

Appendix D

Statement of Heritage Impact



Commuter Wharf Upgrade

Statement of Heritage Impact Huntleys Point Wharf, NSW

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Summary

RPS has been engaged by Hansen Yuncken Pty Ltd on behalf of NSW Roads and Maritime Services (RMS) to prepare a Statement of Heritage Impact (SoHI) for the proposed redevelopment of the Huntleys Point Commuter Wharf under the *Environmental Planning and Assessment Act 1979* (EP&A Act). Both Aboriginal and European (Historic) cultural heritage were considered during the course of this assessment.

The Huntleys Point Wharf project area is located within Sydney Harbour at Huntleys Point within the Hunters Hill local government area (LGA) approximately nine (9) kilometres north-west of the Sydney General Post Office (GPO). The existing wharf structure is situated at the southern end of Huntleys Point Road, Huntleys Point, New South Wales. The original wharf is thought to have been constructed circa 1907 (Hunters Hill Council 1982: Online), and stands immediately adjacent to, and adjoining its original location.

The proposed works include the construction of a new wharf, to the south west of and adjoining the existing wharf, which comprises a new bridge (concrete entry platform), covered gangway and pontoon structure. The existing wharf structure will be retained for use by recreational vessels.

As part of the due diligence procedures for Aboriginal Heritage, which this SoHI incorporates, Aboriginal Heritage Information Management System (AHIMS) searches of the area surrounding the Huntleys Point Wharf were conducted on 14 May 2012 by Senior Coastal and Marine Archaeologist, Sarah Ward. The basic searches indicate four (4) Aboriginal sites within the vicinity of the Huntleys Point Wharf (between Latitude -33.8424 Longitude 151.14131 and Latitude -33.84136 Longitude 151.14304 with a 50 metre buffer). Basic searches were also conducted with a 200 metre and one (1) kilometre buffer. The 200 metre buffer returned eight (8) sites whilst the one (1) kilometre search returned 22 sites. The extensive searches (Appendix 2) indicate that the site at Gladesville Wharf Cave (i.e. west of the commuter wharf) has been duplicated.

European (Historic) heritage searches were also undertaken. These searches identified seven (7) shipwrecks in the Parramatta River: two (2) are considered historic, and a third (3) will become historic next year. None (0) of these shipwrecks have an identifiable location or detailed description indicating where they foundered. Background research indicates that the riverbed within the project area has been heavily dredged. It is therefore considered highly unlikely that an historic shipwreck or associated relic will be impacted by the proposed works.

The searches also indicate that there are zero (0) items on the State Heritage Register (SHR), zero (0) items subject to an Interim, or Authorised Interim Heritage Order (IHO) within Huntleys Point. The searches revealed 26 heritage items listed by State and local government in Huntleys Point, of which nine (9) are on Huntley's Point Road. Of those nine (9), three (3) are within the project area, the: Gladesville Bridge Remains (OEH ID 7422); the 'Wharf Site and Steps' (OEH ID 7426); and the Gladesville Wharf (OEH ID 7388) which is the subject of the Statement of Heritage Impact.

A review of previous archaeological reports and heritage registers does however indicate that at least eighteen (18) Aboriginal sites have been recorded within Huntleys Point in recent decades, with several duplicated in the AHIMS record. From the descriptions afforded these sites, it appears that with the exception of the three (3) aforementioned Aboriginal sites, the remaining sites appear to be outside of the project area.

The purpose of a due diligence report is to demonstrate that reasonable and practicable measures were taken to prevent harm to an Aboriginal object or place and has been undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010*. This SoHI incorporates a due diligence assessment and thus fulfils this requirement.

A site inspection was undertaken on Tuesday 1 May 2012 by RPS Senior Coastal and Marine Archaeologist, Sarah Ward. This identified three (3) potential Aboriginal sites within the project area, which ties in with the AHIMS data. Two are understood to be rock shelters. One is located to the east of the existing wharf structure and one to the west. The third site is understood to be a midden co-located with the rock shelter to the west of the existing wharf.

The site inspection confirmed the presence of the Gladesville Bridge remains (LEP ID 505), Gladesville Wharf (LEP ID 468) and the Wharf Site and Steps (LEP ID 471). The Gladesville Wharf and Wharf Site and Steps are adjacent to each other and listed as a local heritage items on the *Hunters Hill Local Environmental Plan No. 1 1982*. It is proposed to locate the temporary site compound (Figure 3) on the heritage listed Gladesville Bridge Remains. As the compound is temporary and will not involve ground disturbance or material change to the heritage item, it is considered that impacts would be limited to temporary visual impacts during the construction period.

No new Aboriginal sites or European heritage items were identified within the project area at the time of the site inspection. The site referred to as Huntleys Point Wharf 'Side' [sic] in both the existing LEP and the NSW Heritage Inventory, is believed to be on the eastern side of the Gladesville Bridge, appended to the property at 53 Huntleys Point Road, and outside of the project area. The Gladesville Wharf site is not present in the 2012 Draft LEP currently on public exhibition (Hunters Hill 2012: Online).

In accordance with the *Burra Charter* (Australia ICOMOS 1999:18-19) 'procedures for undertaking studies and reports', this report has considered: the environmental, heritage and archaeological context of the project area; information gained during the site inspection; the significance of the Huntleys Point Wharf; the development proposal; potential heritage impacts; alternate options; and mitigation measures in order to draw conclusions and provide recommendations intended to guide future decision-making.

The following management recommendations have been formulated with consideration of all available information and have been prepared in accordance with the relevant legislation.

Recommendation 1

All relevant staff, contractors and subcontractors should be made aware of their statutory obligations for heritage under NSW *National Parks and Wildlife Act 1974* and the NSW *Heritage Act 1977* and best practice outlined in the *Burra Charter 1999*, which may be implemented as a heritage induction.

Recommendation 2

In the event that any further Aboriginal site/s are identified in the project area, then all works in the area should cease, the area should be cordoned off and contact made with the Office of Environment and Heritage (Enviroline 131 555); a suitably qualified archaeologist; and the relevant Aboriginal stakeholders, so that the site/s can be adequately assessed and managed.

Recommendation 3

In the unlikely event that skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off. The NSW Police Coroner must be contacted to determine if the material is of Aboriginal origin. If determined to be Aboriginal, the proponent, must contact: the Office of Environment and Heritage (Enviroline 131 555); a suitably qualified archaeologist; and representatives of the local Aboriginal Community Stakeholders to determine an action plan for the management of the skeletal remains, formulate management recommendations and to ascertain when work can recommence.

Recommendation 4

If, during the course of development works, further suspected European cultural heritage material, including historic shipwrecks, are discovered, work should cease in that area immediately. The Heritage Branch, Office of Environment and Heritage (Enviroline 131 555) should be notified and works only recommence when relevant permits and an appropriate and approved management strategy instigated.

Recommendation 5

As the Huntleys Point Wharf is a heritage item of local heritage significance the proponent should carry out full archival recording of the wharf structure, prior to any works taking place. The recording should be carried out in accordance with the NSW Heritage Office's 1998 Guidelines on *How to Prepare Archival Records of Heritage Items* prior to any works taking place.

Recommendation 6

In order to ensure that the midden and both rock shelters are not impacted during construction, a highly visible barrier should be erected and the sites should be flagged and roped off by a suitably qualified archaeologist prior to commencement of works. A plan of the area showing the heritage exclusion zone should be retained on site, and the need to remain outside of the listed item, should form part of the heritage induction.

Recommendation 7

All staff, contractors and subcontractors are required to conduct all construction activity in such a way as to prevent any impacts by construction or related works within any heritage exclusion zone, including impacts from plant and equipment that is not directly engaged in construction.

Recommendation 8

It is recommended that heritage information be placed on site during the construction phase to interpret the historic development and use of the Huntleys Point Wharf. Information could be in the form of heritage images and text on construction phase hoarding, or laminated posters put up beside general project information on site.

Post construction, opportunities could also be explored by RMS to provide heritage interpretation on an ongoing/permanent basis so that the site's significance is communicated even after significant components of the wharf are removed. Interpretation of an item through the care (or treatment) of the fabric, is central to heritage conservation in Australia. If heritage interpretation is undertaken, it should be developed in accordance with the NSW Heritage Office's 2005 *Interpreting Heritage Items and Places Guidelines*. Ways of achieving the funding for this can be explored through the Heritage Branch, Office of Environment and Heritage, Heritage Grants Program.

Recommendation 9

Whilst marine works are in progress the proponent should minimise wash associated with waterborne transport so that remaining midden deposit at AHIMS #45-6-1931 is not impacted. Baffles or another suitable controlling measure may need to be implemented.

Recommendation 10

If the proponent identifies that impact of any kind to the remaining midden deposit at AHIMS #45-6-1931 cannot be avoided during the project works then it will be necessary to obtain a Section 90 Permit from

the Office of Environment and Heritage, prior to works being undertaken.

1.0 Introduction

Hansen Yuncken in conjunction with Group GSA Architects was engaged by RMS to develop concept design solutions for the upgrade of a number of commuter wharves throughout Sydney Harbour. The wharves are within the inner harbour and are currently being used by ferry commuters, recreational vessels, and accessed by the general public.

In March 2012, the RPS Sydney cultural heritage team was engaged by Project Managers Hansen Yuncken (on behalf of RMS) to complete a gap analysis of a number of existing Statement of Heritage Impact (SoHI) and Heritage Assessment Reports for the Balmain, Double Bay and Huntleys Point Wharves as part of the Commuter Wharf Upgrade Program. These gap analyses were completed by RPS in March 2012.

RPS was subsequently approached to 'fill the gaps' and complete one (1) Statement of Heritage Impact (SoHI) for each of these three (3) wharf upgrades. The purpose of a SoHI is to convey the impact or impacts of a proposal. A SoHI, together with supporting information addresses: the reasons why an item is of heritage significance; the impact proposed works will have on that significance; measures proposed to mitigate any negative impact; and why more sympathetic options are not viable (NSW Heritage Office and Department of Urban Affairs and Planning 2002:2). When considered along with a policy or plan for conservation and management, an informed decision can be made as to whether to allow the development to proceed. The concept designs provided by Hansen Yuncken have been considered in preparation of this SoHI, which follows the abovementioned model guidelines for the preparation of Statements of Heritage Impact.

As part of this Statement of Heritage Impact, RPS understands that Hansen Yuncken requires appropriate assessment and reporting relating to Aboriginal and European (Historic) cultural heritage, associated with the Balmain, Double Bay and Huntleys Point wharf upgrades to support the various planning applications being prepared by Hansen Yuncken on behalf of RMS.

The SoHI will further contribute to the Review of Environmental Factors (REF) being prepared by RPS as part of Sydney Harbour Commuter Wharf Upgrade Program. The Huntleys Point Wharf is the second of the three (3) sites to be assessed; its SoHI is contained herein.

1.1 Project Area

Huntleys Point is a suburb in the lower north shore area of Sydney in the state of New South Wales, Australia. Huntleys Point is located approximately nine (9) kilometres north-west of the Sydney General Post Office (GPO) located at 1 Martin Place, Sydney. Huntleys Point is located in the Hunter's Hill local government area (LGA), on the banks of the Parramatta River. The Huntleys Point Wharf is located at the end of Huntleys Point Road, adjacent to the Gladesville Reserve, where the land at Huntleys Point meets the Parramatta River (Figure 1). The wharf is approximately eight (8) kilometres from the Sydney central business district by water and 14.5 kilometres by road.

The Huntleys Point Wharf was originally constructed circa 1907 on a site adjoining the existing wharf. The wharf was reconstructed on the current site around 1928 and modified to its current form in the 1990s. Today, the Huntleys Point Wharf is a predominantly timber structure of fixed pile construction with a concrete deck and a terraced timber landing (Plate 7). The adjoining shelter shed and covered walkway is comprised of arched corrugated metal roofs suspended by cantilever arms from steel posts. The walkway climbs the River escarpment (Plate 6), and meets a second covered walkway at the Huntleys Point Road bus stop.

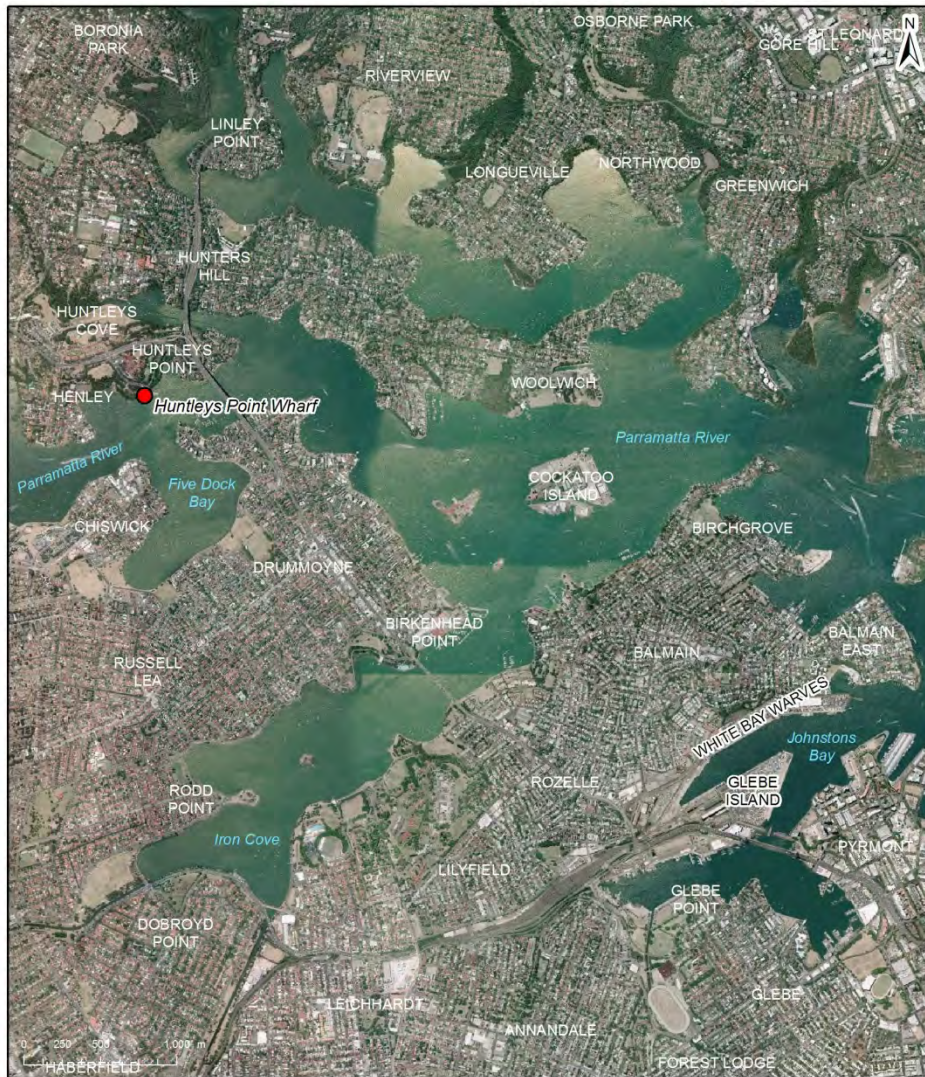


Figure 1: Site Location – Huntleys Point Commuter Wharf



Figure 2: Proposed new Huntleys Point Commuter Wharf

1.2 Proposed Works

The purpose of the Commuter Wharf Upgrade Program is to: 1) upgrade passenger facilities to meet increasing public needs and expectations; 2) create a functional, distinctive and unique design theme for Sydney Harbour which will both unify and identify the harbour wharves and the ferry commuter system, thus extending the design life of the structures; 3) meet requirements of the *Disability Discrimination Act 1992* and current disabled access standards; 4) facilitate cost effective ongoing maintenance through standardising wharf design; and 5) build wharves to significantly increase the speed at which passengers embark and disembark.

In order to achieve this purpose, it is proposed to construct a new wharf at Huntleys Point. The existing wharf structure (Plate 7, Plate 8) will be retained for use by recreational vessels, whilst a new wharf will be constructed to adjoin the existing wharf (Plate 9) at its south-western corner (Plate 9). The new wharf is comprised of a concrete entry platform, covered aluminium gangway, rectangular floating pontoon and new safety and security facilities (Figure 2) as detailed below.

The process for undertaking the proposed works (Blair 2012, pers. comm.) is as follows:

- Retention of the Huntleys Point Wharf Structure
 - » retention of existing wharf for recreational vessel berthing and to provide access to the new public ferry wharf;
- Construction of a new wharf
 - » construction of a concrete entry platform extending from the south western corner of the existing wharf at an angle of around 120 degrees; the platform is approximately three (3) metres in length on its longest side, that is, between the existing wharf structure and the gangway; the entry platform will be supported by three steel piles;
 - » construction of a covered aluminium gangway about 16 metres long and up to three (3) metres wide; the gangway will connect to the concrete entry platform and the floating pontoon; the gangway will contain a curved zinc roof and glass and stainless steel balustrades; the gradient of the gangway will vary according to the tides;
 - » construction and installation of a rectangular steel floating pontoon off the gangway; the nine (9) metre wide by 18 metre long pontoon will have one berthing face; ferries will berth from the new berthing face on the seaward side (south east) of the new pontoon; the pontoon will contain a curved zinc roof, glass and stainless steel balustrades and seating; the floating pontoon will be held in place by four (4) steel piles; the orientation of the floating pontoon will be at an angle of about 75 degrees to the gangway alignment; the four (4) steel piles will be driven into the river bed, not the foreshore and will therefore not adversely affect the recorded Aboriginal sites;
 - » the concrete platform and the wharf (including the gangway and pontoon) will be constructed to be accessible to people with a disability for no less than 80 per cent of the high and low tide levels listed in standard tide charts;
 - » installation of safety and security facilities include: lighting; closed circuit television (CCTV); ladders to the water from the pontoon; a life ring on the pontoon platform; and tactile floor treatments;
 - » installation of five timber deflector piles;
 - » installation of a new cardinal marker with a light approximately 30 metres to the west of the proposed pontoon.
- Ancillary facilities
 - » installation of a stainless steel clad services pod on the floating pontoon to include, for example: an electricity distribution board; bins; signage boards; and a help point;

- » establishment of a temporary compound site to include: site sheds; an amenities shed; and storage containers for tools and some materials; the compound site location is to be confirmed, although is expected will be placed on the Gladesville Bridge Remains, a listed heritage item;
- » installation of electrical power lines to provide power to the wharf for lighting and security;
- » installation of water lines and meter to provide water to the wharf for maintenance;
- » provision for electronic ticketing systems, which may be implemented in the future but will not be provided as part of this proposal;
- » the proposal requires an appropriately approved and licensed facility for marshalling and storage of most equipment, plant and materials, pre-fabrication of parts, pre-casting of headstocks and fit outs; and the
- » proposal requires the Huntleys Point Wharf to be closed to all ferries, water taxis and other vessels/watercraft for the duration of construction to enable the works to be carried out.

Figure 3 (Group GSA/Hansen Yuncken 2012) illustrates indicative crane and barge mooring locations, the general construction zone and thus the potential impact area of the proposed works. It is RPS understanding that all floating construction machinery will be moored to the existing wharf structure using an in-water four (4) point anchoring system and will not be moored to the shore. This mooring process will ensure there is no impact on the identified Aboriginal sites on the foreshore.

The curtilage for the assessment therefore includes the Huntleys Point Wharf itself; the covered walkway and approaches (Plate 5, Plate 6); the remains of the former Gladesville Bridge Remains (abutments); the rock face on either side of the commuter wharf structure, which contains remnants of an earlier wharf (referred to in the Hunters Hill LEP as the 'Wharf Site and Steps') structure; and the Parramatta River-bed in the vicinity of the existing wharf.

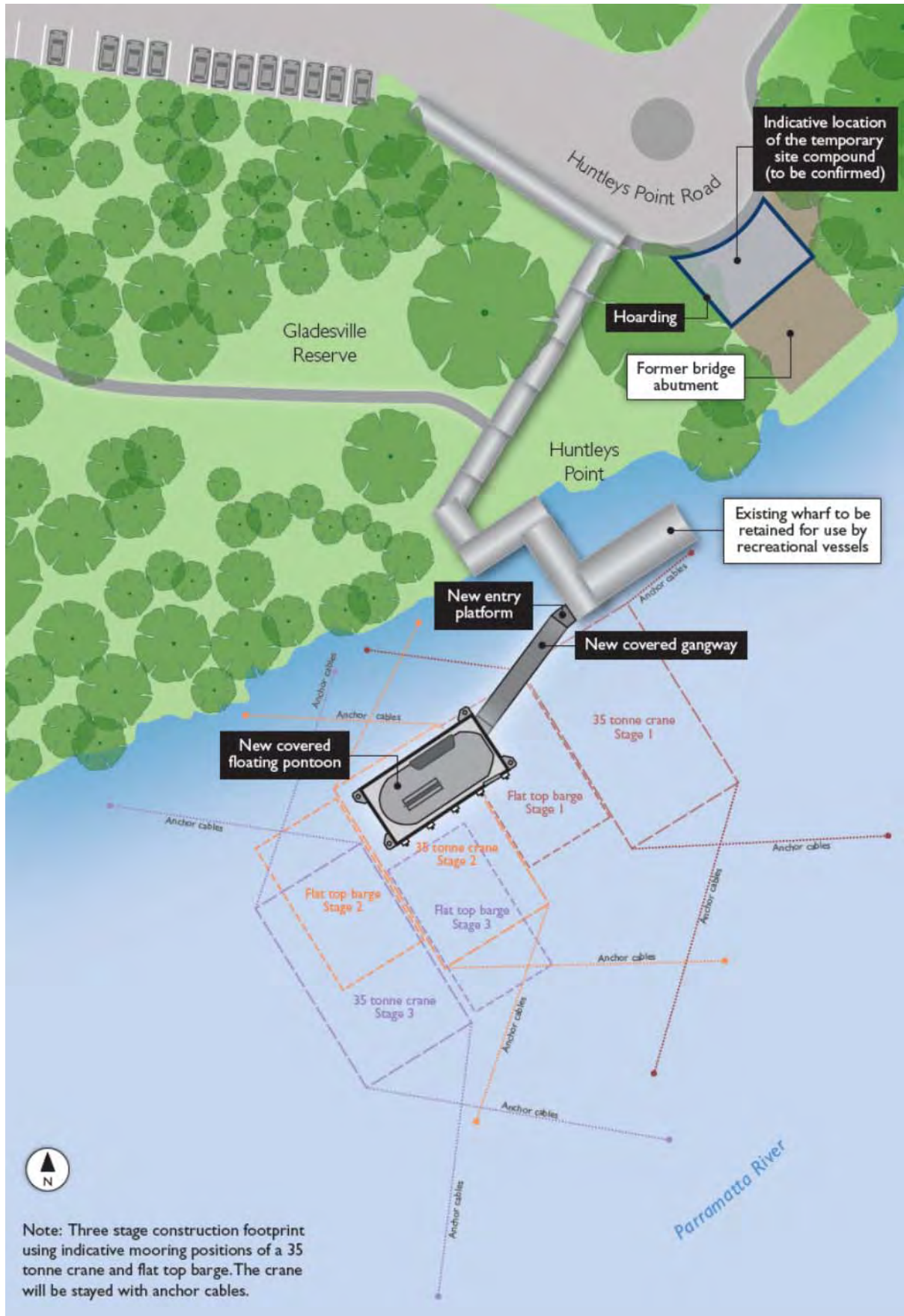


Figure 3: Indicative Crane and Barge Mooring Locations
 Source: Group GSA/Hansen Yuncken 2012

1.3 Legislative Context

Aboriginal heritage in NSW is protected by the *National Parks and Wildlife Act 1974*, which is overseen by the Office of Environment and Heritage (formerly Department of Environment, Climate Change and Water (DECCW)), now a part of the Department of Premier and Cabinet. In some cases, Aboriginal heritage may also be protected under the *Heritage Act 1977*, which is also overseen by the Heritage Branch, Office of Environment & Heritage (OEH) (formerly Heritage Branch of the Department of Planning).

The *Environmental Planning and Assessment Act 1979* and relevant environmental planning instruments, trigger the requirement for the investigation and assessment of Aboriginal heritage as part of the development approval process. For crown land, provisions under the *Aboriginal Land Rights Act 1983* and the *Native Title Act 1993* (overseen by the Office of the Registrar of the Aboriginal Land Rights Act 1983) may also apply.

1.3.1 National Parks and Wildlife Act 1974

Aboriginal heritage within NSW is protected by the NPW Act. Although there are other Acts protecting and managing cultural heritage in New South Wales (see Appendix 1), the due diligence procedure is only available to projects appropriate to this Act.

The NSW Government is working towards stand alone legislation to protect Aboriginal cultural heritage, which will be a significant reform for NSW. The first stage of this work has been completed and includes significant changes to the primary state legislation relating to Aboriginal cultural heritage in NSW, the NPW Act.

Changes to the NPW Act were made effective on 1 October 2010 and include:

- increased penalties for Aboriginal heritage offences, in some cases from \$22,000 up to \$1.1 million for companies who do not comply with the legislation;
- ensuring companies or individuals cannot claim 'no knowledge' in cases of serious harm to Aboriginal heritage places and objects, by creating new strict liability offences under the Act;
- introducing remediation provisions to ensure people who illegally harm significant Aboriginal sites are forced to repair the damage, without need for a court order;
- unification of Aboriginal heritage permits into a single, more flexible permit; and
- strengthened offences around breaches of Aboriginal heritage permit conditions.

Although not defined in the NPW Act, it should be noted that the term 'sites' is 'sometimes used as another name for Aboriginal objects and material traces of past Aboriginal land use' (DECCW 2010:38). The term is commonly used in archaeological assessments and by AHIMS when returning its search results.

Along with the new offences summarised above, there are new defences that have been introduced which will apply where a person harms an Aboriginal object without knowing what it was and without a permit from OEH. One of these defences is the 'due diligence' defence (s87(2)), which states that if a person or company has exercised due diligence to ascertain that no Aboriginal object was likely to be harmed as a result of the activities proposed for the site, then liability from prosecution under the NPW Act will be removed or mitigated if it transpires that an object was harmed.

As a consequence of this provision, OEH released a publication entitled *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010*. This publication sets out a minimum benchmark for acceptable due diligence investigations to be followed.

These investigations include:

- the carrying out of a search of the Aboriginal Heritage Information Management System (AHIMS) to ensure there are no registered sites within the project area;
- a review of previous archaeological investigations in the project area; and
- an assessment of the relevant landscape features and visual inspection to determine whether there are Aboriginal objects present within the Project Area or that they are likely.

One of the benefits of the due diligence provisions are that they provide a simplified process for investigating the Aboriginal archaeological context of an area without the need for an Aboriginal Heritage Impact Permit (AHIP). Aboriginal consultation is also not required for an investigation under due diligence. However, if the due diligence investigation reveals that the activities proposed for the area are likely to harm objects or likely objects within the landscape, then an AHIP will be required with full consultation.

The due diligence assessment contained within in this report does not conclude that Aboriginal objects are likely to be harmed, thus the AHIP procedures have not been triggered thus full Aboriginal consultation following the *Aboriginal Cultural Heritage Consultation Requirements 2010* (ACHCRs) is not required.

1.3.2 Heritage Act 1977

This Act protects the material remains of the natural and cultural (European) history of NSW with emphasis on non-indigenous 'historic' cultural heritage (such as place, building, works, relic, moveable object, precinct, historic shipwreck, or archaeological site) deemed to be of State or local significance, through protection provisions and the establishment of a Heritage Council and a State Heritage Register. Government agencies have special obligations under the NSW *Heritage Act 1977*. Agencies are required to compile a register of heritage assets (known as a Section 170 State Government Agency Heritage and Conservation Register) and look after their assets on behalf of the community. The Heritage Act also protects historic shipwreck/s and their relic/s that are more than 75 years of age, as well as relics that may be submerged.

Although Aboriginal heritage sites and objects are primarily protected by the NPW Act, if an Aboriginal site, object or place is of great significance, it may be protected by a heritage order issued by the Minister subject to advice by the Heritage Council. Penalties of up to \$1.1 million are in place for breeches of the Heritage Act and its Regulations.

1.3.3 Environmental Planning & Assessment Act 1979

This Act regulates a system of environmental planning and assessment for NSW. Land use planning requires that environmental impacts are considered, such as the impact on cultural heritage including Aboriginal heritage. Assessment documents prepared to meet the requirements of the EP&A Act including Reviews of Environmental Factors (REF), Environmental Impact Statements (EIS) and Environmental Impact Assessments (EIA) should address European and Aboriginal heritage, whilst planning documents such as Local Environment Plans (LEP) typically contain provisions for European and Aboriginal heritage where relevant.

1.3.4 Aboriginal Land Rights Act 1983

The purpose of this legislation is to provide land rights for Aboriginal people within New South Wales and to establish Local Aboriginal Land Councils (LALC). The land able to be claimed by Aboriginal Land Councils on behalf of Aboriginal people is certain Crown land that (s36):

- (i) is able to be lawfully sold, leased, reserved or dedicated;

- (ii) is not lawfully used or occupied;
- (iii) will not, or not likely, in the opinion of the Crown Lands minister, be needed for residential purposes;
- (iv) will not, or not likely, be needed for public purposes;
- (v) does not comprise land under determination by a claim for native title; and
- (vi) is not the subject of an approved determination under native title.

Claims for land are by application to the Office of the Registrar, *Aboriginal Land Rights Act 1983*.

1.3.5 Native Title Act 1993

The Commonwealth Government enacted the *Native Title Act 1993* to formally recognise and protect native title rights in Australia following the decision of the *High Court of Australia in Mabo & Ors v Queensland* (No. 2) (1992) 175 CLR 1 ("Mabo").

Although there is a presumption of native title in any area where an Aboriginal community or group can establish a traditional or customary connection with that area, there are a number of ways that native title is taken to have been extinguished. For example, land that was designated as having freehold title prior to 1 January 1994 extinguishes native title, as does any commercial, agricultural, pastoral or residential lease.

Land that has been utilised for the construction or establishment of public works also extinguishes any native title rights and interests for as long as they are used for that purpose. Other land tenure, such as mining leases, may be subject to native title, depending on when the lease was granted.

Further details on the relevant legislative Acts are provided in Appendix 1.

1.4 Aboriginal Consultation

As mentioned above, due diligence inspection relates to the physical identification of Aboriginal objects. Community consultation is only required once Aboriginal objects have been detected and an Aboriginal Heritage Impact Permit (AHIP) is deemed necessary. Section 5.2 of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW 2010* specifically states that 'Consultation with the Aboriginal community is not a formal requirement of the due diligence process' (2010:3), and as no Aboriginal Cultural Heritage Objects, Sites or Places were identified during this process, no Aboriginal Consultation has been undertaken as part of this SoHI.

1.5 Authorship and Acknowledgement

This report was written by RPS Senior Coastal and Marine Archaeologist, Sarah Ward, with contributions from RPS Archaeologist Deborah Farina, RPS Planner Peter Mangels, RPS GIS Manager Thomas Wilson and with assistance from RPS Business Support Manager Audrey Churm. The report was reviewed by RPS Cultural Heritage Technical Director, Darrell Rigby.

The RPS team acknowledges the assistance in preparing this report, and its previous iterations, of various organisations and individuals, including but not limited to:

Table 1: Acknowledgements

Name	Position	Organisation
Paul Blair	Design Manager	Hansen Yuncken
Peter Freeman	Director	Peter Freeman Architects

Stuart Read	Heritage Officer (Landscape)	Heritage Branch, OEH
Gary Estcourt	Heritage Officer (Conservation)	Heritage Branch, OEH
Lucy Moore	Heritage Officer (Listings)	Heritage Branch, OEH

Source: Sarah Ward, RPS Group

2.0 Environmental Context

Statements of Heritage Impact and Aboriginal heritage due diligence assessments require that available knowledge and information relating to the Aboriginal cultural heritage resource is considered. The purpose of reviewing the relevant environmental and heritage information is to assist in identifying whether Aboriginal sites or places are present within the study area.

The reporting of environmental context is also required by OEH as specified in the NSW Department of Environment, Climate Change & Water, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010*.

2.1 Local Environment

An understanding of environmental context is important for the predictive modelling of Aboriginal sites, as well as for their interpretation. The local environment provided natural resources for Aboriginal people, such as, stone (for manufacturing stone tools), food and medicines, wood and bark (for implements such as shields, spears, canoes, bowls, shelters, amongst others), as well as, areas for camping and other activities. The nature of Aboriginal occupation and resource procurement is related to the local environment and it therefore needs to be considered as part of the cultural heritage assessment process.

2.1.1 Climate

During the last glacial maximum (approximately 30,000-19,000 years ago), large ice sheets covered high latitude Europe and North America and the Antarctic ice sheet was more extensive than today. Sea levels stood some 120-130 metres lower than today (Lambeck et al 2002:343) and the earth's climate was distinctly different from that of the present interglacial conditions. As the ice began to melt climatic conditions began to alter (Lambeck et al 2002:343). This affected the movement and behaviour of past populations within their environs. Sea levels started to rise and there was a corresponding increase in rainfall and temperature. Short's (2000:19-21) research suggests the change in climatic conditions reached its peak about 6,000 years ago. Up until 1,500 years ago, temperatures decreased slightly and then stabilised about 1,000 years ago, which is similar to the temperatures currently experienced. Consequently, the climate of the project area for the past 1,000 years would probably have been much the same as present day, providing a year round habitable environment.

Sydney is part of the subtropical east coast, and experiences a warm wet summer-autumn and cool drier winter-spring (Benson & Howell 1995:11). Mean monthly temperatures at Observatory Hill are a maximum of 25.9 degrees Celsius in January and a minimum of 8.0 degrees Celsius in July (Australian Bureau of Meteorology 2007). Mean annual rainfall at two weather stations flanking Balmain, Observatory Hill and Riverview, are 1214mm and 1131mm per annum respectively.

2.1.2 Geology and Soils

The underlying geology can be important for Aboriginal occupation of an area, as siliceous rocks were used by Aboriginal people for manufacturing flaked stone tools. The exploitation of stone raw materials depends on the nature of the source, rock outcrops (primary source) may be exploited by quarrying, but may also be procured as cobbles (secondary source) (Doelman et al. 2008).

The Huntleys Point Wharf project area is situated at Huntleys Point on the Hunters Hill Peninsula, a large low-lying and gently undulating landform in the Sydney Basin. The Sydney Basin is a large geological feature that stretches from Batemans Bay in the south, to Newcastle in the north and Lithgow in the west

(Clark and Jones 1991). The formation of the basin began between 250 to 300 million years ago when river deltas gradually replaced the ocean that had extended inland to Lithgow (Clark and Jones 1991). The oldest, Permian layers of the Sydney Basin consist of marine, alluvial and deltaic deposits that include shales and mudstone overlain by coal measures. By the Triassic period the basin consisted of a large coastal plain, with deposits from this period divided into three main groups; the Narrabeen Group, Hawkesbury Sandstone and the Wianamatta Group (Clark and Jones 1991).

The geology for the Huntleys Point area chiefly comprises the Triassic Wianamatta Group, which is made up of (Sydney) sandstone and shale with the exception of the areas surrounding watercourses, such as Ropes Creek, Eastern Creek and South Creek, which are made up of Quaternary deposits of gravel, sand, silt and clay (Brunker & Rose, 1967). The Wianamatta Group is overlain by Triassic Bringelly Shale, Ashfield Shale and small deposits of Minchinbury Shale (Erskine, et al, 2003:128). Reflected light organic petrology and limited geochemical analyses indicate that both the marine and terrestrial sediments of the Sydney Basin are high in dispersed organic matter (DOM) content. This together with presence of sandstone in the project areas are important for Aboriginal occupation of the area because certain types of silicified tuff have been used by Aboriginal people for manufacturing flaked stone tools; and sandstone was used for grinding grooves, for shelter (if rock shelters present), engravings, amongst other uses.

The dominant soil landscape of Huntleys Point and the Hunters Hill Peninsula is the Gynea soil landscape. This soil landscape occurs extensively thorough out the Hornsby Plateau and along the foreshores of Sydney Harbour and the Parramatta Rivers. According to Chapman and Murphy (1989:64), the soils are shallow to moderately deep (30-100 centimetres) *Yellow Earths* (Gn2.24) and *Earthy Sands* (Uc5.11, Uc5.23) on crests and inside of benches, with: shallow (<20 centimetres) *Silaceous Sands* (Uc1.21) occurring on the leading edges of benches. Localised *Gleyed Podzolic Soils* (Dg4.21) and *Yellow Podzolic Soils* (Dy4.11, Dy5.11, Dy5.41) occur on shale lenses; and shallow to moderately deep (<100 centimetres) *Silaceous Sands* (Uc1.12) and *Leached Sands* (Uc2.21) appear along drainage lines. More broadly, this landscape is characterised by 'undulating to rolling rises and low hills on Hawkesbury Sandstone' (Chapman & Murphy, 1989:64), which is a medium to coarse-grained quartz sandstone with minor shale and laminate lenses. Local relief is approximately 20-80 metres; slopes of 10-25 percent are observed; and rock outcrops of less than 25 percent were evident during the site inspection.

2.1.3 Topography and Hydrology

Huntley's Point is part of the extensive Port Jackson catchment, being a low east trending promontory between Tarban Creek and the Parramatta River. Rising more than 40 metres above the waterline, this eroded and uplifted sandstone peninsula affords views over the harbour with the dramatic backdrop of the city to the east, in addition to views of Parramatta River and surrounding suburbs. The Huntleys Point Wharf is situated on the southern side of the promontory, east of Wallumatta bay, on the northern bank of the Parramatta River.

The water quality of the Parramatta River is variable and is influenced by tidal movement, sporadic flooding and varying siltation loads. Some erosion occurs during major floods, and this is potentially impacting both Aboriginal and European cultural heritage sites along the river. The combination of stormwater flows and tides results in a complex cycle of erosion and deposition of silts and a consequent high variation in suspended matter concentration in the water column. The discharge of industrial contaminants over time has resulted in pollution of the river sediments with heavy metals. The levels are typical of those found in other urbanised estuaries with low to moderate levels of contamination (GHD 1990:vii).

2.1.4 Flora and Fauna

Whilst there has been widespread clearance of natural vegetation in the project area, the dominant ecological community prior to European contact was low dry sclerophyll open-woodland which would have

dominated the ridges and upper slopes, with species commonly present including Red Bloodwood (*Eucalyptus gummifera*), Scribbly Gum (*Eucalyptus haemastoma*), Brown Stringybark (*Eucalyptus capitellata*) and Old Man Banksia (*Banksia serrata*). More sheltered slopes would have commonly supported Black Ash (*Eucalyptus sieberi*), Sydney Peppermint (*Eucalyptus piperita*) and Sydney Red Gum (*Angophora costata*). The understorey of these plant communities would have consisted of shrubs from the families *Ericaceae*, *Myrtaceae*, *Fabaceae* and *Proteaceae* (City of Sydney, undated: Online), particularly around the drowned river valleys of Port Jackson (Sydney Harbour) and the Parramatta River.

Typical animals which would have inhabited this vegetation community include Macrodidae (Kangaroos and wallabies), sugar gliders, possums, echidnas, a variety of lizards and snakes, birds, as well as rats and mice. The bones of these animals have been recovered from Aboriginal sites in the Sydney region suggesting that they were sources of food (Attenbrow 2002:70-76), although the hides, bones and teeth of some of the larger mammals may have been used for Aboriginal clothing, ornamentation, or other implements.

2.1.5 Previous Land Use and Disturbance

The Huntleys Point Wharf project area has been moderately impacted by prior land use practices, although it is comparatively less modified than other Commuter Wharf terminals in and around Sydney Harbour. A main road, Huntleys Point Road, carries traffic to the wharf, whilst the wharf infrastructure extends from the road to the waters' edge, then out into the river. The natural rock edge adjacent to the river has been retained, as have several small areas of open bushland. A 1943 photograph (Hunters Hill 2012: Online) of the area shows a more open landscape than today, demonstrating a history of land disturbance from clearing and vehicle use. Despite this history of disturbance Aboriginal objects were still in existence and being recorded in the 1990s, demonstrating that land disturbance is an unreliable and inaccurate indication of site presence.

2.1.6 Environmental Context and Cultural Heritage

A review of the environmental data shows that Huntleys Point and the Hunters Hill Peninsula more broadly, were suitable for Aboriginal occupation. Ample food sources in the form of fish and game were present, as was reliable water from the waterholes, stream, river and harbour. This is borne out by the AHIMS data that shows numerous Aboriginal sites as being recorded in the area, despite the disturbed nature of the project area and adjacent lands due to its European occupation.

3.0 Historical Context

European land settlement commenced in NSW in 1788 when Governor Phillip claimed possession of the land now known as Australia for a penal colony on behalf of the British Government. The heritage objects, sites and places associated with the European occupation of Australia point not only to the development of Australia as a modern nation, but to the places where people lived and worked. It can tell us about the way things were made and used and how people lived their daily lives.

3.1 European History

3.1.1 History of Sydney

Sydney was first visited by the British in 1770 when Captain James Cook and Joseph Banks sailed the *Endeavour* into Botany Bay (Karskens 2009). With plans to establish a penal colony, the First Fleet followed in 1788 (Karskens 2009). The Colony grew quickly. In 1789 the first ferry service was established between Sydney Cove and the farming settlement of Parramatta (Sydney Ferries 2012: Online); the trip taking a week to complete. From 1830 Hackney carriages ran in the streets (Karskens 2009), which by 1841 were lit by gas. By 1840 the colony's population was made up of mainly free immigrants and transportation ceased in 1842. In 1842 Sydney was incorporated and by 1847 the convict population of Sydney accounted for only 3.2 percent of the total population (Karskens 2009). The 1830s and 1840s were periods of urban development, including the development of the first suburbs, as the town grew rapidly when ships began arriving from Britain and Ireland with immigrants looking to start a new life in a new country. On 20 July 1842 the municipal council of Sydney was incorporated and the town was declared the first city in Australia, with John Hosking the first elected mayor (Karskens 2009).

As Sydney expanded in size many new buildings were erected. Government House was built in 1845 and the Sydney Observatory in 1858 (Karskens 2009). In 1861, Sydney welcomed the establishment of the North Shore Ferry Company, which operated the very first commercial ferry service across Sydney Harbour to the northern shores where less than 1,000 people were residing at the time (Sydney Ferries 2012: Online). Macquarie lighthouse was constructed in 1883. Customs House followed in 1885; Centennial Park was laid out in 1888; and Sydney Town Hall was completed in 1889 (Karskens 2009). The Strand Arcade in Sydney opened in 1892 followed by the Queen Victoria Building in 1898 (Karskens 2009).

In 1901 the six British colonies in Australia formed a federation to become the Commonwealth of Australia. Sydney continued to grow and by 1925 became a metropolis of 1 million people (Karskens 2009). The First World War spurred an economic boom for Sydney, however, with the artificial spending stimulant of the war over, the economy went into rapid decline. Over a third of Sydneysiders were unemployed during the Great Depression of the early 1930's (Karskens 2009). Shortly after the Sydney Harbour Bridge opened on 19 March 1932, Sydney Ferries became the world's largest ferry operator.

It was not until World War II that a long period of economic growth began. The war greatly increased the size and importance of the Australian manufacturing sector and stimulated the development of more technologically advanced industries (Karskens 2009), such as shipbuilding and engineering. As part of this trend many workers acquired relatively high skill levels, female labour force participation rates greatly increased as did the number of refugees and migrants arriving in Australia, thus marking the birth of the multicultural city of Sydney that is recognisable today.

This brief historical overview is important in setting the scene for our assessment and placing the site in context.

3.1.2 History of Huntleys Point and the Hunters Hill Peninsula

Huntleys Point, part of what is now the Hunters Hill LGA, was named by Alfred Huntley who purchased the land here and built Point House in 1851. Huntley had arrived in the colony with his family in 1836 and his father Dr Robert Huntley first occupied land in Braidwood that is known as Huntley's Flats. Alfred Huntley showed entrepreneurial tendencies by opening a Turkish bath-house in Bligh Street, Sydney, on the present site of Adyar House. Huntley later became the Chief Engineer for Australian Gas Light Company. His only child, a son also named Alfred became a brilliant scholar at The King's School, Parramatta and later was an architect and civil engineer, building some of the stone houses in Hunters Hill Village.

Hunters Hill is both the smallest LGA in Metropolitan Sydney (575 hectares) and one of the oldest settlements on the Harbour's northern shore (Hunters Hill Council 2012: Online). Hunters Hill forms a peninsula between two rivers flowing into Sydney Harbour; however the origin of the name has been the subject of debate. There is a romantic theory that the name is derived from Hunters Hill House, the family home near Edinburgh of Thomas Muir, one of the Scottish martyrs transported here in 1794 for sedition. A more likely source is Captain John Hunter, Commander of the First Fleet's flagship, HMS *Sirius* and second Governor of the Colony. The hunting horn on the Hunter's Hill Coat of Arms is believed to have been taken from the Arms of John Hunter's family (Hunters Hill Council 2012: Online).

The early French settlers, among them the brothers Joubert and the exiled Comte Gabriel de Milhau, were influential in gaining the proclamation of Hunter's Hill as a separate borough in January 1861. A prime concern of the Borough Council was to make life in the suburb more viable by improving transport to the city. The Jouberts operated a ferry service on the Lane Cove side and Jeanneret on the Parramatta side, and the council expanded the ferry services so that by 1886 there were at least 13 wharves in the municipality. In addition, the Councillors campaigned strenuously for bridges to be built over the Lane Cove and Parramatta rivers. The first Gladesville Bridge over the Parramatta River was completed in 1881 and the Figtree Bridge over the Lane Cove River in 1885.

With a population of approximately 14,000 (Hunters Hill Council 2012: Online), today Hunters Hill contains seven distinct localities - Boronia Park, Gladesville, Henley, Hunter's Hill, Huntleys Cove, Huntleys Point and Woolwich. The area possesses an interesting mix of architectural styles and building materials although locally quarried sandstone was favoured by the pioneers and as a result about three quarters of the Municipality has been declared a Conservation Area (Hunters Hill Council 2012: Online).

3.1.3 History of the Huntleys Point Wharf

The earliest evidence of water transport within the project area is that of a punt which operated between Huntleys Point and Drummoyne, crossing the Parramatta River in the 1850s. This was followed by a wharf at the bottom of Wharf Road in 1860-1861, intended to allow better access to the area for passengers alighting midstream from the regular Parramatta River steamers onto the punt to be conveyed to shore. The regular ferry services that operated from the new wharf, bringing residents and visitors to the peninsula, led to a gradual decline in the use of the punt after the 1860s. In 1862 a second wharf was built at the foot of Ferry Street in 1862, and as a result of the pressure applied by residents petitioning for better access to the Hunters Hill /Huntleys Point Peninsula, the first Gladesville Bridge opened in 1881, however this did not stop the increasing demand for ferries and in the late 1880s there were many ferry wharfs dotted around the peninsula.

The Iron Cove Bridge was constructed in 1881. This was followed by Fig Tree Bridge in 1885, and completion of the 'Five Bridges' route from Sydney to North Shore along with it. This opened the way for the first major subdivision of Huntleys Point for prestige residential allotments. In 1910, the tramline from the city to Drummoyne was extended across the Gladesville Bridge and a second major subdivision took place in 1912, this time of the Huntley property on the tip of the Huntleys Point Peninsula. It appears that the location

of the ferry wharf was changed in the 1920s, for in 1928 the Sydney Morning Herald published an article about a new Huntleys Point wharf being constructed with funding provided jointly by Huntleys Point residents and Sydney Ferries Ltd, and it was moved to a position closer to the 1881 Gladesville Bridge remains, its current location.

Popularity of the ferry transport changed over time and services up the Parramatta River beyond Hunters Hill ceased in 1946, as part of a post-war rationalisation by Sydney Ferries Limited. Following the construction of the new Gladesville Bridge in 1964, the original bridge was demolished in the late 1960s, leaving only the abutments and a substantial road alignment leading to the bridge. With the introduction of new shallow-draft twin-hulled River Cat craft in the late 1980s, early 1990s, the Parramatta ferry service was again revived and this road alignment now provides car parking space for ferry commuters. The redevelopment of the current wharf is in response not only to increasing popularity of the ferry service – once again – but to the need to increase safety and manoeuvrability of the current Sydney Ferry fleet docking at the wharf.

4.0 Heritage Context

Heritage consists of those objects, sites and places that society has inherited from the past and want to hand on to future generations. Australia's has many rich and varied historic places and landscapes, both urban and rural. Identifying and understanding their particular qualities, and what these add to our lives, is central to our engagement with our history and culture.

NSW's heritage is diverse and includes buildings, objects, monuments, Aboriginal places, gardens, bridges, landscapes, archaeological sites, shipwrecks, relics, bridges, streets, industrial structures and conservation precincts.

4.1 Aboriginal Cultural Heritage

4.1.1 Regional Overview

Aboriginal and Torres Strait Islander heritage is an important part of Australian heritage. Evidence of the occupation of Australia by Aboriginal and Torres Strait Islander people dates back more than 60,000 years. As well as being historically important, Aboriginal cultural heritage objects, sites and places provide valuable information about one of the world's oldest living cultures, and are of continuing significance, creating and maintaining continuous links with the people and the land.

Aboriginal heritage consists of those places and objects that contribute to the story of Aboriginal people in NSW. It can help identify the links that places may have with each other. Aboriginal people moved around NSW and passed on stories, information and knowledge by going to these special places. Aboriginal heritage includes places and items that are important to the local Aboriginal community or to Aboriginal people of NSW. These are places or objects that people have a connection to, both physically and spiritually, and can include natural features such as creeks or mountains, ceremonial or story places or areas of more contemporary cultural significance such as Aboriginal missions or post contact sites.

The Aboriginal heritage assessment process requires that the significance of Aboriginal sites within a project area is assessed. It is important that Aboriginal sites are contextualised within the local and regional landscape, in order to inform the assessment of significance. Historical information also provides additional information for the interpretation of archaeological sites.

The Sydney region has been inhabited by the Aboriginal people for at least 10,000 years according to available radiocarbon dates. Rock shelter sites in the King Tablelands site (Blue Mountains) and Darling Hills Creek (Pennant Hills), both provide dates over 10,000 years old (Stockton and Holland 1974). More recently, McDonald (2007) has reported on a date of over 30,000 years for a site in Parramatta, but this information has yet to be published in any detail. Further south along the NSW coast, sites at Burrill Lake and Bass Point produce dates of 20,000 and 17,000 years ago, respectively (see Bowdler 1970; Lampert 1971). All of these sites were occupied when the sea level was lower, about 120 metres below present day. Therefore, these sites would have been inland, surrounded by incising streams and rivers that crossed the exposed crustal shelf reaching the sea some 20 kilometres from the current coast line.

Few other Pleistocene deposits are known. Two sites are known to date to the early Holocene, those of Curracurrang, south of Sydney, a rock shelter and an open campsite at Prince of Wales Hospital, Randwick (Steele 2002). Most archaeological sites within the Sydney region are dated to the late Holocene, about the last 2,500 years to present. Researchers believe that the Sydney Basin was not intensively settled until this time after the sea levels had risen and stabilised around 5,000 BP (Attenbrow 1987, 2002). Many believe open sites were occupied only in the 1,500 years before European contact. Attenbrow (2002) identified eight dated sites in the vicinity of Riverstone and Alex Avenue, specifically Power Street Bridge 2 (5 957±74 14C

BP) 4, Rouse Hill RH/CD7 (4 690±80 14C BP), Parklea OWR7 (4060±90 14C BP), Quakers Hill 2 (3 450±60 14C BP), Plumpton Ridge (2 250±80 14C BP), Parklea PK.CD1+2 (1 070±60 14C BP), and Second Ponds Creek (650±100 14C BP). All of which were identified as open artefact scatters and indicate the presence of Aboriginal people in this area in the mid to late Holocene.

Stone artefacts are an important source of information for archaeologists. Information about trade routes, raw material exploitation as well as manufacturing technology can be obtained through the study of these tools. Stone tools are also used by archaeologists to obtain relative dates for archaeological sites. A widely accepted system for the dating of sites containing stone tools on the east coast of Australia was introduced by McCarthy in 1948 and is known as the Eastern Regional Sequence (ERS). Debates over the accuracy of the ERS system continue (Bird & Frankel 1991; Hiscock & Attenbrow 2002) and the sequence has been refined in recent years (Hiscock & Attenbrow 2004). However, it is generally accepted that the phases within the ERS are as follows:

Pre- Bondaian (previously Capertian) – Artefacts from this phase are typically of silicified Tuff, although where this material was difficult to obtain quartz and unheated silcrete were also utilised. Artefacts and cores vary widely size and are typically characterised by unifacial flaking. No backed artefacts, eloueras or ground stone implements have been identified within this phase. This phase generally dates to pre 8,000 years before present (BP).

Early Bondaian – Artefacts of this phase tended to be manufactured from local raw materials and a reduction in use of silicified Tuff is apparent. Both unifacial and bifacial flaking were dominant techniques, with bi-polar flaking becoming more widely used in the later stages. This phase dates from 8,000 to 4,000 BP.

Middle Bondaian – Raw materials used in stone tool manufacture vary widely between sites during this phase, although the use of quartz increases. Backed artefacts are most frequent in this phase in comparison to others. Tools and core size is reduced and the use of bi-polar flaking increases. This phase is generally dated from 4,000 to 1,000 BP.

Late Bondaian - Use of raw material types continues to diversify, whilst quartz is the dominant material type in use. Artefacts were typically manufactured through the use of bipolar flaking. Eloueras, bone artefacts and shell fishhooks are common in this phase. This phase is dated from 1,000 BP to European contact.

It is a common pattern in the Sydney Basin region, and along the east coast of Australia, that the majority of Aboriginal sites are found within close proximity to water sources, such as deflation basins and swamps. It is possible that such patterns may be the result of increased ground surface visibility or survey sample bias in these areas. Indeed, it is suggested by McDonald and White that the presence of erosion and surface exposures of artefact-bearing sediments as a result of sheet wash and gullying close to streams has biased results used for predictive modelling (2010:33).

4.1.2 Local Overview

Huntleys Point lies within the Port Jackson area which was the traditional country of the Darug speaking Aboriginal people, who were divided into land-owning clan groups, such as the coastal Eora and the inland Darug. Large Aboriginal groups such as the Darug were based on kinship, with huge importance placed on extended family groups or clans, their connections to the land and common language. The Darug operated a subsistence economy based on hunting, fishing and gathering, and it is evident from the archaeological record (Attenbrow 1991), that this area would have had abundant food resources in the sea, wetlands, forests and woodlands sufficient to support a large Aboriginal population.

The clan group associated with the Huntleys Point area is probably the *Wallumattagal* (Kohen 1993) or *Wallumedegal* (Attenbrow 2010) clan; the spellings and boundaries of clans are frequently contested. Today, the Huntleys Point area falls within the boundary of Metropolitan Local Aboriginal Land Council (LALC).

Thus, the Aboriginal history of Port Jackson is still very much in evidence, with Aboriginal names for many headlands and other features around the harbour, such as *Moco Boula* (Attenbrow 2009), the Aboriginal word for the long Hunters Hill / Woolwich Peninsula which begins at the mouth of Lane Cove River.

There is a rich ethnographic record from the first white explorers and settlers and the Aboriginal history is well documented in numerous publications, both academic and populist, for example in Attenbrow (2010) and Kohen (1993). Since the 1970s there has been a considerable amount of archaeological research and site recording, from broad regional surveys to those concentrating on excavation of a single site. Many of the art sites were recorded in the 1930s by bushwalkers and many are popular destinations for visitors, wanting to learn more on Aboriginal culture.

Despite extreme levels of landscape modification, the Port Jackson area still contains numerous archaeological sites, including middens, artefact scatters, burials, scarred trees, rock shelters with art and/or cultural deposit, axe grinding grooves, and rock engravings and these remain as a highly visual and significant component of the cultural history of the region.

Although Port Jackson once contained hundreds of Aboriginal people, much of the evidence for thousands of years of occupation has been destroyed by urban development and the transformation of the water body into a major harbour. Generally the more developed and modified an area, the less likelihood for sites to be present, although sites have been recorded in very highly modified landscapes. It is possible to predict the location of certain site types through the presence of certain environmental variables. Artefact scatters, for example, are nearly always found on flat well drained ground close to potable water.

Axe grooves may be present in the landscape where large flat sandstone slabs occur (such as at Huntleys Point) and rock art or cultural deposits may be present where there are rock overhangs in low cliffs. Bora grounds and stone arrangements are fragile sites, and rarely survived colonisation. Scarred trees are not generally present due to the lack of remaining mature forests, although shell middens are common around coasts and estuaries (as at Huntleys Point), but where the water/land interface and sand dunes have been severely altered, both middens and artefact scatters may still be extant in less disturbed locations set back from the water's edge. Burials may be present in middens, and places of spiritual, cultural or historical significance to Aboriginal people may be present in the sea or on land, but knowledge of these tends to be held orally and requires consultation with relevant Aboriginal knowledge holders and no such sites are known to exist near to the project area.

Large engravings or peckings on the flat slabs of Hawkesbury sandstone are a feature of the Port Jackson cultural landscape and these engravings have been commented on by non-Aboriginal people since the arrival of the First Fleet. The first systematic recording of the engravings and paintings was conducted by Campbell in 1899 (Mulvaney & Kamminga 1999). This was followed in the 1930s by McCarthy who recorded sites around Port Jackson as part of a broader study of the archaeological heritage of Sydney, and more recently by Taplin (Attenbrow 1991) who recorded many middens, including the one located at Huntleys Point.

The first systematic archaeological excavation in the region occurred in 1964, in a rock-shelter at Balls Head on the northern side of Port Jackson, approximately five (5) kilometres east of Huntleys Point (Bowdler 1971). The excavated deposits contained layers of shell interspersed with ash from ancient fires. Molluscan species collected were mostly rock oyster and hairy mussel with small amounts of Sydney cockle or *bimbula*, reflecting Aboriginal utilisation of estuarine ecosystems. Minimal amounts of the edible blue mussel were in the midden, despite its great abundance in the harbour today. A large number of stone artefacts and the



Figure 3: Previously recorded Aboriginal Midden sites at Huntleys Point

skeletal remains of a mature Aboriginal female were also recovered from that site (Bowdler 1971). In addition to the rock-shelter, the headland contained engravings, middens, paintings and axe grooves (Bowdler 1971), which is consistent with the archaeological evidence from the majority of headlands jutting into the harbour. Unfortunately, a radiocarbon date was not obtained from the excavation, but a later excavation at nearby Berry Island gave a date of 1195 years BP (Attenbrow 2010).

The first dated site for Port Jackson comes from excavations conducted at Bantry Bay in 1975 which revealed a small amount shell, charcoal and stone artefacts and had a date of 4,500 years BP (Ross & Specht 1976). A systematic survey of the Aboriginal heritage of Port Jackson commenced in mid-1988, prompted partly by concern for the need to protect Aboriginal sites from damage due to increasing rates of development and population growth. Prior to the survey, the NPWS site register had 437 recorded sites around Port Jackson, comprising mainly middens and rock engravings. Stage One of the survey divided the area into sub-catchments and located numerous previously recorded sites and found many more new sites, including 35 new middens (Attenbrow 1991), including several present in the Huntleys Point area as at 28/2/1990 (Figure 4).

Attenbrow went on to excavate several other sites, each representing Aboriginal use of the three separate ecosystems of ocean, estuary and freshwater (Attenbrow 1992, 1994, 1995). This work included meticulous analysis of all cultural material including stone, bone and shell as well as studies of geomorphological and taphonomic processes affecting the sites. Together, these studies have been a major contributor to the state of knowledge of not only the Port Jackson area, but south-eastern Australia in general. Of major relevance to the Huntleys Point wharf redevelopment project was a study undertaken in 1988 of the Hunters Hill municipality, which recorded sites in Gladesville Reserve and Betts Park.

A 1990 study by Michael Guider resulted in the re-recording of some of Attenbrow's sites and recording of several new sites including the rock-shelter with midden deposit close to the existing wharf (AHIMS# 45-6-1931). The 18 recorded sites listed in Appendix 2 comprise open middens and artefact scatters on land immediately adjacent to the river, within Gladesville Reserve to the west of the terminal, Betts Park to the northeast of the terminal and adjacent to the Tarban Creek on the northern side of the Point. The possible locations of the previously recorded sites are shown in (Figure 4).

Although the Huntleys Commuter Wharf site itself is a disturbed, the preservation of elements of the original Port Jackson landscape in the surrounding Gladesville Reserve points to the survival of the aforementioned middens and Aboriginal rock shelters, and these will need to be protected during construction works to avoid impact.

4.1.3 Archaeological Potential

Previous archaeological investigation within the Huntleys Point area has shown that rock shelters with midden deposits, artefact scatters and open middens are present in the immediate area. These tend to be associated with less disturbed areas such as in Gladesville Reserve and tend to be close to the edge of the river.

Open middens may be present behind the flat sandstone slabs marking the boundary of land and sea in the vicinity of the present wharf. Engravings and axe grooves may be present on the open flat sandstone slabs west of the wharf. Rock shelters may be present where the sandstone has weathered to form rock overhangs along the water's edge. Artefact scatters may be present on flat, well-drained land behind the sandstone slabs. It is likely that original construction of the wharf impacted on middens and rock shelters.

A considerable amount of archaeological research has been conducted around Port Jackson and numerous consultancy and academic research reports are listed on AHIMS. As aforementioned (Section 4.1.3), a review of previous archaeological reports and heritage registers does however indicate that at least eighteen

(18) Aboriginal sites have been recorded within Huntleys Point in recent decades. Some are old recordings transferred into AHIMS from previous NPWS site registers and are likely to be inaccurate and unreliable. Several sites have been recorded at different times by different people, and all have used the AGD datum, requiring conversion to the GDA datum, and there are also some inconsistencies between site descriptions and their location as identified by the grid coordinates. From the descriptions afforded these sites, it appears that with the exception of three (3): AHIMS#45-6-1931(Plate 2, Plate 3); and AHIMS#45-6-1948/1826 (Plate 1, Plate 4) (see 4.1.4); the remainder - including AHIMS#45-6-1930 - are outside of the project area.

At a coarse scale, the land from which the wharf protrudes has a high potential for containing stone artefact scatters, middens, rock shelters with deposit, engravings and axe grinding grooves, being close to the coastline, near potable water sources, and containing large, flat slabs of sandstone. The existence of a natural edge to the land and areas of land on which minimal development has occurred further enhances the probability of sites being present. This prediction is based on a review of aerial photographs and maps; the types of sites recorded in the immediate area and a review of the literature on previous archaeological research in the region, refer desktop assessment within this report. At a finer topographic scale, the immediate wharf terminal area has been highly modified, reducing its potential to contain sites.

4.1.4 Aboriginal Heritage

AHIMS searches were again carried out on 14 May 2012 by RPS Senior Coastal and Marine Archaeologist, Sarah Ward. The basic searches indicate four (4) Aboriginal sites (Table 2) within the vicinity of the Commuter Wharf (between Latitude -33.8424 Longitude 151.14131 and Latitude -33.84136 Longitude 151.14304, with a 50m buffer). Additional AHIMS searches were carried out on 23 July 2012, again by Sarah Ward, RPS Senior Coastal and Marine Archaeologist. The searches were extended to a 200 metre buffer around the project area. A total of eight (8) sites were recorded, however the additional four (4) sites were not able to be located/identified during either the 2011 or 2012 site inspections. When the buffer was extended to one (1) kilometre, the number of sites increased to 22.

The extensive searches (Appendix 2) indicate that the site at Gladesville Wharf Cave (i.e. AHIMS#45-6-1826) (Plate 1), east of the commuter wharf has been duplicated. Of the remaining three (3) sites, two are understood to be a co-located rock shelter and midden (AHIMS# 45-6-1931) (Plate 2, Plate 3), a second rock shelter (duplicated in AHIMS as AHIMS#45-6-1948 and AHIMS#45-6-1826) (Plate 1, Plate 4), and a midden located outside the project area at the western end of the Gladesville Reserve (AHIMS#45-6-1930).

Table 2: AHIMS Search Results – Aboriginal Sites at Huntleys Point

Item	Address	Heritage Listing	Significance
AHIMS#45-6-1930	Gladesville Reserve 2	AHIMS	Local
AHIMS#45-6-1931	Gladesville Wharf Cave	AHIMS	Local
AHIMS#45-6-1948	Betts Park Cave 1	AHIMS	Local
AHIMS#45-6-1826	Swains-Betts Park (duplicate)	AHIMS	Local

Source: AHIMS. OEH (2012:Online).

The shelter/midden (recorded on the NPWS site card as a rock shelter and midden) is located within the Huntleys Point Wharf project area at Huntleys Point on the north shore of the Parramatta River, approximately 400 metres west of the Gladesville Bridge.

It was noted during both site visits that of the two possible shelters, one on the eastern side of the existing wharf and one on the west. Although the site card for the shelter describes the site as being to the immediate west of the railing of the wharf, the physical description of the shelter, including the embedding of two tram rails in the floor, matched both shelters. However, an inspection of the eastern shelter (which is thought to coincide with AHIMS#45-6-1948 and AHIMS#45-6-1826) in 2011, it was rejected as an Aboriginal site,

largely because of its close proximity to the water line. At the time, the tide was ebbing, approximately 1.5 hours following the high tide maximum.

In both the 2011 and 2012 inspections, the floor of the eastern shelter was still quite wet and the floor covered by puddles and thick moss. It is therefore likely that any previously existing evidence of Aboriginal occupation in this shelter has been washed away by the tides.

At the time of the original 2011 inspection, the western shelter was located approximately 1.5 m above the water line. The shelter measured approximately 13.5 metres long, 2 metres deep and 2 metres high. The general condition of the shelter was considered poor, with the floor of the shelter appearing to be eroding. Extensive disturbance was also present during both site visits in the form of bottles, discarded bait (prawns) and general rubbish. During the 2011 visit, a lead sinker attached to a length of fishing line hung in the mouth of the shelter, tangled in a low-hanging branch of a tree growing above the shelter. The site card described a midden at the eastern end of the shelter, which was noted during the inspection as one of the few places in the shelter with a soil/sand deposit. It was overgrown with weeds and covered with rubbish, however, beneath the rubbish, shells were observed, in particular oyster and hairy mussel. This was again observed during the 2012 inspection.

4.2 European Cultural Heritage

European land settlement commenced in NSW in 1788 when Governor Phillip claimed possession of the land now known as Australia for a penal colony on behalf of the British Government. The heritage objects, sites and places associated with the European occupation of Australia point not only to the development of Australia as a modern nation, but to the places where people lived and worked.

European Heritage is recorded in a number of ways/places including the World Heritage List and the Australian Heritage Database which is an online database of items listed under the Commonwealth Heritage List, National Heritage List and the Register of the National Estate, along with a variety of State and local heritage registers and organisations such as the Hunters Hill Historical Society.

4.2.1 World Heritage

The World Heritage List includes 936 properties forming part of the cultural and natural heritage which the United Nations Education, Scientific and Cultural Organisation (UNESCO) World Heritage Committee considers as having outstanding universal value (UNESCO 2012: Online). There are 19 World Heritage Sites in Australia, five (5) of which are in NSW (Table 3). Zero (0) sites are in the Hunters Hill LGA, suburb of Huntleys Point, or the project area itself.

Table 3: World Heritage Sites in NSW protected under the *World Heritage Convention 1972*

Item	Address	Heritage Listing	Significance
Australia Convict Sites	Hyde Park Barracks, Sydney	World Heritage List	Universal
Lord Howe Island Group	~700 km north-east of Sydney	World Heritage List	Universal
Sydney Opera House	Bennelong Point, Sydney	World Heritage List	Universal
Greater Blue Mountains Area	~200km west of Sydney	World Heritage List	Universal
Willandra Lakes Region	Balranald and Wentworth Shires	World Heritage List	Universal
Gondwana Rainforests	Several areas, NSW and Qld	World Heritage List	Universal

Source: UNESCO (2012: Online).

4.2.2 National Heritage

The National Heritage List is now the lead statutory document for the protection of heritage places considered to have national importance. This list comprises Aboriginal, natural and historic places that are of outstanding national heritage significance to Australia. Listed places are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

A search of the National Heritage List (Australian Government 2012: Online) undertaken on 10 May 2012 indicates that there are zero (0) items within the Hunters Hill LGA on the National Heritage List, and consequently zero (0) items in the suburb of Huntleys Point, and zero (0) items within the Huntleys Point Wharf project area on the National Heritage List.

Previously the Register of the National Estate was the primary document for listing nationally significant heritage places. While the Register of the National Estate still exists in archival form, items can no longer be registered. Since February 2012 the Register no longer has statutory status. However, the Minister is still required to considering the Register when making some decisions under the EPBC Act. The Register of the National Estate was searched on 10 May 2012 and the results contains zero (0) heritage site within the Hunters Hill LGA and consequently zero (0) items in the suburb of Huntleys Point, and zero (0) items within the Huntleys Point Wharf project area listed on the Register of the National Estate Archive.

4.2.3 Commonwealth Heritage

The Commonwealth Heritage List is a list of natural, Aboriginal and historic heritage places owned or controlled by the Australian Government. These include places connected to defence, communications, customs and other Government activities that also reflect Australia's development as a nation. As neither the project area nor adjacent areas are owned by the Commonwealth, there are zero (0) items in the suburb of Huntleys Point, and zero (0) items in the Huntleys Point Wharf project area on the Commonwealth Heritage List. A search undertaken of the Commonwealth Heritage List on 10 May 2012 confirms this.

The National Heritage List, Commonwealth Heritage List, and the Register of the National Estate Archive can all be accessed via the Australian Heritage Database (Australian Government 2012: Online), an online database of heritage items.

4.2.4 State Heritage

Heritage items in NSW may be registered as important at the State level and/or at the local level. The Heritage Council has developed a set of seven (7) criteria to help determine whether a heritage item is of State or local significance to the people of New South Wales. Items are assessed by the Heritage Council of NSW and if deemed eligible for listing i.e. are of State significance, they are referred to the Minister for Heritage for Listing on the State Heritage Register, a statutory register of heritage items created by the NSW *Heritage Act 1977*.

Some heritage places and items that do not reach the threshold for listing on the State Heritage Register may be of heritage significance within a local government area. These places are listed by local council under their LEP and additionally may be included on the NSW Heritage Inventory database.

The NSW Heritage Inventory database is maintained by the NSW Heritage Office and lists items that have been identified as of State and local heritage value throughout NSW.

A search of the State Heritage Register on 2 May 2012 revealed zero (0) items of State Heritage Significance in Huntleys Point listed on the NSW State Heritage Register, and zero (0) items subject to an Interim, or Authorised Interim Heritage Order.

Additionally, a search of the NSW Road and Transport Authority's s. 170 State Government Agency Heritage and Conservation Register revealed that one (1) site within Huntleys Point (Table 4), was listed on this register as being of State Significance, the Gladesville Bridge (current), however it is outside of the Huntleys Point Wharf project area.

Table 4: Items listed on the S. 170 Stage Government Agency Heritage and Conservation Register

Item	Address	Heritage Listing	Significance
Gladesville Bridge (current)	Victoria Road, Huntleys Point	Roads and Traffic Authority NSW Stage Govt. Agency Heritage and Conservation Register	State

Source: Heritage Branch, Office of Environment and Heritage, 10 May 2012

4.2.5 Historic Shipwrecks and Underwater Cultural Heritage

Historic shipwrecks more than 75 years of age are protected in New South Wales by the Shipwreck provisions of the *Heritage Act 1977*. A search of the NSW Maritime Heritage Online (MHO) (2012: Online) - the statutory database of Historic Shipwrecks in NSW - indicates that seven (7) shipwrecks known to exist in the Parramatta River. Two (2) of these shipwrecks are considered historic and have statutory protection, a third (3) (Table 5), the Police Launch is will receive statutory protection in 2013, once meets the 75 year age threshold.

In addition to the historic ships known to have foundered in unknown locations along the Parramatta River, several other historic shipwrecks are known to exist in Sydney Harbour and remain unlocated. These include: *Siesta* (1942); *Nereus* (1942); *Silver Cloud* (1942); *Marlean* (1944); *Sea Nymph* (1882); *Cadet* (1912); *Rodney* (1938); *Robert Saywers* (1854); *Native* (1850); *Gem* (1880); and *Esther* (1920). The number in brackets is the year that the shipwreck was recorded as lost.

Archival information obtained from RMS (formerly NSW Maritime/Maritime Services Board) in July 2012 indicates that the riverbed in the vicinity of Huntleys Point Wharf has been heavily dredged since ferry services were extended along the Parramatta River in 1990. The Environmental Impact Statement (GHD 1990: iii) for example, clearly states that dredging would be required to a depth of 1.2 metres below the Indian Spring Low Water mark (ISLW) and to a width of 20 metres in order to allow the appraisal vessel to operate along the river.

It is therefore considered highly unlikely that any of the Historic Shipwrecks remain submerged or buried within the Huntleys Point Wharf project area and there is an extremely low risk of impact to Historic Shipwreck material, as previous dredging would have ensured that the riverbed in this location is clear of historic material.

Nevertheless, as the exact position of these three (3) shipwrecks is not known, care must be taken to ensure that no Historic Shipwrecks or relics would be impacted when mooring the barge and crane being used to take equipment and supplies on and off site via the River, or during the construction of the new wharf.

Table 5: Historic Shipwrecks Protected by the Shipwreck Provisions of the *Heritage Act 1977*

Item	Address	Heritage Listing	Significance
<i>Little Violet</i> (1888)	Parramatta River, Henley	Heritage Act 1977	State
<i>Maria Prudence</i> (1916)	Parramatta River, unknown	Heritage Act 1977	State
Police Launch (1938)	Parramatta River, unknown	Heritage Act 1977	State (2013)

Source: NSW Maritime Heritage Online, Heritage Branch, Office of Environment and Heritage (2012: Online).

4.2.6 Local Heritage

Searches of the Heritage Branch, OEH State Heritage Inventory, and the Leichhardt Local Environmental Plan revealed a total of 26 local heritage items within Huntleys Point. For prudence we have listed only those nine (9) items on Huntleys Point Road, Huntleys Point and within/near to the project area.

The Huntleys Point Wharf (current) is itself listed on the Hunters Hill LEP (Table 6) as a local heritage item. The Wharf listed as part of a Foreshore Scenic Protection Area (Hunters Hill Council 2012: Online) and has been assessed as part of a population study by the former Maritime Services Board, although is yet to be included in the RMS Section 170 Stage Government Agency Heritage and Conservation Register (Berger 2012: pers. comm.).

Table 6: Items of Local Heritage Significance listed on the Leichhardt Local Environmental Plan

Item	Address	Heritage Listing	Significance
Wharf Site and Steps	Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Point House and Garden	34 Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Moreton Bay Fig Tree	Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Item (thought to be houses)	41, 43-47, 49 Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Item (thought to be houses)	1, 3, 5, 7, 9, 13 Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Huntleys Point Wharf Side [sic]	Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Gladesville Wharf (current)	Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local
Gladesville Bridge (current)	Huntleys Point Road, Huntleys Point	Hunters Hill LEP	State
Gladesville Bridge Remains	Huntleys Point Road, Huntleys Point	Hunters Hill LEP	Local

Source: Heritage Branch, Office of Environment and Heritage (2012: Online)

Also listed is an item called 'Wharf site and steps' (Plate 1) which is directly adjacent to, and on the eastern side of, the current wharf (Plate 4), extends into the Aboriginal rock shelter (AHIMS# 45-6-1931), and is contained within the project area.

On 10 May 2012, a search was also undertaken of the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* in order to identify any further heritage items. The SREP covers all the waterways of the Harbour, the foreshores and entire catchment. It establishes a set of planning principles to be used by councils for the preparation of planning instruments, for the hydrological catchment of the Harbour. It also zones the waterways into nine different zones to suit the differing environmental characteristics and land uses of the harbour and its tributaries.

The SREP includes a range of matters for consideration by consent authorities assessing development within the Foreshores and Waterways Area of the Plan. These are aimed at ensuring better and consistent development decisions and include such issues as ecological and scenic quality, built form and design, maintenance of views, public access and recreation and working harbour uses. The SREP includes provisions relating to heritage conservation and wetlands protection and provides planning controls for strategic foreshore sites, and lists a number of heritage items of State and Local significance.

The SREP lists zero (0) heritage items at Huntleys Point, and zero (0) items in or near to the project area. It does however list the existing Gladesville Bridge and abutments as being of State Significance (Table 7). RPS has not been advised of an alternate wharf to be used to berth Sydney Ferries during the period of construction. As such it has not been possible to determine if the proposed alternate wharf is a heritage item. Nevertheless, an assessment of the impact on an alternate site is outside of the scope of this SoHI.

Table 7: Items listed on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Item	Address	Heritage Listing	Significance
Gladesville Bridge (Remains) and abutments	No specified address	SREP 2005	State

Source: Department of Planning & Infrastructure, 10 May 2012

5.0 Assessing Significance

Before making decisions about the future of a heritage item it is first necessary to understand its heritage significance and the values it embodies. The aim of this particular significance assessment was to explain the heritage values embodied by the Huntleys Point Wharf not only for the benefit of past, present and future generations, but as the basis for policies and management structures that will affect the item's future, such as: making decisions about whether to retain an item; considering changes to an item; preparing a heritage study or conservation management plan; and/or preparing a Statement of Environmental Effects or an Environmental Impact Statement as part of the development and building approval process such as this.

The assessment was carried out in accordance with *Assessing Heritage Significance* (Heritage Office (former) 2001), with particular consideration given to the criteria stipulated in *Significance 2.0* (Winkworth & Russell 2009), notably the modifying criteria about condition/completeness, and interpretative capacity.

5.1 Significance Assessment

The following assessment uses the NSW State Significance Criteria as specified under the *Heritage Act 1977*.

5.1.1 Historical Significance (SHR Criteria A)

The Huntleys Point Wharf site is a key item of maritime infrastructure in operation since circa 1907. Associated with the development of the North-West Expressway in Sydney, and as one of the 'five bridges' of the 1960s the wharf was intended to form part of an expressway system serving western Sydney. The crossings from the Point to Drummoyne whether by ferry, 'iron bridge', or the Gladesville Bridge, have been central to the history of inner west Sydney. The ferry routes of Huntleys Point and Hunters Hill were part of an intensive network of maritime transport, which serviced these once isolated promontories, and it is therefore considered to be of local historical significance.

5.1.2 Associative Significance (SHR Criteria B)

The Huntleys Point Wharf structure is immediately adjacent to the Gladesville Reserve, and the site of the former Gladesville Bridge remains, which is also local heritage significance. The Wharf place has associations with Alfred Huntley and his family, after whom the Huntleys Point is named and with prominent members of the Drummoyne and Hunters Hill areas, and is therefore of local associative significance.

5.1.3 Aesthetic/Technical Significance (SHR Criteria C)

The Huntleys Point Wharf has aesthetic value as a distinctive landscape feature with landmark qualities. Built at a time when aesthetic qualities were understood to be given equal consideration to functional qualities, the wharf is visually distinctive due to its clean lines, maritime feel, rising walkway, and its location which provides sweeping views to and from the Parramatta River, opposing foreshore and public access points along the shore.

Furthermore the wharf is associated with technical achievement of reopening the Parramatta River to ferry services and exemplifies a particular maritime style and wharf technology. The wharf is a distinct landmark evident from the river, opposing foreshore and public access points along the shore.

5.1.4 Social Significance (SHR Criteria D)

The Huntleys Point Wharf is locally significant for its social and cultural heritage values. When the wharf was constructed around 1907 it was integral to the transport network servicing Huntleys Point and thus has a long association with the residential communities of Huntleys Point and more broadly Hunters Hill, many of whom use the wharf for transport and recreation. The wharf is allowed easier access to both Huntleys Point and Hunters Hill and as such is important to the communities' sense of place. As evidenced by the three (3) Aboriginal sites contained within the project area, the wharf site is further understood to be of social significance to Darug speaking Aboriginal Australians of the Eora nation.

5.1.5 Research Potential (SHR Criteria E)

The wharf site has little potential to yield scientific and archaeological information that will further contribute to an understanding of NSW cultural, industrial and maritime history. This research/archaeological potential of the existing wharf structure is assessed as low to nil because although intact, the wharf has low degree of integrity due to the introduction of intrusive fabric and the high level of modification over time. The wharf is not considered to be significant for its research/archaeological potential.

5.1.6 Rarity (SHR Criteria F)

The Huntleys Point Wharf is not considered to be a rare example of this type of ferry wharf on Sydney Harbour. It is one of a high number of wharves built in the late nineteenth and late twentieth centuries. It is however rare as a wharf adjacent to a main road with ample car parking, rather than local pedestrian access (NSW Maritime 2010: Online), although this has no positive effect on its potential heritage significance.

5.1.7 Representativeness (SHR Criteria G)

The Huntleys Point Wharf timber structure is locally significant as it is representative of small ferry wharves built in the late nineteenth and early twentieth century in Sydney Harbour for transport and recreation. The wharf is part of a group of wharves in the inner harbour which collectively illustrates a representative type. The Huntleys Point wharf is further representative of the development of a particular maritime custom, process and way of life in colonial NSW, and the modern embodiment of that custom.

On the basis of the assessment above, the Huntleys Point Wharf meets five (5) of the seven (7) criteria for significance at a local level.

5.1.8 Comparative/Modifying Criteria

For the purposes of this SoHI, we will also consider four comparative criteria, which evaluate the degree of significance and act as modifiers of the main criteria. The criteria include provenance (because a provenanced item/site is likely to be more significant than an equivalent unprovenanced item); rarity/representativeness; condition/completeness and interpretive capacity.

In the case of the Huntleys Point Wharf, condition/completeness and interpretive capacity are the most applicable criteria, as the item is provenanced and the rarity/representativeness criterion has been addressed in the assessment in Sections 5.1.6 and 5.1.7 above.

With regard to condition/completeness, the visual inspection that was undertaken during the site visit on 1 May 2012 indicates that the wharf has been modified over time. Although the original timber pile structure is still intact it has been modernised to include concrete walkways, and modern metal roof coverings. Apparent lack of integrity can reduce the assessed level of heritage significance.

Regarding interpretative capacity, there is considered to be low level of community esteem for the wharf and its historical development. The site is considered to offer low potential for interpretation.

As the wharf is listed as a local heritage item, it is recommended, that full archival recording be carried out prior to any works being undertaken so that the current state of the wharf can be preserved by record, in perpetuity, and its significance can be communicated even after the wharf fabric is modified. Interpretation of an item through the care (or treatment) of the fabric, is central to heritage conservation in Australia, as per the principles of best practice set out in the Australia ICOMOS *Charter for Places of cultural Significance* (The Burra Charter).

5.2 Statement of Significance

Huntleys Point wharf is of local heritage significance to the people of Huntleys Point and Hunters Hill due to its long association with the residents of these communities, many of whom used the wharf for transport and recreation purposes. The wharf is integral to the transport network servicing Huntleys Point and is one of the few visually distinct and aesthetically pleasing passenger wharves with landmark qualities in Sydney Harbour. The wharf is representative of a group of small ferry wharves constructed in the late nineteenth and early twentieth centuries in the inner harbour and is rare as a wharf adjacent to a main road with ample car parking, rather than associated with local pedestrian access. The wharf is of local historical and associative significance for its ties to Alfred Huntley and his family, after whom the Huntleys Point is named and with prominent members of the Drummoyne and Hunters Hill areas. The local heritage significance of the wharf is therefore contained in its location, its historical, social and associative values, its representative nature and relationship to associated transport routes and any physical evidence that demonstrates its history of use (NSW Maritime 2009).

6.0 Statement of Heritage Impact

The purpose of a Statement of Heritage Impact is to assess the Aboriginal and European (Historic) impacts of a development proposal. When considered along with a policy, conservation management plan or, as in this case, a Review of Environmental Factors, an informed decision can be made whether to allow the development to proceed.

It must be noted that this investigation will only give cursory consideration to visual impact and impact on view corridors as this has been adequately addressed in a report by Jane Irwin (2012) that will be appended to the forthcoming Review of Environmental Factors, along with this report.

In accordance with the New South Wales Government Guidelines for SoHI, this section addresses the potential impact of the proposed works on the local heritage significance of the Huntleys Point Wharf, the wharf curtilage, alternate proposals and their sympathetic viability of alternate proposals, whilst Section 7 will investigate measures proposed to mitigate negative impacts.

6.1 Proposed Changes to Existing Wharf Structure

This section investigates the anticipated impacts of the proposed works on the project area. This includes impacts on the heritage significance of the locally listed Huntleys Point Wharf, on surrounding Aboriginal and European heritage sites, and as part of the expanded on the wharf curtilage. This investigation will not include a detailed assessment of the impact on view corridors as this has been adequately addressed in the *Landscape Character and Visual Impact Assessment* prepared by Jane Irwin Landscape Architecture.

6.1.1 Design Changes

The existing Huntleys Point Wharf (Plate 7, Plate 8) will be retained for use by recreational vessels and to provide access to the new public ferry wharf.

The proposed works include the construction of a new public ferry wharf to the west/south west of and adjoining the exiting Huntleys Point Wharf. The new wharf will comprise: a concrete entry platform of approximately three (3) metres in length (to connect the existing wharf to the new gangway); a covered aluminium gangway approximately 16 metres long and up to three (3) metres wide (to connect the concrete entry platform to the floating pontoon); a nine (9) metre wide by 18 metre long rectangular steel floating pontoon; and new safety and security facilities.

The new floating pontoon will have one berthing face. The entry platform will be supported by three (3) new steel piles, five timber deflector piles will be also added along with a proposed new cardinal marker approximately 30 metres west of the proposed new pontoon.

The roof of the proposed pontoon and the gangway is a curvilinear roof with an arc form, which is clad in standing seam zinc roofing. This roof, when viewed from above, will appear mid-gray in colour due to the natural weathering of zinc over time and will be distinguished from the existing roof by its curvilinear form, and linear sheeting pattern. The new access provisions for the wharf are more generous in dimension and RPS understands that they conform to the statutory requirements.

The new covered pontoon provides additional shelter for ferry passengers, safe passage, access and berthing for ferries and will allow previously unavailable facilities to be installed at the wharf to increase passenger comfort and safety. These facilities include: lighting; closed circuit television (CCTV); covered seating and an information area. Ancillary facilities will be established on site to support the proposed works. Section 1.2 provides a more detailed account of the proposed works).

6.1.2 Functional Requirements

The then NSW Maritime (now RMS) functional and performance brief for the proposed changes to the Huntleys Point Wharf and the expansion of the wharf curtilage is very specific for functional purposes. RPS understands that the current berthing face is dangerous (Blair 2012: pers. comm.) and the new design seeks to rectify this by improving berthing safety, addressing navigational hazards arising from the current confined context of the site, and amongst other facilities, the provision of deeper water access. In order to increase passenger comfort and safety, the design must also consider the *Disability Discrimination Act 1992* and current legislative standards for disabled access. These requirements and have been met and perceived constraints resolved within the current design.

6.1.3 Proposed changes to existing sites

No changes to adjacent Aboriginal or European heritage sites are proposed as part of the Huntleys Point Wharf redevelopment. The redevelopment will primarily extend the existing commuter wharf south into the Parramatta River and angling off towards the west. Although it would appear from plans for the proposed wharf redevelopment that the rock shelter to the east and the rock shelter and midden to the west will not be impacted by the new wharf, there remains a slight possibility that damage may occur during construction owing to its proximity to the current wharf, either through increased wash and wave damage as a result of piling. There will be no direct impact from barge or crane mooring as these will not be moored to shore, instead they will be using a four (4) point in-water anchoring system.

6.1.4 Summary of Proposed Changes

The changes to the existing fabric will be minor. Only the intrusive fabric - concrete decking and handrails – will be removed to allow for the connection between the additional covered bridge, gangway and pontoon and the existing structure. There will be minimal negative impact on heritage fabric and minimal negative impact on view corridors. Given the briefed objectives to upgrade passenger facilities at the Huntleys Point Wharf, it is unlikely that there are many other options which produce a satisfactory outcome in terms of the heritage of the place.

The location of the temporary site compound on the heritage listed Gladesville Bridge Remains will not involve ground disturbance or material change to the heritage item and would be temporary. Therefore the proposal would not result in any physical impacts to this item.

6.1.5 Visual Impact

Views from the Parramatta River and surrounds when looking towards the commuter wharf will change as a result of the proposal, although views from Huntleys Point Road and surrounds will remain substantially unchanged, this is in part due to the new blue-zinc colour scheme designed to blend in rather than stand out. When looking back toward shore from the Parramatta River a section of the northern bank of the river to the west of the existing structure will be partly obscured by the new gangway and pontoon, however views existing wharf structure and its waiting shelter will be remain unobscured.

The visual impacts of the new wharf on the existing structure have been the subject of a detailed consideration to minimise potential impacts. Alternative options (Section 6.2) have been considered for this structure; however these failed to accord with the structural, operational, and functional exigencies of the proposed new wharf and were consequently abandoned in favour of the finalised proposal assessed herein. It is not considered that that the change in view corridors as a result of this proposal will not have a negative impact.

There would be a visual impact on the Gladesville Bridge Remains due to the erection of construction hoarding and construction personnel being located in this area during the construction period. This impact would be moderate and temporary.

6.1.6 Modification of Existing Fabric

Generally, and consistent with best practice, physical changes to heritage components that are considered high or exceptional should be avoided, where possible. These components contribute the most to maintaining the heritage significance of the heritage item/precinct. Any justified physical changes to components that are moderate or low should be considered with care and be sympathetic to original form, scale and location.

Changes to intrusive components, such as the wharf piles or concrete decking, is generally considered acceptable, especially when the removal of such components can restore the original form of the heritage item. Where intrusive components were added as essential structural support, as is the case at Huntleys Point, more sympathetic and less visible replacements should be considered. As the current wharf structure was redeveloped in 1990, there is no need to replace structural components; however the new wharf has been designed to ensure that the visual impact is limited, whilst still fitting with the new consistent design theme proposed for all wharves in the inner harbour.

Specifically, the impacts of the new wharf and approaches will involve relatively minor change to the existing wharf structures, in that the existing wharf structure will remain intact and the existing wharf structure and associated waiting shelters will be maintained for ongoing use by recreational vessels.

As this current assessment indicates, the existing timber wharf structure embodies local heritage values. It is for this reason, and to minimise impact on the adjacent Aboriginal and European cultural heritage sites, that it is being retained and modified to include the additional features. Although there will be some heritage impacts as a result of the works, these will be minor.

As this current assessment indicates, the local heritage values of the Huntleys Point Wharf extend beyond the fabric of the wharf structure. The waiting shelter has low integrity of heritage fabric and low local significance, and will be retained for the comfort of wharf patrons using the existing wharf for recreational purposes.

The existing timber deck structure is not original, although it has the same 'look and feel' of the earlier timber decking. The decking design is representative of all the small timber ferry wharves on the inner harbour, built in the late nineteenth and early twentieth centuries. The timber decking has been intruded upon by the addition of a concrete platform and is therefore assessed to have a low integrity of heritage fabric and a low-medium (local) significance. Any work undertaken to build and attach the concrete entry platform will not have a detrimental effect on the heritage significance of the structure.

Likewise the timber piles supporting the existing waiting shelter and deck structure are understood to be replacements of earlier replacement piles, and as these are themselves intrusive components, they are assessed as having low integrity of heritage fabric and low significance.

Table 8: Schedule of Heritage Significance of Huntleys Point Wharf

Wharf Component	Integrity of Fabric	Assessed Significance
Wharf approaches	Low Integrity	Low (local) Significance
Timber wharf decking	Low Integrity	Low-Medium (local) Significance
Timber wharf piles	Low Integrity	No (local) Significance
Waiting shelter	Low Integrity	Low (local) Significance

Location/Landscape setting	No Fabric Integrity	Medium-High (local) Significance
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Source: RPS 2012

The overall assessment of local significance is more related to the history, use, location, aesthetic, social and associative significance of having a timber wharf at that location and its group or representative values, than it is to the physical fabric. This has implications for the landscape setting, which also has medium-high local significance, but no fabric integrity.

As such, there will be some negative heritage impact as a result of the proposed works, particularly given the intrusive nature of the new wharf structure and altered view corridors, however these will be minor. The design attempts to minimise any adverse impact on heritage significance, commensurate with operational and structural statutory obligations for ferries and ferry wharf structures.

The minor impacts of the addition of a new wharf to the existing retained structure can be mitigated via full archival recording of the wharf structure and the development and implementation of an interpretation plan. Archival recording will ensure that the locally significant wharf structure will be recorded in perpetuity, and the development and implementation of an interpretation plan will:

- a) help people to connect with the past by identifying what is unique and special about the Huntleys Point Wharf/Parramatta River area;
- b) attract, engage and inspire visitors to the area;
- c) demonstrate RMS' concern for heritage and care for community views;
- d) minimise environmental and cultural damage by explaining the impacts of various actions;
- e) act as a substitute for things we cannot experience directly (i.e. the existing wharf without the additional new wharf);
- f) help to meet increasing demand for heritage tourism and educational visitor experiences;
- g) provide a vehicle for developing understanding and enjoyment of maritime structures and Sydney's maritime past;
- h) encourage social cohesion by giving communities a sense of place and belonging;
- i) bring social, environmental and economic benefits through increased passenger numbers.

Given statutory requirements and that only the less significant elements and fabric of the existing wharf structure will be impacted, the following aspects of the proposal respect or enhance the heritage significance:

1. sympathetic retention of the existing wharf structure in its original location maintains place as part of the wharf's cultural significance, respects aesthetic, historical and associative significance whilst conserving use, retaining setting and maintaining representativeness;
2. full archival recording of the existing structure will ensure the wharf is preserved by record for future generations; and
3. development and implementation of an interpretation plan/strategy will ensure that social significance and a sense of place are maintained through participation.

6.2 Alternate Options

In 2006 the former NSW Maritime took control of all ferry commuter wharves in Sydney Harbour and proceeded to undertake maintenance and upgrade works and to develop a program of substantial works for the years ahead. The upgrade of each wharf was prioritised based on a comprehensive risk assessment and a review workshop which considered: 1) strategic need for the proposed works; 2) the requirement to minimise the impacts of the proposal on the surrounding environment; 3) safety of both ferries and passengers; and 4) cost. Huntleys Point Wharf was scheduled for upgrade in 2012/2013. Three options were identified for Huntleys Point Wharf:

1. do nothing (base case);
2. replacement of the existing Huntleys Point ferry wharf with a new wharf; and
3. retention of existing Huntleys Point ferry wharf and addition of new wharf.

Option 3 is the preferred option as it best meets the project objectives while also having the least impact on the cultural and natural environment.

The do nothing option (Option 1) would involve no active measures and would not improve the commuter ferry services provided at Huntleys Point Wharf. Outside of routine maintenance, no actions would be taken to improve or upgrade the existing Huntleys Point Wharf would be taken the future. Likewise no efforts would be taken to conserve or preserve the existing heritage structure. This option would limit commuter comfort and experience and the use of the ferry by commuters from this location would not be maximised. There would be no improvement in commuter comfort and security, nor would there be any improvement in the efficiency by which passengers embark and disembark the ferry. As such there would be no improvement to commuter travel times. The existing Huntleys Point ferry wharf would continue to be used for ferry services, however would not meet statutory requirements going forward. As such, it was considered that this option would not achieve the objectives of the Sydney Commuter Wharf Upgrade Program it was not pursued further.

Option 2 would involve demolition of the existing Huntleys Point Wharf and replacement with a new wharf. The new wharf would be designed in accordance with a new unifying visual theme implemented for those wharves to be replaced and upgraded throughout Sydney Harbour.

The final alternative, Option 3, retains the existing Huntleys Point Wharf for use by private and commercial vessels with the construction of a new wharf adjacent to and adjoining the existing wharf. The additions would include a new bridge, gangway, and floating pontoon extending from the south western corner of the wharf. The new wharf would be accessible to people with a disability and consistent with the unifying visual theme developed for wharves to be replaced and upgraded throughout Sydney Harbour.

An earlier concept for the Huntleys Point Wharf (Option 3) was prepared by Group GSA architects in June 2011, but modified in favour of a less intrusive structure, which is the current proposal. Through the design, attempts have been made to minimise impacts on significance, commensurate with the statutory obligations to meet operational requirements and standards for ferries and ferry wharf structures, and this appears to be the most sympathetic option.

Option 3 was selected as it achieved the most beneficial effects of all three (3) alternatives, would best meet the project objectives; and would best assist in the delivery of the objectives of the Sydney Commuter Wharf Upgrade Program by providing:

- a) improved vessel safety and a reduction in navigational hazards

- b) improved accessibility of the ferry wharf for all ferry commuters, particularly for people with a disability;
- c) compliance with requirements of the *Disability Discrimination Act 1992* and current legislative standards for disabled access;
- d) passengers with enhanced comfort and protection from wind, rain and the elements;
- e) improved commuter safety with safety gates and screens;
- f) improvements to the public domain and the quality of commuter experiences;
- g) standardisation of wharf structures throughout Sydney Harbour, which would improve maintenance timeframes and costs as well as unifying and identifying the harbour wharves and ferry commuter system; and
- h) the general maintenance of heritage significance.

6.3 Summary of Heritage Impact

Generally, and consistent with best practice, physical changes to heritage components that are considered high or exceptional should be avoided, where possible. These components contribute most to maintaining the heritage significance of the heritage area/precinct. Any justified physical changes to components are moderate or low should and are considered with care and be sympathetic to original form, scale and location.

Changes to intrusive components are generally acceptable, especially when the removal of such components can restore the original form of the heritage item. Where intrusive components were added as essential structural support, more sympathetic and less visible replacements should be considered.

Specifically, the impacts of the new ferry wharf and approaches will involve minor change to the existing ferry structures, in that the existing wharf structures will be retained, with the addition of a new covered gangway and floating pontoon. The existing covered wharf will be retained, and maintained for continuing use.

The temporary site compound would have a temporary moderate impact on the Gladesville Bridge Remains due to the location of construction hoarding and construction personnel within this area during the construction period.

Generally, the impacts on local significance values of the existing wharf generally have been minimised, potential impacts on the adjacent Aboriginal and European sites have been mitigated, commensurate with the statutory obligations to meet operational requirements and standards for ferries and ferry wharf structures. Given these statutory requirements, and the minimal impacts on the significant fabric of the existing wharf and approaches, the proposed development is considered to both reasonable and appropriate in heritage terms.

7.0 Mitigation, Conclusion and Recommendations

The NSW Heritage Council guidelines require that the SoHI, together with supporting information, address what measures are proposed to mitigate the negative impacts of the proposal and why more sympathetic solutions are not viable. This section investigates the options considered for the extension/redevelopment of the Huntleys Point Wharf, and for the interventions into the existing wharf curtilage.

This report has considered the environmental and archaeological context of the project area, considers the significance of the Huntleys Point Wharf, the development proposal, potential heritage impacts and mitigation options, as well as reporting on the results of a site inspection of the project area.

The following mitigation measures, management recommendations have been formulated with consideration of all available information and have been prepared in accordance with the relevant legislation.

Recommendation 1

All relevant staff, contractors and subcontractors should be made aware of their statutory obligations for heritage under NSW *National Parks and Wildlife Act 1974* and the NSW *Heritage Act 1977*, which may be implemented as a heritage induction.

Recommendation 2

In the event that any further Aboriginal site/s are identified in the project area, then all works in the area should cease, the area should be cordoned off and contact made with the Office of Environment and Heritage (Enviroline 131 555); a suitably qualified archaeologist; and the relevant Aboriginal stakeholders, so that the site/s can be adequately assessed and managed.

Recommendation 3

In the unlikely event that skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off. The NSW Police Coroner must be contacted to determine if the material is of Aboriginal origin. If determined to be Aboriginal, the proponent, must contact: the Office of Environment and Heritage (Enviroline 131 555); a suitably qualified archaeologist; and representatives of the local Aboriginal Community Stakeholders to determine an action plan for the management of the skeletal remains, formulate management recommendations and to ascertain when work can recommence.

Recommendation 4

If, during the course of development works, further suspected European cultural heritage material, including historic shipwrecks, are discovered, work should cease in that area immediately. The Heritage Branch, Office of Environment and Heritage (02 9873 8500) should be notified and works only recommence when relevant permits and an appropriate and approved management strategy instigated.

Recommendation 5

As the Huntleys Point Wharf is a heritage item of local heritage significance the proponent should carry out full archival recording of the wharf structure, prior to any works taking place. The recording should be carried out in accordance with the Heritage Branch, Office of Environment & Heritage's (formerly NSW Heritage Office) Guidelines on *How to Prepare Archival Records of Heritage Items* prior to any works taking place.

Recommendation 6

In order to ensure that the midden and both rock shelters are not impacted during construction, a highly visible barrier should be erected and the sites should be flagged and roped off by a suitably qualified archaeologist prior to commencement of works. A plan of the area showing the heritage exclusion zone should be retained on site, and the need to remain outside of the listed item, should form part of the heritage induction.

Recommendation 7

All staff, contractors and subcontractors are required to conduct all construction activity in such a way as to prevent any impacts by construction or related works within any heritage exclusion zone, including impacts from plant and equipment that is not directly engaged in construction.

Recommendation 8

It is recommended that heritage information be placed on site during the construction phase to interpret the historic development and use of the Huntleys Point Wharf. Information could be in the form of heritage images and text on construction phase hoarding, or laminated posters put up beside general project information on site.

Post construction, opportunities could also be explored by RMS to provide heritage interpretation on an ongoing/permanent basis so that the site's significance is communicated even after significant components of the wharf are removed. Interpretation of an item through the care (or treatment) of the fabric, is central to heritage conservation in Australia. If heritage interpretation is undertaken, it should be developed in accordance with the NSW Heritage Office's 2005 *Interpreting Heritage Items and Places Guidelines*. Ways of achieving the funding for this can be explored through the Heritage Branch, Office of Environment and Heritage, Heritage Grants Program.

Recommendation 9

Whilst marine works are in progress the proponent should minimise wash associated with waterborne transport so that remaining midden deposit at AHIMS #45-6-1931 is not impacted. Baffles or another suitable controlling measure may need to be implemented.

Recommendation 10

If the proponent identifies that impact of any kind to the remaining midden deposit at AHIMS #45-6-1931 cannot be avoided during the project works then it will be necessary to obtain a Section 90 Permit from the Office of Environment and Heritage, prior to works being undertaken.

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9.0 Acronyms and Units

AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
cal. years BP	Calibrated years before present
DECCW	Department of Environment, Climate Change and Water
DSEWPC	Department of Sustainability, Environment, Water, Population and Communities (Federal) (formerly DEWHA)
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act
GDA	Geodetic Datum Australia
GIS	Geographic Information System
LALC	Local Aboriginal Land Council
LEP	Local Environment Plan
NPWS	National Parks and Wildlife Service
OEH	Office of Environment & Heritage
PAD	Potential Archaeological Deposit
REP	Regional Environment Plan
REF	Review of Environmental Factors
UNESCO	United Nations Education, Scientific and Cultural Organisation

10.0 Plates



Plate 1: Aboriginal Rock Shelter (AHIMS#45-6-1948/1826) to the east of the existing Huntleys Point Wharf, the site also demonstrates remnant European heritage in the form of metal stanchions from the previous wharf. These are associated with the adjacent locally listed 'Wharf Site and Steps' (Source: RPS 2011)



Plate 2: Aboriginal Rock Shelter (AHIMS#45-6-1931) to the west of the existing Huntleys Point Commuter Wharf. The current walkway can be seen to the far right of the image shelter (Source: RPS 2011)



Plate 3: Aboriginal Rock Shelter (AHIMS#45-6-1931) to the west of the existing Huntleys Point Wharf (Source: RPS 2011)



Plate 4: Looking north west across the existing Huntleys Point Wharf toward shore. The heritage listed 'Wharf Site and Steps' can be seen to the immediate east/right of the Wharf structure as it adjoins shore, and the Rock Shelter can be seen to the east of the 'Wharf Site and Steps' (Source: RPS 2011)



Plate 5: Looking east north east across the sheltered walkway leading to existing Huntleys Point Wharf (Source: RPS 2011)



Plate 6: Looking south west across the existing Huntleys Point Wharf to the Parramatta River (Source: RPS 2011)



Plate 7: Looking north east across the existing Huntleys Point Wharf toward shore. This existing structure will remain intact (Source: RPS 2011)



Plate 8: Looking south within the existing Huntleys Point Wharf toward shore. This existing structure will remain intact (Source: RPS 2011)



Plate 9: Looking north toward the existing Huntleys Point Wharf with an artists' impression of the new wharf post construction (Source: HY/RMS 2011)

Appendix I

Legislative Requirements

Summary of Statutory Controls

The following overview of the legal framework is provided solely for information purposes for the client, it should not be interpreted as legal advice. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview, and recommend that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

COMMONWEALTH

Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (ATSHP Act), Amendment 2006
The purpose of this Act is to preserve and protect all heritage places of particular significance to Aboriginal and Torres Strait Islander people. This Act applies to all sites and objects across Australia and in Australian waters (s4).

It would appear that the intention of this Act is to provide national baseline protection for Aboriginal places and objects where State legislation is absent. It is not to exclude or limit State laws (s7(1)). Should State legislation cover a matter already covered in the Commonwealth legislation, and a person contravenes that matter, that person may be prosecuted under either Act, but not both (s7(3)).

The Act provides for the preservation and protection of all Aboriginal objects and places from injury and/or desecration. A place is construed to be injured or desecrated if it is not treated consistently with the manner of Aboriginal tradition or is or likely to be adversely affected (s3).

The Australian Heritage Commission Act 1975

The Australian Heritage Commission Act 1975 established the Australian Heritage Commission which assesses places to be included in the National Estate and maintains a register of those places. Places maintained in the register are those which are significant in terms of their association with particular community or social groups and they may be included for social, cultural or spiritual reasons. The Act does not include specific protective clauses.

The Australian Heritage Council Act 2003 together with The Environment Protection and Biodiversity Conservation Act 1999 (Amended) includes a National Heritage List of places of National heritage significance, maintains a Commonwealth Heritage List of heritage places owned or managed by the Commonwealth and ongoing management of the Register of the National Estate.

STATE

It is incumbent on any land manager to adhere to state legislative requirements that protect Aboriginal Cultural heritage. The relevant legislation in NSW includes but is not limited to:

National Parks & Wildlife Act 1974 (NPW Act)

The NPW Act provides statutory protection for all Aboriginal heritage, places and objects (not being a handicraft made for sale), with penalties levied for breaches of the Act. This legislation is

overseen by the Office of the Environment & Heritage (OEH) (formerly Department of Environment, Climate Change and Water (DECCW)), now part of the Department of Premier & Cabinet. Part 6 of this Act is the relevant part concerned Aboriginal objects and places, with the Section 86 and Section 90 being the most pertinent. In 2010, this Act was substantially amended, particularly with respect to Aboriginal cultural heritage requirements. Relevant sections include:

Section 86

This section now lists four major offences:

- (a) A person must not harm an object that the person knows is an Aboriginal object;
- (b) A person must not harm an Aboriginal object;
- (c) For the purposes of s86, "circumstances of aggravation" include (a) the offence being committed during the course of a commercial activity; or (b) that the offence was the second or subsequent offence committed by the person.
- (d) A person must not harm or desecrate an Aboriginal place.

Offences under s86 (2) and (4) are now strict liability offences, i.e., knowledge that the object or place harmed was an Aboriginal object or place needs to be proven. Penalties for all offences under Part 6 of this Act have also been substantially increased, depending on the nature and severity of the offence.

Section 87

This section now provides defences to the offences of s86. These offences chiefly consist of having an appropriate Aboriginal Heritage Impact Permit (AHIP), not contravening the conditions of the AHIP or demonstrating that due diligence was exercised prior to the alleged offence.

Section 87A & 87B

These sections provide exemptions from the operation of s86: Section 87A for authorities such as the Rural Fire Service, State Emergency Services and offices of the National Parks & Wildlife Service in the performance of their duties, and s87B for Aboriginal people performing traditional activities.

Section 89A

This section provides that a person who knows of an Aboriginal object or place and does not advise the Director-General of that object or place within a reasonable period of time, is guilty of an offence.

Section 90

This section authorises the Director-General to issue an AHIP.

Section 90A-90R

These sections govern the requirements relating to applying for an AHIP. In addition to the amendments to the Act, DECCW issued three new policy documents clarifying the requirements with regards to Aboriginal archaeological investigations: *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* and *Code of Practice for Archaeological Investigations in NSW*. The Consultation

Requirements formalise the consultation with Aboriginal community groups into four main stages, and include details regarding the parties required to be consulted, and the methods of establishing the necessary stakeholders to be consulted, advertisements inviting Aboriginal community groups to participate in the consultation process, requirements regarding the provision of methodologies, draft and final reports to the Aboriginal stakeholders and timetables for the four stages. The Due Diligence Code of Practice sets out the minimum requirements for investigation, with particular regard as to whether an AHIP is required. The Code of Practice for Archaeological Investigation sets out the minimum requirements for archaeological investigation of Aboriginal sites.

Aboriginal Heritage Impact Permits (AHIP)

DECCW encourages consultation with relevant Aboriginal stakeholders for all Aboriginal Heritage assessments. However, if an Aboriginal Heritage Impact Permit (AHIP) is required for an Aboriginal site, then specific DECCW guidelines are triggered for Aboriginal consultation.

Aboriginal Cultural Heritage Consultation Requirements for Proponents

In 2010, the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (ACHCRs) were issued by DECCW (12th of April, 2010). These consultation requirements replace the previously issued *Interim Community Consultation Requirements* (ICCR) for Applicants (DEC 2004). These guidelines apply to all AHIP applications prepared after April 12, 2010; for projects commenced prior to April 12, 2010 transitional arrangements have been stipulated in a supporting document, Questions and Answers 2: Transitional Arrangements.

The ACH Consultation Requirements 2010, include a four stage Aboriginal consultation process and stipulates specific timeframes for each stage. Stage 1 requires that Aboriginal people who hold cultural information are identified, notified and invited to register an expression of interest in the assessment. Stage 1 includes the identification of Aboriginal people who may have an interest in the project area and hold information relevant to determining the cultural significance of Aboriginal objects or places. This identification process should draw on reasonable sources of information including: the relevant DECCW EPRG regional office, the relevant Local Aboriginal Land Council(s), the registrar, Aboriginal Land Rights Act 1983, the Native Title Tribunal, Native Title Services Corporation Limited, the relevant local council(s), and the relevant catchment management authority. The identification process should also include an advertisement placed in a local newspaper circulating in the general location of the project area. Aboriginal organisations and/or individuals identified should be notified of the project and invited to register an expression of interest (EoI) for Aboriginal consultation. Once a list of Aboriginal stakeholders has been compiled from the EoIs, they need to be consulted in accordance with ACH Consultation Requirements Stages 2, 3 and 4.

For projects commenced before the 12th of April, 2010, Section 1 (Q1) of the transitional arrangements indicates that if Aboriginal consultation was commenced prior to the 12th of April 2010 (including advertising and notification of stakeholders) then consultation is to be continued under the previous ICCR guidelines. *Interim Community Consultation Requirements (ICCR) for Applicants* (DEC 2004) required a three stage process of which timeframes were stipulated for specific components. Stage 1 required the notification and registration of interests. Notification included an advertisement in a local print media, as well as, as contacting the Local Aboriginal Land Council(s), the registrar of Aboriginal Owners, Native Title Services, local council(s) and the

Department of Environment and Conservation. Stage 1 also required the invitation for expressions of interest (EoI) to be sent to interested Aboriginal parties and an Aboriginal stakeholder list compiled. Stage 2 required the preparation of an assessment design to be sent to the Aboriginal stakeholders for comment and review. Stage 3 required that the assessment report be provided to registered Aboriginal stakeholders for review and comment.

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 (EP&A ACT)

This Act regulates a system of environmental planning and assessment for New South Wales. Land use planning requires that environmental impacts are considered, including the impact on cultural heritage and specifically Aboriginal heritage. Within the EP&A Acts, Parts 3, 4, and 5 relate to Aboriginal heritage.

Part 3 regulates the preparation of planning policies and plans. Part 4 governs the manner in which consent authorities determine development applications and outlines those that require an environmental impact statement. Part 5 regulates government agencies that act as determining authorities for activities conducted by that agency or by authority from the agency. The National Parks & Wildlife Service is a Part 5 authority under the EP&A Act.

In brief, the NPW Act provides protection for Aboriginal objects or places, while the EP&A Act ensures that Aboriginal cultural heritage is properly assessed in land use planning and development.

Part 3A of the EPA relates to major projects, and if applicable, obviates the need to conform to other specific legislation. In particular, s75U of the EPA Act explicitly removes the need to apply for s87 or s90 permits under the NPW Act. This means that although Aboriginal cultural heritage is considered during the planning process, a permit is not required to disturb or destroy an Aboriginal object or place. However, the Director-General of Planning must nonetheless consult with other government agencies, including OEH/DECCW and National Parks & Wildlife, prior to any decision being made. Aboriginal consultation under part 3A is required under the *draft 2005 Part 3A EP&A Act Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation*. This document stipulates that the ICCR process should be adhered to.

THE HERITAGE ACT 1977

This Act protects the natural and cultural history of NSW with emphasis on non-indigenous cultural heritage through protection provisions and the establishment of a Heritage Council. Although Aboriginal heritage sites and objects are primarily protected by the National Parks & Wildlife Act 1974 (NPW Act), Amended 2001, if an Aboriginal site, object or place is of great significance, it may be protected by a heritage order issued by the Minister subject to advice by the Heritage Council.

Other legislation of relevance to Aboriginal cultural heritage in NSW includes the NSW Local Government Act (1993). Local planning instruments also contain provisions relating to indigenous heritage and development conditions of consent.

Appendix 2

AHIMS Results



SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-6-2288	Walumetta Bay 2;Henley;	AGD	56	327690	6253660	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									
45-6-2506	Tarban Ck;RC 4;	AGD	56	327400	6254430	Closed site	Valid	Artefact : -	Shelter with Deposit	
	<u>Contact</u>									
45-6-0266	Chiswick;Drummoyne;	AGD	56	327674	6252823	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>									
45-6-1110	Gladesville;(duplicate copy of 45-6-1949)	AGD	56	328479	6253753	Open site	Valid	Shell : -, Artefact : -	Midden	1390
	<u>Contact</u>									
45-6-1141	Fig Tree Bay;Abbotsford;Peppermint Tree Cave;	AGD	56	327115	6253361	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	
	<u>Contact</u>									
45-6-1930	Gladesville Reserve 2;	AGD	56	327890	6253610	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>									
45-6-1931	Gladesville Wharf Cave;	AGD	56	327970	6253630	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									
45-6-1941	Tarban Creek 1;	AGD	56	328350	6254080	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									
45-6-1942	Tarban Creek 2;	AGD	56	328340	6254090	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									
45-6-1943	Tarban Creek 5;	AGD	56	328050	6254110	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									
45-6-1945	Tarban Creek 7;	AGD	56	327630	6254210	Open site	Valid	Artefact : -, Shell : -	Midden,Open Camp Site	
	<u>Contact</u>									
45-6-1948	Betts Park Cave 1;	AGD	56	328050	6253710	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									
45-6-1950	Betts Park 3;	AGD	56	328110	6253810	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>									

Report generated by AHIMS Web Service on 23/07/2012 for Sarah Ward for the following area at Lat, Long From : 151.14131, -33.8424 - Lat, Long To : -33.84136, 151.14304 with a Buffer of 1000 meters. Additional Info : To inform a due diligence report. Number of Aboriginal sites and Aboriginal objects found is 22

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-6-1951	Tarban Creek 3; Contact	AGD	56	328210	6254110	Open site	Valid	Artefact : -, Shell : -	Midden,Open Camp Site	
		Recorders	Michael Guider					Permits		
45-6-1952	Tarban Creek 4; Contact	AGD	56	328110	6254110	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
		Recorders	Michael Guider					Permits		
45-6-1956	Five Dock Bay Cave Contact	AGD	56	328430	6253220	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
		Recorders	Michael Guider					Permits		
45-6-0974	Tarban Creek;(duplicate copy of 45-6-1827 & 45-6-1944) Contact	AGD	56	328384	6253935	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1390
		Recorders	Mr.R Taplin					Permits		
45-6-1826	Swains 1913;Betts Park;(duplicate copy oof 45-6-1949) Contact	AGD	56	328030	6253680	Open site	Valid	Shell : -, Artefact : -	Midden	1390
		Recorders	Val Attenbrow,K Perrin					Permits		
45-6-1830	Wallumetta Bay "A"; Contact	AGD	56	327800	6253650	Open site	Valid	Shell : -, Artefact : -	Midden	1390
		Recorders	Val Attenbrow					Permits		
45-6-1831	Wallumetta Bay "A";Gladesville Reserve 1;Henley;(duplicate copy of 45-6-1929) Contact	AGD	56	327790	6253660	Open site	Valid	Artefact : -	Open Camp Site	1390
		Recorders	Val Attenbrow,Michael Guider					Permits		
45-6-2972	Betts Park 2 Contact	AGD	56	328110	6253750	Open site	Valid	Shell : -		
		Recorders	Michael Guider					Permits		
45-6-1827	Tarban Creek Minor;Gladesville Hospital;(duplicate copy of 45-6-1944 & 45-6-0974) Contact	AGD	56	328050	6254100	Open site	Valid	Shell : -, Artefact : -	Midden	1390
		Recorders	Val Attenbrow,K Perrin					Permits		

Report generated by AHIMS Web Service on 23/07/2012 for Sarah Ward for the following area at Lat, Long From : 151.14131, -33.8424 - Lat, Long To : -33.84136, 151.14304 with a Buffer of 1000 meters.Additional Info : To inform a due diligence report. Number of Aboriginal sites and Aboriginal objects found is 22

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Appendix 3

Glossary of Site Types

Glossary of Site Types

The following is a brief description of most Aboriginal site types.

Artefact Scatters

Artefact scatters are defined by the presence of two or more stone artefacts in close association (i.e. within fifty metres of each other). An artefact scatter may consist solely of surface material exposed by erosion, or may contain sub-surface deposit of varying depth. Associated features may include hearths or stone-lined fireplaces, and heat treatment pits.

Artefact scatters may represent:

- Camp sites: involving short or long-term habitation, manufacture and maintenance of stone or wooden tools, raw material management, tool storage and food preparation and consumption;
- Hunting or gathering activities;
- Activities spatially separated from camp sites (e.g. tool manufacture or maintenance); or
- Transient movement through the landscape.

The detection of artefact scatters depends upon conditions of surface visibility, including vegetation cover, ground disturbance and recent sediment deposition. Unfavourable conditions obscure artefact scatters and prevent their detection during surface surveys.

Bora Grounds

Bora grounds are a ceremonial site associated with initiations. They are usually comprise two circular depressions in the earth, and may be edged with stone. Bora grounds generally occur on soft sediments in river valleys, although they may also be located on high, rocky ground in association with stone arrangements.

Burials

Human remains were often placed in hollow trees, caves or sand deposits and may have been marked by carved or scarred trees. Burials have been identified eroding out of sand deposits or creek banks, or when disturbed by development. The probability of detecting burials during archaeological fieldwork is extremely low.

Culturally Modified Trees

Culturally modified trees include scarred and carved trees. Scarred trees are caused by the removal of bark for use in manufacturing canoes, containers, shields or shelters. Notches were also carved in trees to permit easier climbing. Scarred trees are only likely to be present on mature trees remaining from original vegetation. Carved trees, the easiest to identify, are caused by the removal of bark to create a working surface on which engravings are incised. Carved trees were used as markers for ceremonial and symbolic purposes, including burials. Although, carved trees were relatively common in NSW in the early 20th century, vegetation removal has rendered this site type extremely rare. Modified trees, where bark was removed for often domestic use are less easily identified. Criteria for identifying modified trees include: the age of the tree; type of tree

(the bark of many trees is not suitable, also introduced species would be unlikely subjects); axe marks (with the need to determine the type of axe - stone or steel – though Aborigines after settlement did use steel); shape of the scar (natural or humanly scarred); height of the scar above the ground (reasonable working height with consideration given to subsequent growth).

Fish Traps

Fish traps comprised arrangements of stone, branches and/or wickerwork placed in watercourses, estuaries and along coasts to trap or permit the easier capture of sea-life.

Grinding Grooves

Grinding grooves are elongated narrow depressions in soft rocks (particularly sedimentary), generally associated with watercourses, that are created by the shaping and sharpening of ground-edge implements. To produce a sharp edge the axe blank (or re-worked axe) was honed on a natural stone surface near a source of water. The water was required for lubricating the grinding process. Axe grinding grooves can be identified by features such as a narrow short groove, with greatest depth near the groove centre. The grooves also display a patina developed through friction between stone surfaces. Generally a series of grooves are found as a result of the repetitive process.

Isolated Finds

Isolated finds occur where only one artefact is visible in a survey area. These finds are not found in apparent association with other evidence for prehistoric activity or occupation. Isolated finds occur anywhere and may represent loss, deliberate discard or abandonment of an artefact, or may be the remains of a dispersed artefact scatter. Numerous isolated finds have been recorded within the project area. An isolated find may flag the occurrence of other less visible artefacts in the vicinity or may indicate disturbance or relocation after the original discard.

Middens

Shell middens comprise deposits of shell remaining from consumption and are common in coastal regions and along watercourses. Middens vary in size, preservation and content, although they often contain artefacts made from stone, bone or shell, charcoal, and the remains of terrestrial or aquatic fauna that formed an additional component of Aboriginal diet. Middens can provide significant information on land-use patterns, diet, chronology of occupation and environmental conditions.

Mythological / Traditional Sites

Mythological and traditional sites of significance to Aboriginal people may occur in any location, although they are often associated with natural landscape features. They include sites associated with dreaming stories, massacre sites, traditional camp sites and contact sites. Consultation with the local Aboriginal community is essential for identifying these sites.

Rock Shelters with Art and / or Occupation Deposit

Rock shelters occur where geological formations suitable for habitation or use are present, such as rock overhangs, shelters or caves. Rock shelter sites generally contain artefacts, food remains and/or rock art and may include sites with areas of potential archaeological deposit, where

evidence of rock-art or human occupation is expected but not visible. The geological composition of the project area greatly increases the likelihood for rock shelters to occur.

Stone Arrangements

Stone arrangements include lines, circles, mounds, or other patterns of stone arranged by Aboriginal people. These may be associated with bora grounds, ceremonial sites, mythological or sacred sites. Stone arrangements are more likely to occur on hill tops and ridge crests that contain stone outcrops or surface stone, where impact from recent land use practices has been minimal.

Stone Quarries

A stone quarry is a place at which stone resource exploitation has occurred. Quarry sites are only located where the exposed stone material is suitable for use either for ceremonial purposes (e.g. ochre) or for artefact manufacture.