



**STAGE 3 FACILITIES SYDNEY BUSINESS PARK
MARSDEN PARK, NSW**

Aboriginal Cultural Heritage Assessment Report

Prepared for Marsden Park Developments Pty Ltd

Blacktown Local Government Area

September 2020

Ref. 1947

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Document Information

Project Name	Stage 3 Facilities Sydney Business Park: Marsden Park, NSW Aboriginal Cultural Heritage Assessment Report
Project Number	1947
Version	Final
Client Name	Marsden Park Developments Pty Ltd
Recipient	Michael Gray
Issue Date	30 September 2020
Prepared by	Dr Matthew Kelleher; Mark Rawson; Madeline Harding; Ben Anderson
Approved by	Dr Matthew Kelleher

Executive Summary

Marsden Park Developments Pty Ltd proposes to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park within the Marsden Park Industrial Precinct. The study area comprises lands located in Part Lots 4 and 5 DP1210172 and Part Lot 36 DP262886 at Marsden Park in the Blacktown Local Government Area (LGA).

The project is State Significant Development (SSD-10477) and subject to approval under Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Department of Planning, Environment, Industry and Environment (DPIE) approval would be required prior to any harm to Aboriginal objects. Impacts to Aboriginal heritage will be assessed in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued for the project on 24 July 2020.

To support an application for project approval, Marsden Park Developments Pty Ltd is preparing an Environmental Impact Statement (EIS) and has undertaken Aboriginal heritage assessment for the project. Kelleher Nightingale Consulting (KNC) was engaged by Marsden Park Developments Pty Ltd to assist in the preparation of an Aboriginal cultural heritage assessment report (CHAR) for Aboriginal objects that will be harmed by the proposal.

The study area has been previously assessed in a comprehensive Aboriginal heritage report for the Marsden Park Industrial Precinct (2009). The results from the current assessment are consistent with the existing 2009 cultural heritage assessment results. Background research and archaeological assessment including comprehensive field survey has identified two previously registered archaeological sites within the study area. These sites comprised two low density surface artefact scatter sites: MPIP 17 (AHIMS 45-5-3748) and MPIP 18 (AHIMS 45-5-3749). Recent archaeological field survey confirmed the findings of previous archaeological assessments undertaken across the study area. The study area has been subject to extensive and widespread landuse disturbance. Disturbed deposits were identified at both MPIP 17 and MPIP 18 site locations; despite the presence of additional artefacts recorded at MPIP18. Intensive vegetation clearance, stripping and earthmoving activities across the study area had resulted in extensive disturbance and related erosion, with limited potential for intact or significant subsurface archaeology to occur. Significance assessment completed as part of the CHAR process confirmed that sites MPIP 17 and MPIP 18 displayed little to no intact archaeological deposit and low archaeological significance.

MPIP 17 and MPIP 18 are located within IN1 and IN2 zoned lands and would be at least partially impacted by the proposed works. Mitigation for the identified impact to the sites in the form of salvage excavation is not warranted as the sites are of low archaeological significance. Similarly, non-practicable avoidance measures are not warranted for the impacted archaeology. The impacted archaeological sites are located in a disturbed landscape context and are not considered likely to retain any intact subsurface archaeological deposit. While Aboriginal objects exist within the disturbed landscape context of the study area, these offer little intrinsic scientific value, being examples of regionally common raw materials and artefact types. Surface artefact collection is recommended for both sites identified within the study area: MPIP17 and MPIP18. Surface collection would be undertaken with registered Aboriginal stakeholders.

Impact assessment determined that MPIP 18 will be partially impacted by the proposed development. Management measures must be implemented for site MPIP 18 to ensure that the non-impacted portion of the site is avoided by proposed development and construction activities. Management measures to be implemented include the demarcation of the non-impacted portion of MPIP 18 with protective fencing and identification of this area as an environmentally sensitive "no-go zone". The site will also be identified on any construction environmental managements plans (or similar), and documented toolbox talks will be held to ensure all on-site staff and contractors are aware of obligations and requirements regarding the protection of Aboriginal heritage.

The proposed works overlaps an area that has been previously assessed for its Aboriginal cultural heritage values and is covered under an existing Aboriginal Heritage Impact Permit (AHIP) held by Marsden Park Development Pty Ltd (AHIP# C0001495). Any works undertaken within the existing AHIP area must be undertaken in accordance with AHIP conditions.

Project approval will be required prior to the impacts to the following Aboriginal archaeological sites:

MPIP 17	AHIMS 45-5-3748	Total impact	Low significance
MPIP 18	AHIMS 45-5-3749	Partial impact	Low significance

This CHAR has been prepared to address the Aboriginal heritage requirements identified in the SEARs for the project. The purpose of this technical paper is to identify and assess the Aboriginal heritage impacts of the project. The CHAR complies with the Heritage NSW *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* and *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. A consultation process has been undertaken in accordance with Heritage NSW requirements for the preparation of the CHAR.

Contents

EXECUTIVE SUMMARY	I
CONTENTS.....	I
FIGURES	II
TABLES	II
1 INTRODUCTION	3
1.1 PROPONENT AND CONSULTANTS	3
1.2 LOCATION AND SCOPE OF ACTIVITY	3
1.3 PROJECT REQUIREMENTS	3
2 ENVIRONMENTAL CONTEXT	7
2.1 LANDFORM, GEOLOGY AND SOILS	7
2.2 VEGETATION AND LAND USE HISTORY	7
3 ETHNOHISTORIC CONTEXT	9
4 ARCHAEOLOGICAL CONTEXT.....	11
4.1 DATABASE SEARCHES (AHIMS) AND KNOWN INFORMATION SOURCES	11
4.1.1. AHIMS WEB SERVICES	11
4.1.2. OTHER HERITAGE REGISTERS AND DATABASES	11
4.2 PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS.....	13
4.3 ABORIGINAL ARCHAEOLOGICAL SURVEY 2020 – STAGE 3 FACILITIES SYDNEY BUSINESS PARK, MARSDEN PARK.....	16
5 CONSULTATION PROCESS	20
5.1 STAKEHOLDER IDENTIFICATION AND CONSULTATION.....	20
5.2 REGISTRATION OF INTEREST.....	20
5.3 CONSULTATION REGARDING THE LAND AND PROPOSED ACTIVITY.....	21
5.4 STAKEHOLDER RESPONSES TO THE PROPOSED ASSESSMENT METHODOLOGY FOR THE CULTURAL HERITAGE ASSESSMENT REPORT	21
5.5 REVIEW OF DRAFT CHAR	21
5.6 ABORIGINAL CULTURAL VALUES.....	22
6 SUMMARY AND ANALYSIS OF BACKGROUND INFORMATION	24
6.1 ARCHAEOLOGICAL SITES WITHIN THE STUDY AREA	24
7 CULTURAL HERITAGE VALUES AND STATEMENT OF SIGNIFICANCE.....	27
7.1 SIGNIFICANCE ASSESSMENT CRITERIA.....	27
7.2 STATEMENT OF SIGNIFICANCE	29
8 IMPACT ASSESSMENT AND MITIGATION STRATEGIES	30
8.1 PROPOSED ACTIVITY.....	30
8.2 MITIGATING HARM.....	32
9 MANAGEMENT OUTCOMES.....	33
9.1 MITIGATION THROUGH THE COLLECTION OF SURFACE ARTEFACTS.....	33
9.2 MANAGEMENT OF NON-IMPACTED PORTION OF ABORIGINAL SITE MPIP 18	33
10 MANAGEMENT PROCEDURES.....	34
10.1 MANAGEMENT POLICY FOR ABORIGINAL HERITAGE	34
10.2 PROCEDURES FOR HANDLING HUMAN REMAINS	35
10.3 PROCEDURES FOR HANDLING UNEXPECTED ABORIGINAL OBJECTS	35
10.4 PROCEDURE FOR PROPOSED CHANGES TO THE APPROVED PROJECT	35
10.4.1. CHANGES IN HERITAGE IMPACT	36
10.5 PROCESS FOR CONTINUED CONSULTATION WITH ABORIGINAL STAKEHOLDERS	36

REFERENCES	37
APPENDIX A ADVERTISEMENT FOR REGISTRATION FOR INTEREST	38
APPENDIX B ABORIGINAL STAKEHOLDER COMMENTS	39
APPENDIX C AHIMS SEARCH RESULTS	58

Figures

Figure 1. Study area location	5
Figure 2. Detail of study area.....	6
Figure 3. Geology and soil landscapes of the study area.....	8
Figure 4. AHIMS search results	12
Figure 5. Disturbance map of the study area	19
Figure 6. Identified Aboriginal archaeological sites in the study area	26
Figure 7. Impact assessment for archaeological sites in the study area	31

Tables

Table 1. SEARs for Aboriginal heritage	4
Table 2. Site features and context from AHIMS database search	11
Table 3. Registered Aboriginal Stakeholders*	20
Table 4. Proposed impact to Aboriginal archaeological sites within the project area	30
Table 5. Proposed mitigation measures for impacted Aboriginal sites	32
Table 6. Aboriginal sites requiring mitigation (collection)	33

1 Introduction

1.1 Proponent and consultants

Marsden Park Developments Pty Ltd proposes to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park within the Marsden Park Industrial Precinct. The study area comprises lands located in Part Lots 4 and 5 DP1210172 and Part Lot 36 DP262886 at Marsden Park in the Blacktown Local Government Area (LGA). The location of the study area is shown on Figures 1 and 2.

The project is State Significant Development (SSD-10477) and subject to approval under Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Department of Planning, Environment, Industry and Environment (DPIE) approval would be required prior to any harm to Aboriginal objects. Impacts to Aboriginal heritage will be assessed in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued for the project on 24 July 2020.

To support an application for project approval, Marsden Park Developments Pty Ltd is preparing an Environmental Impact Statement (EIS) and has undertaken Aboriginal heritage assessment for the project. Kelleher Nightingale Consulting (KNC) was engaged by Marsden Park Developments Pty Ltd to assist in the preparation of an Aboriginal cultural heritage assessment report (CHAR) for Aboriginal objects that will be harmed by the proposal. The proposed development area has been previously assessed in an Aboriginal heritage report for the Marsden Park Industrial Precinct (2009). The results from the current comprehensive assessment are consistent with the existing 2009 cultural heritage assessment results.

1.2 Location and scope of activity

The study area is situated in Marsden Park in Sydney, approximately 50 kilometres northwest of the Sydney CBD (Figure 1). The study area comprises lands located at Astoria Street, Marsden Park, NSW 2765. The study area is generally bound by Astoria Road to the north, private property to the east, SP2 infrastructure zoned lands to the south and South Street and private property to west (Figure 2).

The proposed physical works occur within lands zoned IN1 General Industrial, IN2 Light Industrial and SP2 Infrastructure (Local Roads) under the Marsden Park Industrial Precinct Plan. The proposed activities associated with the subdivision and development would likely include:

- Site subdivision;
- Vegetation clearing, demolition of minor structures and earthworks (including cut/fill operations);
- Construction of two estate roads and associated intersections;
- Stormwater infrastructure (including potential temporary estate basin);
- Construction and operation of four warehouse and distribution facilities; and
- Ancillary development including car parking, infrastructure provision and landscaping.

1.3 Project requirements

This CHAR has been prepared to address the Aboriginal heritage requirements identified in the SEARs for the project for the purpose of seeking project approval under Part 5.1 of the EP&A Act. The purpose of this technical paper is to identify and assess the Aboriginal heritage impacts of the project. The objectives of the CHAR combine Aboriginal community consultation with an archaeological investigation in accordance with:

- Secretary's environmental assessment requirements;
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (OEH 2010a);
- *Guide to investigation, assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011); and
- *Aboriginal cultural heritage consultation requirements for proponents 2010* (OEH 2010b).

Aboriginal cultural heritage assessment for the project was designed to meet the SEARs. This included:

- Sufficient assessment of Aboriginal cultural heritage items and value of the site and surrounding area;
- Consultation with Aboriginal communities, including Deerubbin Local Aboriginal Land Council and registered Aboriginal stakeholders for the project, to assess impacts and develop mitigation measures; and
- Identification of mitigation and management measures.

Specific requirements of the SEARs in relation to Aboriginal heritage are outlined in the table below.

Table 1. SEARs for Aboriginal heritage

Secretary's Environmental Assessment Requirements	Where addressed in this document
12. Heritage – including:	
<ul style="list-style-type: none"> – an assessment of Aboriginal and non-Aboriginal cultural heritage items and values of the site and surrounding areas including sufficient detail that is proportional to the predicted impacts. The assessment is to be informed by any previous Aboriginal Cultural Heritage Assessment Report or other heritage assessment undertaken for the site or other projects in the surrounding area (if available), in accordance with the relevant Heritage NSW guidelines. 	Sections 1-7
<ul style="list-style-type: none"> – justification for the level of consultation undertaken with interested stakeholders 	Sections 5 and 7
<ul style="list-style-type: none"> – a description of any measures to avoid, mitigate, and/or manage any impacts. 	Sections 8, 9 and 10

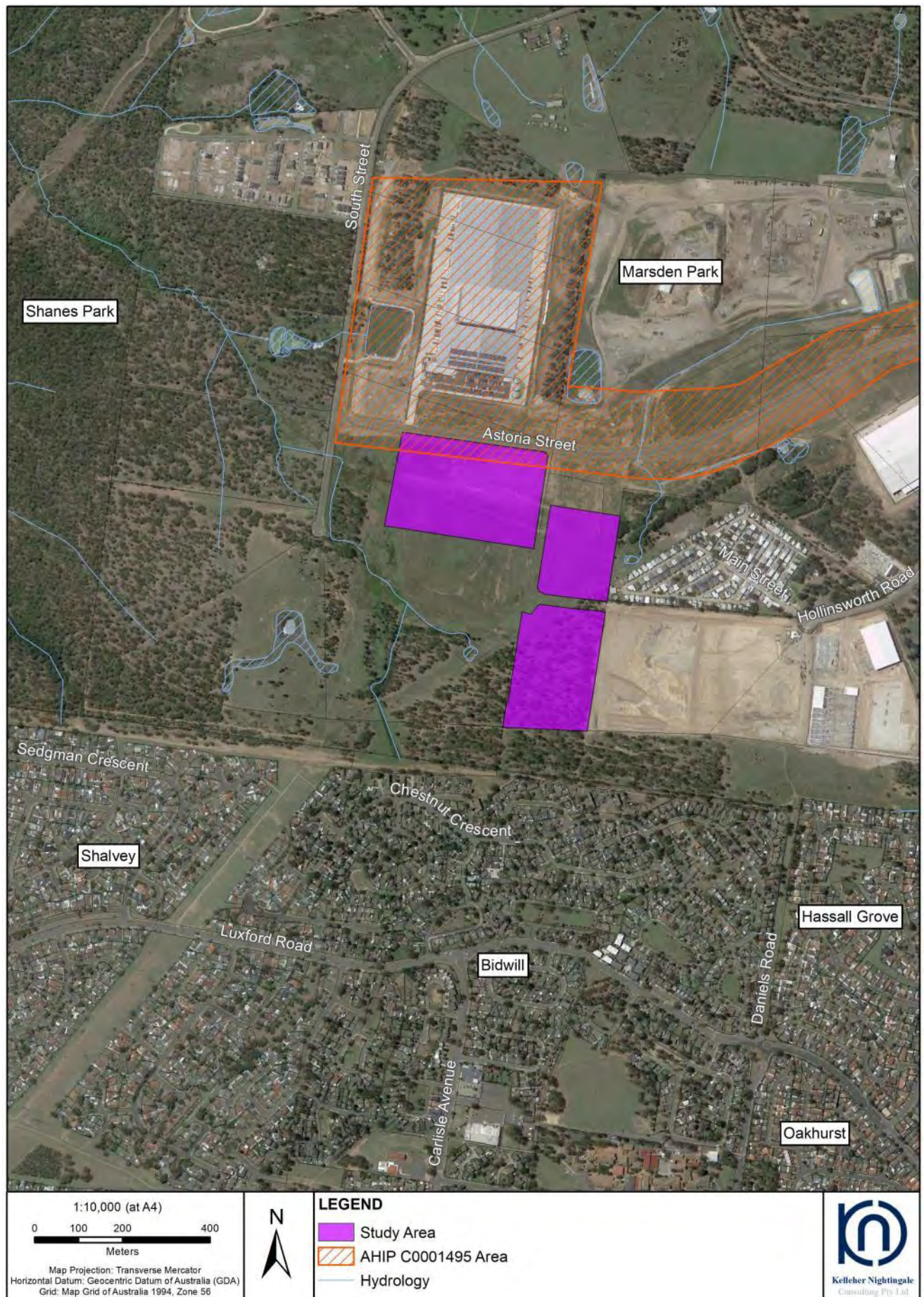


Figure 1. Study area location

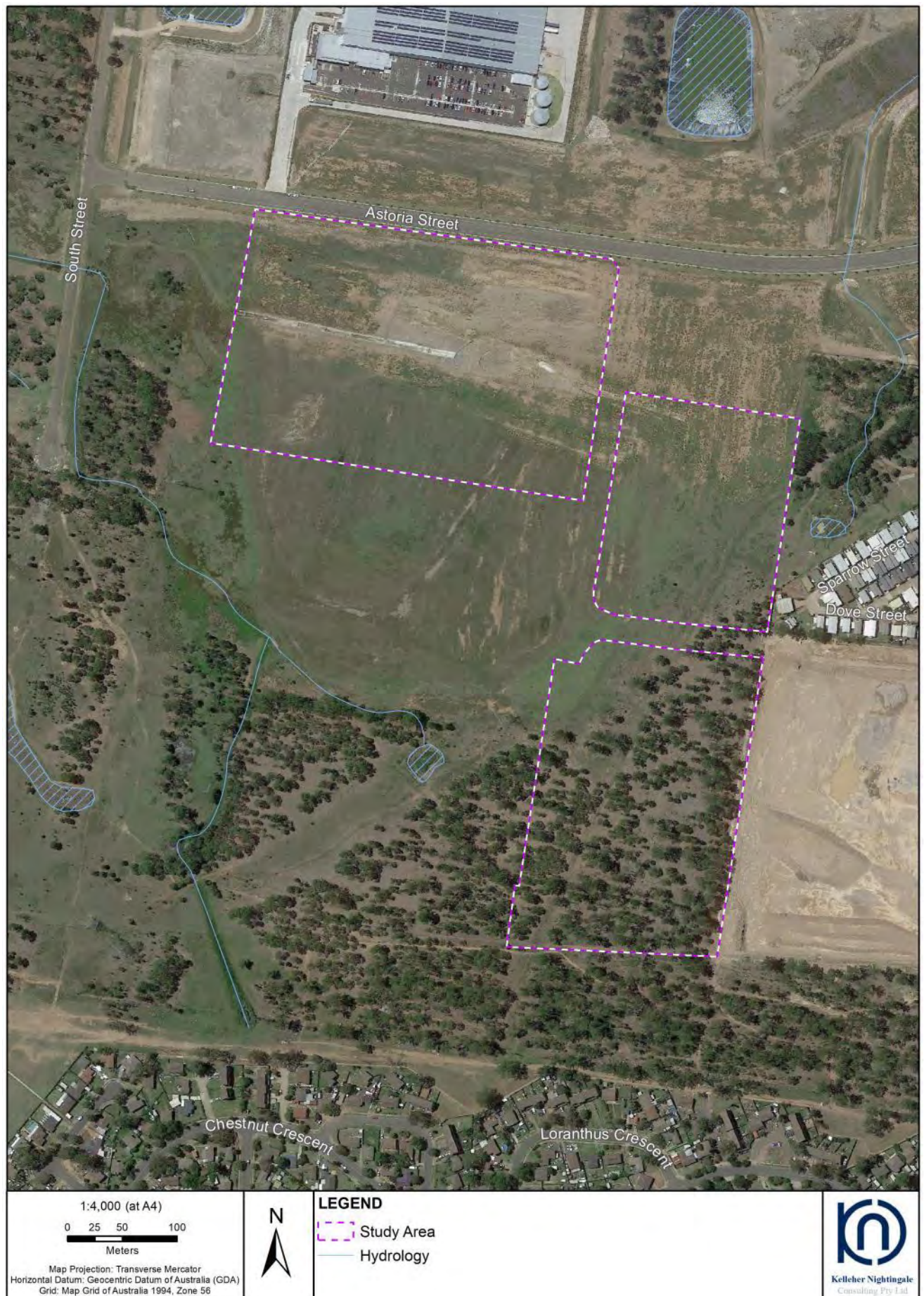


Figure 2. Detail of study area

2 Environmental Context

2.1 Landform, geology and soils

The study area is located in the north west of the Cumberland Plain, a gently undulating and generally low-lying physiographic region of the Sydney Basin. The Sydney Basin is a large geological feature that stretches from Batemans Bay to Newcastle and west to Lithgow. The formation of the basin began between 300 to 250 million years ago when river deltas gradually replaced the ocean that had extended as far west as Lithgow (Pickett and Alder 1997). The oldest, Permian layers of the Sydney Basin consist of marine, alluvial and deltaic deposits that include shales and mudstone overlain by coal measures.

The underlying geology of the study area is entirely composed of Bringelly Shale (Rwb) (Figure 3). The Bringelly Shale Formation consists of shale, carbonaceous claystone, claystone, laminate, fine to medium-grained lithic sandstone, rare coal and tuff. Underlying geology of the study area was generally composed of unsuitable raw materials for the creation of stone artefacts. However, several sources of suitable raw material for artefact production have previously been identified in St Marys Formation and Rickabys Creek Gravel geologies which are present in the general region.

Soils across the study area derive from the Berkshire Park and Blacktown soil landscapes (Figure 3). The majority of the study area comprises Berkshire Park soils, which are characterised by weakly pedal orange heavy clays and clayey sands, often mottled. Iron nodules are common throughout the profile (Bannerman and Hazelton 1989). Solods, yellow Podzolic soils, red Podzolic soils, chocolate soils, structure plastic clays and structure clays are all present within the soil profile. Berkshire Park soils are susceptible to flooding and becoming waterlogged, as well as erosion if vegetation clearance has occurred. The residual Blacktown soil landscape is developed in situ on the slopes from underlying Bringelly Shale geology and is present within the southern portion of the study area. These soils consist of shallow to moderately deep hard-setting red, brown and yellow podzolic soils. Blacktown Soils are subject to minor erosion where surface vegetation is not maintained. The soil landscape is often close to water sources and associated resources without being within flooding areas. Aboriginal objects and archaeological sites may be present in the Berkshire Park and Blacktown soil landscapes but their context and stratigraphic integrity will be variably affected by disturbance through erosion.

The topography of the study area comprises the very gentle slopes descending north and east towards an ephemeral drainage tributary of Little Creek. Little Creek flows generally north into South Creek; a major watercourse which is located approximately 4.5 kilometres northwest of the study area.

2.2 Vegetation and land use history

The distribution of native vegetation within the study area has been affected by historic and contemporary European land use practices in the region. Prior to 1788, a mixture of native vegetation communities would have extended across the entirety of the Cumberland Plain with distribution determined by a combination of factors including soil, terrain and climate. Within the locality, areas of native vegetation are predominantly classified as Shale Gravel Transition Forest. Shale Gravel Transition Forest occurs in areas with shallow deposits of tertiary alluvium overlying shale or in areas of localised iron-indurated gravel. Shale Gravel Transition Forest is characterised by a canopy dominated by *Eucalyptus fibrosa* with *E. moluccana* and *E. tereticornis* occurring less frequently, a sparse shrub stratum typically of *Bursaria spinosa*, *Daviesia ulicifolia* and *Lissanthe strigosa*, and a variety of forb species (NSW National Parks and Wildlife Service 2002).

Limited native vegetation remains within the current study area with scattered regrowth Shale Plains Woodland occurring in the southern portion of the study area. Shale Plain Woodlands mostly comprises *Eucalyptus moluccana* and *E. tereticornis* and are widely distributed across the Cumberland Plain; predominantly on soils derived from the underlying Wianamatta Shale geology and in areas containing Holocene alluvial deposits (NSW National Parks and Wildlife Service 2002).

Historic and contemporary land use practices have drastically altered the landscape within and surrounding the study area. The majority of the study area has been subject to agricultural land use and vegetation clearing and/or stripping activities. Aerial photography captured in 1977 demonstrates historic vegetation stripping activities related to the installation of several transmission line corridors across the study area. Further vegetation clearance appears to have since taken place overtime for a multitude of land use management purposes. A number of large dams have been constructed throughout the area within former creek channels, altering the area's hydrology and drainage patterns.

More recent land use disturbance in the locality is related to ongoing development and construction of the Marsden Park Industrial Precinct. Road construction, utilities installation, the creation of water and water related infrastructure and the construction of warehouse facilities immediately to the north and east have contributed to further alteration of the surrounding landscape.

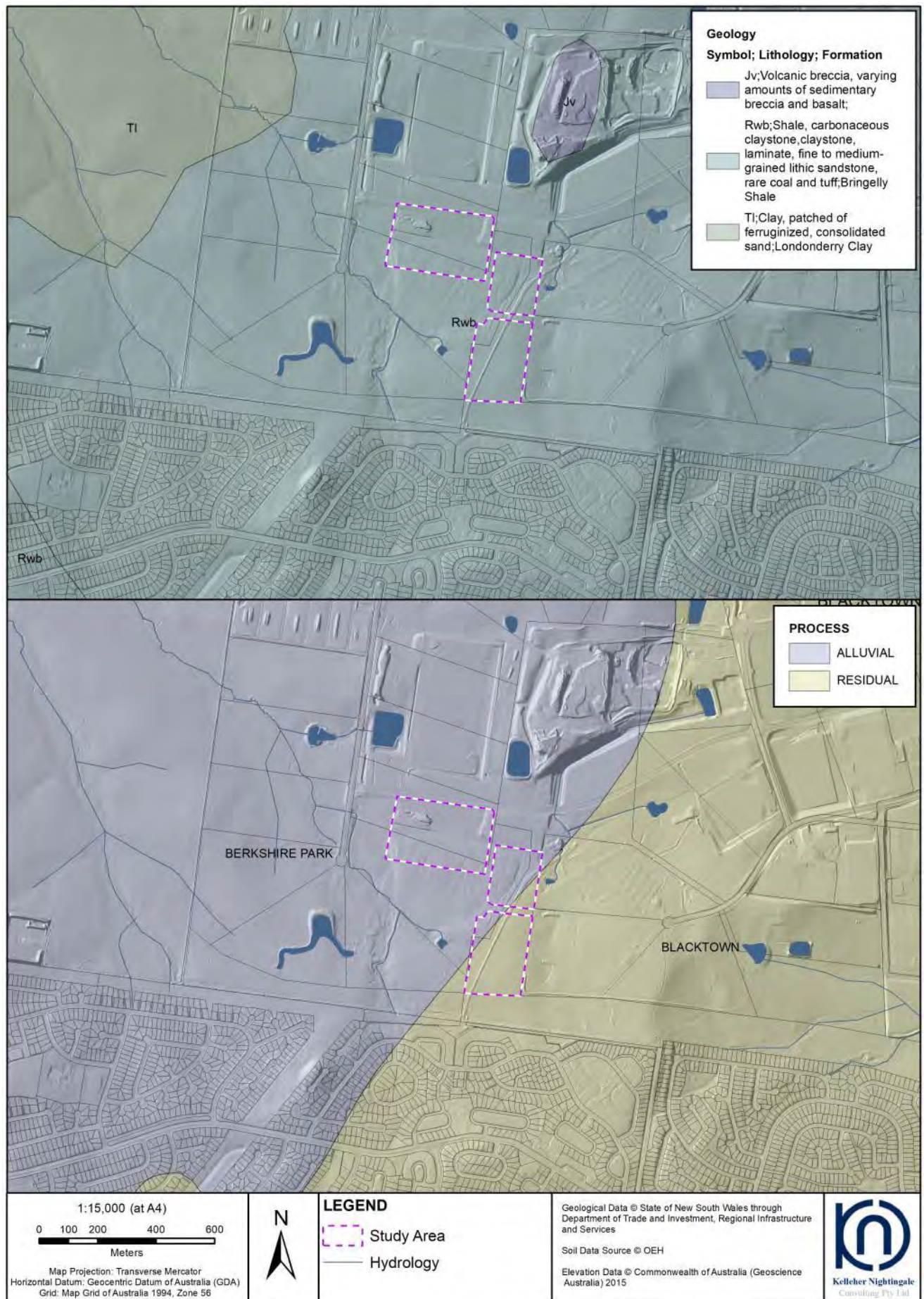


Figure 3. Geology and soil landscapes of the study area

3 Ethnohistoric context

Aboriginal people living throughout Australia at the time of European invasion belonged to a multitude of groups that spoke approximately 250 distinct languages and several hundred dialects (Walsh 1993: 1). Historical descriptions of the social organisation, culture and practices of Aboriginal people living in the Sydney region at the time of European invasion is fragmentary due to the generalised nature of early European accounts which provide vague and at times contradictory information. It should also be noted that the early British accounts are observations of Aboriginal people living in the Sydney region during the late 18th and 19th centuries and should not be used to infer the cultural practices of Aboriginal people living in the preceding millennia which are highly unlikely to have been static. The study area lies within a landscape which was important to, and intensively used by, past Aboriginal peoples (Attenbrow 2002).

The diversity of the groups living in the Sydney region was apparent to the British from their earliest interactions despite having arrived with an almost total ignorance of the land and its people. Watkin Tench, a captain-lieutenant of the marines, was part of several expeditions undertaken to explore the wider Sydney area. Tench documented that on one expedition, two Aboriginal men who had been brought from the coast as guides were unfamiliar with the area west of Rose Hill (Parramatta) (Tench 1793:117-118) and that when the men conversed with an Aboriginal man further inland “they conversed on a par and understood each other perfectly, yet they spoke different dialects of the same language; many of the most common and necessary words used in life bearing no similitude, and others being slightly different” (Tench 1793:122). David Collins, deputy judge advocate and lieutenant-governor of the colony, noted that the Aboriginal people living inland, who he referred to as the ‘woods tribes’, and the Aboriginal people living along the coast had different dialects, songs, dances, subsistence and some implements (Collins 1798: 557-589). Collins noted that the inland groups had spears inlaid with stones instead of oyster shell and used a type of mesh unlike the nets of the people living along the coast (Collins 1798: 589).

Tench (1793:230) noted that the inland groups ‘depend but little on fish, as the river yields only millets and that their principal support is derived from small animals which they kill and some roots (a species of wild yam chiefly) which they dig out of the earth’. Along the rivers and larger creeks, bandicoots and wallabies were caught in traps and snares, while birds were snared using decoys (Collins 1798: 555; Tench 1793). The open woodland of the Cumberland Plain would have played host to possums and gliders and these likely formed a major component of the diet. These were hunted in a number of ways, including smoking out the animal by lighting a fire in the base of a hollow tree, burning large tracts of land and gathering the stranded animals, as well as cutting toe-holds in trees and climbing up to reach them (Kohen 1993:10; Tench 1793:82). Berries, Banksia flowers and wild honey were also recorded as foods of the local inhabitants (Collins 1798 [Kohen 1985:9]). A particularly important plant food was the Burrawong (*Macrozamia communis*), which provided a nutritious nut that was pounded and soaked in running water to leach out toxins before the flour-like extract was made into small cakes and baked over a fire (Kohen 1993:8).

The arrival of the British in 1788 began a cataclysmic series of events which radically changed the lifestyle of Aboriginal people on the Cumberland Plain. Contact with introduced diseases, such as smallpox, drastically altered the size and structure of the Aboriginal population, the expansion of settlements and establishment of farmland subsumed the traditional areas used to meet subsistence needs and successive government policies were introduced to make Aboriginal people adopt European culture, religion and lifestyle (Attenbrow 2002; Brook and Kohen 1991). British observations from the late 18th and early 19th centuries did not make reference to the Aboriginal name of the language that the ‘woods tribes’ they encountered spoke and it was only in the late 19th Century that the name Darug (also referred to as Daruk, Dharuk, Dharook, and Dharug) was used to refer to the language of the traditional inhabitants of the Cumberland Plain (Attenbrow 2002:33). In the early twentieth century, anthropologist/linguist R H Matthews noted that “the Dharuk speaking people adjoined the Thurrawal on the north, extending along the coast to the Hawkesbury River, and inland to what are now Windsor, Penrith, Campbelltown, and intervening towns” (Matthews 1901:155 [in Attenbrow 2002: 32]).

Further east of the study area is the Colebee and Nurragingy land grant, a thirty acre area granted to two Darug men named Colebee and Nurragingy by Governor Macquarie in 1816. It represents the first land grant to an Aboriginal person after colonisation and is a site of exceptional historical, social and Aboriginal cultural heritage significance. The land grant was a reward for the two men’s assistance as guides in punitive expeditions sent by Macquarie to capture or kill Aboriginal people who had been involved in skirmishes with the British. The expansion of British settlement along the Nepean and Hawkesbury Rivers in the early nineteenth century and a period of drought during 1814-1816 saw another period of intensive conflict involving a series of raids and retaliatory killings between Aboriginal groups and settlers at Bringelly, Appin and along the Nepean and Hawkesbury Rivers. Many officials, including the then Governor Lachlan Macquarie, often recognised that these conflicts were initiated by the settlers; however, in 1816, Macquarie issued a proclamation that banned Aboriginal people from carrying weapons, banned traditional customs relating to punishment and limited the number of Aboriginal people allowed to gather within the colony (Campbell 1816: 1). The proclamation also stated Macquarie’s intention to change how the Aboriginal people of the Cumberland Plains lived and encourage them to adopt the lifestyle of the British (Campbell 1816: 1).

In addition, punitive expeditions were dispatched to capture or kill those Aboriginal people involved in the conflict (Brook and Kohen 1991:23). Three groups of soldiers were sent from Sydney to Cowpastures, the Airds and Appin district and to Parramatta, Windsor, the Grose and the banks of the Nepean respectively (Brook and Kohen 1991: 23). Several Aboriginal guides took part in the punitive expeditions, including Colebee and Nurragingy. Brook and Kohen (1991: 34) note that of the three punitive expedition parties sent out, the two with Aboriginal guides did not make any significant contact with Aboriginal groups, whereas the one party without Aboriginal guides did, leading to the suggestion that the Aboriginal guides were 'cunningly and successfully shielding their "wild" compatriots'. Nevertheless, Colebee and Nurragingy were invited to select a parcel of land as a reward for their assistance.

The actual location of the grant within the District of Bathurst was selected by Colebee and Nurragingy. Brook and Kohen (1991: 44-45) suggest that they chose this location based on its proximity to the abundant raw materials located at Plumpton Ridge and proximity to the important watercourses of Eastern Creek and Bells Creek. These features would have been significant to local Aboriginal groups at the time (Brook and Kohen 1991). The grant was registered in 1819 with only Colebee's name (Brook and Kohen 1991: 38). Colebee did not stay long on the grant, instead becoming a constable at Windsor in 1822, before marrying an Aboriginal girl called Kitty from the Black Town. The 'Colebee and Nurragingy Land Grant' is listed on the State Heritage Register (SHI 01877) and has been recorded as a Potential Archaeological Deposit (PAD) on the AHIMS database.

Located opposite the Colebee and Nurragingy Land Grant heritage item is the Blacktown Native Institution site. The site is located 2.5 kilometres south east of the current study area and is of historical, social and cultural significance to the contemporary Aboriginal community. The Native Institution was established by Governor Macquarie in the early years of the nineteenth century as a residential school for Aboriginal children and Reserve. In addition to the schoolhouse, residence, kitchen and stables, the Reserve had both a garden and a stockyard with 22 head of cattle. Water was gathered from Bells Creek, (then called Gidley Chain of Ponds) which bisected the area, the only supply for all fresh water needs. The site was one of the earliest schools for Aboriginal children in the colony, operating between 1823 and 1829. From 1822 onwards, historical records also indicate that a number of Aboriginal people were present in the area, and were camping along Bells Creek in order to remain near their children who were in the Institution (Bickford 1981:15). The site is especially important as a place of early and sustained cross-cultural engagement between the British and Aboriginal people, particularly in the context of educational and missionary programs reflecting the British desire to 'civilise' the Indigenous people. The Blacktown Native Institution is a registered contact/mission site listed on the NSW State Heritage Register (SHI 01866).

The value of the Marsden Park area and surrounds to both the past and the present Aboriginal community is underscored by the presence of two important places of post-European settlement history: the Colebee and Nurragingy Land Grant and the Blacktown Native Institution. Aboriginal culture endures to this day across the Cumberland Plain and has influenced many aspects of Australian culture including in the names of animals, localities, creeks and rivers (Walsh 1993). Members of the contemporary Aboriginal community continue to experience connection with the area through cultural and family associations.

4 Archaeological context

4.1 Database searches (AHIMS) and known information sources

4.1.1. AHIMS web services

The Aboriginal Heritage Information Management System (AHIMS) is a database operated by Heritage NSW and regulated under section 90Q of the *National Parks and Wildlife Act 1974*. AHIMS contains information and records pertaining to registered Aboriginal archaeological sites (Aboriginal objects, as defined under the Act) and declared Aboriginal places (as defined under the Act) in NSW.

A search of AHIMS was conducted on 21 July 2020 to identify registered (known) Aboriginal sites or declared Aboriginal places within or adjacent to the study area (AHIMS Client Service ID: 521834). The AHIMS search results are attached as Appendix C.

The AHIMS Web Service database search was conducted within the following coordinates (GDA, Zone 56):

Eastings:	297387 – 299192
Northings:	6265766 – 6267406
Buffer:	0 metres (coordinates included a buffer around the study area)

The AHIMS search results showed:

32	Aboriginal sites are recorded in or near the above location
0	Aboriginal places have been declared in or near the above location

The distribution of recorded Aboriginal sites within these coordinates is shown on Figure 4. The frequencies of site types within the AHIMS database search area are listed in Table 2.

Table 2. Site features and context from AHIMS database search

Site Context	Site Feature	Number	Frequency (%)
Open	Artefact	31	96.9
	Potential Archaeological Deposit	1	3.1
Total		32	100

AHIMS records and site information show that there are two previously registered sites (AHIMS 45-5-3748 & 45-5-3749) located within the study area. Seven registered AHIMS sites have also been destroyed according to the AHIMS search results.

4.1.2. Other heritage registers and databases

A search was undertaken of the following statutory and non-statutory heritage registers for Aboriginal heritage items:

- Blacktown Local Environment Plan (LEP) 2015
- Sydney Water Heritage Register
- Roads and Maritime Heritage Register
- State Heritage Register and State Heritage Inventory
- Commonwealth Heritage List
- National Heritage List
- Australian Heritage Database
- Australian Heritage Places Inventory and
- Register of the National Estate - note the Register was closed in 2007 and is no longer a statutory list. It is maintained on a non-statutory basis as a publicly available archive and educational resource.

No Aboriginal archaeological sites or Aboriginal heritage items were recorded on these databases within the study area.



Figure 4. AHIMS search results

4.2 Previous archaeological investigations

Several Aboriginal heritage assessments have been undertaken for large scale development projects and precinct planning in Marsden Park and neighbouring suburbs. Previous archaeological investigations have been undertaken bordering and within the current study area. The pertinent studies as they relate to the study area are discussed in this chapter.

Marsden Park Industrial Precinct

The current study area has been previously assessed as part of a comprehensive Aboriginal heritage assessment undertaken for the Marsden Park Industrial Precinct (MPIP) in 2009. This existing Aboriginal cultural heritage assessment was completed in accordance with the Growth Centres Commission (GCC) *Precinct assessment method and Protocol for Aboriginal heritage assessment and Aboriginal community consultation and stakeholder involvement*. Following completion of the GCC assessment, a number of Aboriginal Heritage Impact Permits (AHIPs) issued under Section 90 of the National Parks and Wildlife Act 1979 have since been granted for various developments within the Marsden Park Industrial Precinct, resulting in the removal of some previously identified Aboriginal archaeological sites in proximity to the current study area.

The MPIP assessment area was generally bound by South Street to the north and west, Bells Creek to the east and the suburbs of Bidwell and Hassall Grove to the south. The area also incorporated some smaller land parcels to the east of Bells Creek and west of South Street. The assessment included the entirety of the current study area.

The assessment encompassed an archaeological survey and desktop review of previous investigations, the environmental context and ethno-historical background of the area. A full and detailed Aboriginal community consultation program was also completed as part of the GCC assessment. A total of 63 archaeological sites, one area of high cultural significance (Colebee and Nurragingy's Land Grant) and four potential archaeological deposits were identified within the assessment area. Sites identified generally comprised artefact scatters and isolated finds. Artefacts types identified at these sites were predominantly proximal, medial and distal flakes and flaked pieces. Several cores were also recorded. The predominant artefact raw material was silcrete, with occasional occurrences of chert, tuff, quartz, petrified wood and other raw materials. Naturally fractured silcrete was also observed across the assessment area and at site locations.

Four areas of PAD were assessed as demonstrating potential for subsurface archaeological deposits due to: their relatively stable soil profiles, relative elevation, moderate slope, proximity to water and proximity to known archaeological sites. PAD areas were assessed as demonstrating moderate archaeological potential. Analysis of the spatial distribution of the artefact scatters determined that 31 of the archaeological sites were located within 12 distinct concentrations with lower levels of disturbance and moderate to high heritage significance. The remaining 32 archaeological sites were found in disturbed contexts and were assessed as having low heritage significance.

Two Aboriginal archaeological sites identified as a result of the MPIP assessment were identified within the current study area. These include sites MPIP 17 (AHIMS 45-5-3748) and MPIP 18 (AHIMS 45-5-3749). Site MPIP 17 consisted of a low density artefact scatter containing two red silcrete flaked pieces identified on a gentle slope landform along the southern boundary of the current study area. Site MPIP 18 consisted of an artefact scatter containing six red and yellow silcrete flaked pieces and two complete flakes recorded along the south western boundary of the current study area. The site was recorded across a gentle slope landform. Both Aboriginal sites were identified as displaying some (low) archaeological significance based upon site frequency and disturbance assessment. The MPIP assessment recommended that a Section 90 Consent should be obtained for sites of some (Low) archaeological significance prior to the commencement of any works affecting these sites.

South Street, Marsden Park

An archaeological survey was undertaken for Lots 37 to 42, DP 262886 at South Street, Marsden Park in 1996 (AMBS 1996). The assessment included lands bordering the southwestern portion of the current study area. The surveyed area encompassed approximately 20 hectares located on the western side and southern end of South Street. The survey identified a total of seven Aboriginal archaeological sites comprising four low density surface artefact scatters and three isolated artefacts. One site of low archaeological significance SROS5; (AHIMS 45-5-2384) recorded during the survey was located within proximity to the western boundary of the current study area. The Aboriginal sites were predominantly located on crest landforms and within the northern portion of the assessment area in the vicinity of the unnamed northeast flowing creek. The majority of artefacts identified were made from silcrete, while one chert broken flake was also recorded. The artefact assemblage predominantly consisted of flakes, broken flakes and flaked pieces with one scraper and one backed blade also identified. Significance assessment identified that four of the seven sites were of low archaeological significance and did not require further archaeological assessment. Three sites were determined to have potential for subsurface archaeological deposit with a program of subsurface investigation recommended prior to any impacts.

Sydney Business Park – Marsden Park Industrial Stage 3.01

Archaeological assessment was undertaken for lands known as Marsden Park Industrial Stage 3.01 within the Sydney Business Park at Marsden Park (KNC 2015). The assessment included the preparation of a CHAR, a process of Aboriginal community consultation and a limited test excavation program. The assessment overlaps a portion of the current study area. Testing was undertaken at site MPIP23 (includes MPIP 23A) (AHIMS 45-5-3756), a previously identified isolated find with PAD. Testing was undertaken to determine the nature and extent of the deposit at this site location. Three artefacts were recovered from 23, 50x50 centimetre test squares excavated across the site. The artefacts were recovered from three separate squares and consisted of one silcrete proximal flake fragment, one tuff proximal flake fragment and one tuff medial flake fragment. The site was found to be disturbed, with poor soil integrity and impacts from previous easement construction and maintenance activities, agricultural practice and natural erosional processes present.

The assessment identified three valid Aboriginal archaeological sites (comprising five AHIMS registrations) within the proposed works area. The sites consisted of MPIP22 (includes MPIP22A) (AHIMS 45-5-3754 & 45-5-3755), MPIP23 (includes MPIP23A) and MP 12 Marsden Park (AHIMS 45-5-2040). Three additional AHIMS registered sites had been destroyed by previous quarrying works and were listed as destroyed on the AHIMS database. Significance assessment determined that sites MPIP 23 (includes MPIP23A) and MP 12 Marsden Park were of low archaeological significance, with no further archaeological mitigation required. Site MPIP22 (includes MPIP 22A) was determined to have moderate archaeological potential, with mitigation measures including archaeological salvage excavation prior to the commencement of works. AHIP #C0001495 was granted for the project on 12 November 2015 and covers a portion of the current study area (see Figure 1). MPIP22 (includes MPIP 22A) was subsequently subject to salvage works which recovered a low density, disturbed subsurface archaeological deposit. All five AHIMS registrations have since been destroyed on the AHIMS database in accordance with AHIP conditions.

Marsden Park Industrial Precinct S94 Stormwater Infrastructure Works, Package 1

Eco Logical Australia Pty Ltd undertook archaeological investigations for proposed stormwater infrastructure related to the Marsden Park Industrial Precinct and included lands adjacent to the western and southern portions of the study area. The assessment included archaeological field survey, a test excavation program, a process of community consultation and the preparation of a CHAR (Eco Logical Australia Pty Ltd 2017). Archaeological survey undertaken for the project identified two newly recorded low density artefact scatter sites: Glengarrie Rd 1 (AHIMS 45-5-4900) and South St 1 (AHIMS 45-5-4904). Newly recorded site South St 1 was determined to be located outside of the assessment area. Archaeological survey revealed that the majority of the assessment corridor contained low to nil archaeological potential and had been subject to disturbance by current land use activities related to dam construction, oval equestrian training tracks, tree clearance, bulk earthworks activities, grading and levelling activities and road culvert construction.

Subsequent archaeological test excavation was undertaken across the project area and encompassed locations associated with four previously identified sites (three previously identified surface scatters and one registered PAD area). The testing program identified archaeological deposit at four site locations. A total of 102 artefacts were identified across 59, 50x 50cm test squares excavated across the project area. Artefacts consisted primarily of flakes and angular fragments (30%). Smaller numbers of split flakes, flake fragments, cores and core fragments were also recorded. One silcrete retouched flake and one medial flake fragment displaying evidence of usewear were among the artefacts recovered. The primary raw material type identified was silcrete (n=74), followed by lesser numbers of quartz (n=16) and tuff (n=12). Site Glengarrie Rd 1 (AHIMS 45-5-4900) was the highest density site, with 45 artefacts recovered. The site was located within the northern portion of the project corridor and was found to contain an intact archaeological deposit revealing the presence of a probable knapping event. Test excavation at site MPIP 21 (includes MPIP 21A) (AHIMS 45-5-3752 & 45-5-3753) identified a subsurface archaeological deposit containing 40 artefacts; 23 of which were recovered from one test square and surrounding expansion test squares. Both Glengarrie Rd 1 and MPIP 21 (includes MPIP 21A) were determined to have moderate archaeological significance with further investigations likely to contribute to an understanding of the Aboriginal landscape in the region. The remaining four valid sites (including nearby site MPIP PAD 3 (AHIMS 45-5-4620)) within the assessment area were found to be of low archaeological significance; having been subject to severe disturbance. These sites contained low to nil further archaeological potential.

Lot 2 DP1233067 and Lot 37 DP 262886 at 38 South Street, Marsden Park

OzArk Environment & Heritage recently undertook Aboriginal cultural heritage assessment of Lot 2 DP1233067 and Lot 37 DP 262886 at 38 South Street, Marsden Park (OzArk Environment & Heritage 2019). The project area borders the current study area immediately to the south and west. The assessment included a due diligence assessment with visual inspection, a review of previous archaeological investigations within the assessment area, a process of community consultation and significance and impact assessment of the proposed works formulated within a CHAR.

A total of five previously recorded Aboriginal archaeological sites (comprising six AHIMS registrations) were identified within the assessment area. These comprised AHIMS sites: South St 1 (AHIMS 45-5-4904), SROS5 (AHIMS 45-5-2384), MPIP PAD 3 (AHIMS 45-5-4620), MPIP 21 (includes MPIP 21A) (AHIMS 45-5-3752 & 45-5-3753) and MPIP 20 (AHIMS 45-5-3751).

The overall archaeological assessment confirmed the findings of previous studies (AMBS 1996; KNC 2009; Eco Logical 2017a) undertaken within the assessment area. One additional isolated artefact was identified during an Aboriginal Focus Group (AFG) meeting held onsite during the course of the project. The site was subsequently registered on AHIMS as a silcrete flaked piece (AHIMS 45-5-5217) and included in the proceeding assessment.

The assessment area was found to have been subject to moderate to high levels of disturbance consistent with impacts related to agricultural land use practices. Significance assessment confirmed that five of the six sites were of low archaeological significance, representing commonly occurring site types within the local area, with little potential for further intact subsurface deposits. Community consultation undertaken for the project determined that all sites within the assessment area were identified as having high social and cultural value for the contemporary Aboriginal community given their locations between Bells Creek and Eastern Creek. MPIP 21 (includes MPIP 21A) was confirmed to display moderate archaeological significance, with further archaeological salvage likely to contribute a greater understanding of Aboriginal landscape use in the region.

It was determined that five of the six sites would be impacted by the proposal; MPIP 21 (includes MPIP 21A) was not to be impacted, based upon its location within E2 zoned lands. Recommended mitigation measures for impacted sites included surface collection at AHIMS sites 45-5-4904, 45-5-5217, 45-5-52384 and 45-5-4620, followed by artefact reburial within E2 zoned lands within the assessment area. No further archaeological assessment or management and mitigations measures were recommended for MPIP PAD 3 (AHIMS 45-5-4620). A further five sites within the overall project assessment area (not subject to testing) were included within significance assessment: including three sites covered under existing AHIPs (#C0002345 and #C0001495). In total, two of the sites were identified as being of moderate archaeological significance MPIP 21A (AHIMS 45-5-3753) and Glengarrie Rd 1 (AHIMS 45-5-4900) and requiring further archaeological assessment in the form of salvage excavation. The remaining sites were determined to be of low archaeological significance with no further archaeological mitigation required. It was recommended that an AHIP be sought for all valid sites located within the project area not covered under existing AHIPs.

4.3 Aboriginal archaeological survey 2020 – Stage 3 Facilities Sydney Business Park, Marsden Park

A full archaeological survey of the Stage 3 Sydney Business Park project area was undertaken in August 2020. The survey was completed with the Deerubbin Local Aboriginal Land Council. The 2020 survey confirmed the 2009 Marsden Park Industrial Precinct assessment.

Background research identified two previously registered Aboriginal archaeological sites within the current study area: MPIP 17 (AHIMS 45-5-3748) and MPIP 18 (AHIMS 45-5-3749). Both sites were originally recorded as a result of the Marsden Park Industrial Precinct assessment and comprised low density surface artefact scatters. The study area was inspected on 5 August 2020 by Mark Rawson (KNC) and Steve Randall (Deerubbin Local Aboriginal Land Council). The study area was divided into three survey units based upon the proposed works layout and study area location. The surveyed area comprised the gentle slope landform descending towards an ephemeral drainage line located to the south and west.

Survey commenced in the north western portion of the study area within Survey Unit 1. This survey unit comprised lands located immediately south of Astoria Street. The large block had been subject to extensive land use disturbance (see Figure 5). Several large mounds of redeposited soil associated with earth moving activities could be seen across the survey unit. Artificial drainage had also been constructed through the central portion of Survey Unit 1. The southern portion of Survey Unit 1 contained evidence of old furrows, previous cattle grazing and former earthmoving activities related to overburden from former quarrying activities (see Figure 5). Vegetation across the survey unit had been cleared, with only low grasses remaining. The site location for destroyed AHIMS site MPIP 22 (included MPIP 22A) was revisited and assessed. The site was confirmed to have been destroyed by previous AHIP approved project works. Ground surface exposure within the survey unit varied, with the majority of the survey unit covered in low weeds and grasses. Increased visibility and exposure was present in stripped areas or areas displaying high levels of visible ground surface disturbance. No new Aboriginal objects or areas of archaeological potential were identified within the highly modified Survey Unit 1.



Plate 1. View south-west. Photo shows artificial drainage across the large block in Survey Unit 1. Note cattle grazing in background.



Plate 2. Facing west in southern portion of Survey Unit 1. Note furrows and uneven ground surface from previous landuse activities.



Plate 3. Facing south east. Photo shows previous earthmoving activities in Survey Unit 2.



Plate 4. View to north. From top former railway mound in Survey Unit 2.

Survey Unit 2 comprised a smaller block located south of Astoria Road and west of Sparrow Street. The entirety of the lot had been subject to vegetation clearance, with only high grasses remaining. The northern half of the survey unit had been subject to extensive disturbance with evidence of earthworks activities and large mounds of redeposited soil present. Surface exposures were carefully inspected for any evidence of Aboriginal objects, however none were identified. The southern half of the survey unit contained a former railway embankment and was covered in high grasses. Ground surface visibility within this part of the survey unit was very low to zero. Evidence of uneven ground surfaces was present in the form of a large drainage channel ditch present across the central part of the survey unit (see Figure 5). The entirety of Survey Unit 2 was found to be extensively disturbed. No Aboriginal archaeological sites, objects or areas of potential archaeological deposit were identified within this part of the study area.

The survey team continued south in Survey Unit 3 which sloped gently towards the southwest of the study area. Survey Unit 3 was characterised by a large block containing regrowth vegetation in the form of Ironbark and Grey Box Eucalypts, low grass cover and small shrubs. Ground surface visibility was impeded by vegetation cover. Some areas of exposure were present in erosion scours and along vehicle access tracks. Visibility on exposures along a vehicle access track running along the eastern boundary of the survey unit ranged from 20% to 70% and was impeded by leaf litter and fine ironstone gravels. Visible surface disturbance was limited within Survey Unit 3.



Plate 5. Facing north from eastern boundary in Survey Unit 3. Example of surface exposure on access track.



Plate 6. Facing north. View along risen former railway embankment dissecting Survey unit 3.

The central portion of the survey unit was dissected by the southwest to northeast running former railway embankment. Survey continued within the remaining portion of the study area located in Survey Unit 3, west of the former railway track. The site location for registered site MPIP 18 (AHIMS 45-5-3749) was revisited during the survey. The artefacts recorded during the original site recording could not be relocated.

Two additional artefacts were recorded at the site location during the current survey. The artefacts were recorded approximately eight metres apart on an exposure present along a section of the vehicle access track bordering the western boundary of the current study area. Visibility on the exposure was approximately 50% with a background of leaf litter and fine ironstone gravels present. The newly recorded artefacts consisted of one pink red silcrete elongated core containing four negative flake scars and one pale pink silcrete flake with evidence of retouching on the right ventral surface and a scarred platform. The site was determined to retain low potential for further subsurface archaeological deposit, consistent with its original site recording.



Plate 7. Newly recorded silcrete artefacts identified at registered site MPIP 18 (AHIMS 45-5-3749).



Plate 8. Facing north. View along western boundary in Survey Unit 3 showing newly recorded artefact location at MPIP 18 (AHIMS 45-5-3749) within study area.

Survey continued south. The site location for MPIP 17 was revisited by the survey team. The site was previously recorded along a vehicle access track exposure present along the southern boundary of the study area. Field survey did not identify any previously or newly recorded artefacts at the site location. Assessment of the site area confirmed that MPIP 17 displayed low archaeological potential for subsurface archaeological deposit, consistent with its original site recording.



Plate 9. Facing west. Site location of MPIP 17 (AHIMS 45-5-3748). Note generally low visibility on surface exposure.



Plate 10. Facing east at MPIP 17 (AHIMS 45-5-3748). Photo demonstrates typical regrowth vegetation cover present within Survey Unit 3.

Field survey of the study area confirmed that the majority of the study area had been subject to extensive land use disturbance related to former railway embankment construction, overburden deposits from former quarrying activities, bulk earthworks and drainage related infrastructure (Figure 5). Significant portions of the study area had been subject to extensive vegetation stripping, clearance and revegetation and were actively being utilised for cattle grazing at the time of survey. As a result of historic and contemporary land use practices, the likelihood of intact deposits occurring across the study area was considered to be low.

The results from the 2020 assessment were consistent with the existing 2009 cultural heritage assessment results.

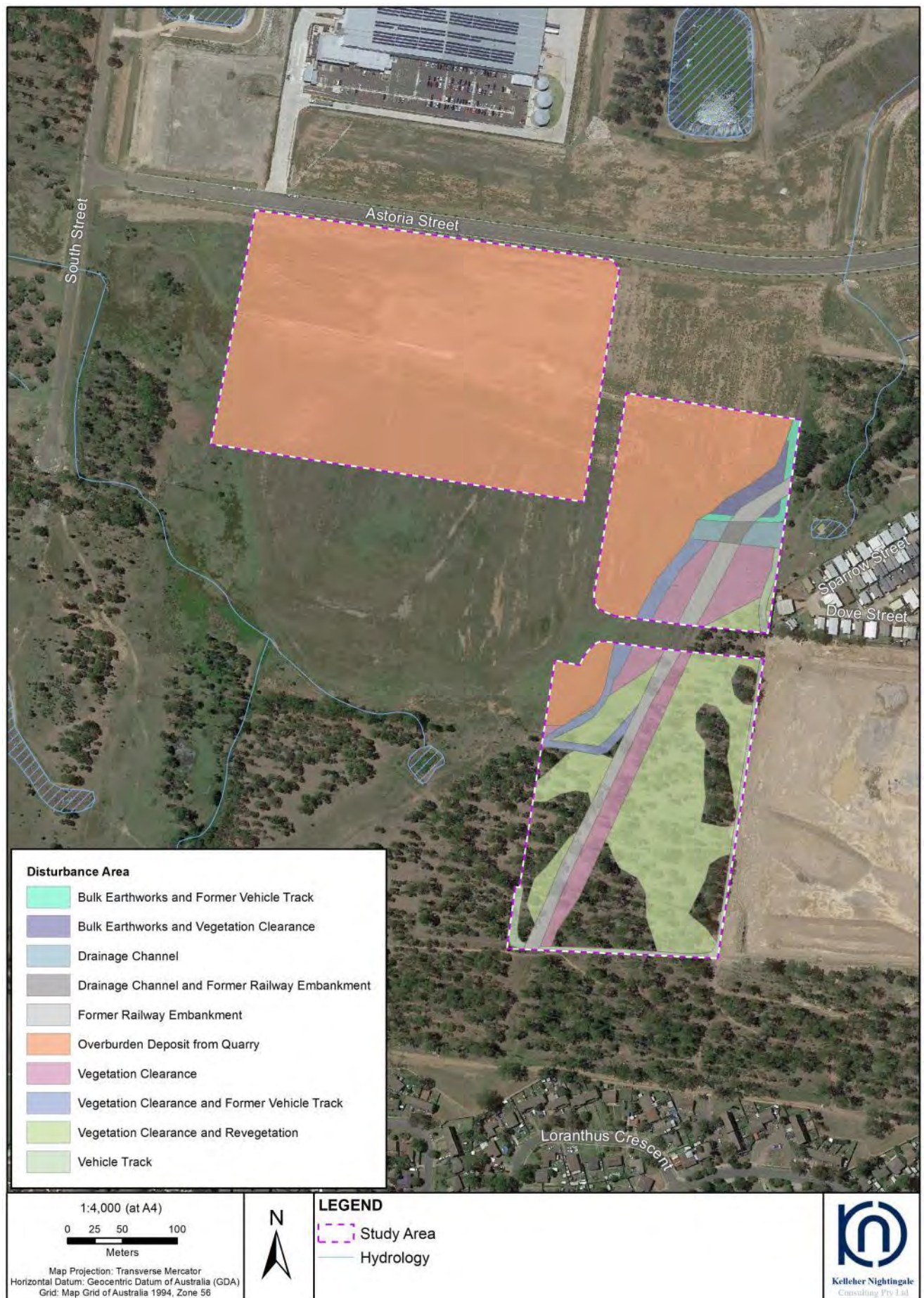


Figure 5. Disturbance map of the study area

5 Consultation Process

5.1 Stakeholder identification and consultation

The aim of consultation is to integrate cultural and archaeological knowledge and ensure registered stakeholders have information to make decisions on Aboriginal cultural heritage. For the preparation of this CHAR, consultation with Aboriginal people has been undertaken in accordance with the Heritage NSW *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010a) and the requirements of Clause 60 of the *National Parks and Wildlife Regulation 2019*. The formal consultation process has included:

- Notification of Aboriginal persons, including register of native title determinations search and government agency notification letters;
- advertising for registered stakeholders in local print media (Appendix A);
- notification of closing date for registration (31/07/2020)
- record of registration of interest (Heritage NSW and DLALC notified 3/08/2020);
- provision of project-specific information (17/06/2020 and 31/07/2020);
- provision of assessment methodology for review (28 day review period ending on 28/08/2020)
- invitation to advise on Aboriginal cultural value of the study area;
- provision of draft CHAR for review (28 day review period ending on 28/09/2020); and
- ongoing consultation with the local Aboriginal community including regular project updates.

5.2 Registration of interest

Aboriginal people who hold knowledge relevant to determining the cultural heritage significance of Aboriginal objects and Aboriginal places in the study area were invited to register an interest in a process of community consultation. Investigations for the current project have included consultation with Aboriginal community individuals and groups as listed in Table 1*.

Table 3. Registered Aboriginal Stakeholders*

Group / Individual	Representative / Contact
Deerubbin Local Aboriginal Land Council	CEO
A1 Indigenous Services	Carolyn Hickey
Amanda Hickey Cultural Services	Amanda DeZwart
Barraby Cultural Services	Lee Field
Butucarbin Aboriginal Corporation	Lowanna Gibson
Darug Custodian Aboriginal Corporation	Justine Coplin
Dhinawan Culture and Heritage Pty Ltd	Stephen Fields
Didge Ngunawal Clan	Paul Boyd & Lilly Carroll
Freeman & Marx Pty Ltd	Clive Freeman
Kamilaroi Yankuntjatjara Working Group	Phil Khan
Merrigarn	Shaun Carroll
Muragadi Heritage Indigenous Corporation	Jesse Johnson
Murra Bidgee Mullangari Aboriginal Corporation	Ryan Johnson
Registered Aboriginal Stakeholder	Details Withheld
Registered Aboriginal Stakeholder	Details Withheld
Tocomwall	Scott Franks
Waawaar Awaara Aboriginal Corporation	Rodney Gunther
Wailwan Aboriginal Group	Phil Boney
Warragil Cultural Services	Aaron Slater
Widescope Indigenous Group	Steven Hickey

Group / Individual	Representative / Contact
Wurrumay Pty Ltd	Vicky Slater
Yulay Cultural Services	Arika Jalomaki
Yurrandaali Pty Ltd	Bo Field

*two additional Aboriginal stakeholder has registered for the project but has chosen to withhold their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010b).

5.3 Consultation regarding the land and proposed activity

Following on from Stage 1 of the consultation process undertaken by KNC (stakeholder identification and registration), project-specific consultation was undertaken. Information regarding the proposed development was provided to registered Aboriginal stakeholder groups in a letter dated 31/07/2020. Information included an outline of the proposal, location of the study area and an invitation to consult during the assessment.

Stakeholders were also provided with the proposed assessment methodology for the Cultural Heritage Assessment Report, and invited to review and provide feedback (review period of 28 days, closing on 28/08/2020). An invitation was extended for Aboriginal cultural knowledge holders and stakeholders to provide comments on the proposed cultural heritage assessment methodology, including any protocols regarding the gathering of information and any matters such as issues/areas of cultural significance that might affect, inform or refine the assessment methodology.

5.4 Stakeholder responses to the proposed assessment methodology for the Cultural Heritage Assessment Report

Formal responses to the proposed assessment methodology were received from A1 Indigenous Services (A1), Barraby Cultural Services (BCS), Didge Ngunawal Clan (DNC), Kamilaroi Yunkuntjatjara Working Group (KYWG), Murra Bidgee Mullangari Aboriginal Corporation (MBMAC), Muragadi Heritage Indigenous Corporation (MHIC), Wailwan Aboriginal Group (WAG), Yurrandaali Cultural Services and Yulay Cultural Services. Responses generally expressed support and did not result in any changes to the assessment methodology.

A1 stated that they had reviewed and supported the project information and proposed assessment methodology provided. A1 expressed interest in being involved in any fieldwork undertaken for the project (email dated 11/08/2020).

BCS stated that they supported the methodology for the project (email dated 4/08/2020).

DNC expressed that they agreed with the proposed assessment methodology (email dated 1/08/2020).

KYWG expressed that they had read the proposed assessment methodology and noted that the area was highly significant to Aboriginal people due to its general proximity to Bells Creek (email dated 24/08/2020).

MBMAC read the project information and methodology letter for the project. MBMAC endorsed the proposed assessment methodology (email dated 5/08/2020).

MHIC stated that they had read the project information and methodology letter for the Sydney Business Park Stage 3 Marsden Park project. They endorsed the proposed assessment methodology (email dated 6/08/2020).

WAG indicated that they had read the methodology for the project and added that they did not have any issues with the project or the proposed assessment methodology (email dated 2/08/2020).

Yulay Cultural Services supported the proposed assessment methodology for the project (email dated 27/08/2020).

Yurrandaali Cultural Services supported the proposed assessment methodology for the project (email dated 6/08/2020).

5.5 Review of draft CHAR

The draft CHAR was provided to stakeholders for a 28 day review and comment period (letters dated 31/08/2020). Stakeholders were invited to comment on the Aboriginal cultural significance of the study area and the identified sites, along with the management recommendations presented in the report. Formal responses were received from A1 DCAC, DNC, MBMAC and WAG. Comments and information received from stakeholders during this period are attached in full in Appendix B and summarised below.

A1 indicated that they had reviewed the draft CHAR and supported the recommendations (email dated 6/09/2020).

DCAC expressed overall support for the project and reiterated their connection to and knowledge of the study area (email and letter dated 3/09/2020).

DNC indicated general support for the project (email dated 31/08/2020).

KYWG reiterated that the area was of high significance for his group. They noted a spiritual attachment to the area guided by the knowledge that their people had camped in the area. KYWG agreed that salvage excavation was not warranted for the sites located within the study area and supported ongoing management of the sites which would involve both archaeologists and Aboriginal representatives (surface artefact collection undertaken with registered Aboriginal stakeholders). KYWG also expressed support for the recommended management measures for the non-impacted portion of MPIP 18 (late response received by email dated 29/09/2020).

MBMAC stated that they had read the draft CHAR for the project and endorsed the recommendations made (email dated 3/09/2020).

WAG supported the heritage assessment undertaken by KNC, indicating that they had no additional comments to add and that they were happy with the Aboriginal cultural heritage assessment undertaken for the project (email dated 1/09/2020).

5.6 Aboriginal cultural values

It has been identified during the consultation process that the wider study area has cultural heritage value to the local Aboriginal community. Some of the Aboriginal cultural heritage values expressed by stakeholders include:

- strong association with the land and the local area
- responsibility to look after the land, including the heritage sites, plants and animals, creeks and the land itself
- scarred trees
- artefact sites and landscape features
- creek lines, especially South Creek and Bells Creek, their tributaries and their floodplains
- indigenous plants and animals

Additional cultural values for the Marsden Park area have been provided by stakeholders throughout the registration of interest period and consultation process.

A1 stated that they held cultural knowledge of, and maintained a cultural connection to the study area (email dated 28/07/2020).

Amanda Hickey Cultural Services (AHCS) expressed that they held cultural knowledge relevant to determining the significance of Aboriginal objects and areas within the project area (email dated 3/08/2020).

DCAC expressed that their group held a vast knowledge of the Marsden Park area. They noted the significance of the area to Darug people, based upon the connection of sites and continued occupation of the area (email/letter dated 27/07/2020).

One stakeholder who chose to withhold their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010b) has expressed strong connection to the area but has chosen to withhold the specifics from publication (letter dated 17/07/2020).

One additional stakeholder who chose to withhold their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010b) has expressed strong connection to the area but has chosen to withhold the specifics from publication (letter dated 17/07/2020).

Waawaar Awaara Aboriginal Corporation (WAAC) stated that their organisation comprised Aboriginal people who had an interest in the study area. Their members also held a cultural connection & knowledge relevant to the study area. They expressed a deep interest and responsibility related to impacts to Aboriginal heritage within the traditional cultural areas of Dharawal, Gundungurra and Darug lands, and within the boundary areas of Tharawal, Deerubbin, Gandangara, La Perouse and Metropolitan local Aboriginal land councils (email and letter dated 20/0/2020).

Widescope indicated that they had members who were recognised as cultural knowledge holders. They stated that they held cultural knowledge of, and maintained a cultural connection to the study area and its surrounds (email dated 26/07/2020).

Wurrumay Pty Ltd stated that they held knowledge and connection to Country through Ancestral ties with Black Kitty (related to the history of the Blacktown Native Institution) (email dated 17/07/2020).

6 Summary and Analysis of Background Information

Analysis of the background information presented in the preceding chapters allows an assessment of the cultural heritage values within the study area to be made. Combining data from historical/ethnographic sources, landscape evaluation and archaeological context provides an insight into how the landscape was used and what sort of events took place in the past.

Culturally, the general Marsden Park area has demonstrated importance to the contemporary Aboriginal community. Many registered stakeholders expressed their personal family and cultural connections to the area. Stakeholders also expressed the responsibility and importance associated with caring for the land, including the heritage sites, plants and animals, creeks and the land itself. The interconnectivity of sites through the landscape has also been highlighted.

Archaeological evidence of past Aboriginal occupation and use of the landscape shows that the types and preservation of archaeological sites in the vicinity of the project area are highly influenced by geology, soil landscapes and ground surface disturbance. Archaeological site types in the vicinity of the study area generally comprise open artefact scatters and isolated finds. Artefact density and site frequency in the region is influenced by the reliability and permanence of fresh water sources, with higher site frequency and artefact density in the vicinity of the higher order watercourses of Bells Creek and South Creek. The study area and immediate surrounds are located in an area of ephemeral fresh water supply and sites are typified by low density artefact surface scatters and isolated artefacts indicative of intermittent occupation.

Archaeologically, open artefact scatters with stratigraphic integrity provide the most archaeological research potential. The residual soil landscape present within the study area is generally favourable for the preservation of in situ archaeological material; however, natural processes and land use practices can have a detrimental effect on the preservation of archaeological sites.

Comprehensive archaeological assessment was undertaken by KNC as part of the CHAR process in 2020. The archaeological field survey confirmed the disturbed nature of the soils across the majority of the study area and the low potential for any intact archaeological deposit to remain. The current study area has been subject to repeated episodes of vegetation clearance and stripping as well as significant earthmoving activities related to former quarrying activities which have left visible ditches and mounds across the landscape. This has resulted in significant ground surface disturbance across the study area.

6.1 Archaeological sites within the study area

Background assessment and field survey have identified two Aboriginal archaeological sites within the study area. Sites MPIP 17 and MPIP 18 are shown on Figure 6.

Site name: MPIP 17
AHIMS site ID: 45-5-3748

MPIP 17 consisted of a low density artefact scatter recorded along an unformed vehicle access track. The site comprised two artefacts recorded approximately 40 metres apart. The artefacts consisted of two silcrete flaked pieces. The site was identified across a gentle midslope descending to the south-west towards an ephemeral drainage line. Ground surface visibility on exposures at the time of survey was low to moderate (up to 50%). Disturbance at the site consisted of land clearing activities and the presence of a raised access track running perpendicular to the property boundary fence. The raised track was located between the two recorded surface artefacts and was determined to likely be an old railway embankment given its constant height and gradient. The site was surrounded by occasional regrowth eucalypt trees.

Survey was undertaken as part of the current Aboriginal heritage assessment for the Stage 3 Facilities at the Sydney Business Park. The location of the site was confirmed. However, the previously recorded artefacts were not relocated during the revisit. Since its original recording, the site had been subject to continual disturbance associated with modern land use and increased erosion across the property. Based upon the archaeological assessment, the site was assessed as exhibiting low significance, consistent with its original site recording.

Site name: MPIP 18
AHIMS site ID: 45-5-3749

Site MPIP 18 comprised a low density artefact scatter recorded along an unformed vehicle access track present along a property boundary fence. Eight artefacts were recorded across the track and consisted of six yellow and red silcrete flaked pieces and two complete yellow silcrete flakes. Some vehicle damage was evident at the time of recording. The site was identified in a mid slope context, across a gentle slope descending to the west and northwest. The area surrounding the site consisted of occasional regrowth eucalypt trees with increased grass cover around the track. The site was identified on a large surface exposure with visibility up to 75%.

Archaeological survey undertaken for the current project could not relocate the artefacts originally recorded at the site location. Two additional silcrete artefacts (comprising one core and one retouched flake) were identified along the eroded vehicle access track. Ongoing agricultural land use disturbance since the time of original recording had further reduced the likelihood of any intact deposits remaining. Based on the archaeological assessment, the site was confirmed to exhibit low archaeological significance. The results were consistent with the original site recording.



Figure 6. Identified Aboriginal archaeological sites in the study area

7 Cultural Heritage Values and Statement of Significance

7.1 Significance assessment criteria

One of the primary steps in the process of cultural heritage management is the assessment of significance. Not all sites are equally significant and not all are worthy of equal consideration and management (Sullivan and Bowdler 1984, Pearson and Sullivan 1995:7). The determination of significance can be a difficult process as the social and scientific context within which these decisions are made is subject to change (Sullivan and Bowdler 1984). This does not lessen the value of the heritage approach, but enriches both the process and the long-term outcomes for future generations, as the nature of what is conserved and why, also changes over time.

Significance assessments can generally be described under three broad headings (Pearson and Sullivan 1995:7):

- value to groups such as Aboriginal communities
- value to scientists and other information gatherers
- value to the general public in the context of regional, state and national heritage.

The assessment of significance is a key step in the process of impact assessment for a proposed activity as the significance or value of an object, site or place will be reflected in resultant recommendations for conservation, management or mitigation.

The *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010b) requires significance assessment according to criteria established in the *Australia ICOMOS Burra Charter* (Australia ICOMOS 2013). The *Burra Charter* and its accompanying guidelines are considered best practice standard for cultural heritage management, specifically conservation, in Australia. Guidelines to the *Burra Charter* set out four criteria for the assessment of cultural significance:

- Aesthetic value - relates to the sense of the beauty of a place, object, site or item;
- Historic value - relates to the association of a place, object, site or item with historical events, people, activities or periods;
- Scientific value - scientific (or research) value relates to the importance of the data available for a place, object, site or item, based on its rarity, quality or representativeness, as well as on the degree to which the place (object, site or item) may contribute further substantial information; and
- Social value - relates to the qualities for which a place, object, site or item has become a focus of spiritual, political, national or other cultural sentiment to a group of people. In accordance with the *Heritage NSW Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*, the social or cultural value of a place (object, site or item) may be related to spiritual, traditional, historical or contemporary associations. "Social or cultural value can only be identified through consultation with Aboriginal people" (OEH 2011:8).

Significance assessment for identified archaeological sites focusses on the social/cultural, historic, scientific and aesthetic significance of Aboriginal heritage values as identified in *The Burra Charter* (Australia ICOMOS 2013). The identification of significance is developed in consultation with the registered Aboriginal stakeholders. Assessed values for the sites within the study area are detailed below.

Cultural / social significance

This area of assessment concerns the value(s) of a place, feature or site to a particular community group, in this case the local Aboriginal community. Aspects of social significance are relevant to sites, objects and landscapes that are important or have become important to the local Aboriginal community. This importance involves both traditional links with specific areas as well as an overall concern by Aboriginal people for sites generally and their continued protection. Aboriginal cultural significance may include social, spiritual, historic and archaeological values and is determined by the Aboriginal community.

It has been identified during the consultation process that the local area has cultural heritage value (social value) to the local Aboriginal community. No specific cultural or social values for the sites within the study area were provided by the registered Aboriginal stakeholders following the review of the draft CHAR.

Historic significance

Community consultation and historical research has not identified any information regarding specific historical significance of identified Aboriginal archaeological sites in or near the study area. No specific historical values for the sites within the study area were provided by the registered Aboriginal stakeholders following the review of the draft CHAR. Archaeologically, the study area does not contain these values in relation to Aboriginal heritage.

Scientific / archaeological significance

For archaeologists, scientific significance refers to the potential of a site to contribute to current research questions. Alternately, a site may be an in situ repository of demonstrably important information, for example rare artefacts of unusually high antiquity.

Scientific significance is assessed using criteria to evaluate the contents of a site, state of preservation, integrity of deposits, representativeness of the site type, rarity/uniqueness and potential to answer research questions on past human behaviour. Heritage NSW's recommended criteria for assessing archaeological significance include:

- Archaeological Research Potential - significance may be based on the potential of a site or landscape to explain past human behaviour and can incorporate the intactness, stratigraphic integrity or state of preservation of a site, the association of the site to other sites in the region (connectivity), or a datable chronology.
- Representativeness - all sites are representative of those in their class (site type/subtype) however the issue here relates to whether particular sites should be conserved to ensure a representative sample of the archaeological record is retained. Representativeness is based on an understanding of the regional archaeological context in terms of site variability in and around the study area, the resources already conserved and the relationship of sites across the landscape.
- Rarity – which defines how distinctive a site may be, based on an understanding of what is unique in the archaeological record and consideration of key archaeological research questions (i.e. some sites are considered more important due to their ability to provide certain information). It may be assessed at local, regional, state and national levels.

High significance is usually attributed to sites which are so rare or unique that the loss of the site would affect our ability to understand an aspect of past Aboriginal use/occupation of an area. In some cases a site may be considered highly significant because it is now rare due to destruction of the archaeological record through development. Moderate (medium) significance is attributed to sites which provide information on an established research question.

Sites with moderate significance are those that offer the potential to yield information that will contribute to the growing holistic understanding of the Aboriginal cultural landscape of the project area. Archaeological investigation of moderately significant sites will contribute knowledge regarding site type interrelationships, cultural use of landscape features and occupation patterns

Low significance is attributed to sites which cannot contribute new information about past Aboriginal use/occupation of an area. This may be due to site disturbance or the nature of the site's contents.

Aesthetic Values

Aesthetic values are often closely related to the social values of a site or broader cultural landscape. Aspects may include scenic sights, smells and sounds, architectural fabric and creative aspects of a place. No specific aesthetic values for the sites within the study area were provided by the registered Aboriginal stakeholders following the review of the draft CHAR. Archaeologically; the study area does not contain these values.

7.2 Statement of significance

The study area has cultural value for the local Aboriginal community. The identified cultural value is a feeling of attachment and responsibility for the land. These values become tangible when tied to identified Aboriginal objects found at the archaeological sites. In this way, the Aboriginal objects can be seen as exhibiting both scientific information and cultural meaning, knowledge about the past tied with social values and belief systems.

The study area contains two identified Aboriginal archaeological sites as defined under the *National Parks and Wildlife Act 1974*. Significance assessment is based on a consideration of the research value, representativeness, intactness and rarity of the sites in a local and regional context. The significance of the sites within the study area is outlined below.

MPIP 17 (AHIMS 45-5-3748)

MPIP 17 represents a commonly occurring site type, comprising a low density surface artefact scatter identified on a mid slope descending towards an ephemeral drainage line. The artefacts at the site are typical of the region in terms of type and raw material. The site has been subject to extensive disturbance from historic/contemporary land use practices and associated environmental factors. The site is located in a disturbed context and has low to nil potential for intact subsurface deposit. The recorded surface artefacts form part of a disturbed deposit. The site demonstrates low archaeological potential and scientific value and it is unlikely that further investigation could contribute to our understanding of Aboriginal landscape use in the region. Based on the intactness, representativeness and research potential of the site, MPIP 17 is determined to have low archaeological significance.

MPIP 18 (AHIMS 45-5-3749)

MPIP 18 represents a commonly occurring site type, consisting of a low density surface artefact scatter recorded on a mid slope descending towards an ephemeral drainage line. The artefacts at the site are typical of the region in terms of type and raw material. The site has been subject to extensive disturbance from historic/contemporary land use practices and associated environmental factors. MPIP 18 is located in a disturbed context and has low to nil potential for intact subsurface deposit. The recorded surface artefacts form part of a disturbed deposit. The site demonstrates low archaeological potential and scientific value and it is unlikely that further investigation could contribute to our understanding of Aboriginal landscape use in the region. Based on the intactness, representativeness and research potential of the site, MPIP 18 is determined to have low archaeological significance.

8 Impact Assessment and Mitigation Strategies

8.1 Proposed activity

Marsden Park Developments Pty Ltd proposes to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park within the Marsden Park Industrial Precinct. The proposal includes the construction of several local roads and associated infrastructure works to support the new development in the IN1 General Industrial, IN2 Light Industrial, and SP2 Infrastructure (Local Roads) zoned lands. The proposed activities associated with the subdivision and development include:

- Site subdivision;
- Vegetation clearing, demolition of minor structures and earthworks (including cut/fill operations);
- Construction of two estate roads and associated intersections;
- Stormwater infrastructure (including potential temporary estate basin);
- Construction and operation of four warehouse and distribution facilities; and
- Ancillary development including car parking, infrastructure provision and landscaping.

The proposal would effectively cover the entirety of the study area and impact sites MPIP 17 and MPIP 18. Impacts to the sites are unavoidable due to the scale of the project and requirements for the proposal. Assessed impact to the identified sites within the study area is shown on Figure 7 and listed in Table 4 below.

Table 4. Proposed impact to Aboriginal archaeological sites within the project area

Site name	AHIMS number	Type of harm	Degree of harm	Consequence of harm	Significance of harm
MPIP 17	45-5-3748	Direct	Total	Total loss of value	Low
MPIP 18	45-5-3749	Direct	Partial	Partial loss of value	Low

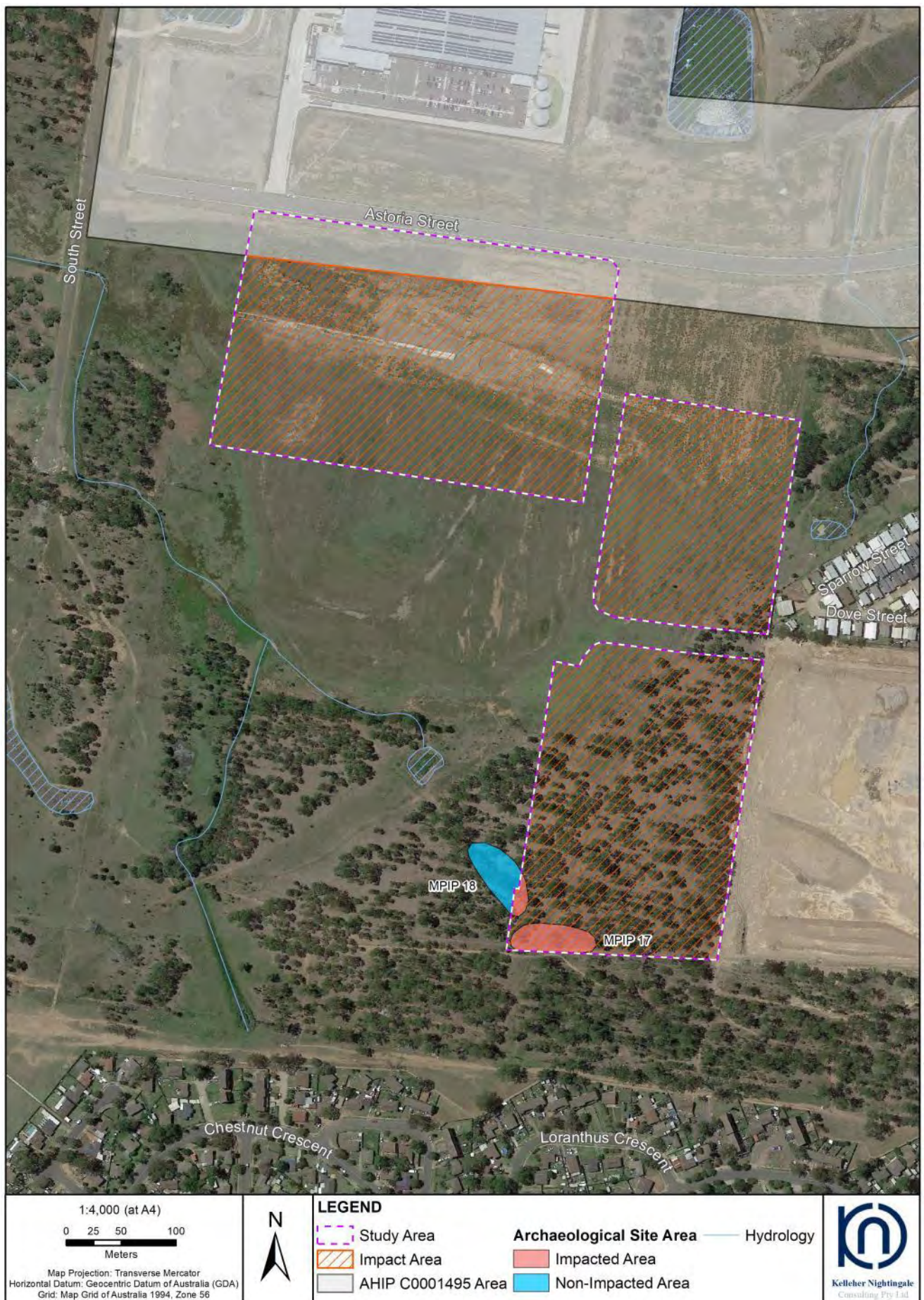


Figure 7. Impact assessment for archaeological sites in the study area

8.2 Mitigating harm

The identified Aboriginal archaeological sites recorded within the study area have been considered by Marsden Park Developments Pty Ltd in relation to the proposed warehouse development activities. Unfortunately, direct impacts to sites MPIP 17 and MPIP 18 could not be avoided for the current project due to the requirement for bulk earthworks and given the topographic context of the sites. Both MPIP 17 and MPIP 18 will be at least partially impacted by the proposal.

Archaeological mitigation (salvage) is generally recommended where sites of moderate significance or higher are to be impacted. Mitigation for the identified impact to the sites within the study area by the proposed activities in the form of salvage excavation is not warranted as both MPIP 17 and MPIP 18 are considered to display low archaeological significance based on scientific value and potential to inform on Aboriginal landscape use in the area. The impacted archaeological sites are located in a disturbed landscape context and are unlikely to retain intact subsurface archaeological deposit. Based on their assessed significance, the sites do not warrant non-practicable avoidance or conservation measures.

Consultation with Aboriginal stakeholders has determined that the loss of intrinsic Aboriginal cultural value of impacted sites cannot be offset; however, information recovered from mitigation activities is equally as valuable to the contemporary Aboriginal community. Suitable recommendations for the identified impacts to both sites have been developed based on environmental context and condition, background research and consultation with stakeholders.

Proposed mitigation measures include the collection of recorded surface artefacts at MPIP 17 and the impacted portion of MPIP 18. Measures for mitigating harm to the site are outlined in Table 5 below. Additional measures will be put in place to ensure no impacts upon the non-impacted portion of MPIP 18 (see Table 5 and Chapter 9).

Table 5. Proposed mitigation measures for impacted Aboriginal sites

Site Name	AHIMS Number	Impact Assessment	Assessed Significance	Mitigation Harm
MPIP 17	45-5-3748	Direct / Total	Low	Disturbed deposit. Community collection of surface artefacts. Relevant project approval required prior to commencement of works affecting the site.
MPIP 18	45-5-3749	Direct / Partial	Low	Disturbed deposit. Community collection of surface artefacts. Management measures to be implemented including protective fencing of non-impacted portion of site during construction. Identify non-impacted portion of site on construction environmental management plan and included within site induction to ensure no impact. Relevant project approval required prior to commencement of works affecting the site.

Method of Collection

Following project approval registered Aboriginal stakeholders for the project should be provided with an opportunity to attend site and collect the surface artefacts in accordance with the methodology below.

The objects and their location have been recorded as part of the assessment process (CHAR, archaeological survey and site card). Collection would involve the physical picking up of the objects and the completion of an Aboriginal Site Impact Recording Form (ASIRF).

9 Management Outcomes

The following general management outcomes will be implemented in accordance with the mitigation strategy for the proposal as outlined in Chapter 10.

9.1 Mitigation through the collection of surface artefacts

The archaeological sites listed in Table 6 are of low archaeological significance and will be impacted by the project.

The sites would require the collection of surface artefacts to mitigate the impact. Collection can only occur after Project Approval is obtained.

The collection must be completed prior to any activities which may harm Aboriginal objects at these site locations. The collection would be undertaken in accordance with the methodology presented in section 8.2.

Table 6. Aboriginal sites requiring mitigation (collection)

Archaeological sites requiring mitigation (collection)	
Archaeological Sites (requiring the collection of surface artefacts)	MPIP17
	MPIP18

9.2 Management of non-impacted portion of Aboriginal site MPIP 18

Impact assessment determined that MPIP 18 will be partially impacted by the proposed development. Management measures must be implemented for site MPIP 18 to ensure that the non-impacted portion of site is avoided by proposed development and construction activities. Management measures to be implemented include the demarcation of the non-impacted portion of MPIP 18 with protective fencing and identification of this area as an environmentally sensitive “no-go zone”. The site will also be identified on any construction environmental managements plans (or similar), and documented toolbox talks will be held to ensure all on-site staff and contractors are aware of obligations and requirements regarding the protection of Aboriginal heritage. Recommendations for the management and site protection for non-impacted portion of MPIP 18 include:

- The boundaries of the non-impacted portion of MPIP 18 should be demarcated with protective fencing and identified as an environmentally sensitive “no-go zone”.
- The location of the non-impacted portion of MPIP 18 should be included on construction environmental management plans (or similar) and identified as an environmentally sensitive “no-go zone”.
- All site workers inducted as to appropriate site protection measures for the non-impacted portion of MPIP 18.

10 Management Procedures

10.1 Management Policy for Aboriginal Heritage

The policy for the management and conservation of Aboriginal heritage in relation to salvage activities and construction activities (or fencing, geotechnical investigations, minor clearing, establishing site compounds, adjustment to services/utilities etc.) is described below:

Responsibility for compliance with Management Policy

1. The Proponent must ensure all of its employees, contractors and subcontractors and agents are made aware of and comply with this management policy.
2. The Proponent must appoint a suitably qualified and experienced environmental manager who is responsible for overseeing the activities related to this management policy.
3. The Proponent must appoint a suitably qualified and experienced Archaeologist who is responsible for overseeing, for and on behalf of the Proponent, the archaeological activities relating to the project.

Construction constraints

4. Where the surface collection of artefacts has been nominated for the impacted site, no construction activities (or fencing, geotechnical investigations, minor clearing, establishing site compounds, adjustment to services/utilities etc.) can occur on the lands to be investigated until the relevant surface collection at the nominated site has been completed.
5. Prior to the commencement of early works activity (e.g. fencing, minor clearing, establishing site compounds etc.) a construction heritage site map identifying the Aboriginal site requiring the collection of surface artefacts and the Aboriginal sites to be avoided (for all sites in proximity to the project boundary) must be prepared. The construction heritage site map should be prepared to the satisfaction of Marsden Park Developments Pty Ltd.
6. All employees, contractors, subcontractors and agents carrying out early works activities (e.g. fencing, minor clearing, geotechnical investigations, establishing site compounds etc) must undertake a Project induction (including the distribution of a construction heritage site map) to ensure that they have an understanding and are aware of the Aboriginal heritage issues affecting the activity.

Areas of Aboriginal archaeological sites and objects to be impacted

7. The areas of archaeological sites and objects identified as being impacted by construction activities are listed in Table 6 of this report and are in accordance with the Project Approval.

Human Remains

8. This management policy does not authorise any damage of human remains.
9. If potential human remains are disturbed the Proponent must follow the procedures outlined in section 10.2 below.

Involvement of Aboriginal groups and/or individuals

10. Opportunity must be provided to the registered Aboriginal stakeholders to be involved in the following activities:
 - a. assist with the surface collection in accordance with the methodology specified in Chapter 8.

Conservation of salvaged/collected Aboriginal objects

11. Department of Planning, Industry and Environment (DPIE), as the approval authority, will be consulted.
12. Recovered Aboriginal objects should be handled in accordance with Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* as required.

Reporting requirements

13. A written archaeological report documenting the salvage collection must be provided to Marsden Park Developments Pty Ltd within a reasonable time in accordance with the Project Approval following the completion of the archaeological program.
14. An Aboriginal Site Impact Recording Form (ASIRF) must be completed and lodged with Heritage NSW for the archaeological sites listed in Table 6 within a reasonable time after the approved activities have been completed.

Notification and reporting about incidents that breach this management policy

15. Incident reporting requirements in accordance with the Project Approval is to include Aboriginal heritage.

10.2 Procedures for Handling Human Remains

- **Note that Project Approvals do not include the destruction of Aboriginal remains**

This section outlines the procedure for handling human remains in accordance with the Skeletal Remains – Guidelines for the Management of Human Skeletal Remains under the *Heritage Act 1977* (NSW Heritage Office 1998) and the *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NPWS 1997). In the event that construction activity reveals possible human skeletal material (remains), the following procedure is to be followed:

1. as soon as remains are exposed, all work is to halt at that location immediately and the Project environmental manager on site is to be immediately notified to allow assessment and management;
 - i. stop all activities; and
 - ii. secure the site.
2. contact police, the discovery of human remains triggers a process which assumes that they are associated with a crime. The NSW Police retain carriage of the process until such time as the remains are confirmed to be Aboriginal or historic;
3. DPIE, as the approval authority, will be notified when human remains are found;
4. once the police process is complete and if remains are not associated with a contemporary crime contact DPIE. DPIE will determine the process, in consultation with Heritage NSW as appropriate;
 - i. if the remains are identified as Aboriginal, the site is to be secured and DPIE and all Aboriginal stakeholders are to be notified in writing. DPIE will act in consultation with Heritage NSW as appropriate. Heritage NSW will be notified in writing according to DPIE instructions; or
 - ii. if the remains are identified as non-Aboriginal (historical) remains, the site is to be secured and the DPIE is to be contacted. DPIE will act in consultation with the Heritage NSW as appropriate.
5. once the police process is complete and if the remains are identified as not being human work can recommence once the appropriate clearances have been given.

10.3 Procedures for Handling Unexpected Aboriginal Objects

This section outlines the procedure for handling unexpected archaeological sites and objects. In the event that construction activity reveals possible Aboriginal objects other than those identified in Table 10, the following procedure is to be followed:

1. all work is to halt at that location immediately and the Project environmental manager on site is to be immediately notified to allow assessment and management;
 - i. stop all activities; and
 - ii. secure the site.
2. contact the project archaeologist to assess the find and determine if it is consistent with the Project Approval;
 - i. if the find is consistent, the archaeologist will allow work to continue
 - ii. if the find is inconsistent, Heritage NSW will be notified as soon as practical on 131555 providing any details of the Aboriginal object and its location. Work cannot recommence unless authorised in writing by Heritage NSW.

10.4 Procedure for proposed changes to the Approved Project

Marsden Park Developments Pty Ltd recognises that during the construction of the project design alterations or other changes to the Approved Project may be required.

A proposed change to the Approved Project (such as an alteration of the current design, the location of ancillary facilities) within the project corridor may result in a:

- Reduced impact to Aboriginal cultural heritage; or an
- Increased impact to Aboriginal cultural heritage.

Note: the use of the word impact in this section is defined as an impact on the significance of Aboriginal cultural heritage rather than simply an increased physical impact.

To ensure consistency with the Approved Project and this document any change in the overall impact on Aboriginal cultural heritage will need to be considered. The process to determine consistency is outlined in section 10.4.1 below.

Where a proposed change to the Approved Project occurs outside of the project boundary considered for the EIS further heritage assessment will be required to determine if there would be an impact on Aboriginal cultural heritage and whether this represents a modification to the Approved Project (outlined below).

10.4.1. Changes in heritage impact

Where the Proponent seeks to make a change to the design and construction of the Approved Project which changes the assessed impact on Aboriginal cultural heritage the Proponent will need to prepare an assessment of the new impacts of this work in consultation with the appointed Archaeologist. The continued involvement of the Aboriginal stakeholders in this process is outlined in section 10.5.

- ♦ New impacts consistent with previously identified impacts

If a proposed change to the Approved Project is considered to have a neutral or lesser significant impact on Aboriginal cultural heritage than that identified in this document it would be considered a consistent impact.

If the proposed change is considered to be consistent with the Approved Project Marsden Park Developments Pty Ltd may approve the change with no requirements to seek further approval. However, in certain circumstances, further consultation with Aboriginal stakeholders may still be required (see section 10.5 below).

- ♦ New impacts inconsistent with previously identified impacts

If a proposed change to the Approved Project is considered to have a more significant impact on Aboriginal cultural heritage than that identified in the EIS it would be considered an inconsistent impact.

If the proposed change is considered inconsistent with the assessed impact on Aboriginal cultural heritage, as detailed in the Project Approval, Marsden Park Developments Pty Ltd would require an amendment to the mitigation measures agreed in this report. If this proposed change is considered inconsistent with the Approved Project Marsden Park Developments Pty Ltd would require a modification of the Approved Project. Further consultation with Aboriginal stakeholders will be undertaken (see 10.5 below).

10.5 Process for continued consultation with Aboriginal stakeholders

The extent to which Marsden Park Developments Pty Ltd will continue to consult with Aboriginal stakeholders is dependent upon the level of impact and whether the area was assessed as part of the EIS. The types of potential impacts are identified as reduced impacts, increased impacts or unknown impacts.

a) Reduced or neutral impact

If as a result of alterations to the project design a previously identified impact to an Aboriginal heritage item is reduced or neutral then no further consultation is required.

If as a result of alterations to the project design an impact to an Aboriginal heritage item is proposed that results in a reduced impact on the overall heritage significance of the project area (i.e. the cumulative impact is reduced), then further consultation with Aboriginal stakeholders will be undertaken. This consultation may entail a phone call and phone log of comments received or the provision of a report for comment (10 working days).

b) Increased Impact

Where as a result of alterations to the project design an impact on Aboriginal heritage is considered to be greater than identified by the Approved Project further consultation will be undertaken. This consultation will either entail a phone call and phone log of comments received or the provision of a report for comment (10 working days).

c) Unknown impacts: Assessment process

Where a proposed change is an area located outside of the project boundary assessed as part of the Approved Project the impact on Aboriginal cultural heritage is considered to be unknown. This area would require preliminary assessment to determine any impacts upon Aboriginal heritage. Should no impacts be identified then no additional consultation with Aboriginal stakeholders is required. Should potential impacts be identified, consultation with Aboriginal stakeholders will be undertaken. This consultation will entail the provision of a report for stakeholder comment (10 working days) detailing the impacts and mitigation strategies proposed.

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Appendix A Advertisement for Registration for Interest

[Back to results](#) | [All Classifieds](#) > [Notices](#) > [Notice for Registration of Interest](#)

Notice for Registration of Interest

Date listed: 17/7/2020

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinaworth Road, Marsden Park NSW 2765).

Marsden Park Developments Pty Ltd will be seeking approval through a State Significant Development (SSD) application under the NSW *Environmental Planning & Assessment Act 1979*. Marsden Park Developments Pty Ltd proposes to carry out consultation with Aboriginal communities in accordance with the Heritage NSW *Aboriginal cultural heritage consultation requirements for proponents 2010*. The purpose of this consultation process is to inform the preparation of an Environmental Impact Statement and to assist Heritage NSW (as part of the Department of Premier and Cabinet) in its consideration of the proposal. Kelleher Nightingale Consulting Pty Ltd has been engaged by Marsden Park Developments Pty Ltd to facilitate the consultation process.

Marsden Park Developments Pty Ltd invites Aboriginal groups and/or Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at Marsden Park, NSW to register interest in a process of community consultation with the contact shown below (on behalf of Marsden Park Developments Pty Ltd):

Kelleher Nightingale Consulting
Level 10, 25 Bligh Street
Sydney NSW 2000
phone 9232 5373

The closing date for registration is 31 July 2020.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names and contact details of each Aboriginal person who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Published 17/07/2020. Listed in 'Public Notices' section for Marsden Park, NSW.

Published online via *The Daily Telegraph* at: <https://www.dailytelegraph.com.au/classifieds/notices/public-notices/notice-for-registration-of-interest/5489267/>

Appendix B Aboriginal Stakeholder Comments

Zac Thomas

From: Carolyn .H <cazadirect@live.com>
Sent: Tuesday, 11 August 2020 10:46 AM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - A1

Follow Up Flag: Follow up
Flag Status: Completed



Contact: Carolyn Hickey
M: 0411 650057
E: [Cazadirect@live.com](mailto:cazadirect@live.com)
A: 10 Marie Pitt Place, Glenmore Park, NSW 2745
ACN: 639 868 876

Hi Zac,
I have reviewed the document and support the Information and Methodology.
A1 would like to be involved in any future field work.
Kind regards
Carolyn Hickey

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 31 July 2020 5:19 PM
To: Caza X <cazadirect@live.com>
Subject: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - A1

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Zac Thomas

From: Lee Field <barrabyculturalservices@gmail.com>
Sent: Tuesday, 4 August 2020 11:15 AM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - BCS

Dear Zac

Barraby supports the methodology for this project

Thanks
Lee Field

On 31 Jul 2020, at 5:20 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

<4.2-4.3_BCS_310720.pdf>

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Zac Thomas

From: Lilly Carroll <didgengunawalclan@yahoo.com.au>
Sent: Saturday, 1 August 2020 8:36 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - DNC

Hi Zac

DNC agrees to all proposals of the methodology

Kind regards DNC
Paul Boyd & Lilly Carroll
0426823944

Sent from myMail for iOS

Friday, 31 July 2020, 5:23 pm +1000 from Zac Thomas <zac.thomas@knconsult.com.au>:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed

warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Zac Thomas

From: philip.khan <philipkhan.acn@live.com.au>
Sent: Monday, 24 August 2020 8:34 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG

Follow Up Flag: Follow up
Flag Status: Completed

Dear Zac,

I have reviewed your methodology for Sydney Business Park, within the Marsden Park Industrial Precinct, this area is highly significant to us Aboriginal People & it is also near Bells Creek, therefore I agree to your methodology recommending further testing is required.

Warm regards

Phil Khan



From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 31 July 2020 5:25 PM
To: philip.khan <philipkhan.acn@live.com.au>
Subject: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Zac Thomas

From: Darleen Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Wednesday, 5 August 2020 5:36 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - MBMAC

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac
I have read the project information and methodology for the above project, I endorse the recommendations made.
Kind regards
Darleen Johnson

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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<http://www.mailguard.com.au/mg>

Zac Thomas

From: jesse johnson <muragadi@yahoo.com.au>
Sent: Thursday, 6 August 2020 12:06 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - MHIC

Hi Zac,
I have read the project information and methodology for the Sydney business park, Marsden Park. I agree with the recommendations made.
Thanks
Jesse Johnson

On Friday, 31 July 2020, 05:26:18 pm AEST, Zac Thomas <zac.thomas@knoconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed

warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

Zac Thomas

From: Phillip Boney <Waarlan12@outlook.com>
Sent: Sunday, 2 August 2020 9:06 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - WAG

Hi Zac,

Phil Boney here. I have read the methodology report for this project and I do not have any issues about this project or its methodology. Thank you.

With regards, Phil Boney
Wailwan Aboriginal Group

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 31 July 2020 12:27 AM
To: Phillip Boney <Waarlan12@outlook.com>
Subject: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - WAG

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Arika Jalomaki <yulayculturalservices@gmail.com>
Sent: Thursday, 27 August 2020 1:06 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - YCS

Dear Zac,

I on behalf of Yulay cultural service's support the methodology for the above project.

Kind regards,
Arika Jalomaki

On Fri, 31 Jul 2020 at 5:29 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed

warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal

cultural heritage assessment for the project.

Zac Thomas

From: Bo <yurraandaali_cs@hotmail.com>
Sent: Thursday, 6 August 2020 8:16 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - Yurraandaali

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac

Yurraandaali supports the methodology associated with this project

Thanks
Bo Field

On Fri, 31 Jul 2020 at 5:30 pm, Zac Thomas <zac.thomas@kncconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed

warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas

From: Carolyn .H <cazadirect@live.com>
Sent: Sunday, 6 September 2020 9:58 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - A1



Contact: Carolyn Hickey
M: 0411 650057
E: [Cazadirect@live.com](mailto:cazadirect@live.com)
A: 10 Marie Pitt Place, Glenmore Park, NSW 2745
ACN: 639 868 876
ABN: 31 639 868 876

Hi,
I have reviewed the document and support the Draft ACHAR.
A1 would like to be involved in any future Meetings and field work.
Kind regards
Carolyn Hickey

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Monday, 31 August 2020 4:58 PM
To: Caza X <cazadirect@live.com>
Subject: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - A1

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd

Zac Thomas

From: justinecoplin@optusnet.com.au
Sent: Thursday, 3 September 2020 10:46 AM
To: Zac Thomas
Subject: Proposed Cultural Heritage Assessment Report Methodology
Attachments: Proposed Cultural Heritage Assessment Report Methodology.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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<http://www.mailguard.com.au/mg>

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DARUG CUSTODIAN

ABORIGINAL CORPORATION



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne Watson
0414962766 Justine Coplin
EMAIL: mulgokiwi@bigpond.com / justinecoplin@optusnet.com.au

Attention: KNC

Date: 03/09/2020

Subject: Proposed Cultural Heritage Assessment Report Methodology 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Dear Zac

Our group is a non-profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

Our group promotes Darug Culture and works on numerous projects that are culturally based as a proud and diverse group. It has been discussed by our group and with many consultants and researches that our history is generic and is usually from an early colonists perspective or solely based on archaeology and sites. These histories are adequate but they lack the people's stories and parts of important events and connections of the Darug people and also other Aboriginal people that now call this area home and have done so for numerous generations.

This area is significant to the Darug people due to the evidence of continued occupation, within close proximity to this project site there is a complex of significant sites.

Landscapes and landforms are significant to us for the information that they hold and the connection to Darug people. Aboriginal people (Darug) had a complex lifestyle that was

based on respect and belonging to the land, all aspects of life and survival did not impact on the land but helped to care for and conserve land and the sustenance that the land provided. As Darug people moved through the land there were no impacts left, although there was evidence of movement and lifestyle, the people moved through areas with knowledge of their areas

and followed signs that were left in the landscape. Darug people knew which areas were not to be entered and respected the areas that were sacred.

Knowledge of culture, lifestyle and lore have been part of Darug people's lives for thousands of years, this was passed down to the next generations and this started with birth and continued for a lifetime. Darug people spent a lifetime learning and as people grew older they passed through stages of knowledge, elders became elders with the learning of stages of knowledge not by their age, being an elder is part of the kinship system this was a very complicated system based on respect.

Darug sites are all connected, our country has a complex of sites that hold our heritage and past history, evidence of the Darug lifestyle and occupation are all across our country, due to the rapid development of Sydney many of our sites have been destroyed, our sites are thousands of years old and within the short period of time that Australia has been developed pre contact our sites have disappeared.

The *Aboriginal cultural heritage consultation requirements for proponents* Section 4.1.8 refers to "Aboriginal organisations representing Aboriginal people who hold cultural knowledge". Recent consultation meetings have revealed that many of these Aboriginal organisations and individuals do not hold cultural knowledge of the Western Sydney area. The increasing involvement of such parties in cultural heritage management means that genuine local Aboriginal organisations are unable to properly care for our cultural heritage.

Many Aboriginal organisations listed in the OEH response letter do not contribute to the Aboriginal community of Western Sydney. Individuals listed in the OEH response letter do not represent the community and while they may be consulted with, should not be employed for their own personal financial benefit.

Our organisation is committed to providing benefits back to our local Aboriginal community through such measures as funding the local Aboriginal juniors' touch football team, painting classes for the local children and donating money to various charities. Employment in cultural heritage activities is source of income that organisations such as ours can use to contribute to beneficial activities and support within the community.

Darug custodian Aboriginal Corporation's site officers have knowledge of Darug land, Darug Culture, Oral histories, landforms, sites, Darug history, wildlife, flora and legislative

requirements. We have worked with consultants and developers for many years in Western Sydney (Darug Land) for conservation, site works, developments and interpretation/education strategie

Darug Custodian Aboriginal Corporation have received and reviewed the Proposed Cultural Heritage Assessment Report Methodology.

We look forward to receiving the methodology for review for this project.

Please contact us with all further enquiries on the above contacts.

Regards



Justine Coplin

Zac Thomas

From: lilly carroll <didgengunawalclan@yahoo.com.au>
Sent: Monday, 31 August 2020 6:30 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - DNC

Hi Zac,

As always DNC he's happy for the methodology towards the project at Sydney business Park Marsden Park

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC

[Sent from Yahoo Mail for iPhone](#)

On Monday, August 31, 2020, 5:02 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Zac Thomas

From: philip.khan <philipkhan.acn@live.com.au>
Sent: Tuesday, 29 September 2020 2:39 PM
To: Zac Thomas
Subject: RE: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - KYWG

Hi Zac,

Thank you for your Draft CHAR, to us Aboriginal People this area still holds high significance & spiritual feelings as it was a area that our people camped & there could be the possibility of burial sites. I understand where you are coming from and support your impact to the site in the form of salvage excavation is not warranted in this place, I would like to see that the area is monitored by a archaeologist & Aboriginal Reps. MP1P17 AHIMS 45 – 5-3748 & MP1P18 AHIMS 45 – 5 – 3749 & support all your recommendations that the Non-Impacted Portion of the situ is divided by Proposed Development & Construction activities management measures to be implemented including demarcation of MP1P with protective fencing & identification of this area as a environmental sensitive "No Go Zone", I think this will make our spirit people happy & our people still at Bidwill.

Kind Regards
 Phil Khan



Sent from [Mail](#) for Windows 10

From: [Zac Thomas](#)
Sent: Monday, 31 August 2020 5:03 PM
To: [philip.khan](#)
Subject: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - KYWG

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Zac Thomas

From: Darleen Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Thursday, 3 September 2020 5:25 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - MBMAC

Hi Zac,
I have read the project information and ACHAR for the above project, I endorse the recommendations made
Kind regards
Darleen Johnson

On Monday, 31 August 2020, 05:03:29 pm AEST, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

Zac Thomas

From: Phillip Boney <Waarlan12@outlook.com>
Sent: Tuesday, 1 September 2020 8:54 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - WAG

Hi Zac,

Phil here. At this stage I have nothing more to add to this assessment regarding Aboriginal cultural heritage you guys did a great job in that respect.

Regards, Phil Boney
Wailwan Aboriginal Group

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Monday, 31 August 2020 12:04 AM
To: Phillip Boney <Waarlan12@outlook.com>
Subject: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - WAG

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas
Refugee Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Appendix C AHIMS Search Results

Office of
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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 1947

Client Service ID : 521834

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2031	MP3 Marsden Park	GDA	56	298664	6266959	Open site	Destroye d	Artefact :-	Open Camp Site	4152
	Contact	Recorders						Permits		
45-5-2032	MP4 Marsden Park	GDA	56	299144	6267239	Open site	Destroye d	Artefact :-	Open Camp Site	4152
	Contact	Recorders						Permits		
45-5-2040	MP 12 Marsden Park	GDA	56	299115	6267040	Open site	Destroye d	Artefact :-	Open Camp Site	4152
	Contact	Recorders						Permits		
45-5-3315	Western Sydney 3	GDA	56	298624	6266125	Open site	Valid	Artefact :-	3909	100554
	Contact Searle	Recorders						Permits		
45-5-2380	SROS1:	AGD	56	297880	6266910	Open site	Valid	Artefact :-	Open Camp Site	3759
	Contact	Recorders						Permits		
45-5-3863	MPIP 31	AGD	56	297712	6266594	Open site	Valid	Artefact : 4		
	Contact Deerubbin LALC	Recorders						Permits		
45-5-3864	MPIP 29	AGD	56	297610	6266194	Open site	Valid	Artefact : 5		
	Contact Deerubbin LALC	Recorders						Permits		
45-5-3865	MPIP 30	AGD	56	297491	6266623	Open site	Valid	Artefact :-		
	Contact Deerubbin LALC	Recorders						Permits		
45-5-1022	ADI-17:	AGD	56	298950	6266040	Open site	Valid	Artefact :-	Open Camp Site	
	Contact	Recorders						Permits		
45-5-2381	SROS2:	AGD	56	297720	6267160	Open site	Valid	Artefact :-	Open Camp Site	3759
	Contact	Recorders						Permits		
45-5-2382	SROS7:	AGD	56	297800	6267210	Open site	Valid	Artefact :-	Open Camp Site	3759
	Contact	Recorders						Permits		
45-5-2384	SROS5:	GDA	56	297944	6266709	Open site	Valid	Artefact :-	Open Camp Site	3759
	Contact	Recorders						Permits		
45-5-2386	SROS3:	AGD	56	297720	6267120	Open site	Valid	Artefact :-	Open Camp Site	3759
	Contact	Recorders						Permits		
45-5-3744	MPIP 15	GDA	56	299090	6266400	Open site	Valid	Artefact : 1		
	Contact	Recorders						Permits		
45-5-3745	MPIP 15A	GDA	56	299072	6266474	Open site	Valid	Artefact : 1		
	Contact	Recorders						Permits		
45-5-3747	MPIP 16	GDA	56	299143	6266957	Open site	Valid	Artefact : 2		
	Contact	Recorders						Permits		
45-5-3748	MPIP 17	GDA	56	298438	6266288	Open site	Valid	Artefact : 2		
	Contact	Recorders						Permits		

Report generated by AHIMS Web Service on 21/07/2020 for Matthew Kelleher for the following area at Datum :GDA, Zone : 56, Eastings : 297387 - 299192, Northings : 6265766 - 6267406 with a Buffer of 0 meters. Additional Info : Arch Assessment. Number of Aboriginal sites and Aboriginal objects found is 32

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Page 1 of 2



Office of
Environment
& Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 1947

Client Service ID : 521834

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-3749	MPIP 18	GDA	56	298368	6266361	Open site	Valid	Artefact : 9		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-3750	MPIP 19	GDA	56	298236	6266549	Open site	Valid	Artefact : 2		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>	3928	
45-5-3751	MPIP 20	GDA	56	297986	6266350	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-3752	MPIP 21	GDA	56	298020	6266770	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-3753	MPIP 21A	GDA	56	297998	6266831	Open site	Valid	Artefact : 4		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-3754	MPIP 22	GDA	56	298150	6267010	Open site	Destroye d	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi					<u>Permits</u>	3909	
45-5-3755	MPIP 22A	GDA	56	298160	6266975	Open site	Destroye d	Artefact : 3		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi					<u>Permits</u>	3909	
45-5-3756	MPIP 23	GDA	56	298170	6267395	Open site	Destroye d	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi					<u>Permits</u>	3909	
45-5-2034	MP5 Marsden Park	GDA	56	299154	6267359	Open site	Destroye d	Artefact : -	Open Camp Site	4152
	<u>Contact</u>	<u>Recorders</u>	Helen Brayshaw,Matthew Kelleher,Ms.Laila Haglund,Kelleher Nightingale Consulti					<u>Permits</u>		
45-5-4179	MPP-16	GDA	56	297789	6266917	Open site	Valid	Artefact : 3		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-4180	MPP-17	GDA	56	297954	6266788	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-4620	MPIP PAD 3	GDA	56	298179	6266413	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd					<u>Permits</u>		
45-5-5217	South St 2	GDA	56	298056	6266363	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	OzArk Environmental and Heritage Management, Miss Stephanie Rusden					<u>Permits</u>		
45-5-4904	South St 1	GDA	56	298002	6266477	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Eco Logical Australia Pty Ltd - Sydney - Individual users,Beebe Tyler					<u>Permits</u>		
45-5-4894	Hollinsworth Industrial IF2	GDA	56	298648	6266553	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Oliver Brown,Associate s,Archaeology and Heritage					<u>Permits</u>	4171	

Report generated by AHIMS Web Service on 21/07/2020 for Matthew Kelleher for the following area at Datum :GDA, Zone : 56, Eastings : 297387 - 299192, Northings : 6265766 - 6267406 with a Buffer of 0 meters. Additional Info : Arch Assessment. Number of Aboriginal sites and Aboriginal objects found is 32

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

Page 2 of 2