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9 March 2011

Our ref: 100923-1

Graham Nicholas
General Manager
NBRS and Partners Pty Ltd
Level 3, 4 Glen Street
Milsons Point, NSW 2061

Re: Preliminary Aboriginal Heritage Preliminary Assessment Report - 74-76 Belmore Street, Ryde

Dear Graham,

In late 2010, Archaeological and Heritage Management Solutions Pty Ltd (AHMS) was commissioned by NBRS and Partners Pty Ltd to undertake a preliminary Aboriginal heritage assessment of 74-76 Belmore Street Ryde. As the site will be redeveloped under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the preliminary assessment addresses the requirements of the Part 3A *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation Step 1 - Preliminary Assessment* (Department of Environment and Conservation July 2005). The main purpose of a preliminary assessment is to identify whether there are Aboriginal cultural heritage values associated with the site.

Key Issue 9 of the Director General's Requirements for the Achieve Australia Concept Plan of 16 September 2010, requires that an assessment be undertaken in accordance with the 2005 Guidelines. It also requires that adequate community consultation be undertaken where it is likely that the project will impact on Aboriginal heritage.

The preliminary assessment (attached as Appendices 1 and 2 to this letter, identified that there were no known or potential Aboriginal sites, places or cultural values associated with the site and that further Aboriginal heritage investigation and/or impact assessment was not warranted because:



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1. The subject site has been heavily disturbed as a result of its land use history and the impact of the current structures, services and landscaping.
2. The site has extensive areas of previous cutting/excavation, filling and landscape modification which would have removed and/or destroyed any Aboriginal archaeological deposits or objects that may have once been located there;
3. No Aboriginal objects/sites or landscape features of interest were identified in the subject site;
4. Neither of the two local Aboriginal stakeholder groups, including the Metropolitan Local Aboriginal Land Council consulted during the course of study, identified that there were Aboriginal cultural or heritage values or issues associated with the site; and
5. Although a few old trees were located within the subject site, none appeared to exhibit evidence of Aboriginal cultural modification. Most of the trees on the subject site appeared to be cultural plantings and have been regularly trimmed.

Appendix 1 presents a matrix of questions and answers about the site, its archaeological context and the impact of the proposed development. Appendix 2 provides the background information that informed the assessment. Together, they form the preliminary assessment.

For ease of reference and to introduce more specificity and rigor into the preliminary assessment than is required by the 2005 Guidelines, the matrix at Appendix 1 generally follows the question and answer format outlined in the Department of Environment, Climate Change and Water (DECCW) (2010) *'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'*.

If you have any further questions or enquiries, please contact Anna Biggs on 02 9555 4000.

Yours sincerely,



Lisa Newell

Associate Director

Appendix 1: Preliminary Aboriginal Heritage Assessment - Proposed Development at 74-76 Belmore Street, Ryde

Table A4-1. Preliminary Aboriginal Heritage Assessment for 74-76 Belmore Street Ryde (after DECCW 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales' 2010)

Question #	Question	Explanation	Response for the project	Requirement	Reasons for Response in Relation to this Project
1	Will the activity disturb the ground surface or any culturally modified tree?	Will the proposed development impact the ground surface (e.g. excavation, digging, grading, etc) and/or modified trees (e.g. vegetation removal)?	Yes No	Continue to Question 2. AHIP not required. Proceed with caution. If any Aboriginal objects are found, stop work and notify DECCW. If human skeletal remains are found, stop work, secure the site and notify the NSW Police and DECCW.	The proposed works would involve the construction of blocks of units, including the excavation of two levels of below ground car parking as well as associated landscaping and services ¹ .
2	Are there any: a) relevant confirmed site records or other associated landscape feature information on AHIMS that relate to the study area? and/or	This question requires a search of DECCW's AHIMS database, which lists known Aboriginal objects/sites/places and landscape features of interest.	Yes No	Continue to Question 3. Continue to Question 2b.	A Search of the DECCW AHIMS database on 18 October 2010 indicated that no registered Aboriginal sites are located within the subject site (Figure 2-1-2) The AHIMS database search revealed that two registered sites are located within half a kilometre of the subject site (Table 2-1-2). Both are located along the banks of the Parramatta River, to the south of the subject site; one is a rock engraving in a small rock overhand; the other is a midden with one associated red silcrete artefact. These sites are not associated with any report(s).
	b) other sources of information of which you are already aware? and/or	This question requires a review of previous reports or other sources of information for the study area to identify any previous areas of archaeological or cultural interest. Informal Aboriginal consultation may be considered to address this question.	Yes No	Continue to Question 3. Continue to Question 2c.	A recent historic heritage report identifies that the site was initially used for residential purposes, with single story dwellings on large lots, and that part of the subject site was used for orchards ² . Since the 1943 aerial photograph (Figure 2-3-4), was taken, larger multi-story buildings have been constructed on the subject site (Figures 2-3-5 and 2-3-6). The 1943 aerial also identifies a large open grassed area that remains largely the same today (Figure 2-3-6) which could potentially be an area of low disturbance (and so contain surviving Aboriginal cultural material). In the 1970s the construction of a swimming pool heavily disturbed a small section of the northwest portion of the site ³ (Figure 2-3-7). A review of this report by the Metropolitan Local Aboriginal Land Council and the Parramatta City Council Aboriginal and Torres Strait Islander Advisory Committee did not result in the identification of any Aboriginal cultural or heritage issues or values associated with the site.
	c) landscape features that are likely to indicate the presence of Aboriginal objects?	The Due Diligence guidelines identify a number of landscape	Yes No	Continue to Question 3. Based on this answer and answers to Questions 2a and 2b, AHIP not required. Proceed with caution. If any Aboriginal	The subject site is situated within low to rolling hills (Figure 2-2-3) and slopes gently upwards from northwest to southeast. The gradient is approximately 5-10 degrees. The nearest water source is the Parramatta River, located some 330 m

¹ NBRS and Partners, 19 August 2009. Masterplan Sketch, Belmore Street, Meadowbank for the AC Foundation.

² *ibid* p.10

³ *ibid.* p.12

		features, which are of archaeological interest and require further consideration. Specifically: <ul style="list-style-type: none"> • within 200m of waters, or • located within a sand dune system, or • located on a ridge top, ridge line or headland, or • located within 200m below or above a cliff face, or • within 20m of or in a cave, rock shelter, or a cave mouth • and is on land that is not disturbed land. <p>Further definitions on these landscape features are provided in the guidelines.</p>		objects are found, stop work and notify DECCW. If human skeletal remains are found, stop work, secure the site and notify the NSW Police and DECCW.	southwest of the subject site (Figure 2-2-3). The river is salt to brackish and tidal in that location. The subject site is located within the Glenorie Soil Landscape ⁴ . This consists of friable dark brown loams overlying hardsetting brown clay loam on top of a variety of clays ⁵ . These overlie Winanamatta Group Shales, which include some lithic-quartz sandstone. Chapman <i>et al.</i> ⁶ show that this soil landscape extends to the Parramatta River, indicating that sand dunes are absent from this section of the river (sand dunes in Parramatta are known to contain Aboriginal artefacts and cultural material). No stone outcrops were identified within the subject site. Most of the observed soil was identified either as clay (the topsoil having been stripped away) or as sandy fill.
3	Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	This question is a summary of Questions 1 and 2 above and is only required if undisturbed and/or Aboriginal objects have been identified. This question requires consideration of the project's ability to avoid these areas.	Yes No	Continue to Question 4. AHIP not required. Proceed with caution. If any Aboriginal objects are found, stop work and notify DECCW. If human skeletal remains are found, stop work, secure the site and notify the NSW Police and DECCW.	No Aboriginal heritage sites have been registered or identified within the subject site. The subject site does not appear to contain any landforms that are likely to contain Aboriginal objects, according to the Code. The subject site appears to have been heavily disturbed. It is, therefore considered that the development has low potential to impact any Aboriginal objects or sites.
4	Does a desktop assessment	This question is only	Yes	Continue to Question 5.	No Aboriginal heritage sites were indentified during the site inspection.

⁴ Chapman, G.A., C.L. Murphy, P.J. Tille, G. Atkinson and R.J Morse, 1989. *Soil Landscapes of the Sydney 1: 100 000 sheet*. Soil Conservation Service of NSW: Sydney.

⁵ Chapman, G.A., C.L. Murphy, 1989. *Soil Landscapes of the Sydney 1: 100 000 sheet*. Soil Conservation Service of NSW: Sydney, pp. 68-71.

⁶ Chapman, G.A., C.L. Murphy, P.J. Tille, G. Atkinson and R.J Morse *Op. cit.*

	and visual inspection confirm that there are Aboriginal objects or that they are likely?	required if site is undisturbed and/or retains Aboriginal objects This question is a collation of Questions 1 - 3 and requires consideration of the whole study area, not just areas of interest (if present). A site inspection and subsequent considerations by a qualified representative is also required. When referring to the Code, this question can be divided into two main parts: 1. Does the study area retain Aboriginal objects? 2. Does the proposed activity impact the Aboriginal objects identified, or are the Aboriginal objects with the proposed <i>activity area</i> ?	No	AHIP not required. Proceed with caution. If any Aboriginal objects are found, stop work and notify DECCW. If human skeletal remains are found, stop work, secure the site and notify the NSW Police and DECCW.	The subject site is a gentle slope some 330 m from the Parramatta River. During a site inspection, no rock outcrops were identified and no trees were identified that showed signs of Aboriginal cultural modification. The subject site was found to be heavily disturbed, by cut and fill, for buildings and landscaping (Figures 2-3-5, 2-3-6, 2-3-10, 2-3-12). See Appendix 3 for further details.
5	Further investigation and impact assessment				

Appendix 2: Additional Information

Appendix 2- 1 AHIMS Data

The DECCW Aboriginal Heritage Information Management System (AHIMS) database was searched on 18 October 2010. The search results showed that two registered sites are located in the vicinity of the study area. **Table 2-1-2** gives details of these sites. **Figure 2-1-2** maps their locations in relation to the study area.

Table 2-1-2. Details of nearby sites registered on AHIMS

AHIMS No.	Site Name	Description	Proximity to Study Area
45-6-0031	Ryde, Ryde Bridge	Small rockshelter with engraving of flying bird; located near the bank of the Parramatta River	Approximately 400 m to the south
45-6-2557	Waterview Street	Midden with shell and red silcrete artefact; located on the bank of the Parramatta River	Approximately 430 m to the south



Figure 2-1-2. Registered AHIMS Sites in relation to the subject site.

Appendix 2-2 Map of Landforms



Figure 2-2-3. Topographic map of subject site (subject site marked in green). (Source: NSW Land and Property Management Authority- Six Viewer)

Appendix 2-3 Site Inspection

General

A site inspection of 74-76 Belmore Street Ryde was carried out on 25 October 2010 by Anna Biggs (Archaeologist, AHMS). The subject site was traversed and inspected by foot.

The site appeared heavily disturbed, confirming historic records⁷. Approximately half of its area had been concreted over for parking, driveways and other uses (**Figure 2-3-8**). Buildings covered a large proportion of the site, one of which appeared to have been cut into the natural landform (**Figure 2-3-6**). A swimming pool located about halfway along the subject site adjacent to Belmore Street is also likely to have been cut into the natural landform (**Figure 2-3-7**). The natural slope was approximately 5 to 10 degrees, however a large, grassy open area adjacent to Junction Street was flatter (**Figure 2-3-7**). It appeared that this had been created by the addition of fill to the northwest, and a cut into the natural slope to the southeast (**Figures 2-3-9 to 2-3-10**). An apparently artificially raised bank ran along the perimeter of the subject site, along Belmore Street (**Figure 2-3-11**). The subject site included landscaped gardens, which appeared to have been built up and cut into the landform (**Figure 2-3-12**). Areas of fill were apparent, where the soil was sandy rather than the clayey loam of the natural landform⁸.

Results

- The subject site was identified as heavily disturbed, including the open grassy area to the northeast;
- No artefacts, middens or stone outcrops were identified;
- No Aboriginal cultural modification was identified on any trees within the subject site; and
- No landforms that are likely to contain Aboriginal objects (as defined by the Code) were identified within the subject site.
- Neither of the two local Aboriginal stakeholder groups, including the Metropolitan Local Aboriginal Land Council consulted during the course of study, identified that there were Aboriginal cultural or heritage issues associated with the site;

⁷ NBRIS and Partners, 16 September, 2009. Heritage Curtilage Study Crowle Home (formerly Tellaraga) 8 Junction Street Ryde NSW 2112.

⁸ Chapman, G.A., C.L. Murphy, 1989. *Soil Landscapes of the Sydney 1: 100 000 sheet*. Soil Conservation Service of NSW: Sydney, pp. 68-71



Figure 2-3-4. 1943 aerial photograph of site. (Source NSW Department of Lands: Six Viewer).



Figure 2-3-5. View southwest from top of driveway, showing multistory buildings.



Figure 2-3-6. View south from Junction Street end of subject site, showing building and walkway cut into the slope.



Figure 2-3-7. Swimming pool at the northwest of the subject site.



Figure 2-3-8. View southwest from middle of subject site, showing concreted area.



Figure 2-3-9. View north of the Junction Street/ Belmore Street edge of the open grassy area, showing small retaining wall for fill.



Figure 2-3-10. View of southwest end of open grassy area, showing cut and retaining wall.



Figure 2-3-11. View west of artificial raised bank along Belmore Street.



Figure 2-3-12. Memorial garden facing northeast, showing landscaping.

Appendix 2-4 Aboriginal Community Consultation

This report was sent to the Metropolitan Local Aboriginal Land Council (MLALC) and the Parramatta City Council Aboriginal and Torres Strait Islander Advisory Committee (ATSIAC) on 11 January 2011. It was subsequently reviewed by Rebecca McHugh (MLALC) and Aaron Saunders (ATSIAC). Both endorsed the findings of the report. Their emailed responses are below.

Anna Biggs

From: Rebecca Mchugh [rmchugh@metrolalc.org.au]
Sent: Thursday, 27 January 2011 5:22 PM
To: Anna Biggs
Subject: RE:

Hi Anna

I've reviewed the attached report regarding the site at Belmore Street Ryde, MLALC have no issues or concern with the findings outlined in the due diligence report.

If you need any further assistance please do not hesitate to contact our office.

Regards

Rebecca McHugh
Administration Officer
Metropolitan Local Aboriginal Land Council
36-38 George Street Redfern NSW 2012
Ph: 02 8394 9666
Fx: 02 8394 9733
Mb: 0413 913 376

From: Anna Biggs [<mailto:AnnaB@arksolutions.com.au>]
Sent: Friday, 21 January 2011 1:16 PM
To: Rebecca Mchugh
Subject: FW:

Hi Rebecca,

As per our phone conversation today, here is the original email.

Regards,
Anna

Anna Biggs
Archaeologist



P: (02) 9555 4000
F: (02) 9555 7005
M: 0404 711841
E: annab@arksolutions.com.au

From: Anna Biggs
Sent: Tuesday, 11 January 2011 10:57 AM
To: 'rmchugh@metrolalc.org.au'; 'saunders7@live.com.au'
Subject:

Hello Aaron and Rebecca,

I am writing to you regarding a site in Belmore Street, Ryde, which is the subject of a development application (maps on pages 11 And 12 of attached report).

AHMS was asked to undertake a due diligence for the site in accordance with the new DECCW due diligence guidelines. Unfortunately, the process did not identify any Aboriginal objects/sites or landforms of interest and the site was heavily disturbed (several phases of previous development being evident) and the due diligence, therefore, recommended no further action.

However, the proponent has asked that we undertake some informal consultation with the relevant Aboriginal parties to identify if any cultural significance may be present on the site. From our records, it appears that both the Metropolitan LALC and Parramatta City Council Aboriginal and Torres Strait Islander Advisory Committee are the correct parties to speak for this area (please advise if this is not the case). I have attached a copy of the due diligence report. Could you please review and let me know your thoughts. If you require further discussion/information/on-site access, please let me know and I'll see what we can do.

If possible, could we get comments or further advice by 20 Jan 2011? This would be much appreciated as our client has made this request. Please let me know if this is not possible.

Thank you for your assistance with this matter.

Best regards,

Anna

Anna Biggs
Archaeologist



P: (02) 9555 4000
F: (02) 9555 7005
M: 0404 711841
E: annab@arksolutions.com.au

Anna Biggs

From: Aaron Saunders [saunders7@live.com.au]
Sent: Saturday, 15 January 2011 12:35 AM
To: Anna Biggs
Subject: RE:

Hi Anna,

I have gone over the due diligence report and agree with your findings and have no issues.

Kind Regards,

Aaron Saunders

From: AnnaB@arksolutions.com.au
To: rmchugh@metrolalc.org.au; saunders7@live.com.au
Date: Tue, 11 Jan 2011 10:56:34 +1100
Subject:

Hello Aaron and Rebecca,

I am writing to you regarding a site in Belmore Street, Ryde, which is the subject of a development application (maps on pages 11 And 12 of attached report).

AHMS was asked to undertake a due diligence for the site in accordance with the new DECCW due diligence guidelines. Unfortunately, the process did not identify any Aboriginal objects/sites or landforms of interest and the site was heavily disturbed (several phases of previous development being evident) and the due diligence, therefore, recommended no further action.

However, the proponent has asked that we undertake some informal consultation with the relevant Aboriginal parties to identify if any cultural significance may be present on the site. From our records, it appears that both the Metropolitan LALC and Parramatta City Council Aboriginal and Torres Strait Islander Advisory Committee are the correct parties to speak for this area (please advise if this is not the case). I have attached a copy of the due diligence report. Could you please review and let me know your thoughts. If you require further discussion/information/on-site access, please let me know and I'll see what we can do.

If possible, could we get comments or further advice by 20 Jan 2011? This would be much appreciated as our client has made this request. Please let me know if this is not possible.

Thank you for your assistance with this matter.

Best regards,

Anna

Anna Biggs
Archaeologist



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