

22 January 2020

Bonnie Simeonov
Senior Delivery Manager
Charter Hall
Email: bonnie.simeonov@charterhall.com.au

Dear Bonnie

Re: Aboriginal heritage advice for Horsley Drive Business Park Stage 2 State Significant Development Application
Our Ref: Matter 31471

Biosis Pty Ltd has been commissioned by Charter Hall to provide Aboriginal heritage advice for the proposed Horsley Drive Business Park Stage 2 State Significant Development Application (SSD 10404) at 5-25 Trivet Street and 130-156 Cowpasture Road, Wetherill Park New South Wales (NSW) 2164 (the study area) (Lots 17-22 DP 13961 and Lot 2 DP 1212087) (Figure 1 and Figure 2). The project involves bulk earthworks across the entirety of the study area, and the construction of a large warehouse facility in the southern portion of it (Figure 3). Biosis was previously engaged in 2016 by the Western Sydney Parklands Trust (WSPT) in order to complete an Aboriginal Cultural Heritage Assessment (ACHA) for the original SSD application (SSD 7664) for the project. The purpose of this advice is to supplement the original ACHA completed by Biosis and provide advice relating to Lot 17 DP 13961, which was not included as a part of the original SSD application.

This letter of advice will present a summary of work completed to the within the study area, an updated search of the Aboriginal Heritage Information Management System (AHIMS) database to determine the presence or absence of registered Aboriginal sites within the study area, a supplementary survey of Lot 17 DP 13961, and recommendations to guide the proposed SSD application.

Previous work undertaken in the study area

Biosis was engaged by WSPT to complete an ACHA and Archaeological Report (AR) (Biosis Pty Ltd 2016a, Biosis Pty Ltd 2016b) in advance of the proposed Horsley Drive Business Park Stage 2 SSD application (SSD 7764). Biosis' assessment was undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010a) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects In NSW* (DECCW 2010b) and included background research, Aboriginal consultation, and archaeological survey of the study area to inform an assessment of cultural and archaeological values within it.

The Aboriginal consultation process did not identify any specific cultural associations with the study area, but did note that it is located in close proximity to Prospect Hill and the Prospect area generally, which were of high cultural significance to the Aboriginal community, and that the local area was of spiritual and cultural significance (Biosis Pty Ltd 2016a, p.26)

Biosis' archaeological assessment did not identify any previously recorded Aboriginal sites within the study area. The results of Biosis' background research suggested that locally Aboriginal sites were likely to be identified in close proximity to sources of water, natural rises in the landscape, or in close proximity to

resource gathering areas. Predictive modelling undertaken by Biosis suggested that the potential existed for artefact sites, culturally modified trees, and potential archaeological deposits (PADs) to exist within the study area, as outlined in Table 1.

Table 1 Aboriginal site prediction statements (Biosis Pty Ltd 2016b, p.34)

Site type	Site description	Potential
Flaked stone artefact scatters and isolated artefacts	Artefact scatter sites can range from high-density concentrations of flaked stone and ground stone artefacts to sparse, low-density 'background' scatters and isolated finds.	High: stone artefact sites have been previously recorded in the region across a wide range of landforms. They have a high potential to be present in undisturbed areas within the study area.
Potential Archaeological Deposits (PADs)	Potential sub surface deposits of cultural material.	High: PADs have been previously recorded in the region across a wide range of landforms in the local area. They have the potential to be present in undisturbed landforms.
Scarred trees	Trees with cultural modifications	Moderate: this is a common site type in the local area. The study area has been subject to extensive land clearance, but aerials show some stands of vegetation present within the study area, indicating the potential for this site type to be present.

The archaeological survey sampled all landforms within the study area, and targeted those areas considered to have higher potential to contain Aboriginal sites, such as areas in close proximity to water sources. It was noted that the Upper Canal is in close proximity to the study area, however this is not a natural water source, and was not considered to be indicative of the potential for Aboriginal sites to be present.

The survey did not identify any Aboriginal sites, being heavily hampered by poor ground surface visibility and disturbance. Overall visibility within the study area was low, a result of dense vegetation cover. Most areas of visibility present were typically caused by disturbance, such as excavation, and had removed or eroded the natural ground surface exposing clay subsoils. Evidence of modern land use activities such as furrows associated with cultivation were also noted in the study area. The southern portion of the study area was undergoing bulk earthworks at the time of assessment, and was not surveyed for this reason, but was assessed as being heavily disturbed. Biosis' effective survey coverage was best on crests and slope, covering 20.60% and 9.48% of each of these landforms respectively, with the remaining landforms showing 0% effective survey coverage.

The archaeological survey did not identify any Aboriginal sites or areas of archaeological potential. This was due in large part to the low ground surface visibility within the study area. When compared with a previous assessment undertaken immediately to the south of the site by Dominic Steele Consulting Archaeology (2012), it was found that the results of Biosis' assessment were largely consistent. Both assessments attributed this to the lack of raw material resources in the vicinity of the site, and the lack of major water sources in close proximity to it, with Biosis concluding:

"The distance of the site from a permanent watercourse would have made the study area unsuitable for the long term occupation, while the shallow top soils present on crests within study area and subsequent disturbances would be unlikely to preserve Aboriginal sites left by sporadic use. As such, the proposed works are unlikely to impact on any unknown Aboriginal sites as the entire study area has been assessed as having low archaeological potential" (Biosis Pty Ltd 2016b, p.48).

Background research

An extensive search of the AHIMS database was conducted on 14 January 2020 (Client service ID: 476549). The search identified 99 Aboriginal archaeological sites within a seven kilometre search area, centred on the proposed study area (Table 2). The search area remained the same as that of the previous Biosis (2016b) assessment, which also returned 99 results (Figure 4). The mapping coordinates recorded for these sites were checked for consistency with their descriptions and location on maps from Aboriginal heritage reports where available. These descriptions and maps were relied where notable discrepancies occurred.

Table 2 AHIMS Sites within the vicinity of the study area

Site type	Number of occurrences (n)	Frequency (%)
Aboriginal ceremony and dreaming, Artefact	2	2.02
Artefact	84	84.85
Artefact, Modified tree	1	1.01
Artefact, Modified tree, PAD	1	1.01
Modified tree	3	3.03
PAD	8	8.08
Total	99	100.00

A simple analysis of the Aboriginal cultural heritage sites registered within 7 kilometres of the study area indicates that the dominant site type is stone artefacts, present at 84 of the 99 identified sites (84.89%), followed by PADs, present at nine of 99 identified sites (9.09%). Culturally modified trees and Aboriginal ceremony and dreaming sites are comparatively less common, present at 3.03% and 2.02% of recorded sites respectively.

One new Aboriginal site, UC IA 17 (AHIMS#45-5-5047) has been registered in close proximity to the study area since the original assessment was completed in 2016. Based on a review of the AHIMS search data, it has been determined that this site consists of an isolated artefact, with its registered co-ordinates placing it outside of the study area within the easement of the Upper Canal.

Based on the results of the AHIMS search, it has been determined that there are no registered Aboriginal sites present within the study area.

Visual inspection

A visual inspection of Lot 17 DP 13961 was undertaken on 20 January 2020 by James Cole (Consultant Archaeologist, Biosis). The visual inspection consisted of a systematic survey of the study area to identify and record any Aboriginal archaeological sites visible on the surface or areas of Aboriginal archaeological potential and cultural sensitivity. The archaeological survey was conducted on foot. The methods used during the visual inspection conformed to Requirements 5 to 8 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010b).

Lot 17 DP 13961 is located across an undulating landform, with the majority of the study area consisting of gentle slopes. The relative high points within the study area are along its eastern and western boundaries, sloping down toward its centre (Plate 1). Overall visibility within Lot 17 DP 13961 was variable. Areas of higher visibility (approaching 100%) were identified in exposures along existing vehicle tracks along the perimeter of the site, and in erosion scours within vegetated areas (Plate 2). The lot itself is presently used as a market garden, and extensive disturbance as apparent associated with this use (Plate 2 and Plate 3). This includes ploughing (with plough lines visible on existing aerial images), the establishment of tracks throughout the study area, the establishment of structures associated with market gardening within the study area (Plate 3), and landscape modification, including levelling works in the western part of the study area adjacent the Upper Canal curtilage (Plate 2), and the establishment of a small dam near the centre of the lot (Plate 4).

Overall, areas of exposure encompassed approximately 20% of the overall study area, with around 70% visibility within these areas, however, it should be noted that the disturbance associated with the establishment of tracks included the removal of topsoil profiles, exposing clay in some areas, and the introduction of road base, which obscured the ground surface in other areas. Overall survey coverage was around 14% with no Aboriginal objects being identified within Lot 17 DP 13961.

Biosis' assessment of potential for Lot 17 DP 13961 remains consistent with the remainder of the study area. Owing to the distance to reliable sources of water, combined with heavy disturbance associated with modern land use activities and shallow topsoil profiles, it is considered that there is a low potential for intact subsurface archaeological deposits to be present within the study area. The results of this survey are shown in Figure 5.

During the survey of Lot 17 DP 13961, the remainder of the study area was observed from its northern boundary to determine if and clear or obtrusive changes had occurred since the original survey was completed. The study area appeared to be in much the same condition, and is heavily vegetated.

Aboriginal heritage advice

Based on the results of this assessment, and a review of the proposed impacts within Lots 17-22 DP 13961 and Lot 2 DP 1212087, Biosis is of the opinion that there is a low potential for Aboriginal sites or areas of archaeological potential to be present within the study area. Therefore there is no requirement for further archaeological assessment in advance of the proposed works. In Biosis' previous assessment (Biosis Pty Ltd 2016a, Biosis Pty Ltd 2016b), a number of recommendations were made relating to the identification of unexpected finds within the study area. Provision should be made during construction for the management of any unexpected Aboriginal objects which may be identified on site. Biosis has updated the relevant recommendations below:

Discovery of unanticipated Aboriginal objects

All Aboriginal objects and places are protected under the *National Parks and Wildlife Act 1974* (NPW Act). It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Environment, Energy and Science Group (EES) of the Department of Planning, Industry and Environment. Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the EES and Aboriginal stakeholders.

Discovery of Aboriginal ancestral remains

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains
2. Notify the NSW Police and EES' Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location
3. Not recommence work at that location unless authorised in writing by EES.

Please contact me if you have any enquiries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'James Cole', written over a large, light grey 'DRAFT' watermark.

James Cole
Consultant Archaeologist

References

Biosis Pty Ltd 2016a, *Horsley Drive Business Park Stage 2 (SSD 7664) Aboriginal Cultural Heritage Assessment Report*, Report to Western Sydney Parklands Trust.

Biosis Pty Ltd 2016b, *Horsley Drive Business Park Stage 2 (SSD 7664) Archaeological Report*, Report for Western Sydney Parklands Trust.

DECCW 2010a, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment and Climate Change, Sydney NSW.

DECCW 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment and Climate Change, Sydney NSW.

Dominic Steele Consulting Archaeology 2012, *Aboriginal and non-Aboriginal Archaeological & Cultural Heritage Assessment Horsley Drive Business Park The Horsley Drive & Cowpasture Road, Horsley Park, NSW.*, Report to Western Sydney Parklands Trust.

OEHS 2011, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*, Office of Environment and Heritage.

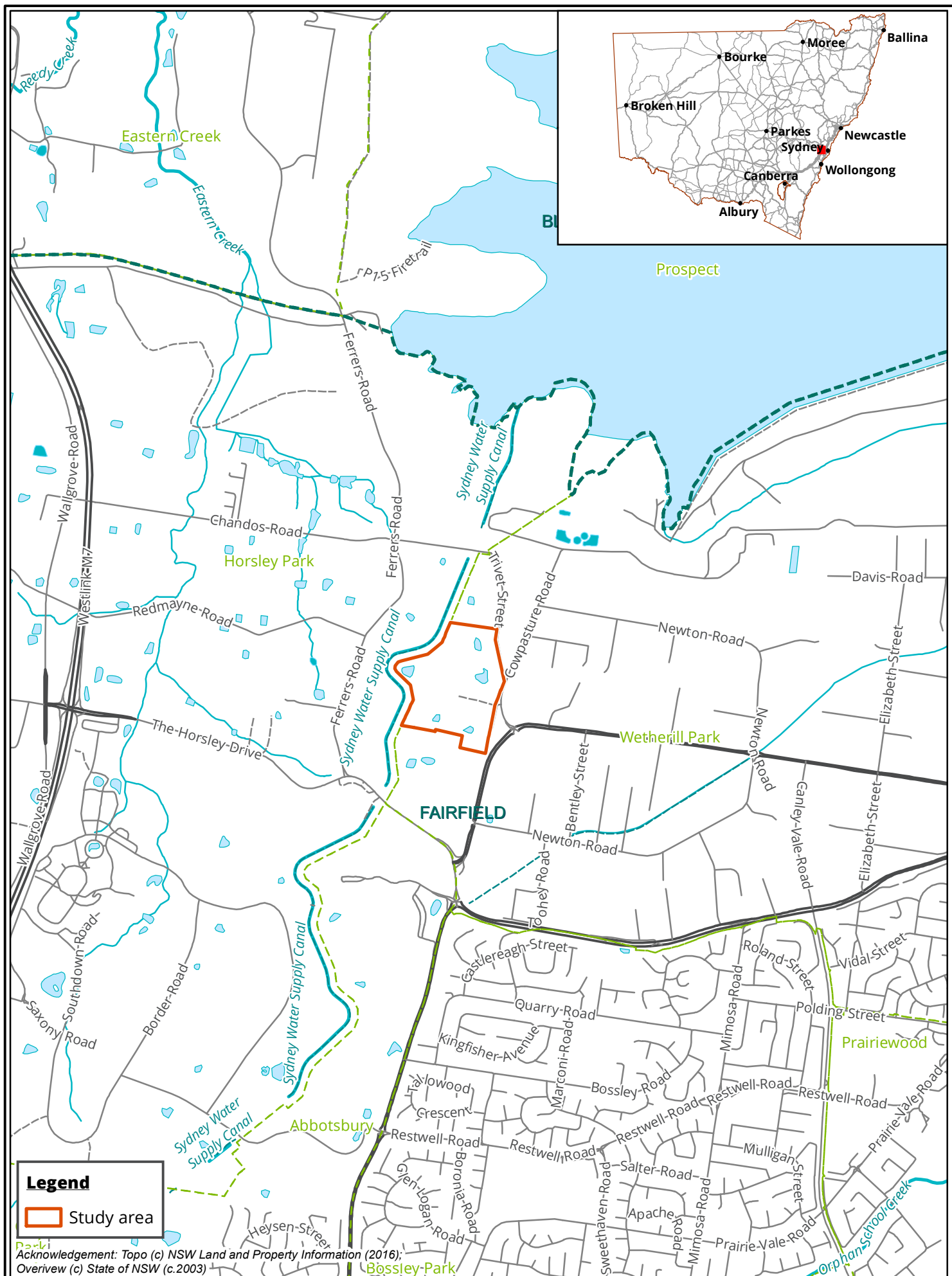
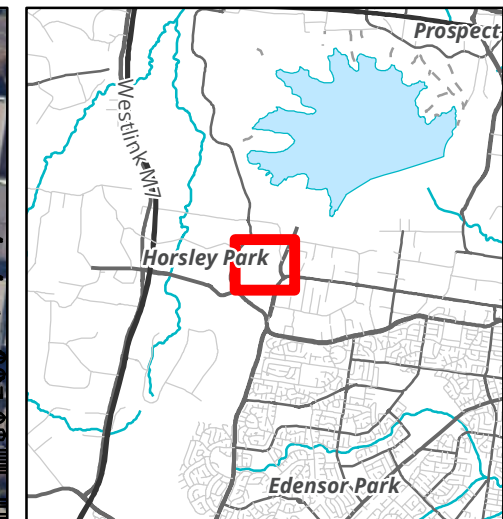


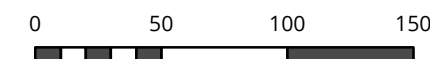
Figure 1 Location of the study area



Legend

- Study area
- Proposed works
- Proposed earthworks

Figure 3 Proposed development

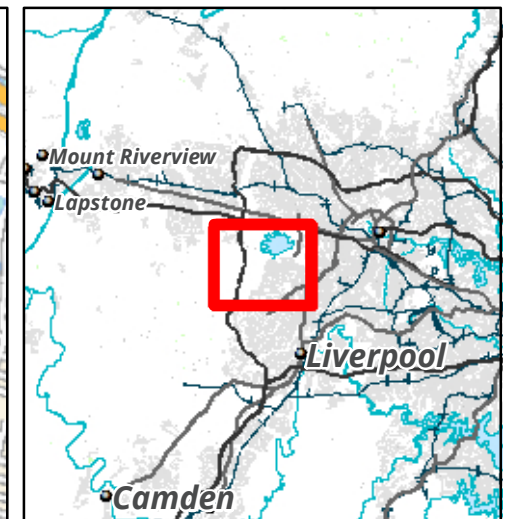


Metres
Scale: 1:3,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Albury, Ballarat, Melbourne,
Newcastle, Sydney, Wangaratta & Wollongong

Matter: 31471
Date: 22 January 2020,
Checked by: JAC, Drawn by: AEDM, Last edited by: amurray
Location: P:\31400s\31471\Mapping\31471_F3_ProposedDevelopment



Legend

- Study area
- AHIMS record

Figure 4 AHIMS search results in the vicinity of the study area

NOT TO BE MADE PUBLIC

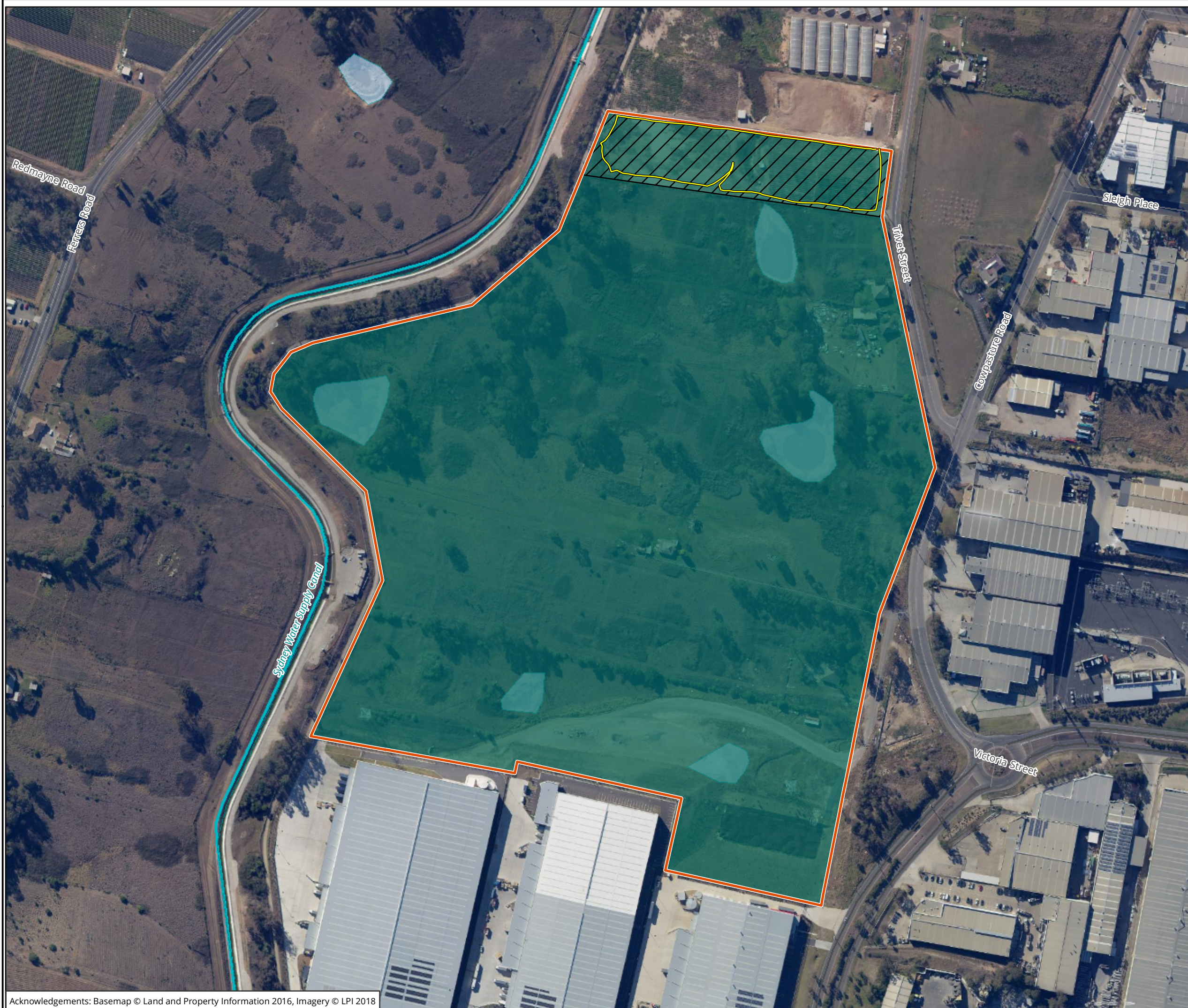
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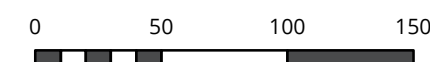
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- Study area
- Survey area
- Survey tracks

ArchPotential

- Low

Figure 5 Survey results



Metres
Scale: 1:3,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



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Plate 1 **General landscape of the study area, view west-south-west**



Plate 2 **Area of exposure associated with vehicle tracks and landscaping, view south-west**



Plate 3 **Market gardening within the study area, view north**



Plate 4 **Small dam in the centre of the study area, view north-west**