Sydney Commuter Wharf Upgrade

Statement of Heritage Impact
Drummoyne Ferry 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 Drummoyne Ferry Wharf under the Environmental Planning and Assessment Act 1979 (EP&A Act). Both Aboriginal and Historic cultural heritage were considered during the course of this assessment.

The Drummoyne Ferry Wharf Project Area (Project Area) is located on the southern point of Drummoyne Bay on Sydney Harbour within the Canada Bay local government area (LGA), approximately 5.2 kilometres north-east of the main ferry terminal at Circular Quay, Sydney. There has been a commuter wharf at Drummoyne since 1886, however the current wharf is thought to have been constructed in 1915, and reconstructed in 2008 (NSW Maritime 2009).

The proposed works include the demolition of the current wharf structures and the construction of a new wharf comprising a bridge, gangway and covered pontoon containing seating and a services pod (refer to Section 1.2 for detailed project description). The new wharf is to be constructed on the site of the existing wharf.

As this SoHI incorporates an Aboriginal due diligence assessment, a search of the Aboriginal Heritage Information Management System (AHIMS) for the area surrounding the Drummoyne Ferry Wharf was conducted on 3 October 2013 by RPS Cultural Heritage Consultant, Deborah Farina. The search indicated 13 Aboriginal sites within a one kilometre radius of Drummoyne Ferry Wharf. However, the closest recorded site to the wharf is located in excess of 400 metres to the north at Wrights Point and as such, will be unaffected by the proposed works.

Searches of the State Heritage Inventory which includes local and state significant heritage items on all statutory lists in NSW were also undertaken for historic heritage items. These searches identified three heritage items and no conservation areas in the vicinity of the wharf. All three heritage sites were private dwellings. None of these items are expected to be impacted by the proposed works.

A site inspection was undertaken on 8 November 2013 by RPS Cultural Heritage Consultant, Deborah Farina. No new Aboriginal sites or historic heritage items were identified in the vicinity of Drummoyne Ferry Wharf at the time of the site inspection.

In accordance with the Burra Charter Guidelines (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 Drummoyne Ferry Wharf; the development proposal; potential heritage impacts; 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

Should any unexpected finds be uncovered during the course of construction, the mitigation and management measures set out in the RMS Standard Management Procedure – Unexpected Archaeological Finds should be followed.
**Recommendation 2**

In line with the Heritage Office publication *How to Prepare Archival Records of Heritage Places* (1998) it is recommended that a detailed archival record be made of the Drummoyne Ferry Wharf prior to the commencement of demolition works with a view to this information being used as part of future heritage interpretation of the site (refer to Recommendation 3 below).

Copies of the record should be submitted to Canada Bay Council, the NSW Heritage Division library, as well as being offered to the NSW State Library.

**Recommendation 3**

It is recommended that heritage information be placed on site during the construction phase to interpret the historic development and use of the Drummoyne Ferry 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 the physical structure of the wharf is removed. Interpretation of an item though 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 Division, Office of Environment and Heritage, Heritage Grants Program.

**Recommendation 4**

In accordance with Clause 14 of the *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)* consultation with Canada Bay Council should be undertaken in accordance with that clause prior to works.
1.0 Introduction

RPS Sydney cultural heritage team have been engaged by project managers Hansen Yuncken (on behalf of RMS) to prepare a Statement of Heritage Impact (SoHI) for the upgrade of Drummoyne Ferry Wharf as part of RMS’s Sydney Harbour Commuter Wharf Upgrade Program.

The purpose of a SoHI is to assess heritage significance and the impact proposed works will have on that significance, to identify measures proposed to mitigate any negative impact, and, where applicable, why more sympathetic options are not viable (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 the preparation of this SoHI.

The SoHI will further contribute to the Review of Environmental Factors being prepared by RPS as part of Sydney Harbour Commuter Wharf Upgrade Program.

1.1 Project Area

Drummoyne is a suburb in the inner west area of Sydney in the state of New South Wales, located approximately five kilometres north-west of the Sydney CBD. Drummoyne is located on a bay forming the head of the Parramatta River in the Canada Bay local government area (LGA). Drummoyne Ferry Wharf is located at the end of Wolseley Street, Drummoyne (Figure 1).

The first wharf at was constructed in c.1860, with the current wharf constructed in 1915, before being reconstructed in 2008 (NSW Maritime 2009). The existing wharf structure comprises a fixed timber structure with waiting area on board and timber berthing piles. The vessel landing can be accessed by both tidal steps and a ramp.

1.2 Proposed Works

The proposal would include the demolition and removal of the existing wharf and the construction of a new wharf as follows:

Demolition and removal of the existing timber wharf.

- The existing wharf including all timber piles, footbridge, shelter, post and rail fencing, and associated facilities such as signage, information totem, seating, and closed circuit television system would be demolished and removed to an offsite location by barges.

Construction of a new wharf

- Construction of a concrete bridge approximately four metres wide by 5.5 metres in long connecting the land with a new aluminium gangway. The bridge would be supported by four steel piles. The bridge would be oriented from the land at an angle of approximately 70 degrees.

- Construction of an aluminium gangway approximately 16 metres long and three metres wide. The gangway would connect the concrete bridge with a new floating pontoon. The gangway would be supported by the bridge and the pontoon and its gradient would vary according to the tides.

- Construction and installation of a rectangular shaped steel floating pontoon off the gangway. The nine metre wide by 22.5 metre long pontoon would have a single berthing face. The pontoon would
contain a curved zinc roof, glass and stainless steel balustrades and seating. The floating pontoon would be held in place by four steel piles. The orientation of the floating pontoon would be parallel to the land.

- Installation of safety and security facilities including lighting, closed circuit television, ladders to the water from the pontoon, a life ring on the pontoon platform and tactile floor treatments.

### Ancillary facilities

- A temporary compound would be established including site sheds, an amenities shed and storage containers for tools and some materials. The location of the compound area is to be confirmed and would be subject to council review and agreement.

- The installation of electrical power lines to provide power to the wharf for lighting and security.

- The installation of water lines and meter to provide water to the wharf for maintenance.

- The proposal would include provision for electronic ticketing systems, which may be implemented in the future but would not be provided as part of this proposal.

The wharf (including the bridge, gangway and pontoon) would 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.

The marshalling and storage of most equipment, plant and materials, and the pre-fabrication of parts, pre-casting of headstocks and fit outs, would be carried out by a contractor at an offsite facility. The construction and demolition materials and equipment would be delivered and removed from the site using barges. A majority of the construction and demolition activity would also be undertaken from the barges on the water with only minor works such as connection to services undertaken from the land. Construction contractors would generally arrive at the site via water with only minimal vehicle access to the site required (approximately 2-3 cars per day).

The proposal would require the Drummoyne Ferry 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 and would be re-opened to these vessels on completion of construction.

The following plans have also been reviewed as part of this assessment and are found at Appendix 5:

- AR-17-DW-4002 Preliminary Pontoon Sections and Elevations.

- AR-17-DW-4004 Preliminary Gangway floor plan.

An overview of the proposal including the approximate location of the temporary compound is shown in Plate 1 and a photomontage of the proposed wharf is at Plate 2.
Plate 1 Overview of development area.

Plate 2 Photomontage of proposed wharf. Hansen Yuncken 2013
1.3 Legislative Context

1.3.1 National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) protects Aboriginal heritage (places, sites and objects) within NSW. 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. Protection of Aboriginal heritage is outlined in s86 of the NPW Act, as follows:

- “A person must not harm or desecrate an object that the person knows is an Aboriginal object” s86(1).
- “A person must not harm an Aboriginal object” s86(2).
- “A person must not mark or desecrate an Aboriginal place” s86(4).

Penalties apply for harming an Aboriginal object or place. The penalty for knowingly harming an Aboriginal object (s86[1]) and/or an Aboriginal place (s86[4]) is up to $550,000 for an individual and/or imprisonment for two years; and in the case of a corporation the penalty is up to $1.1 million. The penalty for a strict liability offence (s86[2]) is up to $110,000 for an individual and $200,000 for a corporation.

Harm under the NPW Act is defined as any act that; destroys defaces or damages the object, moves the object from the land on which it has been situated, causes or permits the object to be harmed. However, it is a defence from prosecution if the proponent can demonstrate 1) that harm was authorised under an Aboriginal Heritage Impact Permit (AHIP) (and the permit was properly followed), or 2) that the proponent exercised due diligence in respect to Aboriginal heritage. The ‘due diligence’ defence (s87[2]), states that if a person or company has exercised due diligence to a certain that no Aboriginal object was likely to be harmed as a result of the activities proposed for the Project Area (subject area of the proposed activity); then liability from prosecution under the NPW Act will be removed or mitigated if it later transpires that an Aboriginal object was harmed.

Under section 89A of the NPW Act Aboriginal objects (and sites) must be reported to the Director-General (now Chief Executive) of the Office of Environment and Heritage (OEH) within a reasonable time (unless it has previously been recorded and submitted to AHIMS). Penalties of $11,000 for an individual and $22,000 for a corporation may apply for each object not reported.

1.3.2 National Parks and Wildlife Regulation 2009

The National Parks and Wildlife Regulation 2009 (“NPW Regulation”) provides a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage. The NPW Regulation outlines the recognised due diligence codes of practice which are relevant to this report, but it also outlines procedures for AHIP applications and Aboriginal Cultural Heritage Consultation Requirements (ACHCRs); amongst other regulatory processes.

Due Diligence

The aim of a due diligence assessment is to:

- Assist in avoiding unintended harm to Aboriginal objects.
- Provide certainty to land managers and developers about appropriate measures for them to take.
- Encourage a precautionary approach.
- Provide a defence against prosecution if the process is followed.
- Result in more effective conservation outcomes for Aboriginal cultural heritage.
One of the benefits of the due diligence provisions are that they provide a simplified process of investigating
the Aboriginal archaeological context of an area to determine if an AHIP is required.

Under the s80A of the NPW Regulation a number of due diligence codes are recognised. This report has
been written to meet the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New

The Due Diligence Code sets out a minimum benchmark for acceptable due diligence investigations to be
followed. The purpose of the code is set out reasonable and practical steps in order to:

▪ Identify whether or not Aboriginal objects (and places) are, or are likely to be, present in an area.
▪ Determine whether or not their activities are likely to harm Aboriginal objects (if present).
▪ Determine whether an AHIP application is required. (DECCW 2010:2)

Investigations under the code include the following:

▪ A search of the Aboriginal Heritage Information Management System (AHIMS) database to identify if
there are previously recorded Aboriginal objects or places in the Project Area.
▪ Identification of landscape features including, land within 200 metres of water, dune systems, ridgetops,
headlands, land immediately above or below cliff faces and/or rockshelters/caves.
▪ Desktop assessment including a review of previous archaeological and heritage studies and any other
relevant material.
▪ Visual inspection of the Project Area to identify if there are Aboriginal objects present.
▪ Assessment as to whether an AHIP is required.

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 AHIP. Aboriginal consultation is 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.

This report has been prepared in accordance with the Due Diligence Code and also meets the RMS’s
Procedure for Aboriginal Cultural Heritage Consultation and Investigation (PACHCI). The PACHCI
incorporates all relevant Environment Protection Authority and OEH Aboriginal heritage guidelines and
requirements in a staged procedure.

The due diligence assessment contained within in this report concludes that Aboriginal objects are not likely
to be harmed, thus the AHIP procedures have not been triggered thus full Aboriginal consultation following
the ACHCRs is not required.

1.3.3 Heritage Act 1977

Historical archaeological relics, buildings, structures, archaeological deposits and features are protected
under the Heritage Act 1977 and may be identified on the State Heritage Register (SHR) or by an active
Interim Heritage Order.

The Heritage Council of NSW, constituted under the Heritage Act 1977, is appointed by the Minister and is
responsible for heritage in NSW. The Council reflects a cross-section of community, government and
conservation expertise with the NSW Heritage Division being the operational arm of the Council. The work of
the NSW Heritage Division includes:
• Working with communities to help them identify their important places and objects.
• Providing guidance on how to look after heritage items.
• Supporting community heritage projects through funding and advice.
• Maintaining the State Heritage Inventory, an online list of all statutory heritage items in NSW.

The Heritage Division provides guidelines for conducting assessments of heritage significance. The 1996 Heritage Manual includes specific criteria for addressing the significance of an item and this assessment has been completed in accordance with those guidelines. These criteria are addressed more fully in Section 5 of this report.

1.3.4 Environmental Planning and Assessment Act 1979

The Environmental Planning & Assessment Act 1979 (EP&A 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. Although the wharf falls under the ISEPP (see below) Part 5 of the EP&A Act states that development without consent is still subject to the assessment requirements under that Part, which includes all matters affecting or likely to affect the environment as a result of the proposed development. To that end, this report assesses the likely heritage impacts (Aboriginal and non-Aboriginal heritage) of the proposed upgrading works to Drummoyne Ferry Wharf.

1.3.4.1 State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The purpose of this policy is to streamline and facilitate the effective delivery of infrastructure around the State. Pursuant to clause 14 of the ISEPP, where a development is likely to have an impact that is not minor or inconsequential on a local heritage item (other than a local heritage item that is also a State heritage item) or a heritage conservation area, then the public authority or the person or company acting on behalf of the public authority must consult with the local council in accordance with the requirements of the ISEPP. Further, clause 68 (4) of the State Environment Planning Policy (Infrastructure) 2007 (ISEPP) provides that development for the purposes of a wharf may be carried out by or on behalf of a public authority on any land without consent.

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 legislation 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 AHIP is deemed necessary. Section 5.2 of the Due Diligence Code specifically states that “Consultation with the Aboriginal community is not a formal requirement of the due diligence process” (DECCW 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.

However, the RMS’s PACHCI policy indicates limited consultation earlier than that required by NSW legislation. If a PACHCI Stage 1 assessment indicates potential for Aboriginal objects or places to be impacted by a project then consultation is required with Local Aboriginal Land Councils, Native Title holders and registered community stakeholders. Following an assessment by RMS’s Cultural Heritage Advisor, Barry Gunther, it was concluded that, subject to confirmation of the location of the temporary compound area, there was no potential for impact on Aboriginal objects and places and therefore no consultation with Aboriginal stakeholders was required (see Appendix 4).

1.5 Authorship and Acknowledgement

This report was written by RPS Cultural Heritage Consultant Deborah Farina with assistance from RPS Spatial Analyst Natalie Wood. The report was reviewed by RPS Senior Cultural Heritage Consultant Erin Williams and RPS Cultural Heritage Technical Director, Darrell Rigby.

The RPS team acknowledges the assistance of various organisations and individuals, including but not limited to:

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2.0 Environmental and Archaeological 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 ‘Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales’ (DECCW 2010).

2.1 Local Environment

2.1.1 Geology and soils

The geology of the Drummoyne area chiefly comprises Hawkesbury Sandstone. Hawkesbury Sandstone is made up of sandstone and shale, as well as quartz. The presence of sandstone in the Project Area is important for Aboriginal occupation of the area because certain types of silicified tuff and quartz have been used by Aboriginal people for manufacturing flaked stone tools; and sandstone was used for grinding grooves, as a form of shelter (if rock shelters present), and as a medium for engravings and art, amongst other uses.

The Project Area sits on Lambert soil landscapes. This soil landscape features loose, stony, yellowish-brown sandy loam in the top soils overlaying earthy, yellow-brown light sandy clay loam and angular blocky puggy clay. It is not expected that Aboriginal artefacts would be present in clay subsoils and therefore potential archaeological deposits are likely to be limited to the upper 20-30 centimetres of this soil landscape (Chapman G. A. & C.L. Murphy 1989).

2.1.2 Topography and hydrology

The Drummoyne Ferry Wharf is situated in an extensively developed and highly populated commercial and residential area on Sydney’s inner west. It sits on the southern point of an east-facing semi-circular bay, facing Cockatoo Island in Sydney Harbour. This area is part of the extensive Port Jackson catchment.

Topographically, the Project Area is characterised by undulating to rolling low hills with local reliefs of between 20 and 120 metres. Slope gradients are less than 20%, with broad, convex crests and plateau surfaces. The landscape also features characteristic sandstone bedrock which outcrops as wide benches (10-100 metres) with broken scarps 1-4 metres high (Chapman G. A. & C.L. Murphy 1989:58-59). The Project Area is flat, and elevation levels in the surrounding landscape do not exceed 20 metres AHD (Australian Height Datum).

2.1.3 Flora and fauna

The purpose of the following summary is to provide an indication of the types of flora and fauna which may have been available to Aboriginal people in the past for sustenance and raw material resources. This section does not replace more detailed ecological studies.

Marine resources played an important role in the diet of the people living in Sydney Harbour. These included a wide range of fish and shellfish, as well as crustacea and marine mammals, as evidenced in the numerous middens around Sydney Harbour (Attenbrow 2003:62).
The Project Area is situated within the Sydney Coastal Dry Sclerophyll Forest vegetation community. The dry sclerophyll forests that grow on the Sydney sandstones are the most diverse and extensive in Australia, and collectively cover approximately 1.4 million hectares of land (Keith 2006:146). The Sydney Coastal Dry Sclerophyll Forest is the most diverse of the Sydney dry sclerophyll forests and encompasses a wide range of related forest and woodland communities. The species composition and structure of this community varies according to topography and soil moisture, with the open eucalypt canopy varying between 10 and 25 metres tall depending on associated landforms. Common tree species found within this community include the Sydney red gum, red bloodwood, Sydney peppermint, brown stringybark, various species of scribbly gum and the old man banksia. The community is also characterised by a shrub layer that features various species of wattle and banksia, as well as the mountain devil, flaky-barbed teatree, broad-leaved geebung and the grass tree. Typical grasses include wiry panic, oat speargrass, heath bog-rush and black bog-rush (Keith 2006:147).

This vegetation community would have provided habitats for a variety of animals, as well as potential food and raw material sources for Aboriginal people. Grass trees, for example, were used by Aboriginal people to manufacture spears and resin, and also as a food source (Nash 2004:5). Various banksia species were collected and used to manufacture needles for basket and mat weaving, while the fruit of the geebung was eaten and string and fishing lines were soaked in a geebung bark infusion to prevent fraying (Nash 2004:2, 4). Eucalyptus trees were a particularly important resource; leaves were crushed and soaked for medicinal purposes, bowls, dishes, and canoes were made from the bark, and spears, boomerangs and shields were crafted from the hard wood (Nash 2004:4-8).

Typical animals which may have been harvested by Aboriginal people include kangaroos, wallabies, sugar gliders, possums, echidnas, a variety of lizards and snakes, birds, as well as rats and mice. The bones of such animals have been recovered from Aboriginal sites excavated in the Sydney region suggesting that they were sources of food (Attenbrow 2003:70-76), although the hides, bones and teeth of some of the larger mammals may have been used for Aboriginal clothing, ornamentation, or other implements.

2.1.4 Previous land use and disturbance

The Project Area has been extensively impacted by prior land use practices. In particular, the construction of wharves and sea walls has obliterated the natural rock edge adjacent to the harbour, leaving no natural land surface visible. As the most common site types recorded in the area are those that would expect to be recorded along a natural rock ledge adjacent to water, this leaves almost little to no potential for in situ Aboriginal sites to exist in the vicinity of the wharf Project Area.

2.1.5 Synthesis of environmental context

The Project Area is located on the southern point of an east facing bay that is part of the extensive Port Jackson catchment. The Project Area chiefly comprises Hawkesbury Sandstone and sits on the Lambert soil landscape. The Project Area lies within the Sydney Coastal Dry Sclerophyll Forest vegetation community, which would have provided a variety of food and raw material sources for Aboriginal people.

The Project Area has been extensively impacted by prior land uses, leaving no natural land surface visible. As a result, there is little to no potential for in situ Aboriginal sites in the vicinity of the Project Area.

2.2 Archaeological Context

The Sydney region has been inhabited by Aboriginal people for at least 10,000 years according to available radiocarbon dates. Attenbrow lists 27 separate clans recorded in the Sydney region in historical documents from 1788-1800 (Attenbrow 2003:24-26). Many of these clans were names for the areas they occupied. Most of the clans in the Sydney region belong to the Darug language group, with the exception of some of the
clans around Botany Bay, who are thought to belong to the Tharawal language group and the southern rim of the Cumberland Plain west of Georges River, who belonged to the Gundungurra language group. The Darug were usually split between the coastal and hinterland people. Apart from differences in their language, each had their own diet and subsistence patterns and cultural practices. For example, the coastal Darug practiced tooth avulsion during initiation ceremonies, whilst the hinterland Darug did not. However, the language groups that various clans belonged to is still a matter of research and debate (Attenbrow 2003:34).

The area around Drummoyne was known by the original inhabitants, the Wangal people, as ‘Warrembah’, meaning ‘where the sweet waters meet salt water’. The Wangal clan were part of the Darug language group and occupied the land on the southern shores of Sydney Harbour from Darling Harbour to Rose Bay (Phillip, 13 February 1790 in Attenbrow 2003:22). Their name, *wanne*, meant ‘west’ and are thought to have lived in the Sydney area for approximately 10,000 years (Canada Bay Heritage Society 2013).

First Lieutenant William Bradley of the HMS *Sirius* wrote of the first known contact with the Wangal people:

“We landed to cook breakfast on the opposite shore to them. We made signs to them to come over and waved green boughs. Soon after which 7 of them came over in 2 canoes and landed near our boat. They left their spears in the canoes and came to us. We tied beads etc. about them and left them our fire to dress their muscles [sic] which they went about as soon as our boats put off.” (Bradley 1786-92 [1969])

This place is commemorated as Breakfast Point, located approximately five kilometres west of the current Project Area. The Wangal clan called it Booridiow-a-gule.

One of the most famous Wangal people was Woollarawarre Bannellon, better known as ‘Bennelong’, who came from Memel, also known as Goat Island. As Bennelong was famous among the early colonists, his life has been written about extensively, giving valuable information about the Wangal and Aboriginal culture generally at the time of colonisation.

Large Aboriginal groups such as those who lived about Sydney harbour were based on kinship, with huge importance placed on extended family groups or clans, their connections to the land and common language. Like other language groups, the Wangal operated on a subsistence economy based on hunting, fishing and gathering, and it is evident from the archaeological record that this area would have had abundant food resources in the ocean, harbour, forests and woodlands sufficient to support a large Aboriginal population.

Many of the Aboriginal communities living around Sydney harbour, including the Wangal population, were devastated by the outbreak of smallpox in 1789. It is thought that around half of the Aboriginal population living in Sydney at that time were killed by the disease. Many of the Sydney clans were decimated and moved to other areas intending to escape the disease.

2.2.1 Previously recorded Aboriginal sites

A search was undertaken of the Aboriginal Heritage Information Management System (AHIMS) on 3 October 2013 in accordance with the Due Diligence Code (DECCW 2010:11). The coordinates searched for the Project Area were GDA Zone 56, Eastings 328495 to 330495 and Northings 6254445 to 6252445, with a buffer of 50 metres. This search revealed that there are 13 previously recorded Aboriginal sites within these coordinates (Table 2).

The search revealed that no Aboriginal objects or places were present in the Project Area.
Table 2 Summary of AHIMS Sites within the searched coordinates

<table>
<thead>
<tr>
<th>Site type</th>
<th>Frequency</th>
<th>Per cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelter with midden</td>
<td>6</td>
<td>45%</td>
</tr>
<tr>
<td>Midden</td>
<td>3</td>
<td>23%</td>
</tr>
<tr>
<td>Rock engraving; shelter with deposit</td>
<td>1</td>
<td>8%</td>
</tr>
<tr>
<td>Rock engraving; shelter with midden</td>
<td>1</td>
<td>8%</td>
</tr>
<tr>
<td>Axe grinding groove; well/waterhole</td>
<td>1</td>
<td>8%</td>
</tr>
<tr>
<td>Shelter with art</td>
<td>1</td>
<td>8%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>13</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

The results of the AHIMS search show that midden sites were the most common type of site recorded within the searched coordinates, both within rock shelters and in an open context. Other shelter and rock based sites, such as the rock engraving and axe grinding groove, were also represented. The majority of sites recorded were associated with rock shelters.

2.2.2 Archaeological and heritage literature review

There are limited archaeological reports dealing with the Drummoyne area, and none encompassing the Project Area. The following reports deal with the archaeology of areas surrounding Drummoyne, information of which can be extrapolated to apply to the Project Area:

**Australian Archaeological Survey Consultants Pty Ltd, 1995. Archaeological Assessment of Callan Park and Yurulbin Point**

This assessment was conducted on behalf of Leichhardt City Council and in consultation with the Metropolitan Local Aboriginal Land Council. Its brief was to record and map previously identified sites, provide guidelines for conservation, management and interpretation of the sites and a background on the post-contact Aboriginal history of the area.

Five midden sites were identified within the Callan Point area. Due to the potential for further midden sites to be present in undisturbed ground, AASC noted a number of management recommendations for the midden sites, including carrying out an archaeological investigation prior to any future disturbance in the area, avoiding development in the vicinity of the midden and seeking the advice of the Metropolitan Local Aboriginal Land Council prior to any ground disturbance in the area (Australian Archaeological Survey Consultants Pty Ltd 1995).


This Conservation Management Plan (CMP) was prepared in order to manage the heritage values of Callan Park, a former hospital for the mentally ill at Lilyfield, approximately 2.1 kilometres to the south of the current Project Area. It was in use as a hospital from 1885 until 1994.

The bulk of the CMP was focussed on the assessment and conservation of the built heritage items within the Callan Park precinct. However, an assessment of both historic and Aboriginal archaeology formed part of that analysis. In the case of historic heritage, it was assessed that the standing buildings and sites of former buildings had the greatest potential for archaeological deposits to remain, particularly old building configurations. In the case of Aboriginal heritage, four midden sites were located within the Callan Park precinct. All were assessed as being significant largely on the basis of rarity due to dwindling habitation sites remaining within the Sydney metropolitan area. The potential for sites was not addressed (Tanner Architects 2011).
2.2.3 Synthesis of archaeological context

Although Port Jackson was once home to 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 highly modified landscapes.

The results of previous archaeological investigations in the Port Jackson area suggest that Aboriginal people who inhabited the area in the past made use of a range of locally available resources including shellfish, fish, local wildlife, and raw stone materials. The majority of previously recorded Aboriginal sites in the Drummoyne area relate to those associated with rock shelters. The extensive modification of the natural shoreline by the construction of sea wall and wharfage makes it extremely unlikely that any in situ Aboriginal material would be discovered by the proposed works.
**Title:** PROJECT AREA WITH AHIMS

**Location:** DRUMMOYNE

**Datum:** GDA94

**Projection:** MGA Zone 56

**Date:** 7/11/2013

**Purpose:** HERITAGE

**Data Sources:** Office of Environment and Heritage (OEH), Bing Map 2012

**Technician:** Natalie Wood

**Scale:** 1:7,000 AT A3 SIZE

---

**Legend:**

- Commuter Wharf
- AHIMS
- Axe Grinding Groove, Water Hole/Well
- Rock Engraving, Shelter with Deposit
- Rock Engraving, Shelter with Midden
- Shelter with Art
- Shelter with Midden
- Midden

---

**Warning:**

While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no guarantee is given that the information portrayed is free from error or omission. Please verify the accuracy of all information prior to use.
3.0 Historical Context

3.1 History of Drummoyne

Drummoyne was initially part of a 1,500 acre land grant to John Harris, a former military surgeon and magistrate (Plate 3). The land was granted to him in 1806, however his primary land holding was at Ultimo, where he built Ultimo House, a well-known and substantial property in the early colony. It is noted that after returning from England to give evidence against his former commanding officer, he retired from the bench and became primarily a farmer and stock-keeper. It is therefore likely that the Drummoyne property, known as “Five Dock Farm” was used primarily for these purposes (Concord Heritage Society 2010). It is thought, however, that a dwelling was constructed on the Five Dock Farm in 1826 (Concord Heritage Society 2010). A notice was published by John Harris in the Sydney Gazette on 10 April 1819 stating that the farm was known as “Point Farm”, and that it was forbidden for any person to enter the property and cut down timber, gather shells, burn lime or salt. Mr Harris stated that “…I am determined to enforce such Measures as may be very disagreeable to any Person or Persons found thereon.” (Sydney Gazette and New South Wales Advertiser 1819:1).

Harris sold his Five Dock Farm to convict tailor Samuel Lyons in 1836, who began constructing roads and subdivided the property into 133 lots. In 1853, the land was bought by William Wright, a merchant. He built a large, Georgian residence, which he named “Drummoyne House”, after his family home in Scotland. “Drummoyne” in Gaelic means “flat ridge” (Plate 4). The prominence of the house gave the peninsula, the suburb and eventually the municipality its name.

Drummoyne House was located near the intersection of Drummoyne Avenue and Cambridge Road, approximately 500 metres north-west of the wharf. Until the 1880s, the area remained relatively undeveloped, probably because of the Drummoyne estate. At that time, there were very few buildings on the Drummoyne peninsula and a wharf on the southern shore of Wrights Point (see Plate 5).

Small portions of the Drummoyne Estate began to be subdivided in 1882, but it was not until Wright’s death in 1889 that the estate began to be subdivided in earnest. A bridge over Iron Cove was initially built on Parramatta Road but was constantly washed away and affected by rainy weather. A new, larger Iron Cove bridge was completed in 1882 (Plate 6) before being replaced with the current form in 1955. This bridge was instrumental in opening the area up to potential residents, who prior to this had to rely on the ferry for direct travel to the city.

Further subdivisions of the Dawson Estate near current Birkenhead Point took place in 1901 and 1908, increasing the population. Once the Iron Cove bridge spanned Iron Cove at its present location, the electric tram service provided a means other than the ferry provided quick and cheap transport to the city.
Plate 3 Early parish map showing John Harris’ property.

Plate 4 Rear of Drummoyne House (Courtesy University of Sydney Archives)
Plate 5 Subdivision plan for Drummoyne House and grounds in 1894 (Courtesy National Library of Australia).

Plate 6 An electric tram crossing the old Iron Cove Bridge from Drummoyne c. 1880s (Courtesy Canada Bay Council)
3.2 History of Drummoyne Ferry Wharf

Prior to the construction of the Iron Cove Bridge, people needed to commute to Sydney by ferry or road. A wharf which may have been used for that purpose is noted on the subdivision plan for Drummoyne House and Grounds in 1894 located on the southern shore of Wrights Point (Plate 6). A wharf at the end of Wolseley Street is shown on a map in 1886 of the municipality of Hunters Hill (NSW Maritime 2009). As ferry services had been calling at Drummoyne on their way up the Lane Cove River from the late 1870s, the original Drummoyne Ferry Wharf was probably constructed between the late 1870s and the mid 1880s. Subdivision and development did not occur in any extent through Drummoyne until the opening of the Iron Cove and Gladesville bridges in the 1879s, limiting the need for any regular ferry services until this period.

In 1915 the Drummoyne Council demolished the old wharf and installed a new timber wharf approximately 26.5 metres long and 10.9 metres wide on timber piers with timber decking, stairs and landing stage. Surveys of this wharf in 1985 found it still in good condition (NSW Maritime 2009).

More recently a timber waiting shed was added at the river end of the wharf, with some replacement of timbers as required. In 2008 the wharf was completely upgraded to match the 1915 design (NSW Maritime 2009).

Although alternative modes of transport are now available, the wharf continues to be used by residents of Drummoyne. It is currently on the Sydney Ferries’ Parramatta River route, operating between Parramatta/Olympic Park and Darling Harbour/Circular Quay.

3.3 Recorded Historic Heritage

Acknowledged heritage items and places are recorded in statutory and non-statutory registers held at the federal, state and local level depending on their level of significance. Internationally significant sites of ‘outstanding universal value’ are inscribed on the World Heritage List and in turn, such sites are usually recognised through their inclusion on federal and state level registers.

Federal designations include the National Heritage List (NHL) and the Commonwealth Heritage List (CHL), both of which are maintained by the Department of Sustainability, Environment, Water, Population and Communities and are available to an online database, the Australian Heritage Database. Places of state significance are included on the State Heritage Register (SHR) maintained by the Heritage Division and available on an online database, the NSW Heritage Inventory database. Places of local significance are included in heritage schedules in Local Environmental Plans (LEPs).

3.3.1 World heritage

There are no World Heritage Sites located within the Project Area.

3.3.2 National and Commonwealth heritage

A search of the Australian Heritage Database was undertaken on 4 October 2013 which indicated that there were no National or Commonwealth heritage items within or in the vicinity of the Project Area.

3.3.3 State heritage

A search of the State Heritage Inventory on 4 October 2013 identified one item of state heritage significance in Drummoyne listed on the NSW State Heritage Register and no items subject to an interim, or authorised interim heritage order (Table 3). The proposal will not impact on the heritage significance of the item.
Table 3 Item of State significance in Drummoyne on State Heritage Register (SHR). Office of Environment and Heritage 2013

<table>
<thead>
<tr>
<th>Item</th>
<th>Address</th>
<th>Heritage listing</th>
<th>Significance</th>
<th>Distance from Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drummoyne Reservoir</td>
<td>Rawson Avenue, Drummoyne</td>
<td>State Heritage Register</td>
<td>State</td>
<td>1.1 km SW</td>
</tr>
</tbody>
</table>

3.3.4 Section 170 registers

Under s170 of the Heritage Act 1977, State Government Agencies are required to keep a list of heritage items maintained by that agency. These are known as s170 Heritage and Conservation Registers. Online searches of these registers were undertaken on 4 October 2013, with eight items identified (see Table 4 below).

None of these items are within the Project Area nor will they be impacted by the proposed works.

Table 4 Items on s170 Heritage Registers

<table>
<thead>
<tr>
<th>Item</th>
<th>Address</th>
<th>Relevant agency</th>
<th>Significance</th>
<th>Distance from Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drummoyne Fire Station</td>
<td>29 Lyons Road, Drummoyne</td>
<td>NSW Fire Brigades</td>
<td>State</td>
<td>730 m SW</td>
</tr>
<tr>
<td>Drummoyne Reservoir</td>
<td>Rawson Avenue, Drummoyne</td>
<td>Sydney Water</td>
<td>State</td>
<td>1.1 km SW</td>
</tr>
<tr>
<td>Electricity Substation No. 4</td>
<td>60 Lyons Road, Drummoyne</td>
<td>Ausgrid</td>
<td>State</td>
<td>891 m SW</td>
</tr>
<tr>
<td>Gladesville Bridge</td>
<td>Victoria Road, Drummoyne</td>
<td>Roads and Traffic Authority/RMS</td>
<td>State</td>
<td>774 m NW</td>
</tr>
<tr>
<td>Iron Cove Bridge</td>
<td>Victoria Road, Drummoyne</td>
<td>Roads and Traffic Authority/RMS</td>
<td>State</td>
<td>1.4 km S</td>
</tr>
<tr>
<td>Sewage Pumping Station No. 30</td>
<td>Henley Marine Drive, Drummoyne</td>
<td>Sydney Water</td>
<td>State</td>
<td>1.5 km SW</td>
</tr>
<tr>
<td>(SP0030)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewage Pumping Station No. 58</td>
<td>Westbourne Street, Drummoyne</td>
<td>Sydney Water</td>
<td>State</td>
<td>694 m W</td>
</tr>
<tr>
<td>(SP0058)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewage Pumping Station No. 65</td>
<td>Byrne Avenue, Drummoyne</td>
<td>Sydney Water</td>
<td>State</td>
<td>1.6 km SW</td>
</tr>
<tr>
<td>(SP0065)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.3.5 Historic shipwrecks and underwater cultural heritage

Historic shipwrecks more than 75 years of age in enclosed waters within NSW are protected by Part 3C of the Heritage Act 1977. A search of the NSW Maritime Heritage Online - the statutory database of Historic Shipwrecks in NSW - indicated that 80 shipwrecks are known to exist in the main Sydney Harbour area, however none are known to be located within Drummoyne Bay.

It should be noted that several other historic shipwrecks are known to be located in Sydney Harbour, however their exact locations are currently unknown. These include the Native (1850), Robert Sayers (1854), Gem (1880), Cadet (1912), Esther (1920) Rodney (1938), Siesta (1942), Nereus (1942), Silver Cloud (1942) and Marlean (1944). However, given the amount of dredging throughout Sydney Harbour, movement of sediment caused by intensive shipping in addition to natural tidal movement, it is considered highly unlikely that any of the historic shipwrecks remain submerged or buried within the Drummoyne Ferry Wharf area.
There is subsequently an extremely low risk of impact to historic shipwreck material, as previous dredging would have ensured that the location is clear of historic material.

### 3.3.6 Local heritage

Searches of the State Heritage Inventory and the Canada Bay Local Environmental Plan 2012 on 7 November 2013 revealed a total of 92 local heritage items within Drummoyne, three of which were located in the vicinity of the Drummoyne Ferry Wharf (Table 5).

<table>
<thead>
<tr>
<th>Item Name</th>
<th>Address</th>
<th>Significance</th>
<th>Distance from Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>1 Wolseley Street, Drummoyne</td>
<td>Local</td>
<td>224 m SW</td>
</tr>
<tr>
<td>House</td>
<td>3 Wolseley Street, Drummoyne</td>
<td>Local</td>
<td>255 m SW</td>
</tr>
<tr>
<td>House</td>
<td>4 Wolseley Street, Drummoyne</td>
<td>Local</td>
<td>253 m SW</td>
</tr>
</tbody>
</table>

A search was also undertaken of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP) on 5 September 2013. The SREP covers all the waterways of the Harbour, the foreshores and entire catchment. 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 seven heritage items at Drummoyne, including the Drummoyne Ferry Wharf, which is listed as the Drummoyne (Wolseley Street) Wharf (Table 6).

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Item Name</th>
<th>Address</th>
<th>Distance from Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Thompson Street wharves</td>
<td>Thompson Street and Henley Marine Drive, Drummoyne</td>
<td>1.5 km S</td>
</tr>
<tr>
<td>17</td>
<td>Iron Cove Bridge</td>
<td>Iron Cove</td>
<td>1.4 km S</td>
</tr>
<tr>
<td>18</td>
<td>Wharves, reclaimed land, access from Peppercorn Reserve and Salton Reserve</td>
<td>St Georges Crescent, Drummoyne</td>
<td>1.1 km SE</td>
</tr>
<tr>
<td>19</td>
<td>Wolseley Street Wharf</td>
<td>Wolseley Street, Drummoyne</td>
<td>N/A</td>
</tr>
<tr>
<td>20</td>
<td>Clovelly House boat shed</td>
<td>Drummoyne Avenue, Drummoyne</td>
<td>403 m NW</td>
</tr>
<tr>
<td>21</td>
<td>Federation House boatshed</td>
<td>Drummoyne Avenue, Drummoyne</td>
<td>584 m NW</td>
</tr>
<tr>
<td>22</td>
<td>Gladesville Bridge, including abutments</td>
<td>Drummoyne</td>
<td>774 m NW</td>
</tr>
</tbody>
</table>
4.0 Visual Inspection

A site inspection was undertaken on Friday, 8 November 2013 by RPS Cultural Heritage Consultant, Deborah Farina. The following paragraphs include a discussion of the general physical context of the Project Area, and a more detailed discussion of Drummoyne Ferry Wharf.

4.1 General Physical Context

Drummoyne Ferry Wharf is located in a residential landscape at the tip of the southern point that frames Drummoyne Bay. Drummoyne Bay itself is relatively open, with scattered private boat moorings and a private foreshore with three small reserves at both points and in the centre of the bay providing public access to the harbour (Plate 7). The Drummoyne foreshore extends south east from the wharf; Cockatoo Island, Spectacle Island and Snapper Island sit to the east in Parramatta River, framed by the peninsulas of Balmain to the south-east, Drummoyne to the west, and Hunters Hill to the north (Plates 8, 9). Drummoyne Ferry Wharf operates as a ferry stop on the Parramatta River route, operating between Parramatta/Olympic Park and Darling Harbour/Circular Quay (Plate 10).
4.2 Drummoyne Ferry Wharf

The existing wharf at Drummoyne consists of a single timber jetty with large mooring pylons (Plate 11). At the entrance to the wharf is a cantilevered awning with ticket machine, signage and timetable point underneath. A covered waiting area with timber walls to the north-west and south-east for shelter is situated on the north-eastern edge of the wharf, with three roofs creating shelter across the northern end of the wharf (Plate 12). All roof structures on the wharf consist of timber post and beam with mono pitch corrugated iron roof. Water access stairs are provided at the north-eastern end of the wharf (Plates 13, 14). The wharf is enclosed by white painted timber railings.

The wharf meets the edge of Menzies Reserve with a break in the cinder block foreshore wall (Plate 15). The entrance to the wharf is framed by two palm trees with concrete path connecting the wharf to Wolseley Street.
Plate 11 View of Drummoyne Ferry Wharf from Menzies Reserve, white painted mooring pylons visible at sides, ticket machine located under cantilevered awning. RPS 2013

Plate 12 Covered waiting area on wharf. RPS 2013

Plate 13 View from covered waiting area to boarding steps. RPS 2013
Plate 14 Timber boarding steps. RPS 2013

Plate 15 View from ferry, looking south toward wharf, Menzies Reserve and Wolseley Street. RPS 2013
5.0 Heritage Significance Assessment

In line with the Burra Charter, 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 following section contains an assessment of the heritage significance of Drummoyne Ferry Wharf using the NSW state significance heritage criteria as contained within the *Heritage Act 1977* and explained in ‘Assessing Heritage Significance’ (NSW Heritage Office 2001). Consideration is also given to the integrity and intactness of the wharf.

The findings of the following heritage assessment is summarised in a Statement of Significance contained within Section 5.2.

5.1 Significance Assessment

5.1.1 Historical Significance (SHR Criteria A) – An item is important in the course, or pattern, of NSW’s cultural history (or the cultural or natural history of the local area)

Drummoyne Ferry Wharf is historically significant as the site of one of the original commuter ferry wharves having been in use as such since the 1870s (although the existing structure dates from 1915 and reconstructed in 2008).

The existence of the wharf led to the establishment of the Drummoyne area allowing residents to commute to both the city and further up the Parramatta River. This connectedness is now provided by road since the construction of Victoria Road and the Iron Cove and Gladesville Bridges.

The location and long-term use of the wharf and environs have had a considerable impact on the urban development of the surrounding area with regard to urban and built forms. The wharf’s historic significance therefore lies in its continuity of historic use and the influence it has had on the urbanisation of the surrounding locality.

5.1.2 Associative Significance (SHR Criteria B) – An item has strong or special association with the life or works of a person, or a group of persons, of importance in NSW’s cultural or natural history

Although associated with the development of the Drummoyne/Five Dock area, there is no evidence to suggest that the Drummoyne Ferry Wharf has any associative significance.

5.1.3 Aesthetic/Technical Significance (SHR Criteria C) – An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement

The wider visual setting of Drummoyne Ferry Wharf is highly scenic. Attractive views from the wharf encompass several iconic sites including Cockatoo Island, Spectacle Island and the north shore. The wharf structure itself has no intrinsic aesthetic interest.

5.1.4 Social Significance (SHR Criteria D) – An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

There is no evidence to suggest that Drummoyne Ferry Wharf embodies significant social or spiritual values. Community consultation is usually required to justify social significance.
5.1.5 Research Potential (SHR Criteria E) – An item has potential to yield information that will contribute to an understanding of NSW’s cultural or natural history

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. The research/archaeological potential of the existing wharf structure is assessed as low to nil because although intact, the wharf was constructed in 2008. The wharf is not considered to be significant for its research/archaeological potential.

5.1.6 Rarity (SHR Criteria F) – An item possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area)

Drummoyne Ferry Wharf, as it currently stands, is similar to other wharves rebuilt in the late 2000s. Whilst the continued use of the site of the wharf is rare, rarity value cannot be attributed to the current wharf site itself.

5.1.7 Representativeness (SHR Criteria G) – An item is important in demonstrating the principal characteristics of a class of NSW’s (or the local area’s) cultural or natural places; or cultural or natural environments

Drummoyne Ferry Wharf is considered to be broadly representative of the wharves found around Sydney Harbour with regard to form, location and materials. It is also representative of the first generation of ferry transport interchanges in the Harbour which have in turn strongly influenced the subsequent development of their surrounding localities.

5.1.8 Integrity and Intactness

With regard to integrity and intactness in heritage terms, the form and fabric of the Drummoyne Ferry Wharf have been significantly compromised. This is because the structure, in its entirety, is understood to date from 2008. As noted above, it is considered that the function and location contribute to the heritage significance of the wharf whilst its fabric does not.

5.2 Statement of Significance

Drummoyne ferry wharf has been an important transport location since the 1870s. Its use predates the development of Victoria Road and the construction of the Iron Cove and Gladesville Bridges which allowed vehicular services to and from the Drummoyne area.

The establishment of the wharf had a considerable influence on the early development of the surrounding locality with regard to urban and built form. The highly scenic setting of the Drummoyne Ferry Wharf within Sydney Harbour provides the site with aesthetic value. This value is further reinforced by the impressive views from the site and encompassing the site featuring sites such as Cockatoo Island and Spectacle Island.

The heritage significance of the Drummoyne Ferry Wharf is embodied by its location and its continuity of function including any physical evidence demonstrating its long history of use. Furthermore, its highly scenic visual setting is also considered to contribute to the heritage significance of the site. The fabric of the wharf dating from 2008 and is considered to be of negligible heritage significance.

5.3 Summary of Contribution of Elements

In determining the likely impact of the proposal on the heritage significance of Drummoyne Ferry Wharf, an assessment of the relative significance of the fabric and features which make up the site is useful. The
gradings of significance employed adhere to Heritage Division standards as set out in ‘Assessing Heritage Significance’ (2001). Similarly, it is helpful to clearly identify those components and attributes of the site which embody heritage significance. The table below ranks the relative significance and integrity of the component parts of Drummoyne ferry wharf (Table 7).

Table 7 Relative heritage significance of the components and attributes of Drummoyne Ferry Wharf

<table>
<thead>
<tr>
<th>Wharf component/attribute</th>
<th>Integrity of fabric</th>
<th>Assessed significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wharf approaches</td>
<td>Low integrity</td>
<td>Low local significance</td>
</tr>
<tr>
<td>Timber wharf decking</td>
<td>Low integrity</td>
<td>Negligible local significance</td>
</tr>
<tr>
<td>Timber wharf piles and substructure</td>
<td>Low integrity</td>
<td>Negligible local significance</td>
</tr>
<tr>
<td>Location/landscape setting</td>
<td>N/A</td>
<td>High local significance</td>
</tr>
<tr>
<td>Function</td>
<td>N/A</td>
<td>High local significance</td>
</tr>
</tbody>
</table>
6.0 Statement of Heritage Impact

The purpose of this Statement of Heritage Impact is to assess the likely impacts of the proposed redevelopment works on the Aboriginal and historic impacts of the proposed redevelopment of the Drummoyne Ferry Wharf.

This assessment will also consider the visual impacts in relation to identified heritage assets. The likely visual impact of the proposals is considered in detail by the Landscape Character and Visual Impact Assessment prepared by Jane Irwin Landscape Architects (2013) 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 Drummoyne Ferry Wharf, its curtilage and heritage items within the wider context of the proposed development site. Section 7 includes recommended measures proposed to manage and safeguard the heritage significance of Drummoyne Ferry Wharf.

6.1 Summary of Proposed Changes

The then NSW Maritime (now RMS) functional and performance brief for the proposed changes to the Drummoyne Ferry Wharf is very specific for operational purposes. 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 have been met and perceived constraints resolved within the current design.

The following plans have been reviewed in carrying out this assessment:

AR-17-DW-4002 Preliminary Pontoon Sections and Elevations

AR-17-DW-4004 Preliminary Gangway floor plan

The proposal includes the removal of the existing wharf structure in its entirety and its replacement with a new wharf structure in the same location comprising three main components: a bridge linking the wharf to the Point, a gangway and a new covered pontoon. A detailed description of the works is contained within Section 1.2.

In addition to the redevelopment of the wharf structure, a temporary compound will be established during the works which will include site sheds, an amenities shed and storage containers. The location of the compound has yet to be determined and its position would be agreed with Council.

6.2 Alternatives and options considered

6.2.1 Methodology for selection of preferred option

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. Drummoyne Ferry Wharf was scheduled for upgrade in 2013/2014 and subsequently such works are currently proposed as detailed in this REF.
Commuter ferry wharves are not easily re-located due to the considerable impacts that result to adjacent public transport and vessel movements within Sydney Harbour, including changes to navigational lanes and routes. For this reason commuter ferry wharves are generally upgraded or redeveloped in or near their existing locations. These considerations assisted with identification of the three options described in Section 2.4.2.

The preferred option was selected as it was found to best meet the project objectives and the following additional criteria:

- Strategic need for the proposal.
- Requirement to minimise the impacts of the proposal on the surrounding environment.
- Safety.
- Cost.

Following selection of the preferred option, design refinements were made and approval was sought from Sydney Ferries on the concept design (refer to Chapter 5 of the REF for a summary of the consultation undertaken).

### 6.2.2 Identification of options

Three options were identified for the proposal. These were:

- **Option 1 – The do nothing (base case) option.**
  
  The do nothing (base case) option would involve no active measures, outside of routine maintenance, to improve the existing wharf. The existing wharf would continue to be used for ferry commuter services.

- **Option 2 – Refurbishment and reuse of the existing wharf.**
  
  Option 2 would involve retaining the existing wharf and the addition of a new ferry wharf connected to the existing wharf. The new wharf would be accessible to people with a disability and consistent with the unifying visual theme developed for wharfs to be replaced and upgraded throughout Sydney Harbour.

- **Option 3 – Demolition of the existing wharf and gangway and replacement with a new pontoon and gangway which improves accessibility of the wharf.**
  
  Option 3 would involve the demolition and removal of the existing wharf and all associated structures and the construction of a new wharf that would be accessible to people with a disability.

### 6.2.3 Analysis of options

Each of the options was analysed against the project objectives and the criteria described above. A summary of the analysis including the advantages and disadvantages of each of the options considered for the proposal is outlined below.

**Option 1 – the do nothing (base case) option**

The do nothing option would not improve the commuter wharf facilities as per the objectives of the proposed activity. Nor would it improve the level of accessibility to the wharf in accordance with the requirements of the DDA, the *Disability Standards for Accessible Public Transport* (2002) or the *Disability (Access to Premises - Buildings) Standards* (2010) (the wharf is currently accessible for no more than 50% of all tides).
There would be no improvement in commuter comfort, safety or security.

Initially, this option would not cost anything however it is likely that maintenance of the wharf would cost more than the other options as the wharf would deteriorate over time.

This option would result in views to and from the harbour being maintained. It would also have the least environmental impacts of the three options as there would be no additional structures and no disturbance of the land surface. As with the other two options, this option would maintain the heritage significance of the wharf.

As this option would not achieve each of the proposal objectives or the objectives of the RMS Sydney Commuter Wharf Upgrade Program, particularly in regard to accessibility, it was not pursued further.

Options 2 and 3

Option 2 would enable the reuse of existing materials and structures however would not improve accessibility to the ferry wharf for people with a disability.

Option 2 would have increased impacts on views from surrounding residences and the public domain then Option 3 given the larger scale of two wharves combined.

Both Options 2 and 3 would reduce public safety risk and impacts associated with vessels manoeuvring within a shallow waterway. This would be achieved by locating the berthing face further offshore within deeper water which would reduce the likelihood of vessels hitting the seafloor. Therefore, this would meet the relevant objective for this proposal.

Option 3 would better meet the project objectives and has the following benefits:

- Improved accessibility of the ferry wharf for people with a disability. Compliance with requirements of the DDA and current legislative standards for disabled access for 80 per cent of the high and low tide levels listed in standard tide charts. Therefore these options would meet objectives for access for those with disabilities.
- Views to and from the bay would be largely maintained.
- Improvements to the public domain and the quality of commuter facilities. Therefore, meeting objectives for upgrading facilities.
- 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. Therefore, meeting objectives to facilitate cost effective maintenance.

6.3 Preferred option

Option 3 is the preferred option as it was found to best meet the objectives for the commuter wharf program, objectives for the proposal, and the criteria identified. In particular, it would provide access for people with a disability while minimising impacts on the environment.

6.4 Impact of Proposed Works on Heritage Significance of Drummoyne Ferry Wharf

As discussed in the significance assessment contained within Section 5.0, the heritage significance of Drummoyne Ferry Wharf is considered to be embodied in its location and function. The highly scenic setting to the wharf also forms part of its heritage significance. The fabric of the wharf structure is not considered to
have intrinsic heritage value on the basis that it dates from 2008 in its entirety. Therefore, the fabric is considered to have a high tolerance for change such that adverse impacts would be avoided whilst the significance of the site would be maintained.

Good conservation practice dictates that physical changes to heritage components of high or exceptional significance should be avoided. Furthermore, that any physical changes to components that are of moderate or low significance should be carefully considered and be designed in such a way as to be sympathetic to the original form, scale and location. The Burra Charter advocates a cautious approach to change: “do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained” (Australia ICOMOS 2013).

In the case of Drummoyne Ferry Wharf, the wharf’s physical fabric is not considered to have intrinsic heritage significance and as such, it is not considered to be sensitive to change. Rather, the site’s significance lies in its function and location. Consequently, the alterations proposed to the site including the replacement of the existing wharf structure are considered to be acceptable in heritage terms because the location and function will be maintained.

The proposed form, design and materials of the new wharf structure at Drummoyne follows the agreed design approach/aesthetic for the upgrading of the commuter wharves throughout the harbour. This includes the curved footprint of the main pontoon, the curved, standing seam zinc roof of the main pontoon and gangway and the stainless steel columns and supports for the glass balustrades. The proposal indicates that the new pontoon structure will be lightweight and open in appearance and that the materials (zinc roof finish and steel balustrades) will sit comfortably in the waterside context.

It is therefore assessed that there will be negligible heritage impacts of the replacement wharf to the heritage significance of the site and can be mitigated via the development and implementation of a heritage interpretation plan (refer to Section 7.0). The development and implementation of an interpretation plan as part of the proposed works is considered to be a good opportunity to enable local people and visitors to understand and identify with the heritage significance of the Drummoyne Ferry Wharf site. In turn, interpretive information can foster a stronger sense of place. Furthermore, it would demonstrate RMS’ concern for heritage and consideration of community views.

Given statutory requirements and that the proposals will have a negligible-minor impact on the heritage significance of the site; the following aspects of the proposal respect or enhance the site’s heritage significance:

a) The maintenance of a commuter wharf at Drummoyne in its original location safeguards the wharf site’s heritage significance by respecting its aesthetic (with regard to setting) and historical values whilst conserving use, retaining setting and maintaining representativeness.

b) Development and implementation of an interpretation plan/strategy will ensure that social significance and a sense of place are maintained by raising public awareness and appreciation of the heritage significance of the site, particularly the historic values it embodies as a longstanding wharf site.

6.5 Impact of Proposed Works on Adjacent Heritage Items and Places

The proposals will not have a physical impact on any Aboriginal or Historic heritage sites within the wider townscape context of Drummoyne Ferry Wharf. With regard to the likely impact on this wider setting, the proposed works to the wharf will not affect identified heritage items within the surrounding townscape. It is considered, therefore, that the proposals will not impact upon heritage items within the wider context of the wharf.
6.6 Visual Impact

A detailed Landscape Character and Visual Assessment report was undertaken in 2013 by Jane Irwin Landscape Architects. The report concluded that the overall impact on the landscape character by the construction of the new Drummoyne Ferry Wharf would be moderate to low, largely owing to the increased scale of the new wharf. This is particularly so from Pulpit Point, however, overall the visual impact is likely to be low, with viewpoints on mid and foreground zones expected to experience a low impact (Jane Irwin Landscape Architecture 2013:11).

Given the findings of the Landscape Character and Visual Assessment report, it is not considered that the visual impact of the proposed Drummoyne Ferry Wharf will adversely affect the heritage values of heritage items in the vicinity of the project area.

6.7 Summary of Heritage Impact

In considering the heritage impact of the proposals, it is important to clarify at the outset those physical components and attributes which embody or form part of the heritage significance of a site. In the case of Drummoyne Ferry Wharf, the location and continuity of use of the wharf are of principal significance whereas the heritage significance of the wharf structure fabric is considered to be negligible. The negligible significance of the fabric means that it is considered to have a high tolerance for change, including wholesale replacement, such that the heritage significance of the site would be maintained and not adversely affected. The replacement of wharf structures and their various components over time is a common pattern identified in the historical development of commuter wharves in Sydney Harbour.

The introduction of a new wharf structure in the same location as the existing/original wharf structure and the maintenance of the use will safeguard the heritage significance of the site. The form and design of the proposed wharf structure made up of a bridge connecting to a covered gangway and pontoon follows the consistent design approach being taken to the upgrading of the commuter wharves throughout the harbour. As such, the function of the site will remain highly legible. The form and materials of the new wharf will provide visual interest and sit comfortably in the waterside setting. The zinc roof covering in particular will ensure that the new structure does not read as a discordant feature within the harbour but rather, one that sits well into the setting.

Overall, it is considered that the proposals will safeguard and maintain the heritage significance of Drummoyne Ferry Wharf.
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 Drummoyne Ferry 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 Drummoyne Ferry 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 heritage impact assessment concludes that the proposals will safeguard the heritage significance of the Drummoyne Ferry Wharf which is embodied in its function and location. The fabric of the wharf, principally dating from 2008, is considered to be of negligible heritage significance and has a high tolerance for change. As such, it is considered that the proposed replacement of the wharf structure will have a negligible impact on the heritage significance of the site on the basis that the new wharf will be constructed in the same location and maintain the original function. The replacement of wharf structures and their various components over time is a common pattern identified in the historical development of commuter wharves in Sydney Harbour. It is considered that the proposals will safeguard and maintain the heritage significance of the Drummoyne Ferry Wharf site.

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**

Should any unexpected finds be uncovered during the course of construction, the mitigation and management measures set out in the RMS *Standard Management Procedure – Unexpected Archaeological Finds* should be followed.

**Recommendation 2**

In line with the Heritage Office publication *How to Prepare Archival Records of Heritage Places* (1998) it is recommended that a detailed archival record be made of the Drummoyne Ferry Wharf prior to the commencement of demolition works with a view to this information being used as part of future heritage interpretation of the site (refer to Recommendation 3 below).

Copies of the record should be submitted to Canada Bay Council, the NSW Heritage Division library, as well as being offered to the NSW State Library.

**Recommendation 3**

It is recommended that heritage information be placed on site during the construction phase to interpret the historic development and use of the Drummoyne Ferry 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 the physical structure of the wharf is removed. Interpretation of an item though 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 Division, Office of Environment and Heritage, Heritage Grants Program.

**Recommendation 4**

In accordance with Clause 14 of the *State Environmental Planning Policy (Infrastructure) 2007* consultation with Canada Bay Council should be undertaken in accordance with that clause prior to works.
8.0 References


9.0 Acronyms and Units

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AHIMS</td>
<td>Aboriginal Heritage Information Management System</td>
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<tr>
<td>AHIP</td>
<td>Aboriginal Heritage Impact Permit</td>
</tr>
<tr>
<td>ACHCRs</td>
<td>Aboriginal Cultural Heritage Consultation Requirements for Proponents</td>
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<td>cal. years BP</td>
<td>Calibrated years before present</td>
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<td>CHL</td>
<td>Commonwealth Heritage List</td>
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<td>DECCW</td>
<td>Department of Environment, Climate Change and Water</td>
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<td>EP&amp;A Act</td>
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<td>LEP</td>
<td>Local Environment Plan</td>
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<td>Local Government Area</td>
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<td>National Heritage List</td>
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<td>National Parks and Wildlife Act 1974</td>
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<td>National Parks and Wildlife Regulation 2009</td>
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<td>Office of Environment &amp; Heritage</td>
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<td>Roads and Maritime Services</td>
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<td>Statement of Heritage Impact</td>
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<td>SREP</td>
<td>Sydney Regional Environmental Plan</td>
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</table>
Appendix 1

Summary of Statutory Controls
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 (ATSIHP Act)**

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).

**Australian Heritage Council Act 2003**

The Australian Heritage Council Act 2003 together with the Environment Protection & Biodiversity Conservation Act 1999 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. It also maintains the archival 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 and 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 (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, ie, 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 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

DECCW encourages consultation with relevant Aboriginal stakeholders for all Aboriginal Heritage assessments. However, if an 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). The ACHCRs 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.

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.

Heritage Act 1977

This Act protects the natural and cultural history of NSW with emphasis on Historic cultural heritage through protection provisions and the establishment of a Heritage Council. 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.

Other legislation of relevance to Aboriginal cultural heritage in NSW includes the Local Government Act 1993. Local planning instruments also contain provisions relating to indigenous heritage and development conditions of consent.
Appendix 2

AHIMS Results
<table>
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<tr>
<th>SiteID</th>
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Report generated by AHIMS Web Service on 03/10/2013 for Deborah Farina for the following area at Datum : GDA, Zone : 56, Eastings : 328495 - 330495, Northings : 6252445 - 6254445 with a Buffer of 50 meters. Additional Info : Due diligence assessment.. Number of Aboriginal sites and Aboriginal objects found is 13

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.
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 (ie, 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 (eg, tool manufacture or maintenance).
- 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 ceremonial sites associated with initiations. They 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 twentieth 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 after European
settlement Aboriginal people did adopt steel); shape of the scar (natural or human scarring); 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 to lubricate 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 are isolated artefacts within 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 impacts 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 (eg, ochre) or for artefact manufacture.
Appendix 4

PACHCI Letter
12/11/2013

Deborah Farina
RPS Cultural Heritage Consultant
Level 9, 17 York Street, Sydney
NSW 2001

Dear Deborah

Re: Preliminary assessment results for the Drummoyne Ferry Wharf Works REF proposal based on Stage 1 of the Procedure for Aboriginal cultural heritage consultation and investigation (the procedure).

The project, as described in the Stage 1 assessment checklist, was assessed as being unlikely to have an impact on Aboriginal cultural heritage. The assessment is based on the following due diligence considerations:

- The project is unlikely to harm known Aboriginal objects or places.
- The AHIMS search did not indicate any known Aboriginal objects or places in the immediate study area.
- The Aboriginal cultural heritage potential of the study area appears to be severely reduced due to past disturbance.
- The proposed compound site, Menzies Park is in a heavily disturbed area.

Your project may proceed in accordance with the environmental impact assessment process, as relevant, and all other relevant approvals.

If the scope of your project changes, you must contact me and your regional environmental staff to reassess any potential impacts on Aboriginal cultural heritage.

If any potential Aboriginal objects (including skeletal remains) are discovered during the course of the project, all works in the vicinity of the find must cease. Follow the steps outlined in the Roads and Maritime Services’ Unexpected Archaeological Finds Procedure.

For further assistance in this matter and do not hesitate to contact me.

Yours sincerely

Barry Gunther
RMS Senior Advisor Aboriginal Cultural Heritage – Sydney Region
Appendix 5

Plans Provided by RMS