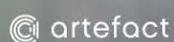


Frenchs Forest Precinct

Aboriginal and non-Aboriginal
Heritage Assessment (Task 1)

Report to Department of
Planning, Industry and
Environment

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EXECUTIVE SUMMARY

Introduction and Background

The Department of Planning, Industry and Environment (the Department) is commencing precinct investigations to plan for the future development of the Frenchs Forest Precinct (the study area). The draft Northern District Plan identifies Frenchs Forest as a Strategic Centre and future health and education Precinct.

In August 2017, Northern Beaches Council endorsed the Northern Beaches Hospital Precinct Structure Plan. The Structure Plan proposes the phased delivery of around 5,360 new dwellings and 2,300 new jobs over the next 20 years. The Structure Plan shows the establishment of a new town centre on the Forest High School site adjacent to the new Hospital, with the high school to be relocated to the Aquatic Centre site in Aquatic Drive. It is intended the proposal will act as a catalyst for revitalisation and the creation of new homes and jobs in the area.

As part of this planning process, the Department has called for proposals to identify and recommend strategies for the protection, management and interpretation of items of Aboriginal and non-Aboriginal (historical) heritage significance within the Precinct area. To address this requirement, Artefact Heritage has been commissioned by the Department to carry out high level and preliminary reporting, which has been divided into two task phases. These are:

- Task 1: Aboriginal and historical desktop research, analysis and preliminary heritage assessment of the Precinct Frenchs Forest Precinct
- Task 2: Aboriginal and historical Heritage Interpretation Strategy Frenchs Forest Precinct.

This heritage assessment comprises Task 1. The aim of this preliminary report is to provide a historical overview of the area, identify listed heritage items or recorded Aboriginal sites within or near the study area, provide existing significance information for heritage items, map places known to be of potential heritage significance and Aboriginal archaeological sensitivity, provide recommendations for any future investigation requirements, and provide high-level recommendations about built form controls.

Conclusions

The following provides an overview of the findings of this heritage desktop assessment. It is noted that the impact assessment in this report is considered preliminary and is subject to change based on development of the detail design of the proposal.

Aboriginal Heritage

This preliminary Aboriginal heritage assessment has found that:

- No Aboriginal sites listed on the OEH AHIMS site register are located within the study area (AHIMS search conducted 14 December 2017)
- An Aboriginal heritage assessment conducted by AMBS (2012) for the Northern Beaches hospital site identified one area of potential archaeological sensitivity adjacent to the Wakehurst Parkway. AMBS (2012) noted the potential for Aboriginal engravings to occur on sandstone outcrops in that area

- One potentially intact area has been identified during the current assessment, to the northwest of Forest High School and south of Frenchs Forest Road West. Further archaeological investigation would be required to determine the intactness of that area
- The available evidence indicates that the study area has generally been subject to significant disturbance and landscape modification through successive phases of nineteenth and twentieth century residential and agricultural development
- Overall, the remainder of the study area demonstrates low archaeological sensitivity. However, any natural outcrops of sandstone are potentially archaeologically sensitive for the occurrence of Aboriginal shelter and engraving sites.

Historical Archaeology

The preliminary historical archaeology assessment has found that:

- The study area contains areas that are likely to contain archaeological remains that reach the threshold of local significance, which may be associated with nineteenth century residences and orcharding buildings and activities:
 - A1: site of former Holland's orchard (Lot 500, DP 1214811)
 - A2: site of former Hews/French residences (Lot 25, DP 15045).
- Archaeological management may therefore be required under the Heritage Act.

Built Heritage

This report has found that:

- There is one listed heritage item located within the study area:
 - Former Holland's Orchard and Commemorative Grove (LEP No. I62).
- There is one potential unlisted heritage item within the study area:
 - Former Hews' Residence (5 Primrose Avenue, Frenchs Forest).
- There are eight listed heritage items located within the visual catchment area (1km buffer):
 - House (LEP No. I56)
 - House (LEP No. I57)
 - Former Methodist Church (LEP No. I58)
 - House – Dental Surgery (LEP No. I59)
 - Betty Maloney Garden (LEP No. I60)
 - House (LEP No. I61)
 - Forestville Park Conservation Area (LEP No. C7)
 - Manly Dam and Surrounds Conservation Area (LEP No. C9).
- There is one potential unlisted heritage item within the visual catchment area (1km buffer):
 - Former Hews Brick Pit (south west of intersection of Warringah Road and Wakehurst Parkway).

- There is one potential moveable heritage item within the study area:
 - James French headstone (understood to be located within the main hall of the Forest High School).

Management Measures

The following management measures are presented for consideration during future planning for the Frenchs Forest Precinct. These management measures are made in consideration of the legislative context of this assessment, best practice guidelines, and the background context presented in this report.

The scope of this assessment is to provide preliminary heritage advice for consideration during future planning for the Frenchs Forest Precinct. Further heritage advice must be sought throughout the planning process and prior to any ground-disturbing activities take place.

Aboriginal Heritage

The following recommendations and mitigation measures for Aboriginal cultural heritage are provided.

Areas of identified Aboriginal heritage sensitivity

- The entirety of the study area is considered to have cultural heritage value as part of the wider Aboriginal cultural landscape
- Identified areas of Aboriginal heritage sensitivity are shown in Figure 27. The constraints map draws on data from background research, predictive model, the site inspection, and consultation with Metropolitan LALC. The mapping is preliminary only, and further investigation and ground-truthing will be required. Further archaeological investigation would be required to determine the intactness of the identified area of sensitivity northwest of Forest High School
- Consideration should be given to retaining the identified areas of archaeological sensitivity within future design of the Precinct, particularly the strip of bushland on the eastern margin of the Northern Beaches Hospital site that was conserved as a result of that project. Retaining open spaces would mitigate impacts to the Aboriginal cultural landscape, and would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Guringai cultural values and traditional land-use activities.

Further Aboriginal heritage assessment

The following recommendations are provided for consideration during future Aboriginal heritage assessments within the Frenchs Forest Precinct:

- The current assessment provides a preliminary desktop overview with targeted site inspection of the study area. Where further clarification of the Aboriginal heritage values within the identified areas of sensitivity is required during the planning process, further archaeological investigation and consultation with the Metropolitan LALC and Native Title Claimants should be undertaken in accordance with the OEH 'Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales'

- The entirety of the Precinct is considered to have cultural heritage value as part of the wider Aboriginal cultural landscape. It is recommended that further investigations within the study area include an assessment of cumulative impacts of the development within the study area. Impacts to cultural heritage should be conducted in consultation with the Aboriginal community in accordance with the OEH *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Development Control considerations

The following items are presented for consideration during future preparation of Development Controls for the Frenchs Forest Precinct:

- Aboriginal objects must not be impacted without an AHIP issued by OEH under Section 90 of the *NPW Act* prior to impact occurring, or relevant approvals from Department of Planning, Industry and Environment (DPIE) for State Significant Infrastructure (SSI) projects
- An Aboriginal heritage due diligence assessment must be conducted for all DAs within the study area. This would include areas of the study area that fall outside identified areas of sensitivity, as Aboriginal objects may still occur in these areas
- Any Aboriginal objects identified in those areas during further Aboriginal heritage assessment must be subject to further archaeological investigation, Aboriginal stakeholder consultation and an AHIP issued by OEH under Section 90 of the *NPW Act* or relevant approvals from DPIE for SSI, prior to any proposed impacts occurring
- As such, it is recommended that, as a minimum, all DAs submitted to Council(s) for land within the Precinct should be accompanied by an assessment in accordance with the OEH 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'.

Historical Heritage

The following recommendations for historical archaeology are provided for consideration during future planning within the Frenchs Forest Precinct.

Historical archaeology

- Further archaeological assessment for the overall study area should be undertaken, refining the areas of potential archaeological resources
- A detailed historical archaeological assessment must be conducted for all DAs within the areas identified as potential areas of historic archaeological resources
- Where further refinement of potential archaeological resources within the overall study area is not undertaken, an historical archaeological assessment should be prepared for all DAs within the study area
- If the management of the area of archaeological resources requires archaeological investigations these works would be undertaken in accordance with an s140 Excavation Permit or an s139 Exception Notification obtained from the NSW Heritage Council in accordance with the NSW Heritage Act

- The historical themes relevant to the Frenchs Forest area, including early settlement patterns, agricultural activities and consolidated development, should be incorporated into a Heritage Interpretation Strategy as part of the Frenchs Forest Precinct.

Built heritage

- Any development for the Frenchs Forest Precinct affecting or within the vicinity of listed or unlisted heritage items must be supported by a Statement of Heritage Impact (SoHI)
- The design development of the Frenchs Forest Precinct should take into consideration the location of the Former Holland's Orchard and Commemorative Grove (LEP No. 162) within the study area. This particularly relates to the propagated orchard plantings within the grounds of the Forest High School. Any works should avoid impact to the trees, which have been assessed as being of local significance
- The unlisted heritage item located at 5 Primrose Avenue (Former Hews' Residence) should be nominated for listing on the Warringah LEP 2011. Options for the conservation of this item, including restoration or adaptive reuse, should be developed during design development
- The historical themes relevant to the Frenchs Forest area, including Aboriginal heritage, early settlement patterns, agricultural activities and consolidated development, should be incorporated into a Heritage Interpretation Strategy as part of the Frenchs Forest Precinct
- Further assessment should be undertaken to confirm the location and significance of the James French headstone believed to be displayed within the main hall of the Forest High School. Consideration could be given to utilising this moveable heritage item for interpretive purposes as part of the Frenchs Forest Precinct
- Site-specific DCP controls should be provided for the Frenchs Forest Precinct as set out below.

Development Control considerations

The following items are presented for consideration during future preparation of Development Controls for the Frenchs Forest Precinct:

- Development in the immediate vicinity of listed heritage items is to be compatible with the historic values of the items
- A SoHI must be prepared for any development affecting or within the vicinity of listed heritage items
- Development should be designed to avoid impact to the Former Hollands Orchard and Commemorative Grove (LEP No. 162) heritage item
- There is potential to revise the curtilage of the Former Hollands Orchard and Commemorative Grove heritage item, to reflect the loss of the original trees located on the verge of Warringah Road. The heritage curtilage of this item should be focused on the remaining propagated trees located within the Forest High School site
- The house at 5 Primrose Avenue (Former Hews' Residence) has been assessed as demonstrating local significance. The property should be listed as a heritage item on Schedule 5 of the Warringah LEP 2011. Given that the item is not of local significance for its aesthetic values,

the house could be conserved or restored to remove intrusive modifications and reinstate aspects of the house’s original design and form. Investigation into options for adaptive reuse to an appropriate and compatible new use could be explored as part of any development within the Frenchs Forest Precinct. Opportunities for interpretation should be explored to interpret and assist understanding of the site and its significant heritage values

- Further assessment of historical archaeological resources within the study area must be undertaken
- If the management of the area of archaeological potential requires archaeological investigations these works will be undertaken in accordance with an s140 Excavation Permit or an s139 Exception Notification obtained from the NSW Heritage Council in accordance with the NSW Heritage Act
- Where there are opportunities for heritage interpretation to be included in the development of the Frenchs Forest Precinct, these should reflect the historic character of the area as a whole and focus on items identified within the study area and wider visual catchment as having heritage significance.

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ABBREVIATIONS

AHIP	Aboriginal Heritage Impact Permit
Artefact Heritage	Artefact Heritage Services Pty Ltd
CHL	Commonwealth Heritage List
DA	Development Application
DCP	Development Control Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
Heritage Act	<i>Heritage Act 1977</i>
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
NHL	National Heritage List
NSW	New South Wales
OEH	Office of Environment and Heritage
RNE	Register of the National Estate
RNT	Register of the National Trust
s60	Section 60 of the <i>Heritage Act, 1977</i>
s170	Section 170 of the <i>Heritage Act, 1977</i>
SHI	State Heritage Inventory
SHR	State Heritage Register
SoHI	Statement of Heritage Impact
the study area	Area of investigation, as shown in Figure 1
WHL	World Heritage List

1.0 INTRODUCTION AND BACKGROUND

1.1 Proposal Background

The Department of Planning and Environment (the Department) is commencing precinct investigations to plan for the future development of the Frenchs Forest Precinct (the study area). The draft Northern District Plan identifies Frenchs Forest as a Strategic Centre and future health and education Precinct.

In August 2017, Northern Beaches Council endorsed the Northern Beaches Hospital Precinct Structure Plan. The Structure Plan proposes the phased delivery of around 5,360 new dwellings and 2,300 new jobs over the next 20 years. The Structure Plan shows the establishment of a new town centre on the Forest High School site adjacent to the new Hospital, with the high school to be relocated to the Aquatic Centre site in Aquatic Drive. It is intended the proposal will act as a catalyst for revitalisation and the creation of new homes and jobs in the area.

As part of this planning process, the Department has called for proposals to identify and recommend strategies for the protection, management and interpretation of items of Aboriginal and non-Aboriginal (historical) heritage significance within the Precinct area. To address this requirement, Artefact Heritage has been commissioned by the Department to carry out high level and preliminary reporting, which has been divided into two task phases. These are:

- Task 1: Aboriginal and historical desktop research, analysis and preliminary heritage assessment of the Precinct Frenchs Forest Precinct
- Task 2: Aboriginal and historical Heritage Interpretation Strategy Frenchs Forest Precinct.

This heritage assessment comprises Task 1. The aim of this preliminary report is to provide a historical overview of the area, identify listed heritage items or recorded Aboriginal sites within or near the study area, provide existing significance information for heritage items, map places known to be of potential heritage significance and Aboriginal archaeological sensitivity, provide recommendations for any future investigation requirements, and provide high-level recommendations about built form controls.

1.2 Study Area

The study area is situated at the junction of Frenchs Forest West Road, Wakehurst Parkway and Warringah Road. It is located approximately 18km north of the Sydney CBD, 9.7km from Chatswood and within 4km of Warringah Mall at Brookvale. The study area for this heritage assessment is Phase 1 of the study area. For the purposes of this report, consideration of a 1km buffer around the Phase 1 site has been given to assess the visual catchment of the proposal.

1.3 Scope of this Assessment

The scope of this assessment includes:

- desktop research and analysis
- a brief history, Aboriginal and non-Aboriginal (historical), of the study area
- heritage register searches to identify any listed heritage items or recorded Aboriginal sites either within, or in the vicinity of, the study area
- providing existing significance information for heritage items

- investigation of potential unlisted heritage items within, or in the vicinity of, the study area including an Assessment of Significance
- mapping places known to be of potential heritage significance using GIS mapping
- mapping likely areas of Aboriginal archaeological sensitivity, following background research and site inspection with stakeholder consultation
- providing high-level recommendations to protect, adapt or interpret heritage items, such as maintaining viewlines
- providing a report outlining the above, and recommendations for any future investigation requirements.

This preliminary heritage assessment has been made in accordance with the relevant standards:

- *Historical Archaeology Code of Practice* (Heritage Office, Department of Planning 2006)
- *Assessing Significance for Historical Archaeological Sites and Relics* (Heritage Branch, Department of Planning, 2009)
- *The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance 2013*
- *OEH Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.

1.4 Authors and Contributors

This report was written by Charlotte Simons (Heritage Consultant, Artefact Heritage) and Michael Lever (Senior Heritage Consultant). Joshua Symons (Principal, Artefact Heritage) provided input, management and reviewed the report.

Figure 1: Location of the study area.



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2.0 HISTORICAL CONTEXT

2.1 Introduction

The following section provides the historical context of the study area based on a desktop assessment of existing historical studies and archival material.

2.2 Aboriginal History

Aboriginal people are the original inhabitants of the Northern Beaches region. Cultural knowledge, historical records, and the archaeological record, each provide an understanding of the material cultural and customs of the Aboriginal people of the Northern Beaches region. Aboriginal places such as Moon Rock, approximately 4 km north of Frenchs Forest, provide examples of exceptionally significant places where aspects of 'the local cultural were taught to the young men that were initiated there'.¹

A number of references suggest that certain areas of land ('estates' or 'country'), in the Sydney region, were associated with a named clan.² Analysis of historical records by Attenbrow suggests that the Frenchs Forest portion of the Northern Beaches region may have formed part of either the Gayamaygal or Garigal clan areas.³ The Gayamaygal is associated with Manly Cove and surrounding country, and the Garigal is associated with Broken Bay and surrounding country. Other closely associated clan areas include the Borogegal and Darramurragul clan. The Borogegal clan is associated with Bradleys Head and surrounding country, and the Darramurragul is associated with the headwaters of Lane Cove River [Turramurra area].⁴

Attenbrow⁵ and the AHO⁶ both note that there is often incomplete information associated with records of clan names and associated area. Attenbrow (2010: 28-29) lists some of the difficulties in accurately establishing clan names and associated areas:

'It is difficult to determine how many clans there actually were because of various spellings given by different authors for the same clan and other groups, and it is also unlikely that the names of all clans were recorded. The colonists were also unsure when they started recording people's names whether the names they were told were personal names or the clans to which the person belonged. Mapping precise boundaries is even more difficult, if not impossible, even where clans areas were described.'

The AHO note with reference to specifying clan names for particular areas that 'the AHO would recommend the use of clan names for local areas, with the understanding that these too have their limitations and problems'.⁷

¹ Office of Environment and Heritage, Heritage Places and Items – Moon Rock Aboriginal Place': <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5063549>

² Aboriginal Heritage Office, 2015. 'Filling a Void: A Review of the Historical Context for the use of the word 'Guringai', p.37; Attenbrow, V, 2010. *Sydney's Aboriginal Past: Investigating the archaeological and historical records*, second edition. University of New South Wales Press: Sydney, p.22-30; Irish, P, 2017. *Hidden in Plain View*. New South Publishing, p. 17

³ Attenbrow 2010, p.23-35

⁴ Ibid, p.24-25

⁵ Ibid, p.27-279

⁶ Aboriginal Heritage Office, p.41

⁷ Ibid, p.41

Aboriginal people lived in 'bands', groups formed of individuals from different clans.⁸ Irish notes that the names of land-using bands in Sydney are not known, if they had names at all. With regard to the individuals in each band, Irish notes the following:⁹

'...Aboriginal people lived on a daily basis in groups known as bands, which were made up of the male members of a clan, their wives (married in from other clans) and children, and unmarried female clan members. As such, they were multilingual groups comprising members of different clans, given them connections and rights to much broader areas than single-clan estates.'

Prior to European settlement, the rich natural resources of the flooded valleys west and south of the study area would have been an important subsistence resource for Aboriginal people. Long term changes in climate and sea level have occurred in Port Jackson over the past 20,000 years, with the sea level stabilising at its present level approximately 6,000 years ago.¹⁰ These oscillations have meant that during this time, the lower Lane Cove River was significantly further away from the ocean than it is today and would have been a fresh watercourse through elevated sandstone terrain. The earliest identified Aboriginal archaeological sites in the Frenchs Forest area have been dated to the mid-Holocene, after the sea level stabilised; with the site of Sugarloaf 1, approximately 4.5 km south of Frenchs Forest, dated to 4,170 ± 40 years before present.¹¹

Sugarloaf 1 is a rock shelter located on the northern side of Sugarloaf Point, directly north of the point that Buffalo Creek meets the Lane Cove River. Excavations conducted in this rock shelter revealed a large quantity of shell remains compared to that of fish bones. Terrestrial animal bones were recovered in smaller quantities still.¹² Comparisons between Sugarloaf 1 and other archaeological sites on the foreshores of Port Jackson show that fish resources are better represented in sites which are in the lower areas of the estuary than the middle and upper reaches, where evidence of shellfish gathering predominates.¹³

A large number of other sites have been identified along the Lane Cove River estuary foreshore and the surrounding ridge lines.¹⁴ The types of sites identified are predominately shell middens and rock art sites, which is consistent with European accounts of how Aboriginal people lived in Port Jackson during the late 18th and early 19th centuries. Aboriginal people were recorded as building and using canoes, collecting shell fish, fishing, collecting medicinal and edible plants, and hunting game along foreshore areas.

Garigal National Park borders the Lane Cove River catchment, and is located approximately 4 km north, 1 km west, and 1.7 km south of the study area. Garigal National Park includes several significant Aboriginal sites and historic places, including one of the oldest known Aboriginal occupation sites in Sydney at Bantry Bay, and the Bantry Bay explosives magazine complex. Around 100 Aboriginal sites have been recorded within the park, including rock engravings, art sites and occupation sites. Occupation shelters within the park have high archaeological potential and significance as most sites in the district have been destroyed by development.¹⁵

⁸ Attenbrow 2010, p.22; Irish 2017, p.18

⁹ Irish 2017, p.18

¹⁰ Birch, G. 2007 'A short geological and environmental history of the Sydney estuary, Australia' in G. Birch (ed.) *Water, Wind, Art and Debate – How environmental concerns impact on disciplinary research* pp. 214 – 242. Sydney University Press, Sydney, p.219

¹¹ Attenbrow 2010, p.18

¹² Ibid, p.64, 71

¹³ Ibid, p.64-65

¹⁴ Ibid, p.17-19

¹⁵ NSW National Parks and Wildlife Service 1998. *Garigal National Park Plan of Management*.

The sandstone ridge lines through the Frenchs Forest area include numerous examples of identified engraving and pigment art sites, as well as grinding grooves and artefact sites.¹⁶ Identified engraving sites in the Frenchs Forest area include engravings adjacent to the Wakehurst Parkway at Frenchs Forest/Killarney Heights, and the large collection of engravings at the Moon Rock Aboriginal Place.

2.3 Summary of Historical Aerial Photographs

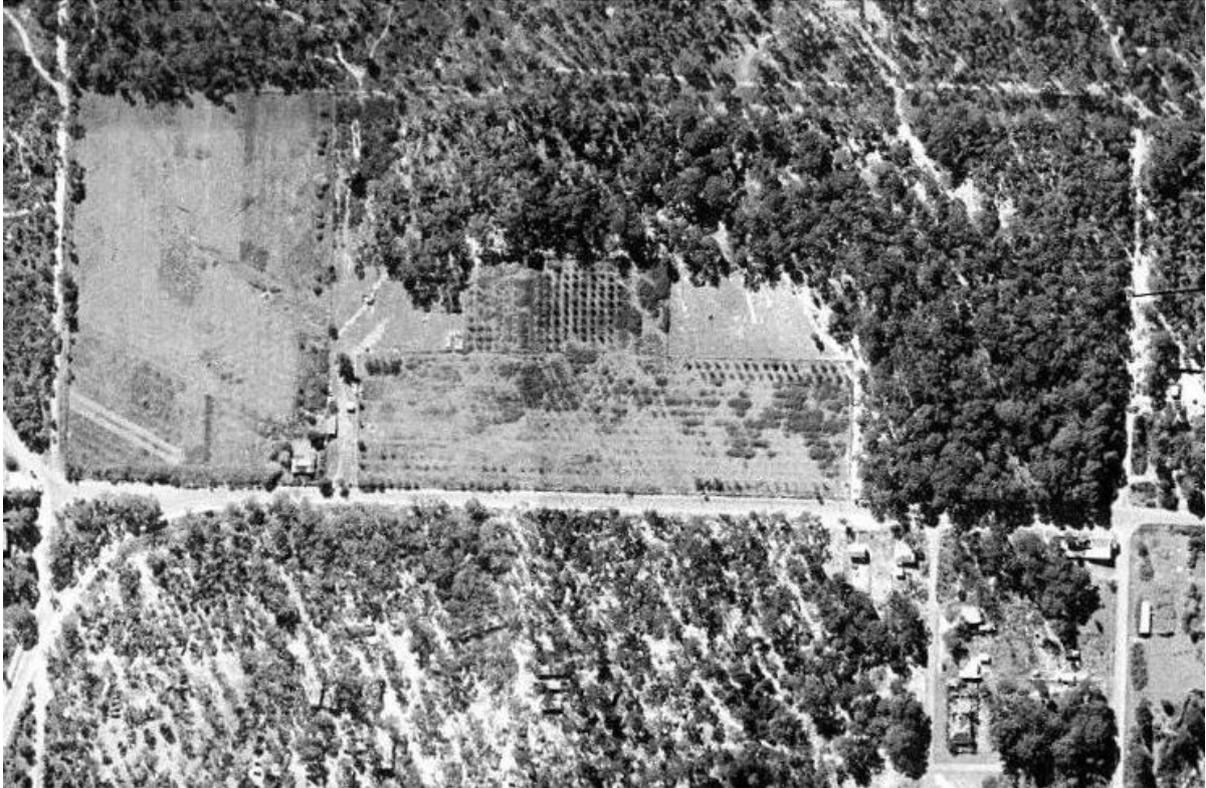
Aerial images have been obtained from the NSW Department of Spatial Services, SixMaps, and Google Earth. These illustrate historical changes in land use in the study area. They demonstrate considerable disturbance and development, but also identify some portions of the study area that may not have been subject to extensive ground disturbance.

**Figure 2: Crop of 1930 aerial, centred over the study area.
(Source: NSW Department of Spatial Services)**



¹⁶ Currie, J. 2008. *Bo-ra-ne Ya-goo-na Par-ry-boo-go: Yesterday Today Tomorrow, an Aboriginal history of Willoughby City Council*, Chatswood, p.18-19

**Figure 3: Crop of 1943 aerial, centred over the study area.
(Source: NSW Department of Spatial Services)**



**Figure 4: Crop of 1951 aerial, centred over the study area.
(Source: NSW Department of Spatial Services)**



**Figure 5: Crop of 1961 aerial, centred over the study area.
(Source: NSW Department of Spatial Services)**



**Figure 6: Crop of 1991 aerial, centred over the study area.
(Source: NSW Department of Spatial Services)**



**Figure 7: Crop of 2017 aerial, centred over the study area.
(Source: Google Earth)**



Between 1930 and 1943 the extent and footprint of the Holland's orchard changed noticeably. The northern section of the orchard has revegetated with (likely indigenous) tree species, while an area to the west has been cleared and opened for further orchard planting. This western location is likely on a hillslope, as indicated by the orchard beds placed at a diagonal to those on the adjacent crest within the more established orchard.

Further changes are evident in the 1951 aerial photograph. Some removal of the previously regrown trees in the north of the property has taken place. A creek line or drainage line visible in the west of the property appears more established than in the 1943 imaging. It is possible this is a result of erosion caused by clearance of trees in the surrounds. The orchard appears to have fallen into further neglect, with many previously tended rows now empty or overgrown.

Significant changes within the study area are evident in the 1961 aerial photograph, with the majority of Holland's orchard removed, and replaced by the Forest High School. There appears to be large scale fill activity across the school site. To the west, residential development is underway, with further substantial fill or earth movement required to remove the previous creek line and provide level surface.

Further residential development is evident in the 1991 aerial photograph, whilst by 2017 the Northern Beaches Hospital is nearing completion. The extent of the impact of the Northern Beaches Hospital on the study area has been considerable.

2.3.1 Conclusions

The study area has been subject to a large range of historical processes that will likely have drastically impacted on the Aboriginal archaeological potential of the area. These range from the relatively minor impacts of land clearance and agriculture, to the large-scale excavation for construction of residential neighbourhoods, for construction of the Forest High School, and most recently construction of the Northern Beaches Hospital. Considerable episodes of fill have also

occurred, most notably to create the Forest High School cricket ground, and likely also in the location of the former creek line now beneath housing in the west of the precinct.

The series of historical aerials do not indicate that one vegetated area northwest of the Forest High School, and immediately south of Frenchs Forest Road West, has been significantly disturbed.

2.4 European Settlement

2.4.1 Early exploration and settlement

The first recorded Europeans to visit the Northern Beaches area comprised a party of ten, who set out in April 1788 from Sydney Cove to explore the northern shore and hinterland of Sydney Harbour. Their records depict the area around Frenchs Forest as an open forest of large tall trees, with little undergrowth and situated on poor soils (White, 1990, p. 122).

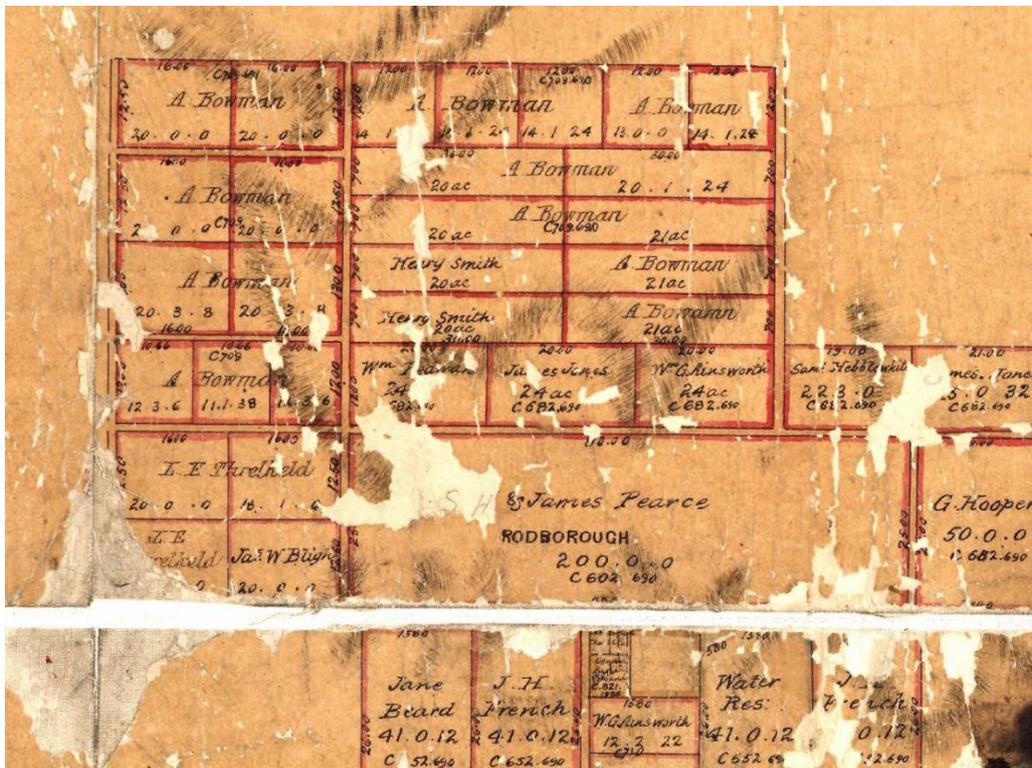
The scarcity of drinking water on the northern shore was a major concern that delayed the European settlement of the area. European settlement was therefore closely tied to developments in water transport and water infrastructure. By the middle of the 19th century a number of medium sized land claims had been granted in Frenchs Forest, however most appear to have been held by speculative and absentee landholders (Champion, 1988).

In 1853, 200 acres was granted to two wealthy brothers, Simon and James Pearce, covering the area of what is now Frenchs Forest. This grant became known as Rodborough Farm and was bound by Fitzpatrick Ave, Rabbett Street, Frenchs Forest Road and Allambie Road (Figure 8 and Figure 9) (LTO Serial No. 93/6). On 23 July 1858 the Pearce brothers sold 171 acres 34 perches of their 200 acres to James William Bligh for £450 (LTO Bk 56 No. 252). Bligh sold the same land to James Harris French (after whom Frenchs Forest is named) on 18 July 1859 for £525 (LTO Bk 62 No. 224). On 24 July 1856, French received an additional two grants, each measuring 41 acres 12 perches, adjoining Pearce's 200 acres. For these he paid £41.1.6 (Figure 9) (LTO Serial No. 121/3577 and 35811). In 1877 further lots of land were acquired by Launcelot Edward Threlkeld and Alexander Bowman (Champion 1988).

Figure 8: First land owners in the area and Bantry Bay Road, 1856.
(Source: NSW Department of Lands, as in Champion 1988)



Figure 9: Early Parish Map showing the 200 acre Rodborough Farm.
(Source: NSW Department of Lands, image provided by Dee Why Library)



2.4.2 Development under James Harris French

During the mid-19th century, French was working as a Special Constable and Ranger of Crown Lands under Simon Pearce. French commenced deforesting the area and constructed two sawmills, transporting logs by bullock dray to Bantry Bay. This track became Bantry Bay Road and part of the old road to the bay is still visible in bushland.

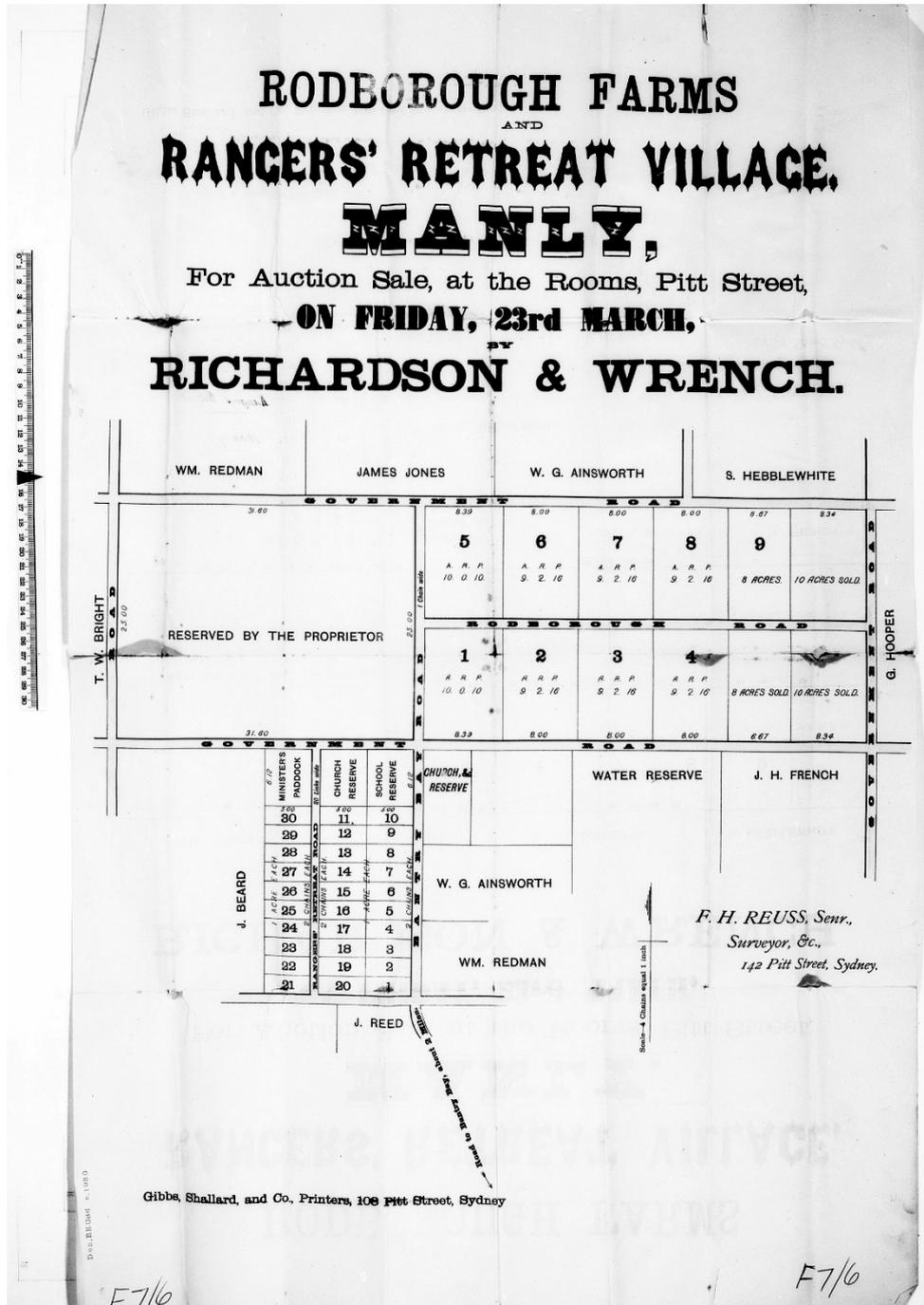
French's primary residence was at his 40-acre farm "Paradise" located at Willoughby with his wife Mary. At one time it is understood French possessed a two-storey weekend home, near the current corners of Hilmer Street and Primrose Avenue, at the southern perimeter of the study area (Champion 1988). It is understood this house was constructed on stone foundations and built with home-made bricks made from local clay (Champion 1988). There are no records of permanent European residents in the Forest area at the time although it is likely that unrecorded settlement was in progress, likely including timber-getter and bullocky camps.

French established a farm on his Rodborough land. On 8 June 1860 the *Sydney Morning Herald* carried the following advertisement:

"To let, an improved farm, at Manly Cove from 40 acres upwards, for such period as may be agreed upon. The improvements are a six-roomed cottage, a three stall stable, a large stockyard, a store, a fowlhouse, and piggery; about seven acres enclosed, and two acres in cultivation. For further particulars apply to JAMES H. FRENCH, Paradise Farm, North Shore."

French's house at Rodborough was occupied intermittently. The original house is thought to have burnt down prior to 1877, when French attempted to subdivide his land as the Rodborough Farms and Rangers Retreat Village. The farm lots, of between 8 and 10 acres, had frontages to Bantry Bay Road, Rodborough Road (now Warringah Road) and other Government Roads. The proposed "Rangers Retreat Village" contained 30 blocks, each one acre, with frontages to Bantry Bay Road, Rangers Retreat Road and two Government Roads. Nothing appears to have resulted from the public auction held on 23 March 1877 (SMH 17 March 1877, p14). It is noted from the sale plan (Figure 6) that the land referred to as 'reserved by proprietor' included the site of French's house and farm.

Figure 10: Plan of Rodborough Farms and Rangers Retreat Village 1877. (Source: SLNSW, image provided by Dee Why Library)



French did, however, make two early sales. On 2 January 1879, he sold 10 acres to Emma Page (wife of Henry Page) for £50 (LTO Bk 187 No. 45). On this land the Pages established a small farm fronting Bantry Bay Road (Figure 7). He also sold 10 acres on the corner of Bantry Bay Road and Rodborough Road to William Hews on 10 December 1884 for £402. James French died at his home in Willoughby on 2 March 1893 aged 76. By 1960 French's grave at the Willoughby Wesleyan Church Cemetery was in bad repair and around this time the headstone was restored and preserved in the assembly hall of the Forest High School.

2.4.3 Hews' settlement and brickworks

In 1852, William Hews arrived in Sydney from England with his parents. On the land purchased from French in 1884, Hews established a residence for himself and his wife Hannah and three children, along with timber homes and buildings for workers at the brickworks that he subsequently founded in the locality (Figure 11 and Figure 13). These brickworks were relocated from Hews' previous brickworks located in Petersham. Hews' first residence in the Frenchs Forest area was a timber hut at the corner of Bantry Bay road and Warringah Road, near the location of the clay pit that gives its name to the current Brick Pit Reserve. William Hews bought further lots of land from French's estate on 1 June 1899.

Hews' brickworks were a fair success, employing some 40 persons. Hews and his family and workers became the first people to take up permanent residence in Rodborough (the original name for Frenchs Forest). Hews' bricks were hand made in moulds and fired in kilns for about 72 hours using timber from the nearby bush. One man could make 12 to 13 hundred bricks a day. The bricks were transported from Frenchs Forest by horse and dray and, during peak productivity of the brickworks, some 18 drays were in use (Champion 1977).

Distribution of Hews' bricks were limited by practicality, to areas of the north shore accessible by road, or to parts of Mosman accessible via a short punt trip (Champion 1988). Bricks were carted to Manly where they were used in the construction of many of the early houses, and were also taken across the Spit on the punt to Mosman and down to Narrabeen. The lack of land connectivity to more established parts of Sydney to the south not only impeded Hews' business growth, but was (in addition to water supply) a major factor in delaying higher density residential development in the area.

Figure 11: Hews brickworks 1905.
(Source: Dee Why Library)



Figure 12: Hews brickworks 1905.
(Source: Dee Why Library)



Figure 13: Workers at Hews brickworks (image undated).
(Source: Dee Why Library)



Following the success of his brickworks, Hews constructed a larger brick house in 1900 on the stone foundations of James Harris French's then burned-out weekend home at the corner of Hilmer Street and Primrose Avenue (Figure 14 and Figure 15). Construction of this house used bricks from the Hews brickworks. The house was surrounded by extensive grounds including a cricket oval with pavilion, gardens and a tennis court. The house was the centre of activity for the district (Champion 1988).

Figure 14: Hews second house at corner of Hilmer Street and Primrose Avenue, c1900.
(Source: Champion S & G 1977, *Forest History*, Sheila and George Champion, Sydney, p21)



Figure 15: Hews second house at corner of Hilmer Street and Primrose Avenue, c1920.
(Source: Dee Why Library)



Figure 16: Frenchs Forest Cricket Ground (Hews residence seen to right in distance), 1908.
(Source: Champion 1988, *Forest History*, p24)



In 1907, as one of the first elected councillors on the Warringah Shire Council, William Hews represented C Riding. Hews served as President in 1912. This same year, Hews opened the Council Chambers at Brookvale and was presented with a gold key on the occasion. From 1917 onwards, Church of England services were held in the Hews' house. In 1917, William Hews passed away aged 73 years. His wife Hannah died in 1928.

Between 1943 and 1960, the house was modified, with the removal of the external verandahs, awnings, chimneys and alterations to the grounds. The house remains extant on the corner of Primrose Avenue and Hilmer Street, with further modifications comprising render to the brick facades and rendered features. Local nearby features like Hews Parade and Brick Pit Reserve commemorate the contribution of the Hews as an early pioneer family.

Figure 17: Hews second house at corner of Hilmer Street and Primrose Avenue in 1960.
(Source: Champion 1988, *Forest History*, p21)



2.4.4 Agricultural pursuits and Holland's Orchard

Despite the logging efforts of James Harris French, it appears that the area remained densely forested, with considerable clear felling required to provide room for an 18-acre orchard planted by Henry Green in 1900 on the current location of the Forest High School. In 1906 this orchard was inherited by Henry Green's son in law, John Holland. Holland's Orchard (Figure 18) employed at least three people, with one staff member recorded as having lived on the orchard with his family in a slab hut in the Bantry Bay Road corner of the property.

Throughout the early 20th century, the Frenchs Forest area was typified by dairy, poultry and pig farming, with some market-gardening and orchard activities (Champion 1988:55). The area retained its rural character through until the mid 20th century.

Figure 18: Historic photograph of Holland's Orchard.
(Source: State Library NSW)



2.4.5 Suburban development and expansion

In 1916, attempts were made to establish Soldiers Settlement lots in the area. The endeavour of clearing land and constructing housing appears to have been a matter of considerable public involvement, with volunteers having been responsible for clearing land and constructing much of the soldier's housing. The completion of the last house in the Frenchs Forest soldier settlement and its transfer to an army veteran was the occasion of public ceremony (Figure 19). Despite these efforts, the Soldiers Settlement generally failed due to the poor soils, insufficient size of lots and lack of readily available water.

In 1924, timber bridges were constructed that connected Frenchs Forest to the south at Roseville and the Spit. While a certain accelerated degree of residential development did occur following their construction, these bridges did not suffice to serve a potential higher density population. In 1946, Wakehurst Parkway was opened, which enhanced transport connectivity to the area. In 1958, the Spit Bridge was reconstructed and enlarged, followed by upgrades to the Roseville Bridge in 1966. The

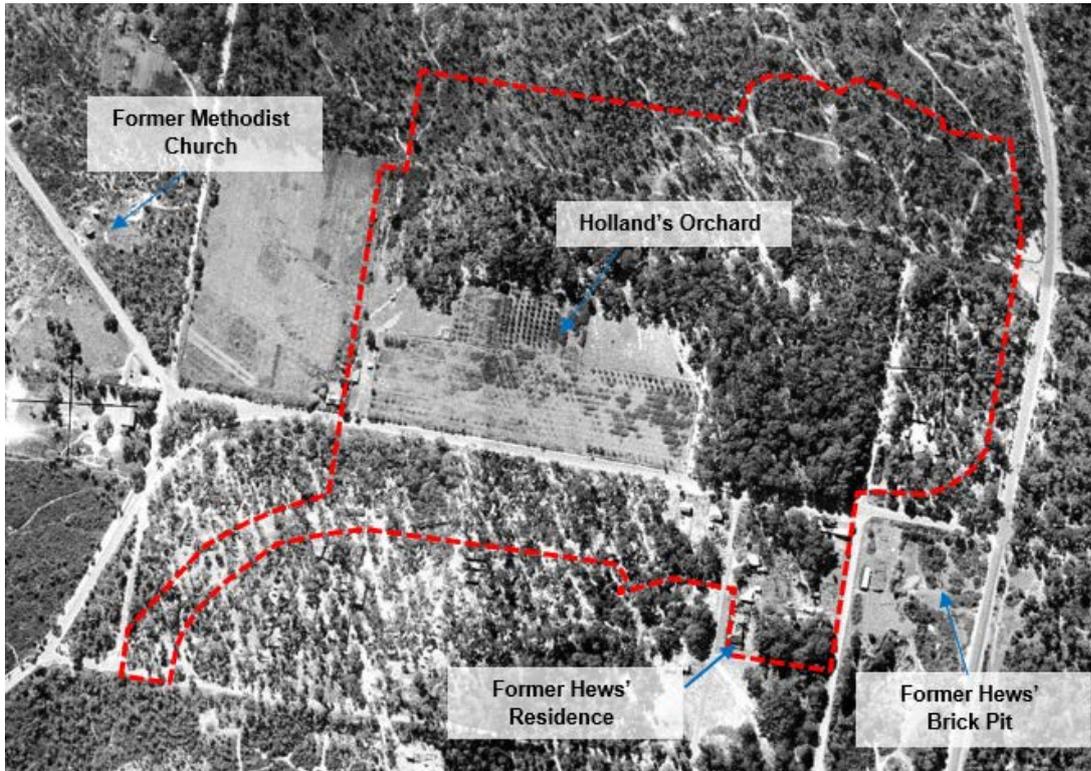
reconstruction of both these bridges served to facilitate the housing needs of the post-war baby boom and the resultant rapid residential development of Frenchs Forest.

During the second half of the 20th century, Frenchs Forest underwent significant subdivision and urban development (Figure 20). Lands previously used for agricultural purposes were cleared to make way for new housing. In 1961, the Forest High School was opened on the site of the former Hollands orchard, and larger shopping facilities were opened during the 1960s. By the turn of the century, with the exception of a few areas, the entire area had been subdivided and dedicated to modern housing.

Figure 19: Transfer of the last house in the Frenchs Forest soldier settlement.
(Source: National Library Australia)



Figure 20: Historical aerial photograph of the study area in 1943, showing Holland's orchard in the centre of the image.
(Source: SIX Maps)



3.0 ABORIGINAL HERITAGE CONTEXT

3.1 Environmental Context

3.1.1 Landform

The study area is located at the peak of a local hill top, a crest 160m above sea level. It is set within a frequently sharply undulating local landscape that has been steeply dissected by waterways, including Middle Harbour Creek. The highpoint of the study area crest is located beneath the current Northern Beaches Hospital. Cartographic modelling indicates that no higher crests are found between the study area Precinct crest and Port Jackson to the south east, Bantry Bay to the south west, and the mainland coastline to the east. It is likely that the study area crest once enjoyed clear views across these large distances.

3.1.2 Geology and soils

The local geology comprises Hawkesbury Sandstone, and Wianamatta Group Shales (1:250,000 Geological Series Sheet S1 56-5 Sydney). Hawkesbury Sandstone geology is often characterised by stone outcroppings. These can constitute rock shelters and caves as well as exposed surfaces and ledges. The local geology is not known to be rich in sources for stone-tool production.

The study area is predominantly within the Lucas Heights soils profile, with a small extent of Disturbed Terrain soils in the southeast corner of the precinct (espade, 2017). Disturbed Terrain soils are of little to no archaeological potential. They represent areas that have been subject to significant disturbance such as through clay removal for brick manufacture, and often subsequent refill with imported soils.

Lucas Heights soils are typified by a loose, poorly structured sandy loam topsoil with porous sandy fabric and is often strongly acid. Top soil depths are characteristically shallow and only up to 300mm. Beneath this, is between 100mm to 300mm of stony, hard setting clay loam. This in turn sits above up to 1m of clay which forms from the underlying Hawkesbury Sandstone.

Lucas Heights soils drain rapidly and are of generally low cultivation potential due to their low fertility.

3.1.3 Hydrology

There are no major permanent water supplies in the study area. The study area is approximately 150m south west of a first order waterway - Trefoil Creek which is a tributary of Middle Creek. The study area is also approximately 400m south of an unnamed tributary of Middle Creek, and approximately 600m north of an unnamed tributary of Manly Creek. The hydrological conditions of the area are likely to have changed since de-vegetation and subsequent development of the surrounds. It is not certain whether these tributary waterways would have once provided a reliable source of local water.

In addition to these mapped waterways, it is the nature of sandstone geology that waters frequently drain from heights and flow through sub surface fissures, emerging as springs. These along with localised soaks, and rock holes or wells would likely have provided important local sources of water to Aboriginal people in the past.

3.1.4 Flora and fauna

Prior to colonisation, the vegetation of the study area would have resembled that currently found at Ku-ring-gai National Park. It was typified by eucalypt open-forest and eucalypt woodland with a sparse sclerophyll shrub understorey. Dominant tree species included turpentine (*Syncarpia glomulifera*), smooth-barked apple (*Angophora costata*), red bloodwood (*E. gummifera*), thin-leaved stringybark (*E. eugenioides*) and scribbly gum (*E. haemastoma*) (espade, 2017).

Within this dominant vegetative form, the often widely varied topography and hydrology of the study area would have resulted in considerable numbers of micro ecologies and habitats that would have supported a wide range of flora and fauna. Nevertheless, given the general proximity of the study area to locations of relatively more abundant resources such as those nearer to more permanent water sources, it is likely that the study area would not have been a primary choice for subsistence activities. It is likely to have been more frequently used for hunting and ranging, as a lookout, and possibly given its local elevation, as a meeting and ceremonial location.

3.2 Aboriginal Heritage Information Management System search

The location of Aboriginal sites is considered culturally sensitive information. It is advised that this information, including the AHIMS data appearing on the heritage map for the proposal be removed from this report if it is to enter the public domain.

An extensive search of the AHIMS database was conducted by Michael Lever on 14 December 2017 for sites registered within an approximate 2km buffer of the study area, with the following coordinates:

GDA 1994 MGA 56	334156E – 337960E
	6261699N – 6266596N
Number of sites	34
AHIMS Search ID	317994

There are no registered Aboriginal sites listed on the OEH AHIMS site register within the study area.

A total of 34 registered Aboriginal sites were found within the search area. The distribution of recorded sites within the AHIMS search area is shown in Figure 21. The distribution and nature of these sites can be used to model the likely occurrence and type of sites that may occur in the study area.

OEH lists 20 standard site features that can be used to describe a site registered with AHIMS, and more than one feature can be used for each site. The frequency of recorded site types is summarised in Table 1.

Please note that there are known errors in the AHIMS data which have occurred when older sites recorded in AGD or older imperial coordinates systems were converted to the GDA coordinate system. These errors generally result in a location error of up to 200m. As such, a buffer of at least 200m should be incorporated into the AHIMS extensive search.

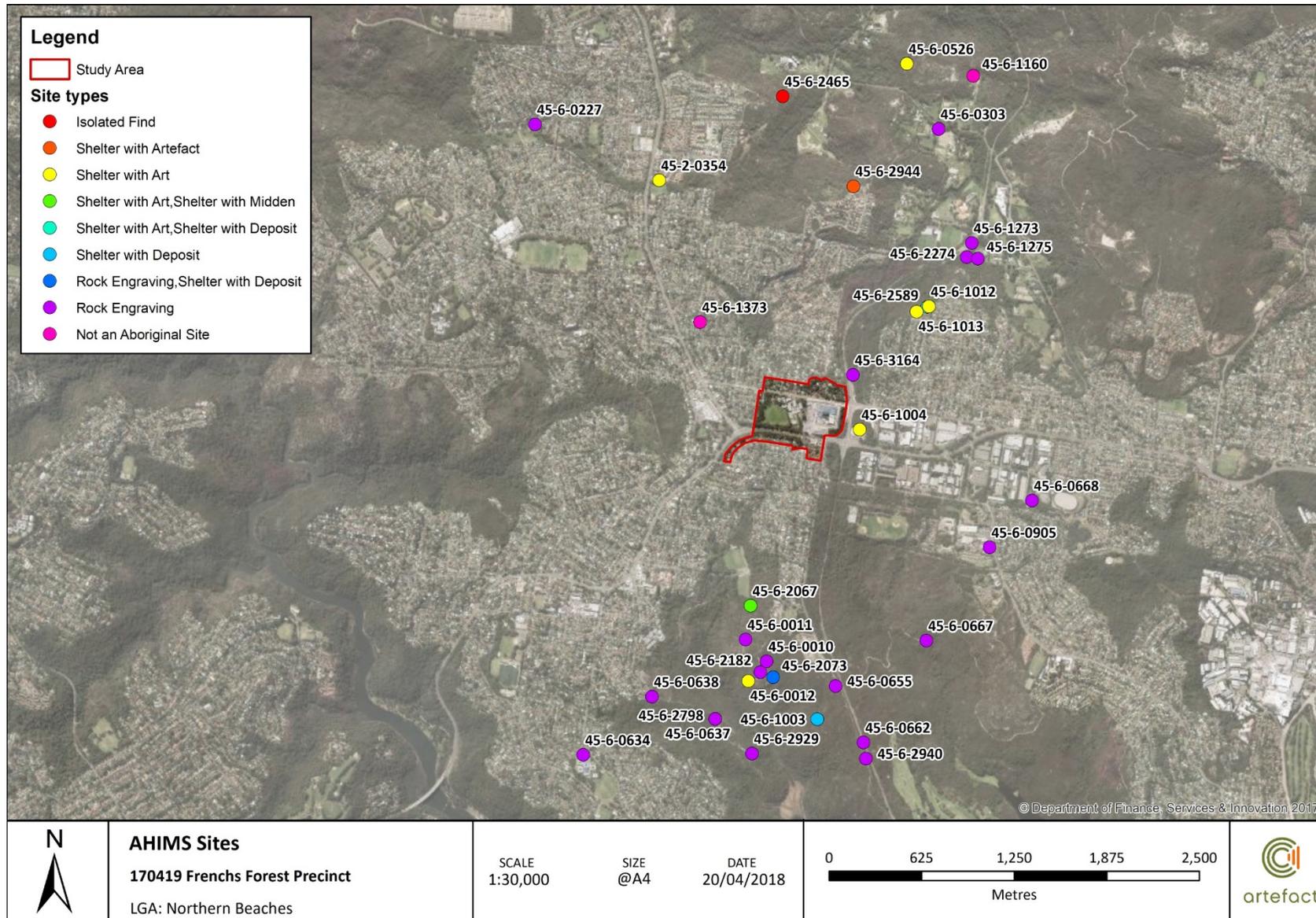
An updated Basic search of the AHIMS site register was undertaken on 17 November 2020 with the same search coordinates as AHIMS Search ID 317994. The updated AHMS Search ID is 550505. The same number of recorded Aboriginal sites (n=34) are within the AHIMS search area.

Table 1: Frequency of registered site types

Site type	Frequency	Percentage (%)
Not an Aboriginal Site (revised)	2 (0)	0
Isolated Find (Artefact)	1	3
Shelter with Art,Shelter with Deposit	1	3
Shelter with Art,Shelter with Deposit	1	3
Shelter with Art,Shelter with Midden	1	3
Shelter with Artefact	1	3
Shelter with Deposit	1	3
Shelter with Deposit, Rock engraving	1	3
Shelter with Art	6	18
Rock Engraving	20	60
Total	33	100

Of the 33 AHIMS sites registered within the search area, 10 different site features were recorded. The majority of recorded sites are Rock Engravings (n=20) followed in frequency by Shelters with Art (Pigment or Engraved) (n=6) which form a subsection of Shelters (n=12 / 36%). In total, Rock Engravings and all Shelters constitute 96% of all registered sites in the search area.

Figure 21: Distribution of AHIMS sites within 2km of the study area.



3.3 Recorded Sites in the Vicinity of the Study Area

The large number of recorded sites in the area indicate that Aboriginal sites, particularly rock engraving sites, are likely to be present in a wide range of locations where suitable outcropping sandstone occurs. The sites descriptions below for AHIMS ID 45-6-0905, 45-6-0636, and 45-5-0354 are provided as examples of the type of Aboriginal sites recorded in the vicinity of the study area.

3.3.1 AHIMS ID 45-6-905

This site is located approximately 1.5km south east of the study area within the front yard of the Sunnyfield Disability Services facility at 185 Allambie Road, Allambie Heights. It comprises an engraving in rock of a kangaroo, approximately 1.5m in length. The images provided below were taken in 1978 (Figure 22 and Figure 23). From these images it is quite clear that unless tended, such engravings may easily be overgrown by vegetation.

Figure 22: AHIMS ID 45-6-905 from AHIMS Site Card.



Figure 23: AHIMS ID 45-6-905 from AHIMS Site Card.



3.3.2 AHIMS ID 45-6-636

This site is a rock engraving located approximately 1.5km south west of the study area, along the Cook Street Trail to the rear of the Tredinnick Retirement Village, Forestville. It comprises multiple figures that have been interpreted to include a man, a large turtle and snakes (Figure 24 and Figure 25). The size of the engraving has not been provided, however from descriptions it is likely the montage measures over 5m x 5m.

Figure 24: Sketch of AHIMS ID 45-6-636 from Site Card.

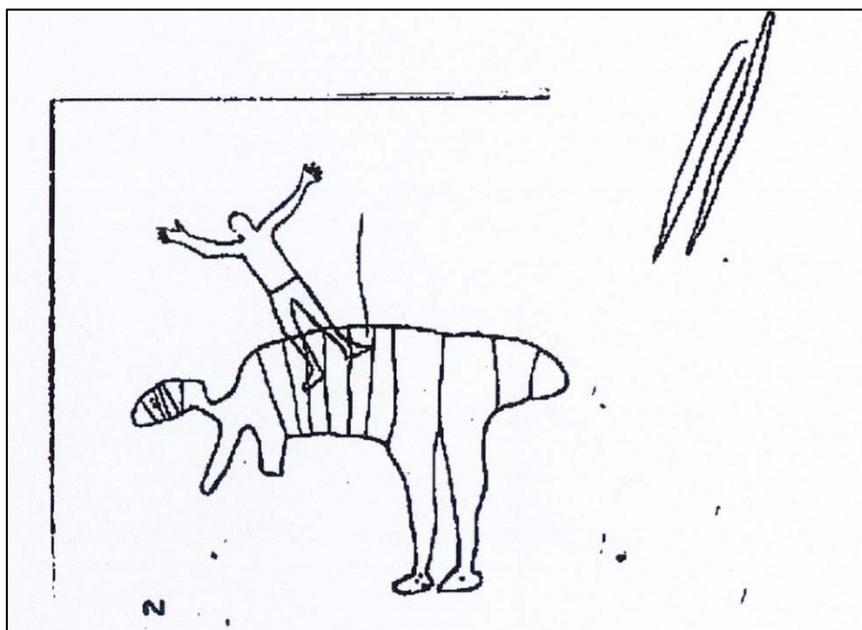


Figure 25: Photo of part of AHIMS ID 45-6-636 from Site Card. Engraving outlined with blue thread.



3.3.3 AHIMS ID 45-2-354

This site is the painted and engraved surface of a rock overhang, situated in the back yard of a residence at Seaview Parade, Belrose. This is approximately 1.5km north west of the study area. The site has been subject to modern reuse and deterioration (Figure 26 and Figure 27).

Figure 26: Location of 45-2-354 showing modern reuse.



Figure 27: Example of hand stencil on wall of AHIMS ID 45-2-354.



3.4 Previous Archaeological Investigations

Early historical documentation of Aboriginal engraving sites in the northern beaches area include recordings by surveyor W. D. Campbell in the 1890s. Campbell's records were published in the *Memoirs of the Geological Survey of New South Wales* in 1899. Many of the engraving sites that Campbell recorded were uploaded to the NSW register of Aboriginal sites (now the OEH AHIMS site register) from the 1950s onwards. Although none of the engravings recorded by Campbell are located within the study area, Campbell's records provide an important resource and recording of significant engravings sites in the vicinity of Frenchs Forest.

In 1992 R. G Gunn conducted an archaeological survey of the Garigal National Park for the NSW National Parks and Wildlife Services (NPWS). To date, this survey is still the most comprehensive study of Aboriginal archaeological sites within the Garigal National Park and the local area. Based on the results of the survey and on other relevant studies Gunn developed a model for Aboriginal land use in the area, which is summarised below:

- The coastal headland sand of Narrabeen Lake would have been an inhabitation focal point for a band or clan consisting of potentially 6–8 groupings
- Subsistence activities during the summer months by the coastline may have been focussed on the ocean coastline where food and water were plentiful only occasionally venturing west into the creek lines and hills to the west
- During the spring, the valleys of Deep and Middle Creeks in the Garigal National Park would have been utilised for the vast variety of fruit and other plant foods
- During the winter months, when food resources were less abundant, the family groups that had come together during the warmer months would have dispersed and moved across the local region, inhabiting various smaller short duration camps.

Gunn (1992) further asserts that engravings of sandstone away from the Narrabeen Lakes were part of formal events undertaken during the summer months by certain individuals and not undertaken on mass. Gunn further states that occupation of the inland areas, like that of the current study area, would only have been inhabited during the winter months by small family groups or clans.

3.4.1 Northern Beaches Hospital Aboriginal Heritage Impact Assessment

An archaeological survey and Aboriginal heritage assessment for the Northern Beaches Hospital site was prepared by AMBS in 2012. The Northern Beaches Hospital site forms part of the current study area.

AMBS (2012) concluded that overall the Northern Beaches Hospital site demonstrated high levels of surface disturbance from residential development and other historical activities. As such, 'the apparent lack of substantial intact topsoil, indicates that there is unlikely to be any archaeological potential for intact or substantial Aboriginal stone artefact deposits within the study area' (AMBS 2012: 31).

However, due to a general lack of surface visibility from dense vegetation, AMBS were not able to inspect intact sandstone outcrops in one portion of the study area. As such, AMBS (2012: 31) recommended that:

'Should any impact be proposed to the currently obscured sandstone outcrops..... pre-construction vegetation and soil clearing should be undertaken in this area to allow an appropriate level of archaeological inspection for any art/ engraving sites'

In summary, AMBS identified that the majority of the Northern Beaches Hospital site did not demonstrate archaeological potential due to disturbance and thin/ lack of topsoil, whilst any areas where outcropping sandstone is likely to occur would be subject to further archaeological investigation.

3.4.2 Northern Beaches Hospital Road Upgrades Aboriginal Heritage Assessment

Kelleher Nightingale Consulting (KNC) prepared an archaeological survey report for Roads and Maritime Services (Roads and Maritime) for proposed connectivity and network enhancement works for the Northern Beaches Hospital.

KNC's investigation area included a large portion of the current study area between Warringah Road and Frenchs Forest Road West. However, as the main focus of KNC's investigation was the existing road network, Frenchs Forest High School was not accessed for the survey.

With regard to the archaeological record of the area, KNC (2014: 36) note that:

The principal remaining physical evidence of Aboriginal landscape use around the study area consists of shelters with art and archaeological deposit, and rock engravings located on outcropping sandstone slabs and benches.

As identified by AMBS (2012), KNC note that areas of outcropping sandstone are potentially archaeologically sensitive for shelter sites and engraving sites. KNC (2014: 39) identified two shelter sites within Trefoil Creek, approximately 150 m northeast of the current study area. Hand stencils were identified at one of the shelter sites (Trefoil Creek 1), whilst a potential archaeological deposit was identified at the second shelter site (Trefoil Creek 2).

One previously recorded site approximately 1.7 km east of the current study area was inspected by KNC. One site (AHIMS ID 45-6-0752, 45-6-0753 and 45-6-0824) was an engraving site originally recorded by Campbell (1899) in the vicinity of residential houses and a road. A second previously recorded site (AHIMS ID 45-6-1004), is a shelter with art located immediately east of the current study area on the eastern side of Wakehurst Parkway. KNC could not be relocated due to potential coordinate errors on the OEH AHIMS site register.

With regards to artefact sites, KNC (2014: 36) note that the ridgeline context of the current study area was not the main focus of Aboriginal subsistence activities in the local area, with the primary focus being the ocean coastline to the east, and Lane Cove River to the west. As such, the primary artefact site type across the ridgeline context is likely to be 'open artefact scatters or isolated finds, representing isolated discard events or single use campsites while travelling' (KNC 2014: 36).

3.5 Aboriginal Heritage Predictive Model

The study area is located on a large Hawkesbury Sandstone ridgeline that characteristically includes sandstone exposures, ledges, and shelters across certain landform elements. There are no identified permanent water courses within the study area. The study area is located across a watershed between different catchment areas, with drainage to the north flowing into Narrabeen Lagoon, drainage to the southeast into Manly Lagoon, and drainage to the west into Middle Harbour.

Previous heritage investigations in the area suggest that the study area locale was utilised as a travel corridor and areas further to the west around Middle Harbour and Lane Cove River, with the potential for some seasonal differentiation in the frequency of activities.

Historical activities, including large-scale introduction of fill, residential development, construction of roads, and the Northern Beaches Hospital, is likely to have resulted in a generally high level of surface disturbance across the study area. One location northeast of the school, and south of Frenchs Forest Road West, may be intact, or partially intact.

No Aboriginal objects have been identified within the study area. The closest recorded Aboriginal sites are associated with outcropping sandstone, and include shelter sites and engraving sites.

3.5.1 Predictive model for the Precinct

Based on previous investigations, the most likely site types to be found within the study area are engraving and shelter sites, which make up 96% of all sites in the search area.

These site types may occur where the underlying sandstone geology rises above ground surface. Engravings in particular may be obscured by vegetation and may be overgrown or concealed by modern fill. Engraving sites may occur at any point in the landscape. Where only limited historical impacts have occurred may be of heightened sensitivity for undetected engravings or shelter sites.

4.0 SITE VISIT

4.1 Methodology

A site inspection was conducted on 1 March 2018 by Michael Lever (Artefact), and Selina Timothy, Cultural Heritage Officer at the Metropolitan LALC. The site inspection team passed through the Forest High School grounds and cricket oval, but specifically targeted the potentially intact area northwest of the school (see Figure 27).

4.2 Results of Site Visit

School buildings and car parking are generally located in the eastern portion of the Forest High School, whilst a large sports oval is located across the central and western areas. The oval is located across a large amount of imported fill. A brick wall three courses high is located around the margins of the sports oval, which has been cut into the fill.

No Aboriginal objects, or areas where Aboriginal objects may be located beneath the ground surface, were identified across the majority of the Forest High School site.

To the northwest of the sports oval is a section of dense vegetation within the school grounds that may contain intact landform contexts. This area appears to contain a 1st order ephemeral watercourse, and may not have been subject to extensive disturbance from historical land-use activities. This portion of dense vegetation generally appears to be intact throughout the sequence of aerial photographs presented in Section 2.3.

The dense vegetation consisted of native vegetation, with patches of lantana, brambles, and occasional thick clusters of bamboo. The density of the vegetation limited access to the periphery of the area.

It could not be determined from site inspection if Aboriginal objects, or Aboriginal objects beneath the ground surface, are located within the area of dense vegetation.

The area of identified by AMBS (2012) as likely to contain archaeologically sensitive sandstone outcrops is located within the Northern Beaches Hospital site, and was not accessed for this assessment.

Figure 28: Brick retaining wall at Frenchs High School. Seen from within sports oval, view west to vegetated area.



Figure 29: Lantana and scrub near the western boundary. View east to the elevated oval.



Figure 30: Western retaining wall looking south-west.



Figure 31: Location of sandstone adjacent to Frenchs Forest Police Station.



Figure 32: Location and size of sandstone.



5.0 ANALYSIS OF ABORIGINAL ARCHAEOLOGICAL AND CULTURAL INFORMATION

5.1 Identified Aboriginal archaeological cultural heritage within the study area

No identified Aboriginal sites are located within the study area.

Two areas within the study area have been identified as potentially containing intact natural landforms where archaeologically sensitive sandstone outcrops may occur (see Figure 27). This includes the area of dense vegetation northwest of Forest High School, and the eastern portion of the Northern Beaches Hospital site as identified by AMBS (2012).

The area of identified Aboriginal sensitivity on the eastern side of the Northern Beaches Hospital was identified by AMBS (2012) as a location where sandstone outcrops occur beneath dense vegetation coverage. Due to dense vegetation and inaccessibility during the site inspection, the intactness of the area of sensitivity identified during to current assessment on the northwest margin of Forest High School is unknown.

Additionally, any intact sandstone outcrops within the study area, including small outcrops that may occur within residential yards, or road easements, would be archaeologically sensitive. Previous archaeological investigations have indicated that engraving and shelter sites can occur in any location where outcropping sandstone may occur, including areas that may appear disturbed.

Selena Timothy of the Metropolitan LALC made a verbal comment to Michael Lever during the site inspection regarding the possibility that further sandstone outcrops may occur in the study area, and that measures should be undertaken to assess the probability of this prior to future ground disturbing works.

5.2 Identified Knowledge Gaps

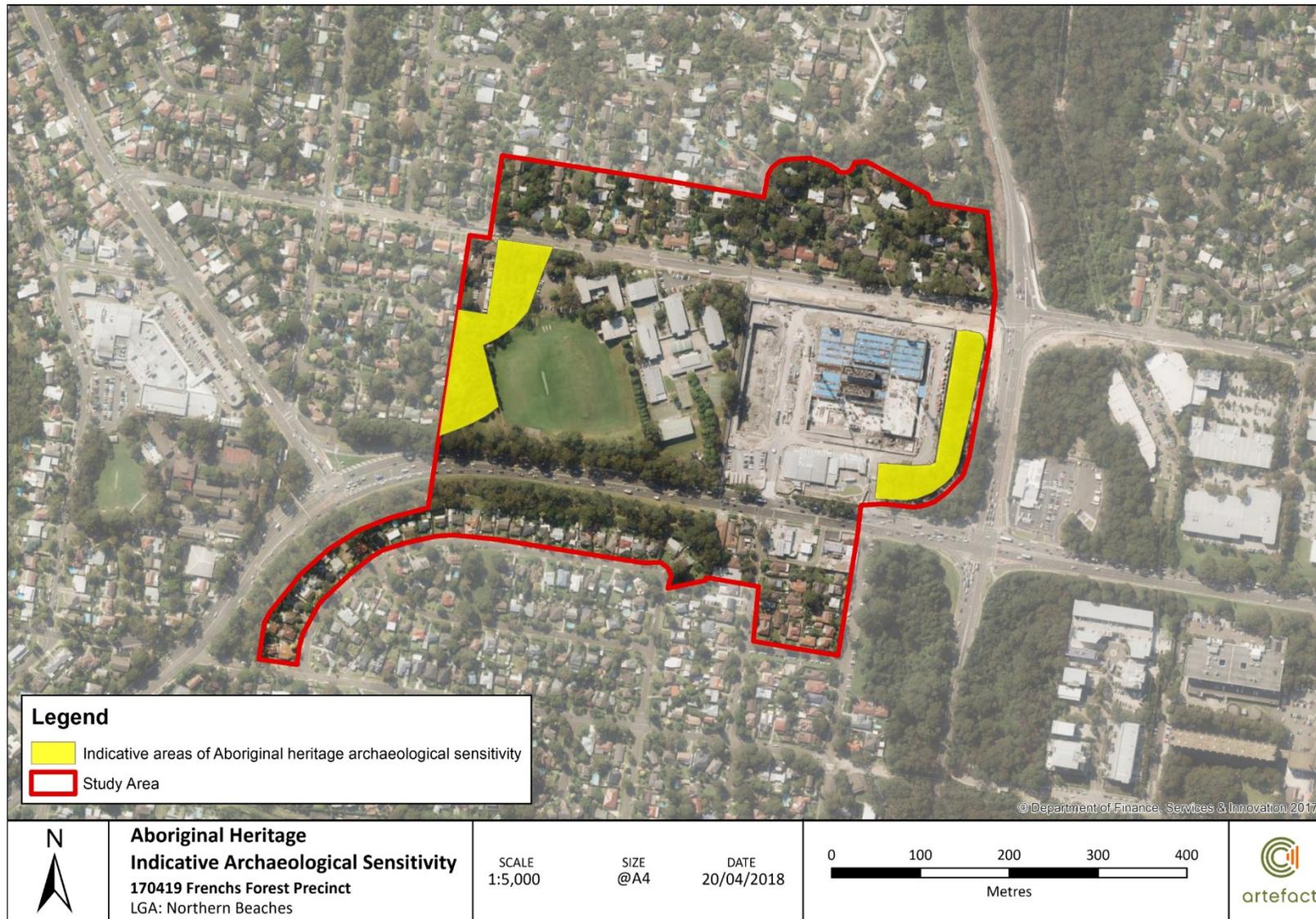
Limitations of this assessment include:

- comprehensive Aboriginal stakeholder consultation was not conducted for this preliminary assessment. Consultation with Metropolitan LALC was undertaken throughout preparation of this assessment
- reliance on available desktop information. Data sources, such as the OEH AHIMS site register, may include errors. As outlined in Section 3.2, the AHIMS database may contain errors of up to 200m due to coordinate projection discrepancies
- site cards retrieved for this study are frequently rudimentary and dated. Where site cards have been updated they frequently indicate significant errors in recording of site location.

5.3 Preliminary Constraints Mapping

Figure 27 illustrates a preliminary assessment of Aboriginal heritage constraints within the study area. The constraints map draws on data from background research (Section 2 and Section 3), predictive model (Section 3.5), the site inspection (Section 4), and consultation with Metropolitan LALC. The mapping is preliminary only, and further investigation and ground-truthing will be required.

Figure 33: Indicative areas of Aboriginal heritage archaeological sensitivity.



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6.0 HISTORICAL ARCHAEOLOGY

6.1 Introduction

This section provides a preliminary assessment of the study area’s potential to contain historical archaeological resources. The assessment is based on the following:

- historical background of the area
- an analysis of available historical plans and aerial photographs
- a review of existing heritage listings and previous reports.

This assessment is preliminary only, and a detailed archaeological assessment would be required to provide advice on requirements for approvals, exceptions, and archaeological excavation. This assessment includes a preliminary assessment of archaeological significance only.

A search of the relevant statutory and non-statutory heritage listings identified no listed archaeological sites within the study area.

6.2 Historical Land Use Summary

The following section summarises the potential subsurface archaeological remains, such as remnant structural elements and depositional evidence (soils, features), relevant to the historic phases of the Precinct. The following main phases of historical development have occurred since European settlement:

- Phase 1: Original Land Grants and Timber Getting (1850s – 1880s)
- Phase 2: Early Settlement and Industrial Activities (1880s – 1900)
- Phase 3: Agricultural Development and Orchards (1900 – 1950s)
- Phase 4: Modern Development (1950s – present).

Table 2: Historical land use within study area.

Phase	Discussion
Phase 1: Original Land Grants and Timber Getting (1850s – 1880s)	<p>This period saw the first land grants in the area given to settlers in the middle of the 19th century, including a number of medium sized land claims. In 1851, early pioneer James Harris French received a grant of 40 acres, and subsequently acquired a grant of a further 200 acres of adjoining land that he commenced deforesting.</p> <p>During this phase, French established a two-storey cottage near the current corners of Hilmer Street and Primrose Avenue, near the south east extent of the study area. It is understood this cottage had stone foundations and was built using home-made bricks. While there are no documentary records of other buildings in the study area dating from this period, it is likely that unrecorded settlement was taking place, including timber-getter and bullocky camps.</p> <p>Early buildings in rural areas tended to be timber as this was a readily available material. Archaeological remains of these type of structures and occupation are unlikely to have survived subsequent development in the area.</p>

Phase	Discussion
<p>Phase 2: Early Settlement and Industrial Activities (1880s – 1900)</p>	<p>This phase involved early settlement and industrial activities being undertaken within the study area. In 1885, William Hews purchased 10 hectares of land from James Harris French, and subsequently established his first residence and brickworks. The original Hews residence was a timber home built on the corner of Bantry Bay Road and Warringah Road. During this phase, Hews established a second brick residence at the corner of Primrose Avenue and Hilmer Street, which remains within the study area. It is understood Hews established this brick house on the stone foundations of French's former weekend home.</p>
<p>Phase 3: Agricultural Development and Orchards (1900 – 1950s)</p>	<p>This period saw the development of orcharding as the predominant land use in the area. Subdivided lots during this time remained fairly substantial and typically were between family members. Towards the end of this period lot sizes decreased as more lands were subdivided and sold off for orcharding. Better roads throughout the area facilitated subdivision and orcharding enterprises.</p> <p>In 1900, an 18-acre orchard was planted by Henry Green on the current location of the Forest High School, which was inherited in 1906 by John Holland. A slab hut is understood to have existed on the site, which was the dwelling on one of the orchard staff members. By the end of the period the Frenchs Forest area consisted of several orchards, along with dairy, poultry and pig farming. While there were more houses present, the area was still sparsely populated due to the lack of land connectivity and limited availability of water.</p>
<p>Phase 4: Modern Development (1950s – present)</p>	<p>From the 1950s, the Precinct underwent significant development as part of the NSW Government's plan to provide more residential land for the expanding Sydney population. Growth was slow to start with but rapidly increased following the establishment of the Cherrybrook suburban development. Old orchards and lands were cleared and houses or other buildings demolished to make room for new suburban blocks with red-brick houses and sealed roads.</p> <p>The extensive suburban development of this period is likely to have significantly disturbed or removed archaeological remains of earlier phases in the area.</p>

Figure 34: Early Parish Map showing original land grants within the Parish of Manly Cove. Study area (outlined red) seen to remain free from any grants or development at this time. (Source: NSW Land Registry Services)



Figure 35: Early Parish Map showing original land grants within the study area. (Source: NSW Land Registry Services)

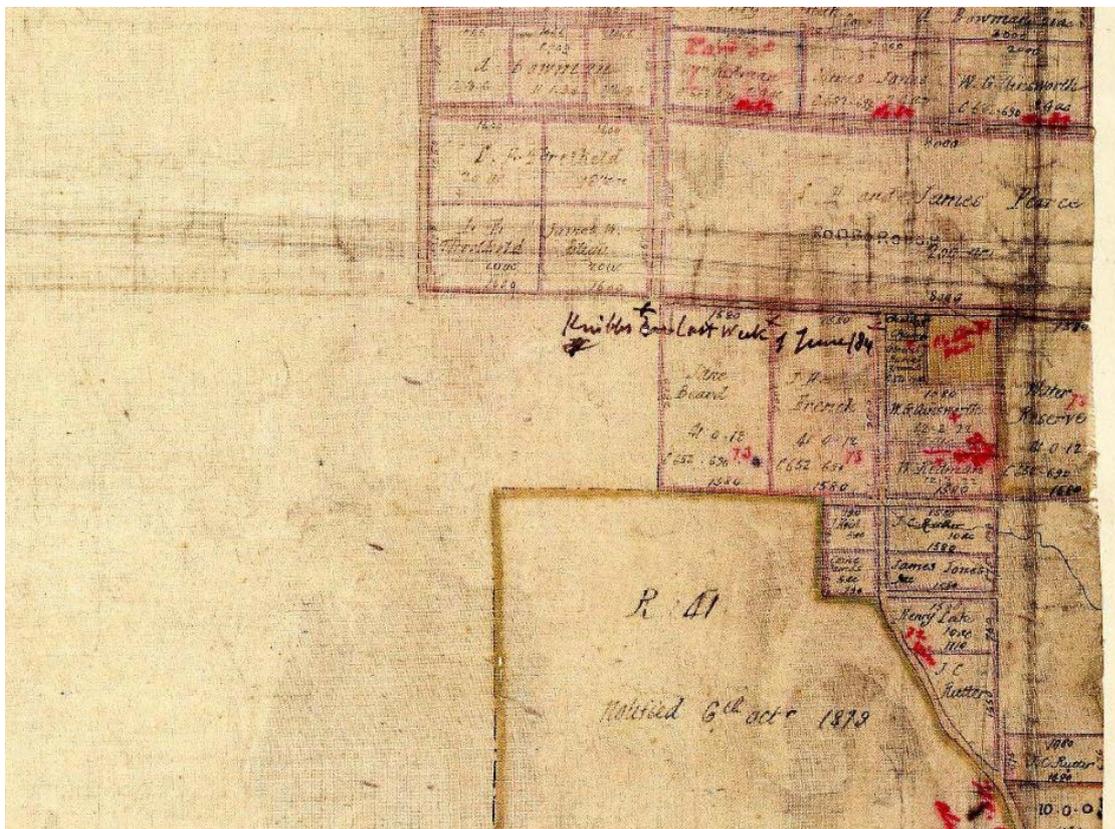


Figure 38: Subdivision map showing proposed auction of Rodborough Estate in 1896. (Source: National Library of Australia)

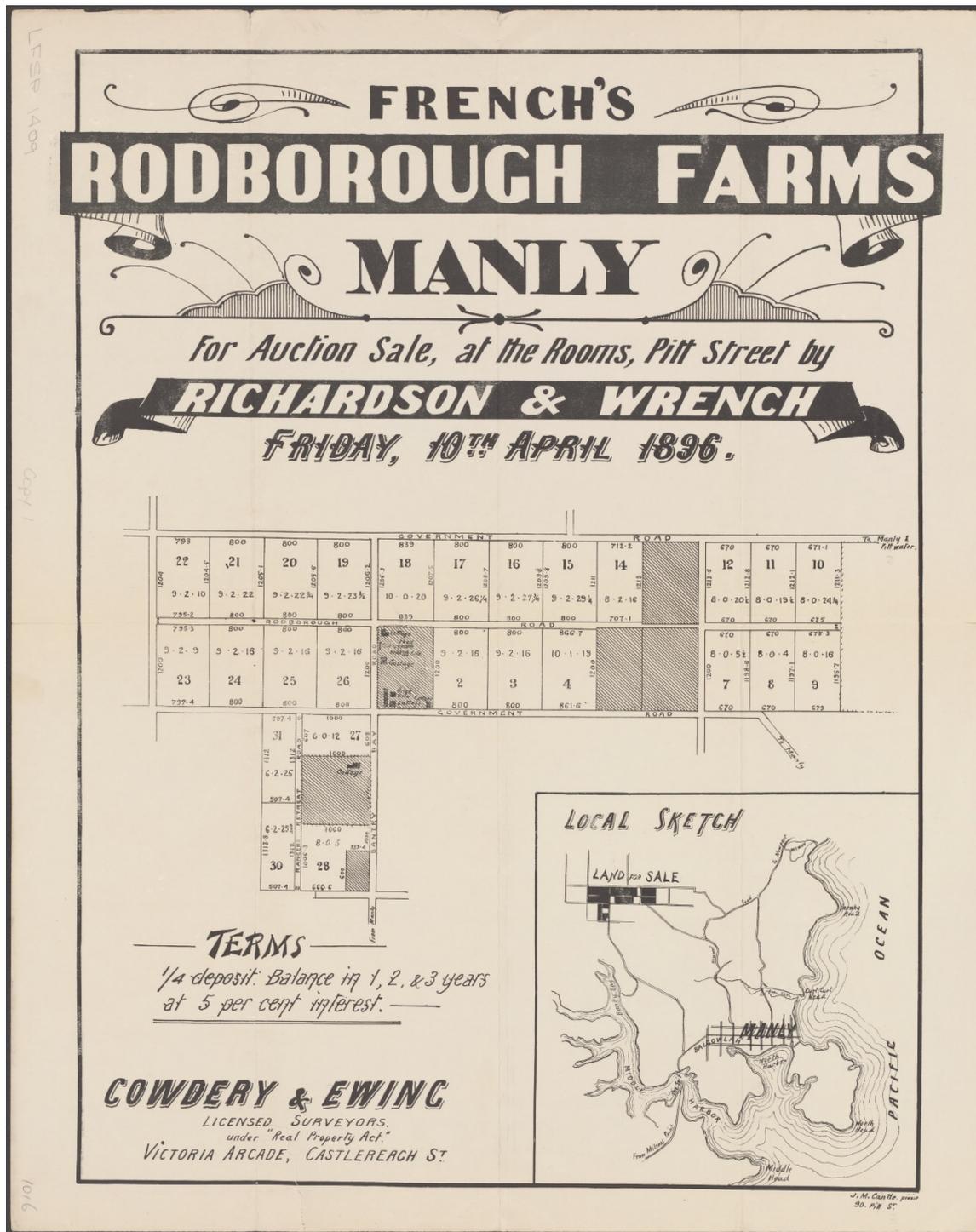
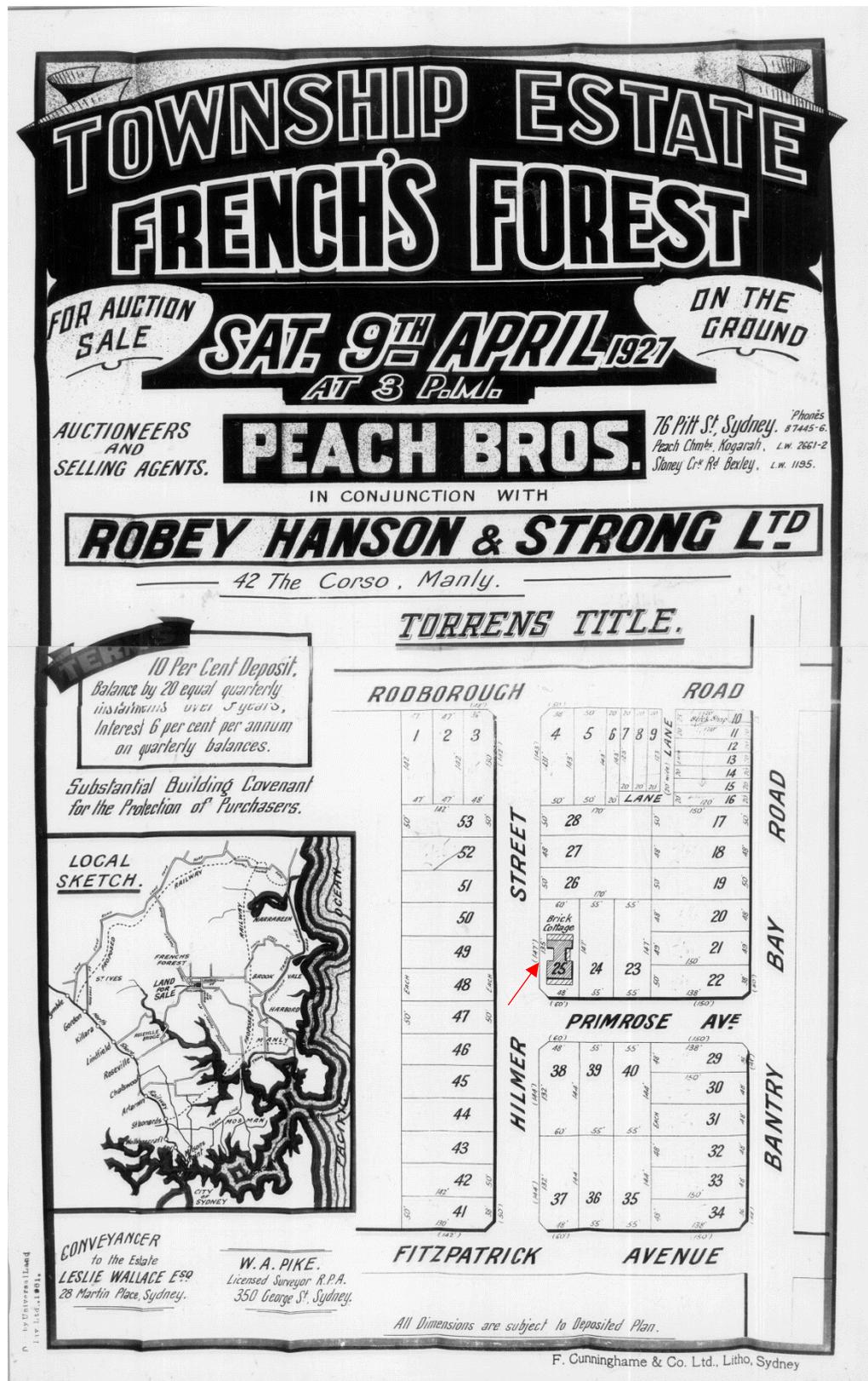


Figure 39: Subdivision plan of Frenchs Forest Township estate showing location of former Hews' residence on Lot 25 (corner Primrose Avenue and Hilmer Street) in 1927. (Source: Warringah Council Library)



6.3 Previous Impacts Analysis

Significant ground disturbance would have occurred across much of the study area during the substantial development carried out during the 1950s and 1980s. This marks the start of rapid urbanisation in the area and involved significant levels of demolition and earth moving activities. The construction of the residential areas and associated infrastructure, including the Forest High School and more recently the Northern Beaches Hospital, would likely have resulted in the removal of archaeological remains associated with earlier settlement and occupation across parts of the study area.

Several areas remain which have not been subject to the same level of mid to late 20th century development. For example, within the sports grounds of the Forest High School (site of the former John Holland's orchard), the potential unlisted item at 5 Primrose Avenue (former Hews' residence and site of 19th century French residence), and the strip of bushland to the south of Warringah Road near the intersection with Forest Way. There is potential for subsurface archaeological remains of unrecorded items, including wells and cesspits, or former sheds within these areas.

6.4 Preliminary Assessment of Archaeological Potential

The archaeological potential of the study area is presented in terms of how likely is the presence of archaeological remains considering the land use history and previous impacts. This is presented using the following grades:

- Low – research indicates very little historical development and/or there have been substantial previous impacts and it is unlikely that archaeological remains survive
- Moderate – analysis demonstrates known historical development and some previous impacts but it is possible or likely that some archaeological remains but have been subject to some disturbance
- High – evidence of historical development and structures with minimal subsequent development impacts and it is likely archaeological remains survive intact.

Once the potential archaeological features have been identified, the value or significance of the remains is considered. Archaeological research potential and historical significance are often the good criteria to provide a preliminary significance assessment and determine if the potential remains could be defined as a 'relic' under the Heritage Act.

The archaeological potential of the overall study area is summarised in the table below. This table outlines the type of potential archaeological features associated with each development phase and the likelihood of their presence.

Archaeological remains within the study area which relate to residential development and occupation of the study area following WWI (c1920-1930s onwards) are not likely to have research potential and would not reach the threshold of local significance (relics). This is based on the predicted lack of artefact deposits (municipal water and waste services in place) and many other documentary sources available. Such sites have not been included in the detailed discussion of each Area's potential archaeological sites. Only potential sites developed prior to c1930 are included.

Table 3: Summary of general archaeological potential.

Phase	Potential Remains	Archaeological Potential
Phase 1: Original Land Grants and Timber Getting (1850s – 1880s)	Evidence of land clearance and delineation such as tree boles, burnt soils, fence postholes. Evidence of informal camps such as postholes and artefact scatters.	Nil-moderate (see below for individual cases)
Phase 2: Early Settlement and Industrial Activities (1880s – 1900)	Evidence of land clearance and delineation such as tree boles, burnt soils, fence postholes. Evidence of unrecorded farm buildings and other structures such as postholes, stone or brick footings, yard surfaces, occupation-related deposits and rubbish dumps. Evidence of earlier informal road surfaces and associated features such as drainage and kerbing.	Nil-high (see below for individual cases)
Phase 3: Agricultural Development and Orchards (1900 – 1950s)	Evidence of unrecorded farm buildings, outbuildings, and other structures such as postholes, stone or brick footings, yard surfaces, occupation-related deposits and rubbish dumps. Evidence of earlier informal road surfaces and associated features such as drainage and kerbing. Evidence of field boundaries and orcharding activity such as fence postholes, tree boles, paleobotanical evidence, irrigation / drainage channels.	Low-high (see below for individual cases)
Phase 4: Modern Development (1950s – present)	Mostly the mid to late 20th century buildings are extant, however there may be archaeological remains of former sheds, garden layouts and other similar items.	Low

6.4.1 Potential archaeological sites

The following table includes potential archaeological sites within or near the study area.

Table 4: Overview of potential archaeological sites.

Site No.	Location	Year Present	Description	Archaeological Potential	Significance
A1	Lot 500, DP 1214811	1900 – c1950s	<p>The former Holland's orchard appears in the 1943 aerial of the area, showing the cultivated plantings and several small structures.</p> <p>All have been demolished but none have been built over.</p> <p>Potential archaeological remains include occupation deposits such as underfloor deposits, cesspits, wells, postholes, footings of outbuildings and the slab hut, rubbish dumps, yard surfaces, field boundaries and tree boles.</p>	Moderate-High	Local
A2	Lot 25, DP 15045	1900 – present	<p>The former Hews' residence remains extant, and appears to retain its overall form albeit modified with external render, reconfigured verandahs and unsympathetic raised rendered mouldings. The property was not able to be accessed at the time of this inspection and therefore the condition of the property and the building's interior is not known. 1943 aerial imagery indicates that several small structures and sheds in the rear yard have been removed.</p> <p>Historical research suggests that the foundations of the 19th century residence established by pioneer James Harris French are beneath the current house.</p> <p>Potential for subsurface deposits within the house, and features such as wells or cesspits in the grounds. Potential for artefact rich-backfills in rubbish dumps or former yard surfaces. Potential for subsurface remains of the smaller structures to be present in areas with limited disturbance.</p> <p>See more information in Section 7.2.</p>	Moderate-High	Local

6.4.2 Former Hews' Residence

The former Hews' residence is still extant, albeit modified (see Section 7.2), on the northeastern corner of the intersection of Hilmer Street and Primrose Avenue. This was the second residence constructed by Hews, the first dwelling was at the northern end of Hews' brickpit, and close to the intersection of Bantry Bay Road and Warringah Road.

Depending on the type of flooring originally used throughout the house, there is potential for subsurface deposits within the house, and features such as wells or cesspits in the grounds. There is potential for artefact rich-backfills in rubbish dumps or former yard surfaces, and for subsurface remains of the smaller structures to be present in areas with limited disturbance.

Champion (1988: 19) noted the following with regards to Hews' second residence:

'In about 1900 Mr and Mrs Hews built their brick home, which is still standing on the corner of Hilmer Street and Primrose Avenue. They used French's original stone foundations, where were now well settled, and bricks from their own brick-works'

A sketch map of the local area prepared by S. Champion (provided by Dee Why Library) is shown as Figure 40. That map shows the location of the foundations of French's cottage in relation to Hews' brickpit and first residence. The location of the foundations of French's cottage as shown in Figure 40 correlates with the location of the former Hews' residence on the northeastern corner of Hilmer Street and Primrose Avenue.

Although not French's primary place of residence, the foundations and other remains (rubbish-dumps, underfloor deposit, wells, cesspits) potentially associated with that structure are likely to be of local significance for their association with French and the early timber-getting activities in the area. French's primary place of residence was in Willoughby (Champion 1988: 14):

'French built a two-storied house in the Forest. This today would be located near the corner of Hilmer Street and Primrose Avenue. The house had stone foundations, and was then built of home-made bricks, made from local clay. He used this house at weekends only, and never resided permanently in the Forest. He used to ride here from his home in Willoughby by fording Middle Harbour Creek above where Roseville Bridge now stands. His house was later burnt down by larrikins who held drinking and gambling parties there'

Figure 40: Sketch showing Hews' brickpit, Hews' first cottage, and the location of the foundations of French's cottage (Source: S. Champion, image provided by Dee Why Library)

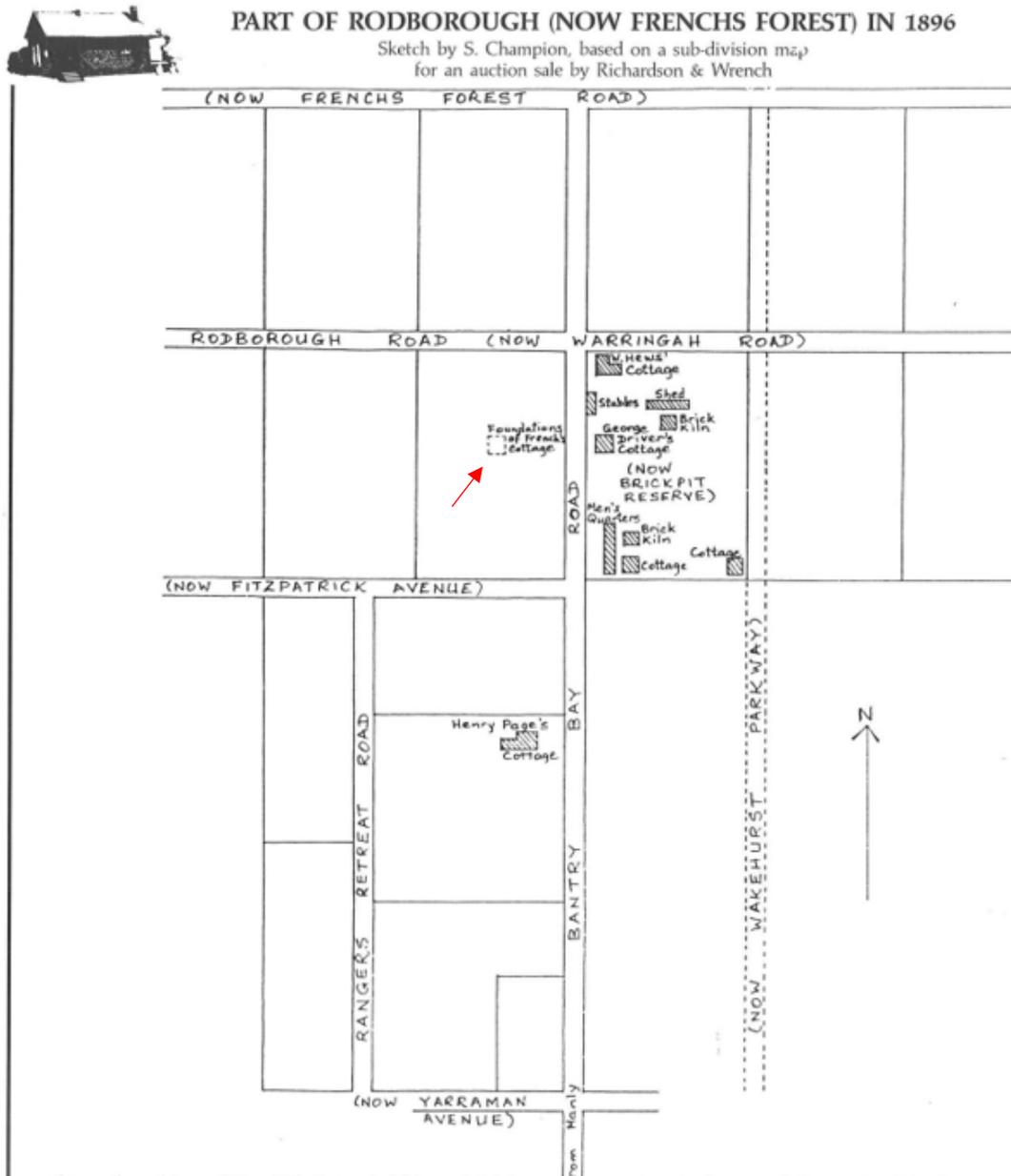


Figure 41: Detail of subdivision map showing arrangement of extant structures within the Rodborough Estate in 1896 (red arrow indicates approximate location of 5 Primrose Avenue). (Source: National Library of Australia)

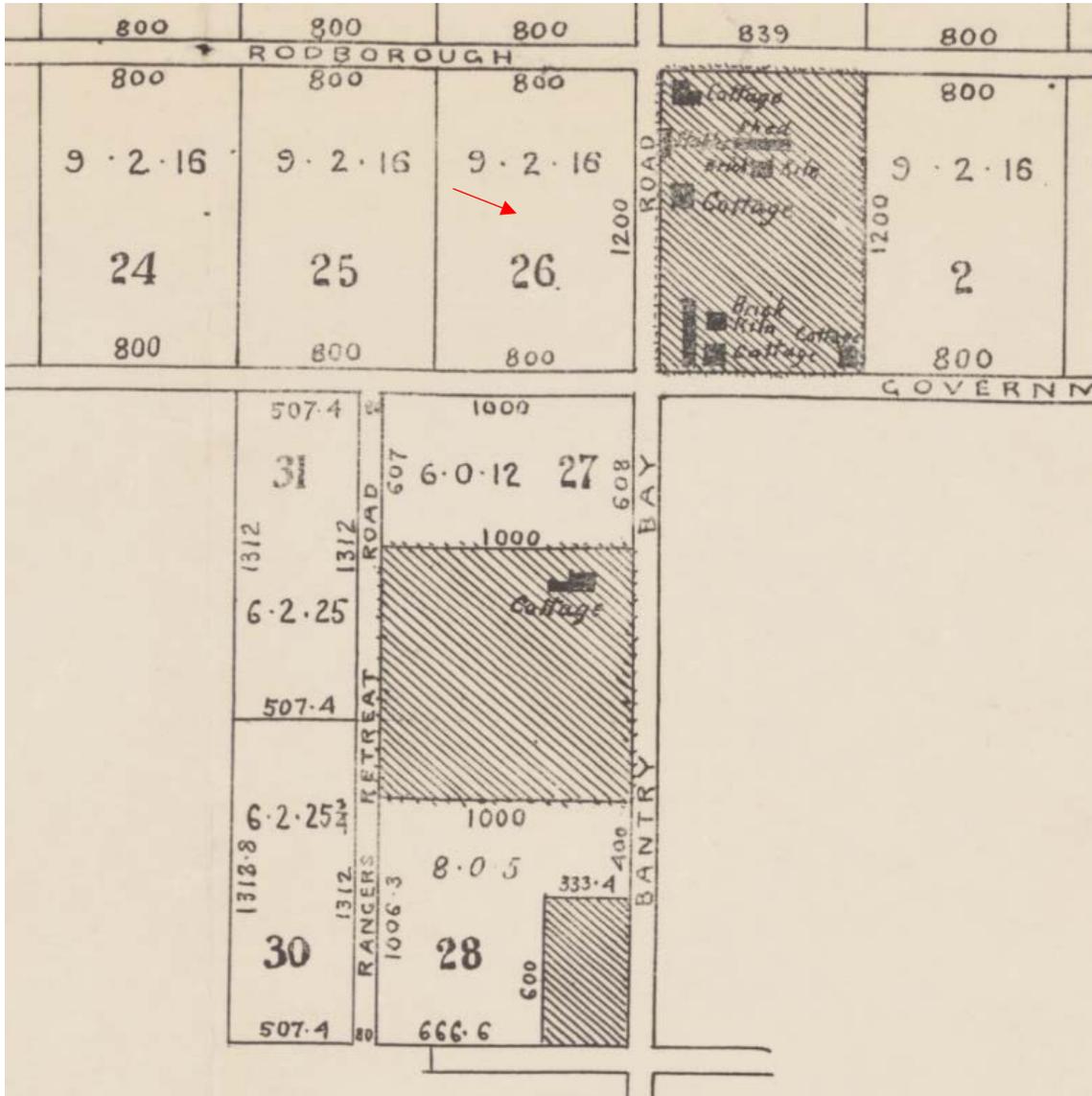
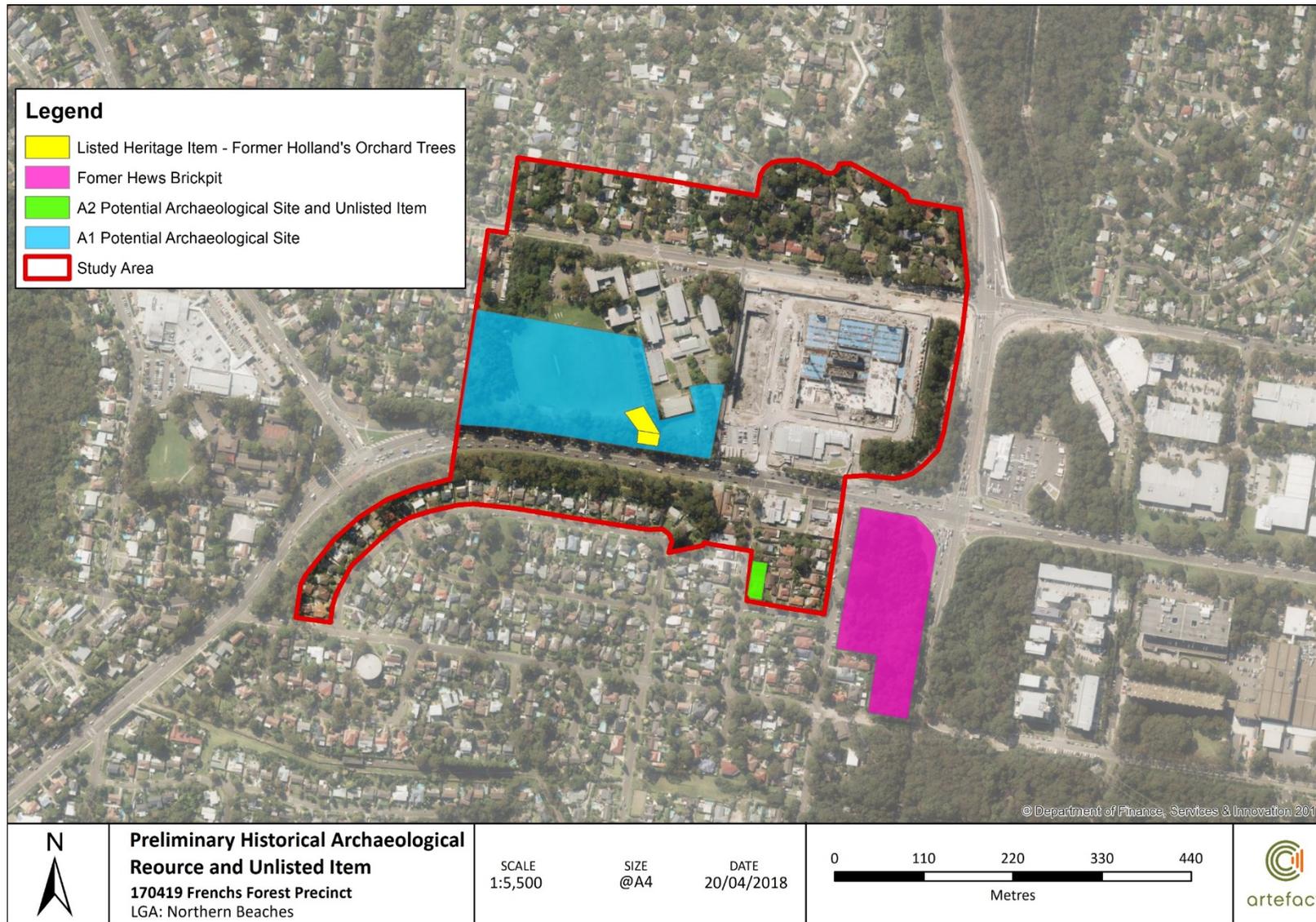


Figure 42: Preliminary identification of historical archaeological resources and unlisted heritage item within the study area.



7.0 BUILT HERITAGE

Statutory registers provide legal protection for heritage items, placing controls on works to heritage items as well as works in the vicinity of heritage items. In NSW, the *Heritage Act 1977* and the *Environment, Planning and Assessment Act 1979* provide for heritage listings. The State Heritage Register (SHR), the Section (s) 170 registers, and environmental heritage schedules of LEPs are statutory listings. Places on the Commonwealth Heritage List (CHL) and the National Heritage List (NHL) are protected under the *Environment Protection and Biodiversity Conservation Act 1999*. Prior to the proposed works, relevant approvals must be sought.

A search of all relevant registers was undertaken on 20 March 2018.

7.1 Heritage Items Within the Study Area

There are no items within the study area listed on the World Heritage List (WHL), CHL, NHL, SHR, s170 registers, the Register of the National Estate (RNE) or the Register of the National Trust (RNT).

There is one item listed on the Warringah LEP 2011 located within the study area. This item is listed below.

Table 1: LEP items located within the study area

LEP Item No.	Name	Location	Significance
162	Former Holland's Orchard and Commemorative Grove	(Adjacent) Warringah Road	Local

7.1.1 Description of item

This heritage item previously comprised two mature pear trees associated with the former Holland's orchard that occupied the area of what is now the site of the Forest High School during the late nineteenth and early twentieth centuries.

In 2005, several propagated trees from the original orchard trees were planted within the grounds of the Forest High School. These propagated trees remain as the last physical remains of Holland's orchard. By 2014, only one of the original pear trees remained on the verge of Warringah Road. At the time of this assessment, the remaining original tree appears to have been removed as a result of roadworks in the locality.

7.1.2 Assessment of significance

The following table provides an overview of the revised significance of the Former Holland's Orchard and Commemorative Grove heritage item.

Table 2: Assessment of significance of Former Holland’s Orchard and Commemorative Grove

Criterion	Description
A- Historical Significance	<p>The propagated trees within the grounds of Forest High School are the last physical remains of Holland’s large orchard that once occupied this area during the late nineteenth and early twentieth centuries. Agriculture, and particularly fruit-growing, was the impetus for settlement of the area and therefore important part of the development of Frenchs Forest. The remaining trees from that orchard therefore satisfy this criterion at a local level to a high degree.</p> <p>The item has local significance under this criterion.</p>
B-Associative Significance	<p>Although the remaining trees have a strong association with John Holland and his fellow orchardists, it must be borne in mind that there were several orchards and orchardists all operating in the vicinity at the same time. As John Holland was one of many orchardists and agriculturists, the importance of his orchard in the development of the area is as one of a group and therefore not strong enough individually to satisfy this criterion.</p>
C- Aesthetic Significance	<p>The remaining trees are not of aesthetic significance and are not considered to meet this criterion.</p>
D – Social Significance	<p>The propagation of trees and replanting within The Forest High School grounds is indicative of the level of significance of these trees to the local community.</p> <p>The item has local significance under this criterion.</p>
F - Rarity	<p>Generally, pear trees are not rare in NSW or the local area however the propagated trees from the original trees on Warringah Road are rare surviving examples of the trees belonging to the orchard and may be of a rare or unusual heirloom variety. As the trees represent a phase of the historical development of Frenchs Forest, and given the number of orchards that were once present in the area, the last remaining trees are assessed as being a rare example of orchard trees in the local area.</p> <p>The item has local significance under this criterion.</p>
G -Representativeness	<p>The pear trees are representative of the types of orchards that occupied much of the landscape prior to residential subdivision and therefore meet this criterion to a local level.</p> <p>The item has local significance under this criterion.</p>
Integrity and Intactness	<p>When first assessed in 2000, there were two trees, initially recorded as apple trees. A subsequent assessment as part of the Warringah Heritage Study noted that they were in fact pear trees and that one had died in the interim. In 2005, a number of trees were propagated from the remaining tree on Warringah Road and planted as a grove in the grounds of Forest High School in commemoration of Holland’s orchard that once stood there.</p> <p>At the time of this assessment, both of the original trees had been removed following roadworks in the locality. It is understood the curtilage of this heritage item is in the process of being amended by Warringah Council to include this propagated grove, to note the loss of the original trees and that they are in fact pear trees. The grove of trees within Forest High School appears in good health and intact.</p>

7.1.2.1 Statement of significance

The following statement of significance for the Former Holland's Orchard and Commemorative Grove heritage item has been extracted from the State Heritage Inventory listing for the item:¹⁷

A rare remnant of an early orchard, which demonstrates that horticultural activities were carried out in the area at the turn of the 20th century. Provides evidence of the association of social, cultural & educational qualities in the locality.

Figure 43: View looking north from Warringah Road towards the Commemorative Grove within Forest High School.
(Source: RPS, 2014)



Figure 44: View looking south towards original pear tree alongside Warringah Road (now removed).
(Source: RPS, 2014)



Figure 45: View looking northwest from pedestrian overbridge towards the Commemorative Grove within Forest High School.
(Source: Artefact Heritage, 2018)

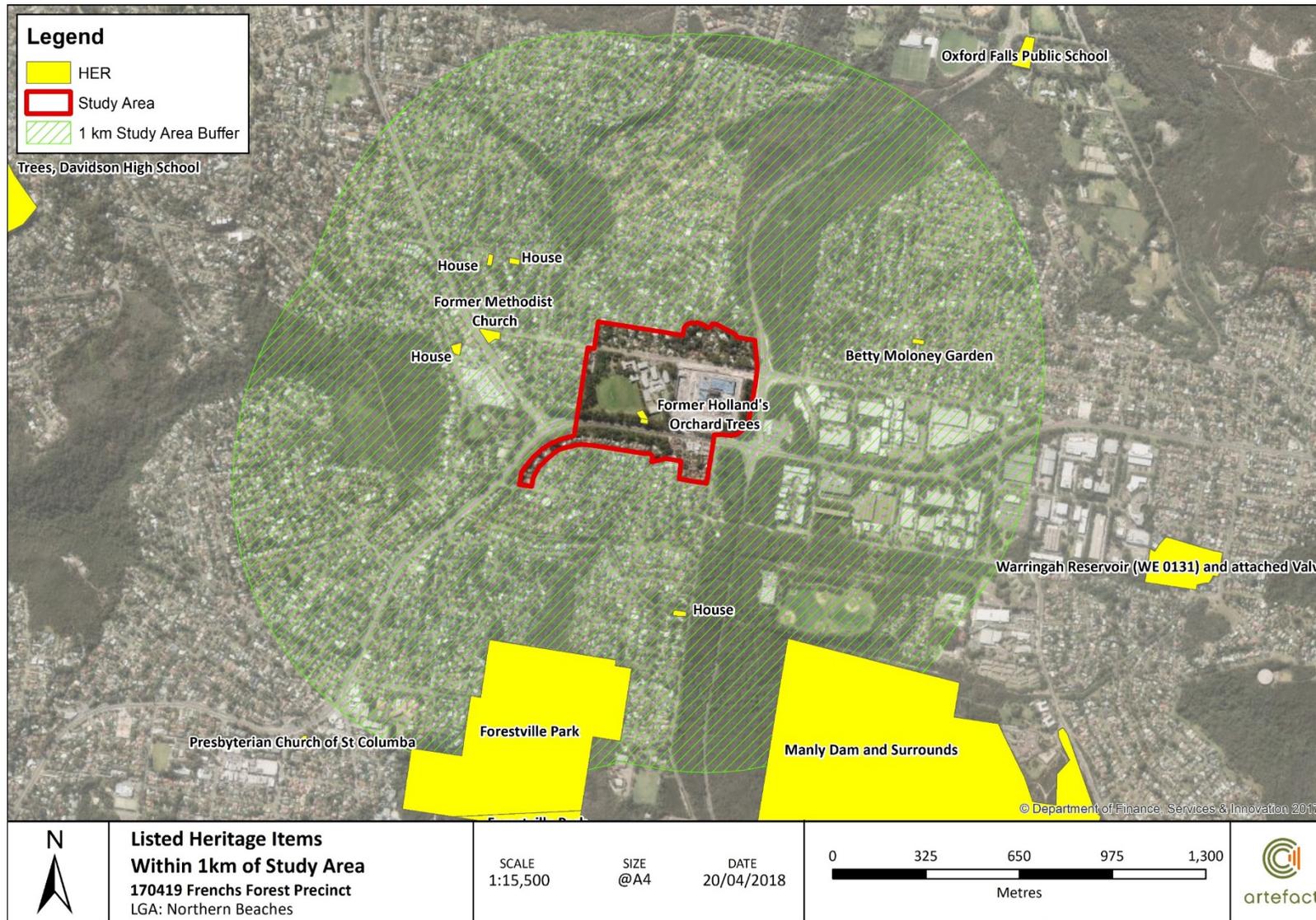


Figure 46: View looking west towards Forest High School showing removal of original pear trees from upgrade works along Warringah Road.
(Source: Artefact Heritage, 2018)



¹⁷ NSW Office of Environment & Heritage, State Heritage Inventory 'Former Holland's Orchard and Commemorative Grove'. Accessed online at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610091>

Figure 47: Listed heritage items within 1 km of the study area.



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7.2 Potential Unlisted Heritage Items Within the Study Area

This heritage assessment has identified a potential unlisted local heritage item located within the study area, the Former Hews' Residence in the southeast extent of the study area. The following section provides an overview description and history of this item, and provides an assessment of its significance against the NSW heritage assessment criteria. It is noted an item reaches eligibility for local listing if it meets the threshold for one or more criteria.

There is one potential unlisted local heritage item located within the study area. This item is listed below.

Table 1: Potential unlisted heritage items located within the study area

Name	Location	Significance
Former Hews' Residence	5 Primrose Avenue	Local

7.2.1 Description of item

This unlisted heritage item comprises a small single storey rendered brick residence located at the corner of Primrose Avenue and Hilmer Street, Frenchs Forest. This dwelling was the second house established by William Hews, an early settler who established the nearby Hews' Brick Pit.

The house was constructed in 1900 from bricks produced at Hews' Brick Pit, which was one of the first industries in the area, and is among the oldest surviving dwellings in Frenchs Forest. As discussed in Section 6.4.2, one historical reference indicates that Hews' residence was constructed on the stone foundations of French's part-time residence, which had burnt down in the late 19th century (Champion 1988: 14 and 19).¹⁸ Due the potential associated with French, the site dates to the earliest phase of settlement in the district.

The house has a hipped terracotta tiled roof and timber framed windows and doors. Historical photographs indicate the house was originally of face brick construction with a two-course band of lighter brickwork, featuring recessed verandahs to the side elevations and a curved awning with decorative posts and brackets to the front (south) elevation. These features have since been removed. While the house has been unsympathetically altered over time, the overall form of the historic structure remains intact.

7.2.2 Assessment of significance

The following table provides an overview of the significance of the Former Hews' Residence potential unlisted heritage item.

¹⁸S. and G. Champion, 1988. *Forest History*

Table 2: Assessment of significance of Former Hews' Residence

Criterion	Description
A- Historical Significance	<p>The item, as the second house of William Hews that was built in 1900 upon the foundations of James French's 19th century residence, is of historical significance as a site of continuous occupation since the earliest phase of settlement in the Frenchs Forest district by Europeans. The existing house is among the oldest surviving dwellings in the area.</p> <p>The item has local significance under this criterion.</p>
B-Associative Significance	<p>This item has associations with two notable pioneering figures in the early settlement and development of the Frenchs Forest district. This includes James French, after whom Frenchs Forest was named and whom established a timber getting business in the area during the 1850s, and William Hews, owner of the nearby former Hews Brick Pit that was established in the 1880s. Hews was one of the first elected Councillors on the Warringah Shire Council. These individuals had an influential role in the development of the area.</p> <p>The item has local significance under this criterion.</p>
C- Aesthetic Significance	<p>The house appears to retain its core structure and form, which is representative of the early 20th century character of the area. The house was constructed with bricks from Hews' own Brick Pit. It is noted the external brick facades have been unsympathetically altered with a rendered finish and the front verandah removed. The condition and intactness of the building's interior is not known. While the building is of aesthetic interest as an early home in the district, its design in its current compromised form is not considered significant.</p> <p>The item does not meet the local significance threshold under this criterion.</p>
D – Social Significance	<p>Whilst this item has significant associations with the early phases of development of the Frenchs Forest district, it does not appear to retain any substantial social significance.</p> <p>The item does not meet the local significance threshold under this criterion.</p>
E – Research Potential	<p>This item has archaeological potential, as having been continuously occupied since the 19th century when James French established a residence on the site. The site could have potential to contain archaeological remains and deposits relating to the earliest phases of development of the Frenchs Forest district.</p> <p>The item has local significance under this criterion.</p>
F - Rarity	<p>Few residences dating to the earliest phase of settlement and development of the Frenchs Forest district survive, and this item is therefore assessed as historically rare locally.</p> <p>The item has local significance under this criterion.</p>
G -Representativeness	<p>This item, although rare as a surviving historic structure in the Frenchs Forest district, has been substantially modified. In its current physical form, the historic design and configuration of the early house is not readily apparent or available and as such, the item is not considered to retain any representativeness heritage value at a local level.</p> <p>The item does not meet the local significance threshold under this criterion.</p>

Criterion	Description
Integrity and Intactness	<p>Although its overall form is still evident, the former Hews' residence has been considerably modified over time and its integrity has been compromised.</p> <p>Former decorative elements have been removed or obscured, with patterned brickwork having been rendered, chimneys removed, verandah to front Primrose Avenue elevation removed, verandah to side Hilmer Street elevation removed, and rendered mouldings created around existing openings.</p> <p>It is noted that the original timber framed windows appear to have been retained. The intactness of the building's interior was not able to be accessed at the time of this assessment.</p>

7.2.2.1 Statement of significance

The following statement of significance for the has been prepared by Artefact Heritage for the Former Hews' Residence potential heritage item:

The Former Hews' Residence is one of the oldest surviving dwellings in Frenchs Forest. The site has been continuously occupied since the earliest phase of settlement and development in the district and retains tangible associations with influential pioneering individuals James French and William Hews. For many years, this residence was the focal point of the Frenchs Forest community as part of the early Rodborough Estate, then for its associations with the nearby former Hews' brickworks, and as the location of social activities in connection with the prominent Hews family comprising local sports, recreation, political and religious events. Although modified in its current physical form, the property is considered to have local significance for its historical, associative, and research potential heritage values.

Figure 48: View north across Primrose Avenue to front (south) elevation of Former Hews' Residence.
(Source: Artefact Heritage, 2018)



Figure 49: View to side (west) elevation of Former Hews' Residence showing non-original rendered decorative elements.
(Source: Artefact Heritage, 2018)



Figure 50: View north east across Hilmer Street to Former Hews' Residence.
(Source: Artefact Heritage, 2018)



Figure 51: View north west across Primrose Avenue to Former Hews' Residence.
(Source: Artefact Heritage, 2018)



7.3 Potential Moveable Heritage Items within the Study Area

It is understood the headstone of local pioneer James French is located within the main assembly hall of the Forest High School. This item would constitute a moveable heritage item. As this item was unable to be accessed during the preparation of this report, it should be subject to further assessment during the progression of the project.

7.4 Heritage Items Within the Visual Catchment

7.4.1 Summary of items

There are no items in the visual catchment (1000m buffer) of the study area listed on the WHL, CHL, NHL, SHR, s170 registers, RNE or the RNT.

There are eight items listed on the Warringah LEP 2011 located within the visual catchment (1km buffer). These items are listed below.

Table 1: LEP items located within the visual catchment

LEP Item No.	Name	Location	Significance
156	House	15 Adams Street, Frenchs Forest	Local
157	House	100 Bantry Bay Road, Frenchs Forest	Local
158	Former Methodist Church	Forest Way (corner Naree Road), Frenchs Forest	Local
159	House – Dental Surgery	45 Grace Avenue, Frenchs Forest	Local
160	Betty Maloney Garden	18 Hurdis Avenue, Frenchs Forest	Local

LEP Item No.	Name	Location	Significance
I61	House	2 Wareham Crescent, Frenchs Forest	Local
C7	Forestville Park Conservation Area	Currie Road, Forestville	Local
C9	Manly Dam and Surrounds Conservation Area	King Street, Manly Vale	Local

There is one item listed on the Register of the National Estate within the visual catchment (1km buffer). This item is listed below.

Table 2: RNE items located within the visual catchment

Place ID	Name	Location	RNE Status
19555	Betty Maloney Garden	18 Hurdis Avenue	Indicative Place

There is one item listed on the Register of the National Trust within the visual catchment (1km buffer). This item is listed below.

Table 3: RNT items located within the visual catchment

Place ID	Name	Location	RTE Status
S6765	Betty Maloney Garden	18 Hurdis Avenue	Registered

7.4.1 Description of items

The following section provides an overview description and statement of significance of heritage items that are located in the visual catchment area. Information for each item has been extracted from their respective State Heritage Inventory database listings on the OEH website and LEP. Where assessments are incomplete or there have been changes to the listed items assessments of significance have been updated.

Former Methodist Church (LEP I58)¹⁹

Figure 52: View of the Former Methodist Church.

Images



Overview

Built in 1918, the Former Methodist Church was one of the first churches in the district. The brick church is of modest design, with a steep pitched metal gabled roof. In the 1950s, the southern section of the church was truncated to facilitate widening of Forest Way, which undermined the integrity and intactness of the building.

Location

Forest Way (corner Naree Road), Frenchs Forest

Significance

Local

Statement of significance

Built in 1918, the former Methodist church is of historical significance as one of the first churches built in Frenchs Forest. It is however, only moderately intact.

House – Dental Surgery (LEP I59)²⁰

Figure 53: View of the House – Dental Surgery heritage item.

Images



Overview

This heritage item comprises a substantial single storey dwelling with rendered masonry walls and high parapet. Designed to address its corner site, the building features a symmetrical design with angled curved bays and projecting entry bay. The house was constructed between 1926 and 1950.

Location

45 Grace Avenue, Frenchs Forest

¹⁹ NSW Office of Environment & Heritage, 'Former Methodist Church'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610122>

²⁰ NSW Office of Environment & Heritage, 'Dental Surgery'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610020>

House – Dental Surgery (LEP I59)²⁰

Significance Local

Statement of significance *An excellent representative example of the inter-war functionalist style, designed to exploit its prominent corner location. Displays high integrity with substantial original fabric (including fence). Historically, one of the earliest houses in the area.*

House (LEP I57)²¹

Figure 54: View of the House heritage item.

Images



Overview

The 'House' heritage item is a timber weatherboard cottage, which is representative of the early housing in the district. Constructed between 1900 and 1925, the house is designed in the Federation style and features a hipped and gabled tile roof, and a well established garden.

Location

100 Bantry Bay Road, Frenchs Forest

Significance

Local

Statement of significance

A good representative example of the early housing in Frenchs Forest.

²¹ NSW Office of Environment & Heritage, 'House'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610123>

House (LEP I61)²²

Figure 55: View of the House heritage item.

Images



Overview

Constructed between 1951 and 1975, this heritage item is a representative example of the late 20th century residential housing in the district, which exhibited organic style of domestic architectural design. The single storey dwelling features stone faced walls with extensive glazing and exposed timber structure. Occupying a corner site, the house has a flat roof and low profile that is well integrated with the surrounding landscape.

Location

2 Wareham Crescent, Frenchs Forest

Significance

Local

Statement of significance

A good representative example of the late 20th century organic style of domestic architecture. Displays high integrity with much original fabric including typical use of timber & natural stone to blend the dwelling into the landscape setting.

House (LEP I56)²³

Figure 56: View of the House heritage item.

Images



Overview

Constructed between 1951 and 1975, this heritage item is a representative example of the late 20th century residential housing in the district, which exhibited organic style of domestic architectural design. The one and a half single storey timber dwelling features stone faced feature walls with a flat roof and exposed timber structure. The design of the house utilises large glazed areas with contrasting stone walls, and is integrated with vegetation.

Location

15 Adams Street, Frenchs Forest

Significance

Local

²² NSW Office of Environment & Heritage, 'House'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610021>

²³ NSW Office of Environment & Heritage, 'House'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610019>

House (LEP I56)²³

Statement of significance

A good representative example of the late 20th century organic style of domestic architecture. Displays high integrity with much original fabric including typical use of timber & natural stone to blend dwelling into the landscape.

Betty Maloney Garden (LEP I60)²⁴

Figure 57: View of the Betty Maloney Garden heritage item.

Images



Overview

The site of the Betty Maloney Garden was purchased by the current owners in 1955, as one of the first subdivisions in the area. A garden was established, based on native plants that built on the existing bushland. The Betty Maloney Garden established the concept of the “bush garden”, which was an abstraction of the Australian bush. The garden features a rock orchid garden, fern garden, areas of dry sclerophyll shrubs and indigenous trees.

Location

18 Hurdis Avenue, Frenchs Forest

Significance

Local

Statement of significance

The Betty Maloney garden is an intact example as one of the pioneer “bush gardens” in Sydney which came to prominence in the 1960’s & 1970’s with an aesthetically pleasing combination of native plants. Also held in high esteem by the community.

²⁴ NSW Office of Environment & Heritage, ‘Betty Maloney Garden’. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610108>

Forestville Park Conservation Area (LEP C7)²⁵

Figure 58: View of the Forestville Park Conservation Area.

Images



Overview

The Forestville Park Conservation Area covers an area of around 34 hectares, comprising mainly natural sandstone woodland and heath vegetation. The site contains evidence of past Aboriginal occupation, and forms a major part of the upper catchment of the main creek flowing to Bantry Bay, with Garigal National Park bordering the area to the south. Two playing fields have been formed by filling the northwest quarter of the park, which has resulted in considerable disturbance to the natural landform and vegetation.

Location

Currie Road, Forestville

Significance

Local

Statement of significance

Forestville Park is historically important as the first public recreation reserve in Warringah. It is a significant natural area consisting of sandstone heath and woodland and forming a major catchment area for Bantry Bay.

Manly Dam and Surrounds Conservation Area (LEP C9)²⁶

Figure 59: View of the Manly Dam and Surrounds Conservation Area.

Images



²⁵ NSW Office of Environment & Heritage, 'Forestville Park Conservation Area'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610115>

²⁶ NSW Office of Environment & Heritage, 'Manly Dam and Surrounds Conservation Area'. Accessed online 21/03/2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2610067>

Manly Dam and Surrounds Conservation Area (LEP C9)²⁶

Overview	Constructed in 1892, the Manly Dam comprises a concrete dam structure which has been progressively raised over time. The dam is located on Curl Curl Creek, and is around 3km northwest of Manly with a catchment area of about 520 hectares extending to Frenchs Forest in the north. The catchment area and stored water of the dam are primarily used for public recreation.
Location	King Street, Manly Vale
Significance	Local
Statement of significance	<i>A rare example of a water supply system which was erected prior to 1900. One of only 2 independent water supply schemes built in the Sydney region. Historically significant in the development of Sydney's water supply & the provision of services for early development.</i>

7.5 Potential Unlisted Items within the Visual Catchment

This heritage assessment has identified a potential unlisted item located within the visual catchment (1km buffer), the Former Hews' Brick Pit located southeast of the study area. The following discussion provides an overview description and history of this item, and provides an assessment of its significance against the NSW heritage assessment criteria. It is noted that this item was identified as a potential unlisted item in the RPS 2014 report, and the following information has been adapted from this previous assessment.

Former Hews' Brick Pit²⁷

**Figure 60: View of the former Hews' brick pit.
(Source: RPS, 2014)**

Images



Overview	This unlisted heritage item comprises the former Hews' Brick Pit, which is historically significant as the site of one of the earliest industries in the Frenchs Forest district. At present, the site comprises a reserve with playground and picnic tables set amongst mowed lawns. The brick pit itself comprises the large, deep pit within bushland located behind the playground.
Location	South west of intersection of Warringah Road and Wakehurst Parkway
Significance	Local

²⁷ Information adapted from RPS 2014

Former Hews' Brick Pit²⁷

Assessment of heritage significance	A – Historical Significance	The former Hews' Brick Pit is historically significant as the site of one of the first industries in Frenchs Forest. The item has local significance under this criterion.
	B – Associative significance	The former Hews' Brick Pit site is associated with William Hews who set up the works. Hews employed around 40 people at the works, and built a number of timber houses and communal huts in the area to accommodate his employees, who became the first residents of the area. The item has local significance under this criterion.
	C – Aesthetic or Technical Significance	Evidence of the former Hews' Brick Pit comprises an overgrown pit, presumably from whence clay was obtained. The item does not meet the local significance threshold under this criterion.
	D – Social significance	Whilst the former Hews' Brick Pit site has associations with the establishment and development of the Frenchs Forest district, it does not appear to retain any substantial social significance. The item does not meet the local significance threshold under this criterion.
	E – Research potential	The item has local significance under this criterion.
	F – Rarity	There are numerous heritage listed brick works and brick pits in New South Wales, and as such the former Hews' Brick Pit is not considered to meet this criterion.
	G – Representativeness	The item has local significance under this criterion.
Statement of significance	<i>The former Hews' Brick Pit is considered to have local historical, associative and representative significance, and is strongly associated with the early development of industry, and by association, early residential development in Frenchs Forest.</i> ²⁸	

²⁸ RPS 2014: 35.

8.0 STATUTORY CONTEXT AND APPROVAL PATHWAYS

8.1 Introduction

A number of planning and legislative documents govern how heritage is managed in NSW and Australia. The following section provides an overview of the requirements under each as they apply to the proposal. Listed items are discussed under each Act.

8.2 Aboriginal Heritage

8.2.1 National Parks & Wildlife Act 1974

The *National Parks & Wildlife Act 1974* (the NPW Act) provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW) and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community). Aboriginal objects are afforded automatic statutory protection in NSW whereby it is an offence to:

'damage, deface or destroy Aboriginal sites without the prior consent of the Director-General of the National Parks and Wildlife Service (now the Office of Environment and Heritage - OEH)'.²⁹

The NPW Act defines an Aboriginal 'object' as:

'any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation before or concurrent with the occupation of that area by persons of non-Aboriginal European extraction, and includes Aboriginal remains'.³⁰

The due diligence guidelines were introduced in October 2010 by the Department of Environment, Climate Change and Water, now OEH. The aim of the guidelines is to assist individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects and to determine whether they should apply for consent in the form of an Aboriginal Heritage Impact Permit (AHIP).

A due diligence assessment should take reasonable and practicable steps to ascertain whether there is a likelihood that Aboriginal sites will be disturbed or impacted during the proposed development. If it is assessed that sites exist or have a likelihood of existing within the development area and may be impacted by the proposed development, further archaeological investigations may be required along with an AHIP. If it is found to be unlikely that Aboriginal sites exist within the study area and the due diligence assessment has been conducted in accordance with the OEH due diligence guidelines, proposed work may proceed without an AHIP.

²⁹ Office of Environment and Heritage, 1974. *National Parks & Wildlife Act 1974*. Accessed: <http://www.environment.nsw.gov.au/legislation/NationalParksAndWildlifeAct1974.htm> (09/08/2017).

³⁰ Office of Environment and Heritage, 1974. *National Parks & Wildlife Act 1974*. Accessed: <http://www.environment.nsw.gov.au/legislation/NationalParksAndWildlifeAct1974.htm> (09/08/2017).

8.2.2 Native Title Act 1994

The *Native Title Act 1994* was introduced to work in conjunction with the *Commonwealth Native Title Act 1993*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act. A search of the Native Title register using Native Title Vision did not identify any active Native Title claims over the study area.

8.2.3 Warringah Local Environmental Plan 2011

The WLEP 2011 remains in force for the Northern Beaches LGA (formerly Warringah LGA). The following clauses apply to Aboriginal objects and places of significance within the Northern Beaches LGA, under Schedule 5.10 of the WLEP 2011:

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Warringah[...]*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

(2) Requirement for consent Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance) [...]

(ii) an Aboriginal object,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance [...]

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

(a) notify the Heritage Council of its intention to grant consent, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.³¹

³¹ NSW Government, 2011. *Warringah Local Environmental Plan*. Schedule 5.10. Accessed: <https://www.legislation.nsw.gov.au/#/view/EPI/2011/649/full> (26/03/2018).

8.3 Historical Archaeology

8.3.1 The Heritage Act 1977

The *Heritage Act 1977* (Heritage Act) also provides protection for ‘relics’, which includes archaeological material or deposits. Section 4 (1) of the Heritage Act (as amended in 2009) defines a relic as:

...any deposit, artefact, object or material evidence that:

(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance³²

Sections 139 to 145 of the Heritage Act prevent the excavation or disturbance of land known or likely to contain relics, unless under an excavation permit. Section 139 (1) states:

A person must not disturb or excavate any land knowingly or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, damaged or destroyed unless the disturbance is carried out in accordance with an excavation permit.³³

Excavation permits are issued by the Heritage Council of NSW, or its Delegate, under Section 140 of the Heritage Act for relics not listed on the State Heritage Register or under Section 60 for relics listed on the State Heritage Register. An application for an excavation permit must be supported by an Archaeological Research Design (ARD) and Archaeological Assessment prepared in accordance with the NSW Heritage Division archaeological guidelines. Minor works that would have a minimal impact on archaeological relics may be granted an exception under Section 139 (4) or an exemption under Section 57 (2) of the Heritage Act.

The Heritage Act defines ‘works’ as being in a separate category to archaeological ‘relics’. Works refer to past evidence of infrastructure. Works may be buried, and therefore archaeological in nature, however, exposure of works does not trigger reporting obligations under the Heritage Act. The following examples are commonly considered to be works: former road surfaces or pavement, kerbing, evidence of former infrastructure (such as drains or drainage pits where there are no relics in association) and building foundations.

³² NSW Government, 1997 [2016]. *Heritage Act 1977 No. 136*. Accessed: <https://www.legislation.nsw.gov.au/#/view/act/1977/136> (09/08/2017).

³³ NSW Government, 1997 [2016]. *Heritage Act 1977 No. 136*. Accessed: <https://www.legislation.nsw.gov.au/#/view/act/1977/136> (09/08/2017).

8.3.2 Warringah Local Environmental Plan 2011

The following clauses apply to historic archaeological relics or sites within the Northern Beaches LGA (formerly Warringah LGA), under Schedule 5.10 of the WLEP 2011:

(1) Objectives

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Warringah [...]

(c) to conserve archaeological sites [...]

(2) Requirement for consent Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

(i) a heritage item [...]

(iii) a building, work, relic or tree within a heritage conservation area [...]

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

(a) notify the Heritage Council of its intention to grant consent, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent [...]³⁴

8.4 Built Heritage

8.4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits.

The EP&A Act also requires that Local Governments prepare planning instruments (such as LEPs and DCPs) in accordance with the EP&A Act to provide guidance on the level of environmental assessment required.

³⁴ NSW Government, 2011. *Warringah Local Environmental Plan*. Schedule 5.10. Accessed: <https://www.legislation.nsw.gov.au/#/view/EPI/2011/649/full> (26/03/2018).

8.4.1.1 Warringah Local Environmental Plan 2011

The WLEP 2011 remains in force for the Northern Beaches LGA (formerly Warringah LGA). The following clauses apply to heritage items and land within the vicinity of heritage items within the Northern Beaches LGA, under Schedule 5.10 of the WLEP 2011:

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Warringah,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views [...]*

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

- (i) a heritage item [...]*
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item [...]*

(e) erecting a building on land:

(i) on which a heritage item is located or that is within a heritage conservation area [...]

(f) subdividing land:

(i) on which a heritage item is located or that is within a heritage conservation area [...]

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*³⁵

8.4.1.2 Warringah Development Control Plan 2011

DCPs support the provisions of LEPs and the heritage environment. DCPs generally contain detailed development controls which aim to facilitate quality development and protect the amenity of adjoining development. In particular, a DCP may set requirements for site amalgamations, setbacks, building envelopes, landscape treatments, privacy and parking. In town centres, the controls promote design quality, housing choice and more attractive public spaces.

Objectives

- *To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood*
 - *To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome*
 - *To inspire design innovation for residential, commercial and industrial development*
 - *To provide a high level of access to and within development.*
 - *To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained*
 - *To achieve environmentally, economically and socially sustainable development for the community of Warringah*
-

It is noted that the WDCP 2011 does not provide any site-specific controls regarding heritage, or any heritage controls for the study area.

³⁵ NSW Government, 2011. *Warringah Local Environmental Plan*. Schedule 5.10. Accessed: <https://www.legislation.nsw.gov.au/#/view/EPI/2011/649/full> (26/03/2018).

9.0 CONCLUSIONS

The following provides an overview of the findings of this heritage desktop assessment. It is noted that the impact assessment in this report is considered preliminary and is subject to change based on development of the detail design of the proposal.

9.1 Aboriginal Heritage

This preliminary Aboriginal heritage assessment has found that:

- No Aboriginal sites listed on the OEH AHIMS site register are located within the study area (AHIMS search conducted 14 December 2017)
- An Aboriginal heritage assessment conducted by AMBS (2012) for the Northern Beaches hospital site identified one area of potential archaeological sensitivity adjacent to the Wakehurst Parkway. AMBS (2012) noted the potential for Aboriginal engravings to occur on sandstone outcrops in that area
- One potentially intact area has been identified during the current assessment, to the northwest of Forest High School and south of Frenchs Forest Road West. Further archaeological investigation would be required to determine the intactness of that area
- The available evidence indicates that the study area has generally been subject to significant disturbance and landscape modification through successive phases of nineteenth and twentieth century residential and agricultural development
- Overall, the remainder of the study area demonstrates low archaeological sensitivity. However, any natural outcrops of sandstone are potentially archaeologically sensitive for the occurrence of Aboriginal shelter and engraving sites.

9.2 Historical Archaeology

The preliminary historical archaeology assessment has found that:

- The study area contains areas that are likely to contain archaeological remains that reach the threshold of local significance, which may be associated with nineteenth century residences and orcharding buildings and activities:
 - A1: site of former Holland's orchard (Lot 500, DP 1214811)
 - A2: site of former Hews/French residences (Lot 25, DP 15045).
- Archaeological management may therefore be required under the Heritage Act.

9.3 Built Heritage

This report has found that:

- There is one listed heritage item located within the study area:
 - Former Holland's Orchard and Commemorative Grove (LEP No. I62).
- There is one potential unlisted heritage item within the study area:

- Former Hews' Residence (5 Primrose Avenue, Frenchs Forest).
- There are eight listed heritage items located within the visual catchment area (1km buffer):
 - House (LEP No. I56)
 - House (LEP No. I57)
 - Former Methodist Church (LEP No. I58)
 - House – Dental Surgery (LEP No. I59)
 - Betty Maloney Garden (LEP No. I60)
 - House (LEP No. I61)
 - Forestville Park Conservation Area (LEP No. C7)
 - Manly Dam and Surrounds Conservation Area (LEP No. C9).
- There is one potential unlisted heritage item within the visual catchment area (1km buffer):
 - Former Hews Brick Pit (south west of intersection of Warringah Road and Wakehurst Parkway).
- There is one potential moveable heritage item within the study area:
 - James French headstone (understood to be located within the main hall of the Forest High School).

10.0 MANAGEMENT MEASURES

The following management measures are presented for consideration during future planning for the Frenchs Forest Precinct. These management measures are made in consideration of the legislative context of this assessment, best practice guidelines, and the background context presented in this report.

The scope of this assessment is to provide preliminary heritage advice for consideration during future planning for the Frenchs Forest Precinct. Further heritage advice must be sought throughout the planning process and prior to any ground-disturbing activities take place.

10.1 Aboriginal Heritage

The following recommendations and mitigation measures for Aboriginal cultural heritage are provided.

10.1.1 Areas of identified Aboriginal heritage sensitivity

- The entirety of the study area is considered to have cultural heritage value as part of the wider Aboriginal cultural landscape
- Identified areas of Aboriginal heritage sensitivity are shown in Figure 27. The constraints map draws on data from background research, predictive model, the site inspection, and consultation with Metropolitan LALC. The mapping is preliminary only, and further investigation and ground-truthing will be required. Further archaeological investigation would be required to determine the intactness of the identified area of sensitivity northwest of Forest High School
- Consideration should be given to retaining the identified areas of archaeological sensitivity within future design of the Precinct, particularly the strip of bushland on the eastern margin of the Northern Beaches Hospital site that was conserved as a result of that project. Retaining open spaces would mitigate impacts to the Aboriginal cultural landscape, and would reflect the past landscape and provide opportunity to celebrate the relationship between the Darug and Guringai cultural values and traditional land-use activities.

10.1.2 Further Aboriginal heritage assessment

The following recommendations are provided for consideration during future Aboriginal heritage assessments within the Frenchs Forest Precinct:

- The current assessment provides a preliminary desktop overview with targeted site inspection of the study area. Where further clarification of the Aboriginal heritage values within the identified areas of sensitivity is required during the planning process, further archaeological investigation and consultation with the Metropolitan LALC and Native Title Claimants should be undertaken in accordance with the OEH 'Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales'
- The entirety of the Precinct is considered to have cultural heritage value as part of the wider Aboriginal cultural landscape. It is recommended that further investigations within the study area include an assessment of cumulative impacts of the development within the study area. Impacts to

cultural heritage should be conducted in consultation with the Aboriginal community in accordance with the OEH *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

10.1.3 Development Control considerations

The following items are presented for consideration during future preparation of Development Controls for the Frenchs Forest Precinct:

- Aboriginal objects must not be impacted without an AHIP issued by OEH under Section 90 of the *NPW Act* prior to impact occurring, or relevant approvals from Department of Planning, Industry and Environment (DPIE) for State Significant Infrastructure (SSI) projects
- An Aboriginal heritage due diligence assessment must be conducted for all DAs within the study area. This would include areas of the study area that fall outside identified areas of sensitivity, as Aboriginal objects may still occur in these areas
- Any Aboriginal objects identified in those areas during further Aboriginal heritage assessment must be subject to further archaeological investigation, Aboriginal stakeholder consultation and an AHIP issued by OEH under Section 90 of the *NPW Act* or relevant approvals from DPIE for SSI, prior to any proposed impacts occurring
- As such, it is recommended that, as a minimum, all DAs submitted to Council(s) for land within the Precinct should be accompanied by an assessment in accordance with the OEH 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'.

10.2 Historical Heritage

The following recommendations for historical archaeology are provided for consideration during future planning within the Frenchs Forest Precinct.

10.2.1 Historical archaeology

- Further archaeological assessment for the overall study area should be undertaken, refining the areas of potential archaeological resources
- A detailed historical archaeological assessment must be conducted for all DAs within the areas identified as potential areas of historic archaeological resources
- Where further refinement of potential archaeological resources within the overall study area is not undertaken, an historical archaeological assessment should be prepared for all DAs within the study area
- If the management of the area of archaeological resources requires archaeological investigations these works would be undertaken in accordance with an s140 Excavation Permit or an s139 Exception Notification obtained from the NSW Heritage Council in accordance with the NSW Heritage Act
- The historical themes relevant to the Frenchs Forest area, including early settlement patterns, agricultural activities and consolidated development, should be incorporated into a Heritage Interpretation Strategy as part of the Frenchs Forest Precinct.

10.2.2 Built heritage

- Any development for the Frenchs Forest Precinct affecting or within the vicinity of listed or unlisted heritage items must be supported by a Statement of Heritage Impact (SoHI)
- The design development of the Frenchs Forest Precinct should take into consideration the location of the Former Holland's Orchard and Commemorative Grove (LEP No. I62) within the study area. This particularly relates to the propagated orchard plantings within the grounds of the Forest High School. Any works should avoid impact to the trees, which have been assessed as being of local significance
- The unlisted heritage item located at 5 Primrose Avenue (Former Hews' Residence) should be nominated for listing on the Warringah LEP 2011. Options for the conservation of this item, including restoration or adaptive reuse, should be developed during design development
- The historical themes relevant to the Frenchs Forest area, including Aboriginal heritage, early settlement patterns, agricultural activities and consolidated development, should be incorporated into a Heritage Interpretation Strategy as part of the Frenchs Forest Precinct
- Further assessment should be undertaken to confirm the location and significance of the James French headstone believed to be displayed within the main hall of the Forest High School. Consideration could be given to utilising this moveable heritage item for interpretive purposes as part of the Frenchs Forest Precinct
- Site-specific DCP controls should be provided for the Frenchs Forest Precinct as set out below.

10.2.3 Development Control considerations

The following items are presented for consideration during future preparation of Development Controls for the Frenchs Forest Precinct:

- Development in the immediate vicinity of listed heritage items is to be compatible with the historic values of the items
- A SoHI must be prepared for any development affecting or within the vicinity of listed heritage items
- Development should be designed to avoid impact to the Former Hollands Orchard and Commemorative Grove (LEP No. I62) heritage item
- There is potential to revise the curtilage of the Former Hollands Orchard and Commemorative Grove heritage item, to reflect the loss of the original trees located on the verge of Warringah Road. The heritage curtilage of this item should be focused on the remaining propagated trees located within the Forest High School site
- The house at 5 Primrose Avenue (Former Hews' Residence) has been assessed as demonstrating local significance. The property should be listed as a heritage item on Schedule 5 of the Warringah LEP 2011. Given that the item is not of local significance for its aesthetic values, the house could be conserved or restored to remove intrusive modifications and reinstate aspects of the house's original design and form. Investigation into options for adaptive reuse to an appropriate and compatible new use could be explored as part of any development within the

Frenchs Forest Precinct. Opportunities for interpretation should be explored to interpret and assist understanding of the site and its significant heritage values

- Further assessment of historical archaeological resources within the study area must be undertaken
- If the management of the area of archaeological potential requires archaeological investigations these works will be undertaken in accordance with an s140 Excavation Permit or an s139 Exception Notification obtained from the NSW Heritage Council in accordance with the NSW Heritage Act
- Where there are opportunities for heritage interpretation to be included in the development of the Frenchs Forest Precinct, these should reflect the historic character of the area as a whole and focus on items identified within the study area and wider visual catchment as having heritage significance.

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