydney region for over 20,000 years up to 1788 and beyond. The majority of the items people made and used during this long history from organic materials in their daily-round, the remains of the food they procured, prepared, consumed and discarded, and the art they may have created at the sites that have been investigated to date do not generally now survive.

However, a number of changes in stone tool assemblages and the use of certain types of stone used in Aboriginal tool manufacture are well documented through archaeological excavation.

Mindful that these changes in the stone toolkit are likely to have been accompanied by and/or triggered through other significant developments in the broader social, spiritual, economic and technological lives of the traditional Aboriginal occupants, the following sequence in the archaeological record is apparent.

- The earlier phases of Aboriginal occupation in the greater Sydney region are largely characterised by the presence of large cores and scraper tools (using a range of stone types, some of which display relatively poor predictability for making a finished item) and this appears to be followed by the addition of a variety of smaller and remarkably manufactured backed implements to the toolkit previously dominated by larger tools at around 5,000 years ago in the Sydney region and up to 8,000 years ago in the Hawkesbury region (Attenbrow 2002).
- Ground edge hatchets (using many types of metamorphic river-terrace cobbles and pebbles) first appear in the archaeological record in southeast Australia around 4,500 years ago.

- Following a gradual period of increase in the presence of backed artefacts between approximately 5,000 years ago and 3,500 years ago, their production appears to have increased markedly over the next two thousand years (ibid).
- By around 1,500 years ago the smaller backed forms appear to have gone out of use and excavated assemblages in the Sydney coastal region are characterised by quartz bi-polar artefacts (a specific tool manufacture technology directed toward best using a small and very-hard stone resource) and more opportunistic or undifferentiated small tools (see for example McCathy 1948, Megaw 1965, Lampert 1971 and Wright 1977).
- Artefacts made by Aboriginal people from shell, bone, wood and other non-durable material as observed at Contact by European's were also used in the past but these items have not survived in the archaeological record beyond those collected by the early Sydney European colonists. Of particular note is the appearance of shellfish hooks and stone files in the archaeological record from around 900 years ago.

3.2 Local Archaeological Context

3.2.1 AHIMS Aboriginal Archaeological Site Search

Background research into archaeological investigations previously completed within the region surrounding the study area was undertaken prior to the commencement of the current Aboriginal archaeological survey and assessment program. Sources accessed included the *NSW AHIMS Aboriginal Sites Register,* the *DEC Catalogue of Archaeological Reports*, and other secondary sources.

This research initially indicated that one previously recorded Aboriginal rock engraving (comprising two separate groups of motifs) was *potentially* present within the boundaries of the subject land and hence could possibly be impacted upon by the development proposal.

However, as discussed below, relocation and accurate plotting of this site (*NPWS # 45-6-1273 & 2274*) during the field survey (using a GPS as opposed to AMG grid coordinates) demonstrates that the site occurs well outside of the proposed development footprint and will therefore remain unaffected by future development works.

3.2.2 Previous Research in the Local Landscape

A number of archaeological surveys have been undertaken within the suburbs surrounding the study area including Beacon Hill, Cromer, Frenchs Forest, Belrose and Duffy's Forest. An *AHIMS Search* of an area of land surrounding the Oxford Falls study area measuring approximately 4km by 4km (E335000 – E339000 and N6263000 – N6267000) indicates that a total of 47 sites have been registered.

Rock engravings are the predominate site type recorded (68%), following rock shelters with art and/or occupation deposits (21%), with single occurrences of axe grinding grooves, stone arrangements, waterholes/wells, open campsites and isolated finds also being listed. The

brief discussion below reviews the evidence available for the principal site type documented for the local context.

3.2.3 Nature and Variation in Sydney Engraved Art Sites

It is currently estimated that over 800 separate engraved rock art sites (that consist either of individual motifs and/or multiple figures) survive within the broader Sydney region. Many more no doubt remain to be located in Sydney's north, especially within the *Garigal* and *Ku-ring-gai National Parks* and adjacent bush-land, in so far as few systematic archaeological investigations of these areas have been undertaken to date.

Many of the surviving engravings are now faded and/or disturbed. However, a number of early colonial descriptions of the numerous engraved figures that were observed to occur on the rock platforms that abounded in the Sydney region at Contact are available that provide insights into the nature of the artistic landscape that was occupied by the traditional Aboriginal owners in 1788. For example, Governor Phillip wrote in May of that year (quoted in Attenbrow 2002:146).

> *'In Botany Bay, Port Jackson and Broken Bay we frequently saw the figures of men, shields and fish roughly cut on the rocks; and on the top of a mountain I saw the figure of a man in the attitude they put themselves in when they are going to dance, which was much better done than I had seen before, and the figure of a large lizard was sufficiently well executed to satisfy every one what animal was meant.'*

George Angas provides another description dating from the 1840s that indicates the continued survival of these sites a half century later (ibid).

> *'I refer to their carvings in outline, cut into the surface of flat rocks in the neighbourhood, and especially on the summits of the various promontories about the harbours of the coast. Although these carvings exist in considerable numbers, covering all the flat rocks upon many of the headlands overlooking the water.... After examining the flat rocks in every direction, we found sufficient examples of these singular outlines to confirm at once the opinion that they were executed by the aboriginal inhabitants; but a t what period, is quite uncertain.'*

The numbers of figures present at rock engraving sites in the region ranges from single items to over 150 and have been created predominantly in a style known as *'Simple Figurative'* where motifs are simple outlines, sometimes in-filled. The types of implements used to create engravings is not known, although it is likely that a range of materials were used as engraving tools including sharp pieces of bone, wood and stone. The range of engraved motifs at sites in the Sydney region is diverse and includes:

- Human figures and footprints (mundoes).
- Anthropomorphs (human-like composite figures).

- Land mammals (including kangaroos/wallabies, dingos, wombats, echidnas, koalas, possums, gliders etc) and their tracks.
- Marine animals (including fish, sharks, whales, eels, dolphins, turtles, stingrays and jellyfish).
- Items such as axes, shields, spears, clubs, fishing lines and canoes.

Whilst it is unclear as to what the rock engravings of the Sydney region originally symbolised, in the light of nineteenth century descriptions of initiation ceremonies and totemic associations, many engraved figures could be interpreted as having being produced in a spiritual or religious context (ibid:148).

Most images in the local context are generally homogenous in style and technique. However, some regional stylistic variations are nevertheless evident. For example, McMah (1965) identified a trend along the coast from north to south in the way kangaroos were depicted. In the north, all kangaroos have a single foreleg, hind-leg and ear whereas in the south a high proportion (90%) has two forelegs and hind-legs and ears. The boundary separated the land to the north of Botany Bay from that to the south and correlates with the historically recorded boundary between the *Dharawal* language group and the coastal *Darug*.

None of the engraved figures on rock platforms in the Sydney district have been directly dated. However, a number of studies argue that the Simple Figurative engravings around Sydney are between 5,000 and 200 years old. There are no engraved images of sailing boats, bulls or other European subjects indicating that engravings were not made after colonisation.

3.3 An Archaeological Predictive Model

Predictive models of site location attempt to identify areas of relative archaeological sensitivity (high, moderate and low etc) as a tool that can be used for assessing largely modified land and for the planning and management of identified Aboriginal sites within redevelopment circumstances.

Predictive models are generally based upon information sources such as the types of landscape units that may be contained within a study area, the results of previous archaeological surveys conducted within the region, the distribution of recorded sites and known site densities, traditional Aboriginal land use patterns and the known importance of any parts of a given study area to the local Aboriginal community.

Based upon information compiled within the *AHIMS Aboriginal Sites Register*, and the background data for the local archaeological context reviewed above, the types of sites which may be expected to occur within the boundaries of the study area are outlined below and are hierarchically ranked from most likely to least.

- Rock Engravings: The distribution of engraved sites relates to the occurrence of suitable outcrops and surfaces common in sandstone formations. A considerable

number of Aboriginal engraving sites are known to occur in the local region. Engravings can occur in groups with numerous depictions, or single depictions on level sandstone platforms, ledges or small rock exposures.

Many engraving sites in Sydney's north remain to be located because of the prevalence of bush land that remains, and because the nature of vegetation cover over previously exposed sandstone surfaces is known to change remarkably over relatively short periods of time.

- Axe Grinding Grooves: These are grooves which result from the manufacture and/or maintenance of the working edge of some stone tools such as hatchets. They may be found where suitable sandstone is exposed in, or adjacent to, creeks or on elevated platforms where wet-grinding techniques are possible adjacent to natural rock holes and shallow 'basins'.

  As for rock engravings, axe/hatchet grinding grooves may occur in large 'clusters' that serves to facilitate their ready recognition, or may conversely comprise isolated items that are difficult to detect within certain light conditions.

- Rock Shelters with Art and/or Deposit: These sites will in most cases occur within sandstone overhangs of a size suitable for sheltered occupation or use during inclement weather. Painted and stencilled art is generally observed upon suitable surfaces of the roof or walls of a shelter/cave (although it may be obscured by patination etc), whilst 'sub-floor' occupation deposits may be covered by archaeologically sterile materials associated with roof-fall and ongoing deposit accumulation over time.

- Scarred or Carved Trees: These sites are the result of bark or wood removal to make shields, shelter, canoes containers or carving designs into the exposed wood. Carved trees which often display geometric patterns incised into the wood are believed to be markers of burial grounds or important places.

  These sites have rarely survived early timber clearance, bush fires and timber cutting. The definite ascription of scarring on a tree to an Aboriginal origin is not always possible. Europeans often removed bark for roofing material and stock watering troughs. Other scars may be the result of surveyor and miner blazes, lightning strikes or cockatoo pecking. Unless the tree is at least 100 years old the scarring is unlikely to have an Aboriginal origin.

- Open Camp Sites and Middens: These sites are likely to occur on dry relatively flat landforms along or adjacent to both major and minor watercourses. However, repeatedly or continuously occupied sites are more likely to be located on elevated ground situated at principal creek confluences.

  Open campsites and midden deposits may contain stone artefacts and/or durable food remains such as animal and fish bone or shell. Surface scatters of artefacts may

be the result of mobile hunting activities, whilst single or low density occurrences might relate to tool loss, tool maintenance activities or abandonment. These types of sites are often buried in alluvial or colluvial deposits and only become visible when subsurface sediments are exposed by erosion or disturbance.

4.0 Site Inspection

4.1 Methods

4.1.1 Site Survey and Recording

The investigations reported here have involved a standard archaeological field survey, recording and assessment of the subject land. Parallel transects spaced between 10-20m have been employed to cover the full survey area on foot.

All items of Aboriginal cultural heritage that may be located during the course of the field survey were to be recorded and plotted onto the pertinent 1:25,000 topographical map and superimposed upon the development concept plans. Maps of differing scale have also been used to facilitate the location of pertinent field observations. Photographic records, sketch plans and diary descriptions have also been compiled as part of the field records.

Generally, reporting has been concerned with topography (whether sites, features or areas of potential archaeological sensitivity are located on slopes or flats etc), context, vegetation, ground exposures, the nature of ground visibility and the presence and extent of disturbance.

The distinction between site categories (open campsites vs isolated finds etc) and the definition of areas of potential sensitivity is determined according to the following categories:

- Isolated Finds consist of single artefacts that are located more than 50m apart.
- Sites comprise open artefact scatters that consist of two or more artefacts situated within 50m of each other.

The following attributes of each stone artefacts that may be located during these investigations are to be recorded:

- Artefact Type: This category records the presence of items such as flakes, flaked pieces and cores etc.
- Raw Material: Raw materials may include silcrete and indurated mudstone etc.
- Dimensions: Maximum length, width and thickness of finds are to be recorded.
- Other: Comments include the presence of cortex and retouch etc.

4.1.2 Assessment of Archaeological Potential and Sensitivity

Frequently used criteria inclusive of landform, aspect, topography and subsurface integrity have been employed in this study to define areas of *Potential Archaeological Deposit* (PAD). Within the context of the current project no areas of PAD were identified. PAD's, if likely to be impacted upon by development usually require further investigation to determine whether or not they are Aboriginal sites. For example a sheltered overhang or open area with potentially artefact bearing deposit would require test excavation to determine the presence or absence of archaeological material.

Archaeologically sensitive areas (PAS) are areas which demonstrate the physiographic features often associated with certain sorts of Aboriginal sites. In the current context these features would include sandstone overhangs of sufficient size (length, width and headroom), nature (flat and rubble-free floor etc) and aspect (exposure to prevailing weather etc) to provide adequate shelter for at least one person, and other sandstone features which may have been used to sharpened edge ground tools such as hatchets. Three areas were identified as potentially archaeologically sensitive (PAS) in the study area. These are not sites and no further immediate investigation of these areas is required.

Recognition, ascription and recording of scarred trees as being potentially of *definite*, *probable*, or *possible* Aboriginal origin is based upon the assessment criteria summarised by Navin Officer (1997).

4.1.3 Survey Units

For the purposes of recording and evaluating the various field observations made during the current study, the site has been divided into three separate *Survey Units.* For convenience, these have been defined according to the layout proposed redevelopment impact layout that is illustrated in **Figure 3**. The three survey units comprise the following:

- *Survey Unit I:* This survey unit encompasses the northern half of the study area and comprises the land currently occupied by the tennis centre infrastructure, along with the residential allotment that is situated immediately to the west and northwest. Namely, it encompasses Lots 1100 and 1108 in DP752038.
- *Survey Unit II:* This survey unit encompasses the central portion of the study area and comprises the land currently occupied by the large rural-residential allotments that will be affected by the proposal. Namely, it encompasses Lot 20 in DP842523, Lot 80 in DP846099 and Lots 1111 and 1113 in DP752038.
- *Survey Unit III:* This survey unit comprises the northern part of Lot 1336 in DP752038 that is the location of the proposed Nursing Home, access road and car park. This Lot contains a residence, stables, horse yards and a large dam. Two watercourses which flow through this Lot are canalised or redirected. Upstream of the dam the creek course consists of a sandstone bed containing numerous rock pools and deep sections. The creek course and banks have been affected by increasing silt loads.

4.2 Field Survey

4.2.1 Field Observations in Survey Unit 1

As illustrated in **Figure 2**, much of the central and eastern portions of this survey unit (Lot 1110 in DP752038) display high levels of disturbance. The eastern portion of *Survey Unit I* (adjacent to Oxford Falls Road) is dominated by the presence of a graded and sealed access

road and car-park, along with the various buildings and formalised lawns and garden areas that are associated with the existing tennis centre. Further to the west, the landscape has been extensively modified by grading and excavation works that have been undertaken for the construction of the tennis courts and their associated sun shelters.

To the west of the tennis courts, the majority of the adjacent allotment (Lot 1108 in DP752038) has been largely cleared of its original vegetation and now retains a low cover of maintained lawn that displays a small number of minor outcrops of sandstone indicated in **Figure 4**. The majority of these outcrops measure less than 2m by 2m in maximum dimension, are in the main smooth to relatively coarse in texture, and have clearly been impacted upon in the past as evidenced by the presence of machine tine-marks on their surfaces. This portion of the site has also been used for some period of time for horse agistment purposes.

As further indicated in **Figure 2**, considerable potions of the north-western block in *Survey Unit I* have been graded and levelled in the past with the house and outbuildings located towards Weardon Road in particular being set a little below ground surface within an excavated building footprint. A drainage channel is also present in this locality that runs along a north-south orientation and provides a boundary between the cleared lawn area and the fringing vegetation to the immediate west.

A view looking west from the cleared paddock to the more extensive sandstone formations that occur along the western boundary of the redevelopment footprint is illustrated in **Figure 4** and **Figure 5**. An indicative view of the nature of the immature vegetation that occurs along the base of this sandstone outcrop (that partly screens its vertical face that is up to 6m in height), along with that which is present upon its flat to rounded 'roof' is also illustrated.

Indicative views of the size and nature of a relatively small sandstone overhang that occurs along the face of this rock outcrop is provided by **Figures 6** to **8.** It measures approximately 20m in length, up to a maximum of 2.2m in height, and extends for a total depth from back wall to drip-line of 1.5m. Whilst the rear wall of the overhang is generally smooth (although stained), the roof is variously pitted to honeycombed, is extensively mineral and water stained and retains areas of wasp nest and algal growth. The floor of the overhang consists of bare and exposed sandstone as well as jumbled roof-fall materials within a yellow orange sandy matrix. The floor is currently covered by a dense layer of leaf litter and low grass. The coordinates of this sandstone overhang are as follows; E337537 – N6264903.

A disused low rectangular (water storage?) feature also occurs at the base of the sandstone face to the north of the above overhang that measures approximately 20m by 10m by 8m that is constructed of a coke and mixed aggregate matrix faced in concrete. Largely obscured by vegetation, the coordinates of this feature are as follows; E337524 – N6264944.

4.2.2 Field Observations in Survey Unit 1I

Much of Lot 20 in DP842523 displays extensive levels of disturbance as a consequence of ongoing housing and road construction, vegetation clearance, landscaping, and rubbish dumping. The existing condition of this allotment is illustrated in **Figure 2**.

One small exposure of sandstone was located in this portion of the site that retains a number of natural circular rock pools. Illustrated in **Figure 9**, this rock outcrop measures approximately 5m by 5m and has been modified for the construction of an adjacent low retaining wall and a drainage channel, and is in turn surrounded by jumbled sandstone refuse, building materials and extensive stands of weeds. The coordinates of this sandstone outcrop are as follows; E337555 – N6264830.

Lot 80 in DP846009 likewise retains limited integrity as a consequence of ongoing rural-residential occupation and use. The northern quarter of the allotment has recently been subject to machine works that is evidenced by windrows of stockpiled vegetation and spoil, along with extensive furrowing. The remainder of the property is also largely cleared, retains a maintained low grassy lawn and a house, outbuildings and has been subject to a number of additional land improvements including the excavation of a dam.

Indicative views of this portion of the study area are provided by **Figures 10** and **11**. The latter illustration also provides an indication of the cleared nature of Lots 80, 1113 and 1111 and the east west road alignment that bisects these properties leading to Oxford Falls Road.

The low-lying, cleared, maintained and formalised nature of Lot 1111 (looking west) is illustrated in **Figure 12**. The previously noted access road highlighted in **Figure 11** is indicated in the background of this figure. The channelised nature of the creekline that traverses the eastern boundary of the study area, along with sapling re-growth that fringes its banks, is likewise illustrated in both **Figures 12** and **13**.

4.2.3 Field Observations in Survey Unit III

Survey Unit III comprises a largely cleared rural residential allotment. Except for a small triangular pocket of bush land flanking a creek in the south western corner the land is extensively modified and developed for horse pasture and stabling. The Lot contains a dam, dressage training area, a series of stables and manager's cottage (see **Figures 16** and **17**).

The creek line which traverses the eastern boundary of the Lot is channelised and flanked by exotic plantings. The creek draining the scarp to the west of the Lot, courses over sandstone ledges and platforms and contains rock and deep pools before being dammed and redirected to the north east (see **Figures 14** and **15**). The creek flanks are weed infested including a variety of exotics such as privot, lantana, fish fern, honeysuckle, ginger and bull rush.

4.2.4 Summary

The central and eastern portions of *Survey Unit I* (Lot 1110 in DP752038 as illustrated in **Figure 2**) display extremely high levels of disturbance as a result of the construction of a car-

parking area, tennis courts and a range of buildings. The sub-surface profiles in these localities have been heavily modified as a consequence of grading and excavation works, and now present themselves as a series of hard surfaces and formal garden arrangements. These portions of the site are therefore assessed to retain no archaeological potential.

The majority of the north-western block of *Survey Unit I* has been cleared in the past, and has also been graded and levelled for the dwelling that occupies this block along with other land improvements. On the basis of these observations, this portion of *Survey Unit I is* assessed to retain little to no archaeological potential.

However, a small sandstone overhang occurs along the face of a rock outcrop that fringes the western edge of this survey unit (as illustrated in **Figures 5** to **8**). This sandstone overhang displays no evidence for art (on its ceiling or rear wall) or occupation deposit beneath its drip-line. However, mindful that the majority of the floor area below the overhang is currently obscured by a combination of roof-fall materials and leaf litter, this locality is assessed to represent an area of low *Potential Archaeological Sensitivity.* It is possible but is nevertheless considered unlikely that faint traces of art and/or *Potential Archaeological Deposit* (PAD)[1] remain undetected in this locality. This overhang has been coded *Oxford Falls PAS 1* for the purposes of this report.

The majority of *Survey Unit II* (see **Figures 9** to **13**) displays extensive levels of disturbance as a consequence of ongoing residential occupation and use. The accumulated impacts associated with housing and road construction, vegetation clearance, landscaping, and rubbish dumping indicates that the southern half of the study area retains limited to no archaeological potential.

The watercourse that traverses the low-lying eastern fringe of this survey unit has been highly modified as a result of works undertaken to formalise and stabilise its banks and channel, and as a result this section of the creek retains little of its original natural values. This portion of the site is therefore considered to comprise an area of *Low Potential Archaeological Sensitivity* with a limited likelihood for undetected axe grinding grooves and/or archaeological deposits to survive. This creek line within Lot 1111 is coded *Oxford Falls PAS 2.*

The majority of Survey Unit III (see **Figures 14**- **17**) is cleared and developed for horse pasture, yards and stabling. The eastern creek course in this Lot is heavily modified and lined with flame trees. The creek draining the western portion of this Lot courses over a sandstone bed with high ledges and platforms before being channelised and redirected to the east of a residence on an adjoining property.

[1] See Section 4.1.2 for a discussion of the difference between PAS and PAD.

4.3 Results of the Site Inspection

4.3.1 Survey Outcomes

No evidence for past Aboriginal visitation or use of the study area has been located during the current study. Specifically:

- None of the horizontal sandstone outcrops that occur in certain portions of the study area to the west of the proposed development area (particularly to the north-west and central-west of *Survey Unit I* and in the south western corner of *Survey Unit III*) display any evidence for sheltered occupation deposit, axe grinding grooves or rock engravings.
- Likewise, no midden deposits or flaked/ground stone artefacts have been identified across the site, nor have any other stone materials of 'foreign' origin that are known to have been commonly utilised by Aboriginal people to manufacture stone tools have been found. The highly disturbed nature of the northern, central, eastern and southern portions of the study area serves to explain these observations. The eastern boundary of the subject land is also flat to gently sloping (through which a branch of Middle Creek runs that is coded *Oxford Falls PAS 2*) and has been extensively modified through past creek remediation activities.
- Furthermore, none of the few indigenous trees that are present within the western, southern and eastern fringes of the study area display any evidence for cultural modification, and in this regard, the timber in these localities is assessed to be of insufficient age to possess Aboriginal scarification.
- Finally, excluding the three areas of low *Potential Archaeological Sensitivity* noted above (sandstone overhang and creek lines) that are illustrated in **Figures 5** to **8** and **12** to **15**, no other *specific* areas of Aboriginal archaeological potential relative to the current development proposal have been identified by the archaeologists or the *Metropolitan Local Aboriginal Land Council* in the course of completing this project.

4.3.2 Evaluation of the Survey Results

The failure to detect any evidence for past Aboriginal visitation and/or use of the study area may partly be the result of the poor nature of archaeological visibility that is currently evident across the survey area. Ground visibility (exposure) is uniformly poor across much of proposed redevelopment footprint and is estimated to provide an effective survey coverage within the order of 5% or less. The principal exposures occur in the form of the vertical and horizontal sandstone outcrops that are largely confined to the north-west and central-west areas of *Survey Unit I* and the south western part of *Survey Unit III*, along with minor erosion scours and ground disturbances that are present in parts of *Survey Unit II*.

The survey area nevertheless comprises a parcel of land that has in the past been extensively disturbed as a consequence of the accumulated impacts associated with extensive vegetation

clearance, construction activities and associated land improvements (inclusive of the creation of dams, the excavation of drainage channels, creek remediation works, the provision of access roads and horse agistment) which have in combination served to disturb sub-surface soil profiles across the site.

On the basis of these observations, it is therefore considered unlikely that extensive intact and *in situ* archaeological deposits or features are resident within the footprint of the proposed redevelopment. It is further considered likely that at best, any evidence for Aboriginal cultural heritage that may present within the subject land that remains undetected will comprise isolated finds and/or low density items with provenance to disturbed recovery contexts.

Figure 4: Sandstone Outcrops in Survey Unit 1 (Lot 1108)

Figure 5: Sandstone Formation to the West of Survey Unit I (Lot 1108)

Figure 6: Indicative View of Sandstone Overhang in Survey Unit I (South)

Figure 7: Indicative View of Sandstone Overhang in Survey Unit I (South)

Figure 8: Indicative View of Sandstone Overhang in Survey Unit I (North)

Figure 9: Rock Pools in Survey Unit II (Lot 20)

Figure 10: Indicative View of Survey Unit II (Lot 80)

Figure 11: Indicative View of Survey Unit II (Lots 80, 1111 & 1113)

Figure 12: Indicative View of Survey Unit II (Lot 1111)

Figure 13: Indicative View of Creekline in Survey Unit II (Lot 1111)

Figure 14: Creek and sandstone formations in south western corner of Lot 1336

Figure 15: Creek bed south western corner of Lot 1336

Figure 16: Channelised Creek line in Survey Unit III (Lot 1336)

Figure 17: View to northeast over horse and dressage paddocks

5.0 Heritage Impact Assessment

5.1 Impact of the Proposed Development

The background Aboriginal archaeological research, site inspection, analysis and assessment of the subject land undertaken for the current study indicate that:

- No *documented* Aboriginal archaeological sites or 'objects' will be affected by the proposed site works.
- The redevelopment proposal will impact upon land that display extremely high levels of disturbance associated with the establishment and ongoing occupation and use of the existing tennis centre and surrounding residential allotments.
- As illustrated in **Figure 3**, the works proposed for the north-west portion of the subject land (in Lot 1108 in particular) will be confined to the existing cleared areas of the allotments and will therefore not impact upon the sandstone overhang to the west that is assessed to comprise an area of low *Archaeological Potential* (coded *Oxford Falls PAS 1*).
- Similarly, the works proposed in Lot 1336 is confined to the northern part of the Lot and the area of natural, albeit weed infested bush containing the sandstone bed (coded *Oxford Falls PAS 3*) of a creek line will not be affected by the proposed works.
- Minor works are proposed within the vicinity of the existing channelised watercourse to the east of the study area and will therefore have a minimal impact upon this locality that is assessed to comprise an area of low *Archaeological Sensitivity* (coded *Oxford Falls PAS 2*).
- No specific areas of *Potential Archaeological Deposit* (PAD) relative to the proposal have been identified in the course of preparing this heritage impact statement.
- It is expected that any evidence for past Aboriginal visitation and use that may be exposed by the proposed site works will consist of isolated items of flaked stone and/or low-density distributions of artefacts.
- Any potential Aboriginal 'objects' that may be impacted upon by the proposal are likely to be encountered within disturbed recovery contexts.

5.2 Evaluation

It is therefore concluded that the proposed future redevelopment of the Oxford Falls site is unlikely to have an adverse impact upon the Aboriginal cultural heritage values of the place and should proceed as proposed subject to the implementation of the management recommendations that are presented in **Section 6.0**.

6.0 Recommendations

6.1 Basis for Recommendations

The following recommendations are based upon the legal requirements and automatic statutory protection provided to Aboriginal 'objects' and 'places' under the terms of the *National Parks and Wildlife Act of 1974*, where it is;

> *an offence to knowingly damage, deface or destroy Aboriginal sites or relics without the prior consent of the Director General of the National Parks and Wildlife Service,*

in conjunction with;

the results of the archaeological investigations of the subject land which are documented in this report;

and;

the views expressed by the *Metropolitan Local Aboriginal Land Council* as outlined within their appended correspondence.

6.2 Recommendations

It is recommended that:

I The proposed redevelopment will not impact upon any Aboriginal archaeological sites or features and it is assessed that the *potential* for evidence of past Aboriginal use of the land to remain undetected to be low. It is concluded therefore that there are no Aboriginal archaeological constraints to the development proceeding and it is recommended that no further archaeological input is required prior to the commencement of site works should Development Consent be granted by Council.

II Site works proposed for the western boundary of *Survey Unit I* should be confined to the existing cleared areas and all efforts should be made in the future to avoid impact upon the sandstone overhang sited further to the west that is assessed to comprise an area of *Low Archaeological Sensitivity* (coded *Oxford Falls PAS 1*).

III Should any additional vegetation clearance and/or ground disturbance be required adjacent to the sandstone outcrop that is present along the western boundary of *Survey Unit I,* or of the bushland located in the southwest corner of *Survey Unit III* that these activities be carried out under the supervision of the *Metropolitan Local Aboriginal Land Council*.

IV A copy of this report should be forwarded to the Manager:

Central Aboriginal Heritage Unit
Department of Environment and Conservation
PO Box 1967

Hurstville NSW 2220

V A copy of this report should be forwarded to:

The Chairperson
Metropolitan Local Aboriginal Land Council
PO Box 1103
Strawberry Hills NSW 2012

7.0 References

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Appendix 1

1. Metropolitan Local Aboriginal Land Council Cultural Heritage Statement dated 20.1.2004 referring to 2004 archaeological survey
2. MLALC Correspondence regarding 2006 development proposal.

METROPOLITAN LOCAL
ABORIGINAL LAND COUNCIL

PO Box 1103 Strawberry Hills NSW 2012
~~Telephone: (02) 9267 2985 • Fax: (02) 9267 8564~~
Email: metrolalc.@acon.com.au

PH: [illegible]
FAX: [illegible]

Mr Sid Londish
Tiffany Developments Pty Ltd
11C/70 Alfred Street
Milsons Point, NSW, 2061

RE: Proposed Oxford Falls Retirement Resort at Oxford Falls Road
Aboriginal Archaeological Survey

Dear Sid,

The *Metropolitan Local Aboriginal Land Council* (MLALC) Sites Officer *Adam Madden* undertook an inspection of the proposed Oxford Falls Retirement Resort on the 20th of January with Mary Dallas and Dominic Steele (on behalf of *Mary Dallas Consulting Archaeology*).

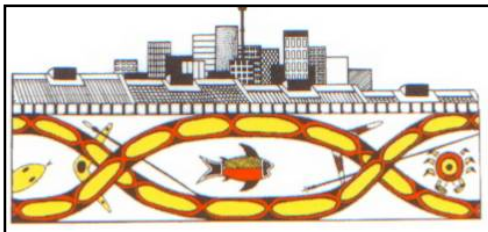
No Aboriginal sites were identified during the survey. Two areas of low potential sensitivity were observed. These consist of a small sandstone overhang on the western edge of the proposed development and a section of the eastern creek line. It is our understanding that these areas occur outside of the areas where future are proposed.

The land surveyed was generally found to be extensively disturbed from past clearing, landscaping and construction and these recordings indicates that any potential sites previously present on the land have since been destroyed or highly disturbed.

The Land Council has read the report by Dominic Steele and Mary Dallas and supports the recommendations it presents. We therefore consider that there are no further Aboriginal works needed before the development of the land proceeds and no further Aboriginal input is required. We would however like to be advised in advance if works disturb the western sandstone platform and monitor any earthworks.

Yours Sincerely,

Allen Madden
(MLALC Cultural and Education Officer)



METROPOLITAN LOCAL ABORIGINAL LAND COUNCIL

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

Mr Sid Londish,
Tiffany Developments Pty Limited
11C/70Alfred Street,
Milsons Point NSW 2061

8.12.06

RE : Proposed Oxford Falls Retirement Resort at Oxford Falls Road
2006 Archaeological Survey

Dear Mr Londish,

We refer to the archaeological assessment of your land in 2004 and the current development 2006 development proposal.

On Thursday 7th December we assisted in an additional survey of a block of land which is part of the 2006 development proposal but was not part of the 2004 development plan. This land is referred to as Lot 1336 DP 752038. and will be impacted by the construction of a Nursing Home. The survey found no Aboriginal cultural items to be present on this Lot because of the past disturbance and development of the bulk of the land. We have no objections to the proposed development on this Lot. However a small area of natural bush land is located in the western end of the block. The area contains a natural watercourse with sandstone platforms and waterholes. The 2006 development plan shows no impacts on this part of the Lot, but if in the future earthworks are planned which might impact this area of natural bush, we would like to be notified and enabled to monitor such works.

We remind you of our recommendation that we would want monitor any earthworks that might disturb the western sandstone platform of Lot 1108 and be advised in advance if such works are proposed.

Apart from these concerns we have no objection to the 2006 development plan.

Yours sincerely,

Alan Madden
(MLALC Cultural and Education Officer)