



## ARCHAEOLOGICAL & HERITAGE MANAGEMENT SOLUTIONS

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8 October 2010

Our ref: 100805-1

**Mr Jim Neale**

1 Avon Road

Pymble

NSW 2073

Dear Mr Neale,

**RE: Aboriginal Heritage Advice - 1, 1A & 5 Avon Road, 4 & 8 Beechworth Road and 1 Arilla Road, Pymble, NSW**

### Introduction & Scope of Assessment

In August 2010, Archaeological and Heritage Management Solutions Pty Ltd (AHMS) was engaged by Mr Jim Neale (the proponent) to provide a preliminary Aboriginal heritage assessment for a proposed residential development site in Pymble, NSW (**Figure 1**). The assessment was requested by the NSW Department of Planning, which is currently assessing the development proposal for the site, in its letter of 11 February 2009 to the proponent.

This letter summarises AHMS' findings and identifies the potential risk of Aboriginal archaeological resources surviving at the site. The letter also recommends ways to manage Aboriginal heritage 'risk' and values in relation to the proposed development.

### Limitations

The advice contained in this letter is based on a field survey and a review of background information supplied by the proponent. The advice has been provided without the benefit of consultation with Aboriginal stakeholders. Consequently, certain site characteristics could not be determined with certainty, importantly, intangible cultural values.

While this document provides Aboriginal heritage management advice, it does not conform to the Department of Environment, Climate Change and Water's (DECCW) (1997) *Aboriginal Cultural Heritage Standards and Guidelines Kit* or (2004) *Interim Community Consultation Requirements for Applicants*.

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#### HISTORIC & ABORIGINAL HERITAGE MANAGEMENT

• SURVEY & ASSESSMENT • CONSERVATION PLANNING • STRUCTURAL RECORDING • EXCAVATION & ANALYSIS

## Proposed Development Area

The site of the proposed development (the proposed development area) is located in Pymble, NSW 2073. This location is within Ku-ring-gai Municipal Council boundary. It consists of the following land (as shown in **Figure 2**):

- 1 Avon Road- Lot 1, DP 583803;
- 1A Avon Road- Lot 2 DP 583803;
- 5 Avon Road- Lot 2 DP 205504;
- 4 Beechworth Road- Lot 1 DP 403072;
- 8 Beechworth Road- Lot 3 DP 403072; and
- 1 Arilla Road- Lot 7, DP 15541.

## The Proposal

The proposal involves the demolition of dwellings located at 1 and 5 Avon Road, and the construction of five complexes of residential unit blocks with basement garages.<sup>1</sup>

The ‘footprint’ of the proposal covers most of the site with the exception of the southwest corner of 1A Avon Road.

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<sup>1</sup> Rappoport Conservation Architects and Heritage Consultants, December 2009. Statement of Heritage Impact. Proposed Demolitions: 1 Avon Road, Pymble and 5 Avon Road Pymble: 50

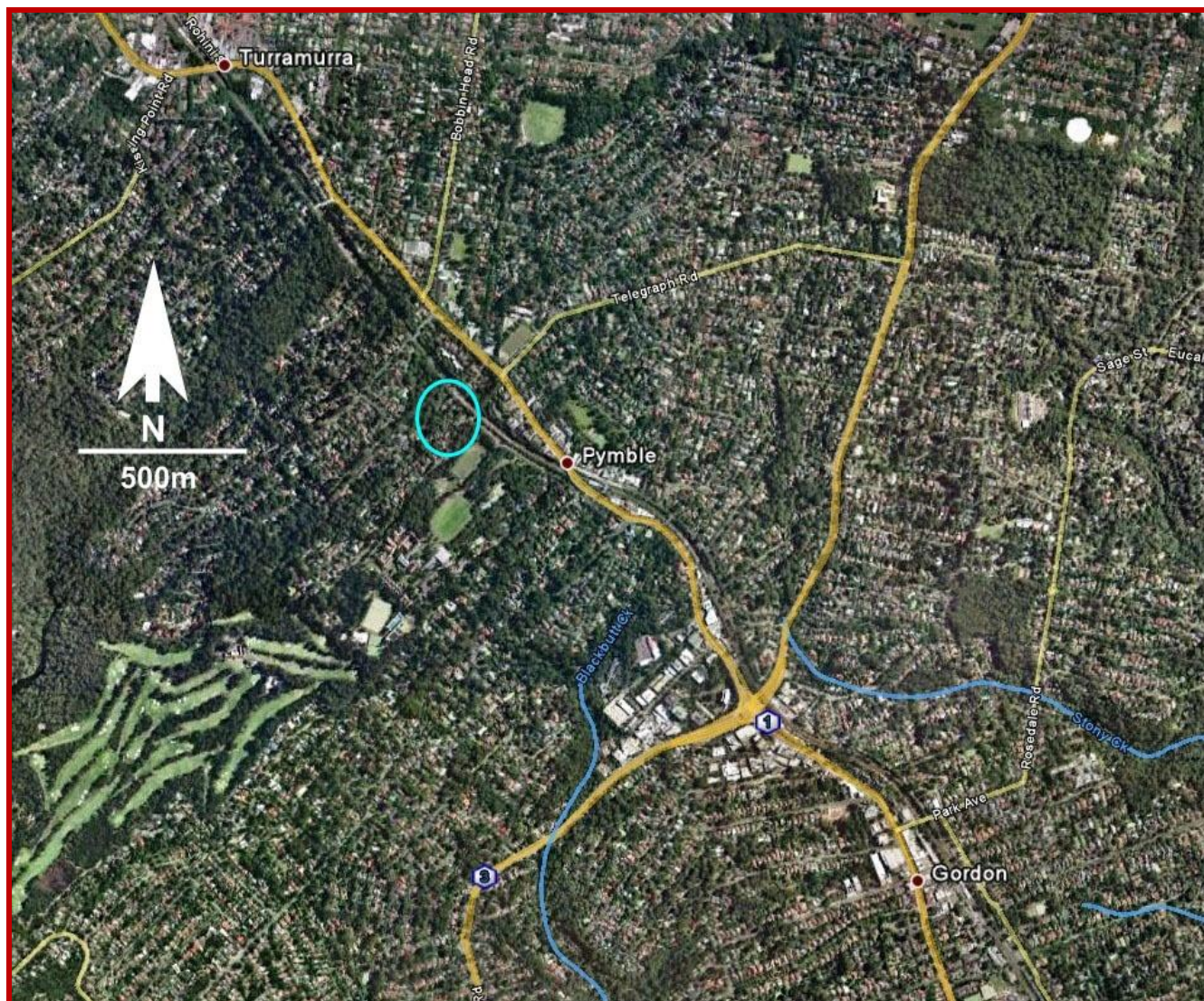


Figure 1. Proposed development area (circled in blue) in local context.

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- SURVEY & ASSESSMENT
- CONSERVATION PLANNING
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- EXCAVATION & ANALYSIS



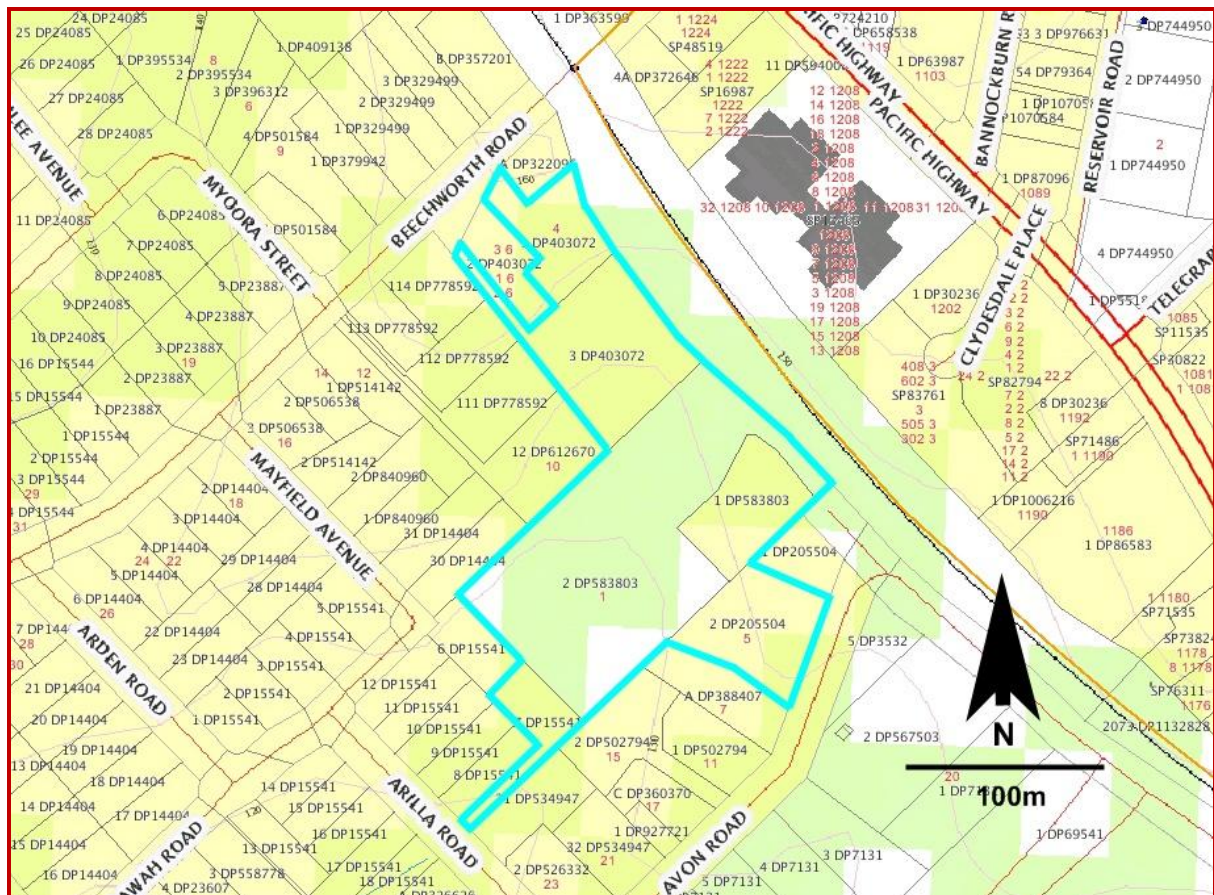


Figure 2. Proposed development area: detail of cadastral boundaries. Site outlined in blue (Source: NSW Land and Property Management Authority- SixViewer).

## Statutory Context

The *Environmental Planning and Assessment Act 1979 (EP&A Act)* establishes the statutory framework for plan making and planning approvals in NSW. The assessment and determination of the Development Application for the Proposal is to occur pursuant to Part 3A of the Act which was established to provide a streamlined development assessment and approval process for major and critical developments for the State.

Part 3A provides for *Concept Approvals* and *Project Approvals*. Otherwise applicable State and local heritage legislation is not affected in Concept Approval contexts alone, but they are suspended in Project Approvals contexts. This means that separate approvals, normally required under certain pieces of NSW heritage legislation (including the *National Parks & Wildlife Act 1974* with regards Aboriginal objects and places), are not required in addition to a Part 3A *Project Approval*.

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Aboriginal community consultation is usually required under the Part 3A process for full Aboriginal Heritage Impact Assessments (AHIAs). However, it is understood in this instance it was not sought nor undertaken, as a desk-top assessment only was required.

## Site Background

The proposed development area has a southwesterly aspect, and is situated among rolling to steep hills.<sup>2</sup> It is located on the upper slopes of two ridges that run roughly along Beechworth Road, and Avon Road.<sup>3</sup> Between the ridges is a drainage gully some 3 to 4m deep. The angle of slope between the ridges and the gully varies from 8 to 30 degrees.<sup>4</sup>

At the northwest boundary of 1 Arilla Road, the drainage gully connects, via a culvert, to a first order tributary of the Lane Cove River<sup>5</sup> (**Figure 1**). Other nearby water sources include Blackbutt Creek, some 750m to the southeast, and Stony Creek, which is approximately 1.5km to the southeast (**Figure 1**).

The Soil Conservation Service of NSW soil maps and information indicate the proposed development area is likely to be prone to localized seasonal waterlogging<sup>6</sup>, and that the soils in the northern edge of the proposed development area are likely to be part of the West Pennant Hills Soil Landscape, while those downslope are part of the Glenorie Soil Landscape.<sup>7</sup> Both soil landscapes are characterized by colluvial red and brown podsolic soils up to 200cm deep, the underlying geology being Ashfield Shale of the Wianamatta Group. The geology includes fine to medium grained lithic quartz sandstone. The slopes are likely to have been subject to mass movement processes in the past, although the soil profiles are typically stable at present.

Based on discussions with the client and historical photographs, the site has been cleared of remnant vegetation historically, as is evident from the 1943 aerial photograph (**Figure 3**). Currently, the proposed development area supports a number of native and exotic vegetation species. The dominant tree species appear to be Sydney blue gums (*Eucalyptus saligna*), turpentine (*Syncarpia glomulifera*), brushbox (*Lophostemon confertus*) and

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<sup>2</sup> Chapman, G.A. and Murphy, C.L., 1989. *Soil Landscapes of the Sydney 1:100 000 Sheet*. Soil Conservation Service of NSW, Sydney: 68

<sup>3</sup> Jeffery and Katauskas, 3 November 2009. Report to Mr Jim Neale on Geotechnical Assessment for Proposed Multi-Story Development at 1, 1A & 5 Avon Road and 4 & 8 Beechworth Road, Pymble, NSW: 3

<sup>4</sup> Jeffery and Katauskas 2009 *Op. cit.* p.3

<sup>5</sup> *Ibid.* p.6

<sup>6</sup> Chapman and Murphy 1989 *Op. cit.* pp.51, 71

<sup>7</sup> *Ibid.* p.49

jacaranda (*Jacaranda mimosifolia*).<sup>8</sup> It has been advised to AHMS that some of the older Sydney blue gums were planted during the 1930's occupation of the site.<sup>9</sup>

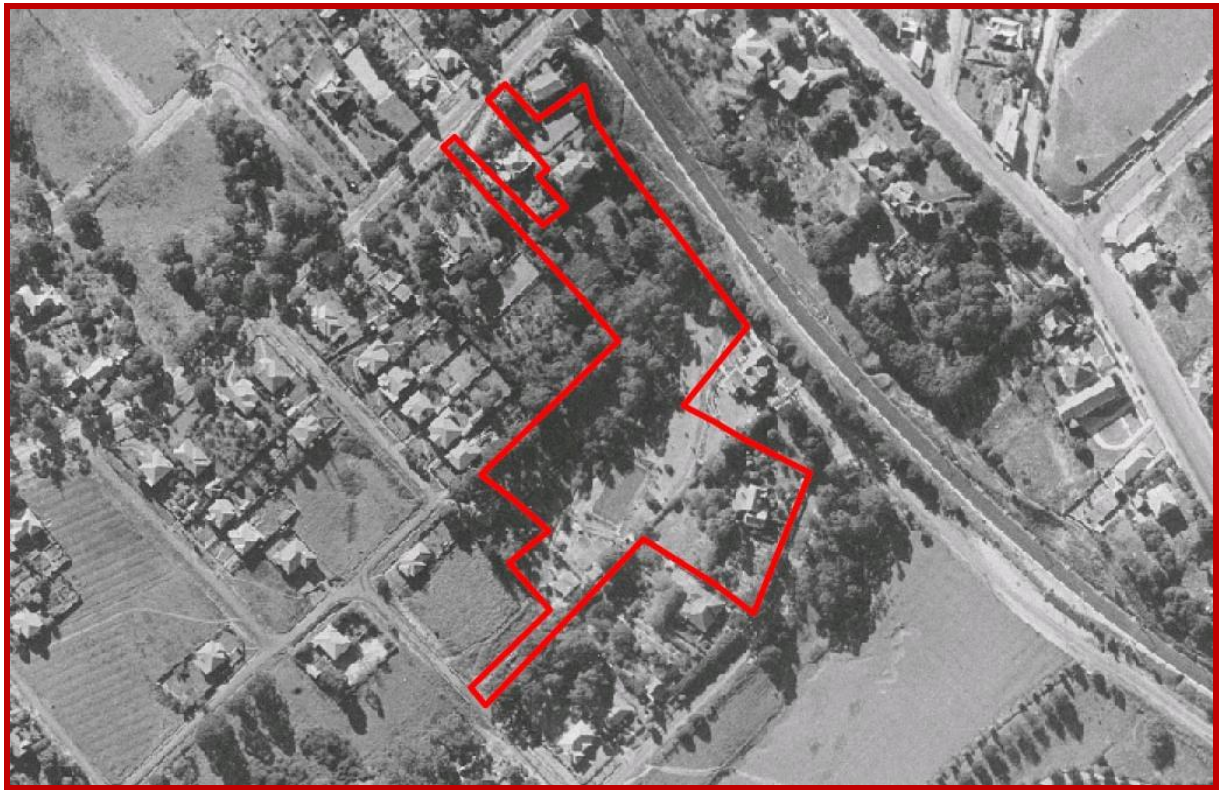


Figure 3. 1943 aerial photograph of the approximate proposed development area (outlined in red). (Source: Aquila Ecological Surveys, 2009).

## Disturbance

The first apparent form of disturbance to the proposed development area is land clearance. It is unclear when this was initiated, however, by the mid 1850s, parts of it were an orange and apricot orchard.<sup>10</sup> It is suggested that it was also used as a dairy farm in the late 1800s.<sup>11</sup> Aquila Ecological Surveys states that:

*The site currently has a number of dwellings and a disused tennis court on it with a large area of weed-infested vegetation around the central*

<sup>8</sup> Urban Tree Management, 22 April 2002. Arboricultural Assessment Report: 1 & 5 Avon Road, 1 Arilla Road, 4 & 8 Beechworth Road, Pymble. Report prepared for Department of Planning.

<sup>9</sup> Urban Tree Management 2002 *Op. cit.* p.5

<sup>10</sup> Rappoport 2009 *Op. cit.* p.11

<sup>11</sup> Aquila Ecological Surveys 2009 *Op. cit.* p.1



*drainage line. This has been cleared in the late 1800s to make way for dairy farming and orchards.*<sup>12</sup>

This statement indicates that the area around the drainage line was cleared. It is not certain that the whole proposed development area was cleared at this time. Dairy farming would have resulted in disturbance due to trampling by cattle.

The proposed development area has also been subject to landscaping for residential gardens, particularly 1 and 1A Avon Road.<sup>13</sup> This involved cutting and filling soil profiles to create terraces. There is also a disused tennis court at 1 Avon Road, the construction of which involved a large cut into the side of the slope.<sup>14</sup> An unreferenced source provided in Aquila Ecological Surveys 2009 Flora and Fauna report states the following:

*Old survey plans indicate the whole of the site was cleared in the past for the purpose of landscaped gardens.*<sup>15</sup>

While it is possible that this means that the original vegetation across the whole site was removed, it is not made clear whether any plants were retained at that time. The timing of the “clearing” is not mentioned. Moreover, the above statement is not consistent with page one of the same report, which states:

*The whole of 1 and 1A Avon Road was developed in the 1930s as an exotic landscaped garden and lawns by the Dent family who also owned the Northern Suburbs Crematorium.*<sup>16</sup>

The above statement seems to imply that only 1 and 1A Avon Road were cleared. As a result, it cannot be ascertained from the sources provided, whether any of the original vegetation remains within the proposed development area.

In recent times the area has been primarily used as residential, supporting a number of dwellings over the years, several demolished and some extant.<sup>17</sup>

## Identified Aboriginal Sites

The results of a 27 May 2010 search of the DECCW AHIMS database was supplied by the proponent for the desk-top assessment. The search parameters indicate that it covered

<sup>12</sup> Aquila Ecological Surveys 2009 *Op. cit.* p.1

<sup>13</sup> Aquila Ecological Surveys 2009 *Op. cit.* p.1

<sup>14</sup> Aquila Ecological Surveys 2009 *Op. cit.* p.5

<sup>15</sup> Aquila Ecological Surveys 2009 *Op. cit.* p.8

<sup>16</sup> Aquila Ecological Surveys 2009 *Op. cit.* p.1

<sup>17</sup> Rappoport 2009 *Op. cit.*

an area of 1km by 0.8km, in and around the subject site. The AHIMS search results identified one registered site (AHIMS # 45-6-2937) within its search curtilage. This result, however, appears to be an error. Investigation of the coordinates for the site and its site card reveals that it is in Hunters Hill, a number of kilometers to the south of the AHIMS search area.

While a new AHIMS search was not undertaken, other registered sites are likely to be nearby. One is AHIMS site #45-6-1078. This site is located near Stony Creek, Gordon, some 2.25km to the southeast of the proposed development area. It is a rockshelter with rock art. It is also understood that Ku-ring-gai Council undertook an Aboriginal heritage study in 1988 and that many sites were identified throughout the local government area.

One pertinent study that can assist to establish the cultural landscape context for the subject site, however, was undertaken by Attenbrow at Mangrove Creek in 2006. While located some 40km north of the proposed development area,<sup>18</sup> Mangrove Creek is within the Sydney Basin and has similar terrain to the subject site. Attenbrow's study gives a good description of the likely types of Aboriginal sites that can occur on certain similar landforms across the Sydney Basin.

Attenbrow found that the landforms that tend to be associated with Aboriginal archaeological sites are ridge tops, valley bottoms and ridge sides.<sup>19</sup> The largest density of identified Aboriginal archaeological sites was located in valley bottoms.<sup>20</sup> Fewer sites were located on ridges or ridge sides, which is the landform of the subject site and proposed development area.<sup>21</sup> The majority of the archaeological deposits identified were between 10 and 60cm below the existing ground surface.<sup>22</sup>

## Field Survey

On 17 September Anna Biggs undertook a site inspection for the purpose of inspecting trees to check for cultural modification. Although thick weeds covered large sections of the properties, they were each traversed on foot and inspected. The vast majority of trees on the site appeared to be young regrowth. Larger trees stood out as there were very few of them. The two largest trees, one in the middle of the property at 1A Avon Road, and one adjacent to the car port at 8 Beechworth Road were carefully inspected, and appeared to be devoid of cultural markings. No other cultural modifications were identified on any other trees in the study area.

<sup>18</sup> Attenbrow V., 2006. What's Changing, Population Size or Land-Use Patterns? The Archaeology of Upper Mangrove Creek, Sydney Basin, *Terra Australis* 21. ANU, Canberra.

<sup>19</sup> Attenbrow 2006 *Op. cit.* p.52

<sup>20</sup> Attenbrow 2006 *Op. cit.* p.78

<sup>21</sup> Attenbrow 2006 *Op. cit.* p.78

<sup>22</sup> Attenbrow 2006 *Op. cit.* p.86



## Archaeological Potential and Significance

Given the nature of the subject site's surrounding area, it was considered that there would be potential for the following site types to be identified within the proposed development area, subject to disturbance and land use history:

- Modified trees (dependent on the presence of old growth trees); and
- Stone artefacts.

The proposed development area, however, has been subject to a high degree of disturbance in the past, including vegetation clearance, revegetation, cut and fill for landscaping, and trampling by cattle. Consequently, while the background review identified the potential for stone artefacts to have once been located at the site, it is considered that the likelihood of these site types occurring within the proposed development area in undisturbed contexts is low. Some isolated artefacts may be found in fill or disturbed soils profiles, but they would be of compromised heritage value.

Personal communication with Paul Burcher of Aquila Ecological Surveys (31 August 2010) indicates that the Sydney Blue Gums on the site are not likely to be more than 100 years old. This is consistent with the findings of the field survey. Moreover, given the steepness of the slopes within the proposed development area, the likely seasonal waterlogging and the lack of rock overhangs sufficient for shelter, it is considered that the site would not have been an attractive for Aboriginal people in the past to occupy when compared with other nearby landforms.

## Aboriginal Heritage Impact

The proposed development could affect any Aboriginal objects that may exist or survive within the proposed development area (which is considered unlikely), in the following ways:

1. Substantial excavation and the removal/ disturbance of most of the remaining topsoil within the proposed development area would be required. This has the potential to disturb or damage Aboriginal objects. Although it is considered that there is little potential for Aboriginal objects to survive within the proposed development area in their original depositional context, the development works could reveal disparate objects in previously disturbed soil profiles; and
2. Although the southwest portion of 1A Avon Road would not be affected by the 'footprint' of the proposal, it may be impacted by construction works. Although it is considered that there is little potential for Aboriginal objects to be identified

within the proposed development area in their original depositional context, the development works have the potential to disturb or damage objects in this area.

## Recommendations

The following recommendations take into consideration limitations of the approved scope of assessment work for this study, and the field survey and limited background and historical information regarding the proposed development area that was made available by the proponent. They are based on the findings of this report only. Further research and analysis may indicate that the report and the following recommendations may require adjustment:

1. No additional Aboriginal archaeological investigation of the proposed development area appears to be warranted prior to the development; and
2. If any Aboriginal objects are exposed during construction works, all works should immediately cease, and a suitably qualified archaeologist should be consulted for advice.

Yours sincerely,



Lisa Newell  
Associate Director