



Murwillumbah Education Campus

Aboriginal cultural heritage assessment

Prepared for Built, on behalf of Schools Infrastructure NSW

7 March 2022





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SYDNEY

Ground Floor, 20 Chandos Street
St Leonards NSW 2065
T 02 9493 9500

NEWCASTLE

Level 3, 175 Scott Street
Newcastle NSW 2300
T 02 4907 4800

BRISBANE

Level 1, 87 Wickham Terrace
Spring Hill QLD 4000
T 07 3648 1200

ADELAIDE

Level 4, 74 Pirie Street
Adelaide SA 5000
T 08 8232 2253

MELBOURNE

Ground Floor, 188 Normanby Road
Southbank VIC 3006
T 03 9993 1905

PERTH

Suite 9.02, Level 9, 109 St Georges Terrace
Perth WA 6000
T 02 9339 3184

CANBERRA

Suite 2.04, L2, 15 London Circuit
Canberra City ACT 2601

Murwillumbah Education Campus

Aboriginal Cultural Heritage Assessment

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Prepared by



Taylor Reid
Archaeologist
7 March 2022

Approved by



Dr Alan Williams
National Technical Director, Aboriginal Heritage
7 March 2022

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Executive Summary

The NSW Department of Education – School Infrastructure have proposed the development of an education campus, including a primary school and high school, at the Murwillumbah High School site (hereafter referred to as the ‘study area’). The Murwillumbah Education Campus will bring together students from Murwillumbah Primary School, Murwillumbah East Primary School, Murwillumbah High School, and Wollumbin High School. At the time of preparing this report the detailed design plans are not yet available; however, the proposed works involve the demolition of existing buildings, refurbishment of selected buildings, and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school.

This report forms part of the Secretary’s Environmental Assessment Requirements (SEARs) for the Murwillumbah Education Campus (ref SSD-16848913). As part of the environmental assessment and approval requirements, an investigation of the potential impacts to Aboriginal heritage from these works is required. EMM Consulting Pty Ltd (EMM) has been engaged to prepare an Aboriginal Cultural Heritage Assessment (ACHA) of the proposed refurbishment of Murwillumbah Education Campus. The ACHA presents the findings of the Aboriginal community consultation process and archaeological field investigations to identify tangible and intangible cultural values of the study area, and provides information on the location, distribution and significance of Aboriginal objects within the study area. It assesses the likelihood of harm to objects and cultural values that may occur as a result of the proposed development and makes recommendations for the management of Aboriginal cultural heritage within the site.

The assessment adopted the processes and methods outlined in the Heritage NSW’s *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010). Following notification of 18 potentially interested Aboriginal organisation, five responded and were registered for subsequent consultation through the project. A one-day survey program included the participation of four of these organisations, including the Tweed Byron Local Aboriginal Land Council (TBLALC), Jackie McDonald, Jason McDonald and Paul Buxton and their representatives.

Desktop information from the broader region indicates that the cultural material where present would primarily be in the form of Aboriginal stone artefacts and/or Aboriginal Ceremony and Dreaming sites. Stone artefacts may be present on the surface of hills and ridges as well as along watercourses. Subsurface cultural materials have the potential to be located in the top 50 cm of topsoil on hills and ridges and potentially up to 2 m deep in alluvial environments such as along the Tweed River and floodplain where developments have not completely disturbed these landscapes. Aboriginal Ceremony and Dreaming Sites can occur anywhere in the landscape but tend to be associated with landscape features such as mountain peaks and/or ridgelines and crests.

An initial due diligence assessment of the site, including further historical review of the nearby water courses, identified significant disturbance through the 20th Century, and it was considered unlikely that cultural materials would survive (if ever present). As such, it is considered that the proposed development is unlikely to have an impact upon tangible cultural material. The ACHA continued these investigations without revising the initial conclusions; and further focussed on intangible values. While no intangible values were present on the site, the RAPs did highlight the view-lines to Wollumbin (Mount Warning), a significant cultural place, some 7 km south-west of the study area and Hospital Hill, another significant cultural place located 1.3 km north-east of the study area. As such, they advised that the study area was a suitable location to allow the school to provide opportunity for connection and teaching of this site and broader cultural history. It was also discussed that while the buildings may have removed subsurface cultural materials, there is potential for the red soils of the Cudgen soil landscape to be present. This would connect the site to the broader Young Man and the Kangaroo Dreaming story of the region.

The project is being assessed under Division 4.7 of the *Environmental Planning and Assessment Act 1979* (the Act). As such, the following recommendations are made to be included within the Minister’s Conditions of Approval (MCoA), with regards to Aboriginal cultural heritage (see Section 10.1 for further discussion):

- Prior to ground disturbance, an Aboriginal cultural heritage management plan (ACHMP) must be developed by a heritage specialist in consultation with the Aboriginal stakeholders and consent authority to provide the post-approval framework for managing Aboriginal heritage within the study area. The ACHMP should include the following issues:
 - processes, timing, and communication methods for maintaining Aboriginal community consultation and participation through the remainder of the project;
 - descriptions and methods of any additional investigative and/or mitigative archaeological actions that may be required prior to works commencing or during the project. These may include cultural inductions for all personnel and subcontractors outlining the past history and sensitivity of the region, archival recording, archaeological excavation and/or cultural monitoring for any areas where the surface impacts of the project intersect the identified Aboriginal objects and/or sites, and/or areas of archaeological sensitivity, and any additional requirements identified by the Aboriginal community;
 - description and methods for undertaking further Aboriginal heritage assessment, investigation and mitigation of any areas of the project development footprint that have changed following completion of the Aboriginal heritage assessment and/or during the final design and construction phases of the project;
 - description and methods of post-excavation analysis and reporting of any archaeological investigations and activities implemented as part of the ACHMP. For excavations, these should include suitable collection and processing of stone artefacts, and chronological, soil, and environmental samples;
 - procedures for managing the unexpected discovery of Aboriginal objects, sites and/or human remains during the project;
 - procedures for the curation and long-term management of cultural materials recovered as part of the works outlined in the ACHMP and any preceding stages associated with the project; and
 - processes for reviewing, monitoring, and updating the ACHMP as the project progresses.
- A heritage-interpretation strategy must be developed by a heritage specialist to identify the interpretive values of the study area, and specifically Aboriginal heritage values across the study area relating to Wollumbin and potentially the Young Man and the Kangaroo, and to provide direction for potential interpretive installations and devices. This strategy should be made available for consultation and feedback with the RAPs. Following consultation and feedback on the strategy, a heritage interpretation plan would refine the strategy with content (visual and textual) and design details in order to allow the implementation stage. The interpretation strategy and interpretation plan must include consideration of three main components identified through the ACHA process:
 - input and feedback from the RAPs, which to date includes the importance of showcasing Wollumbin to promote teaching of cultural heritage by the school. This should include consideration of the establishment of a yarning circle or teaching area in the north-western portion of the site (refer to photo location 27 in Figure 6.1), removal of vegetation to assist view-lines, and incorporation of written/visual information on the history and importance of Wollumbin;
 - any further information provided by the RAPs during the development of the document; and
 - the past cultural and environmental landscape informed by current investigations and analysis, and any future activities that may result from the project.

- Consultation should be maintained with the RAPs during the finalisation of the assessment process and throughout the project.
- A copy of the ACHA should be lodged with AHIMS and provided to each of the RAPs.
- Where the heritage consultant changes through the project, suitable hand over should be undertaken to ensure no loss or mistranslation of the intent of the information, findings and future steps in heritage management occur.

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1 Introduction

1.1 Overview

The NSW Department of Education - School Infrastructure (SINSW) have proposed the development of an education campus, including a primary school and high school, at the Murwillumbah High School (MHS) site. The Murwillumbah Education Campus will bring together students from Murwillumbah Primary School, Murwillumbah East Primary School, Murwillumbah High School, and Wollumbin High School.

The Murwillumbah Education Campus project includes:

- Demolition of some existing buildings;
- Refurbishment of existing buildings; and
- Construction of new educational buildings and facilities that will reflect best practice and innovative education design principles.

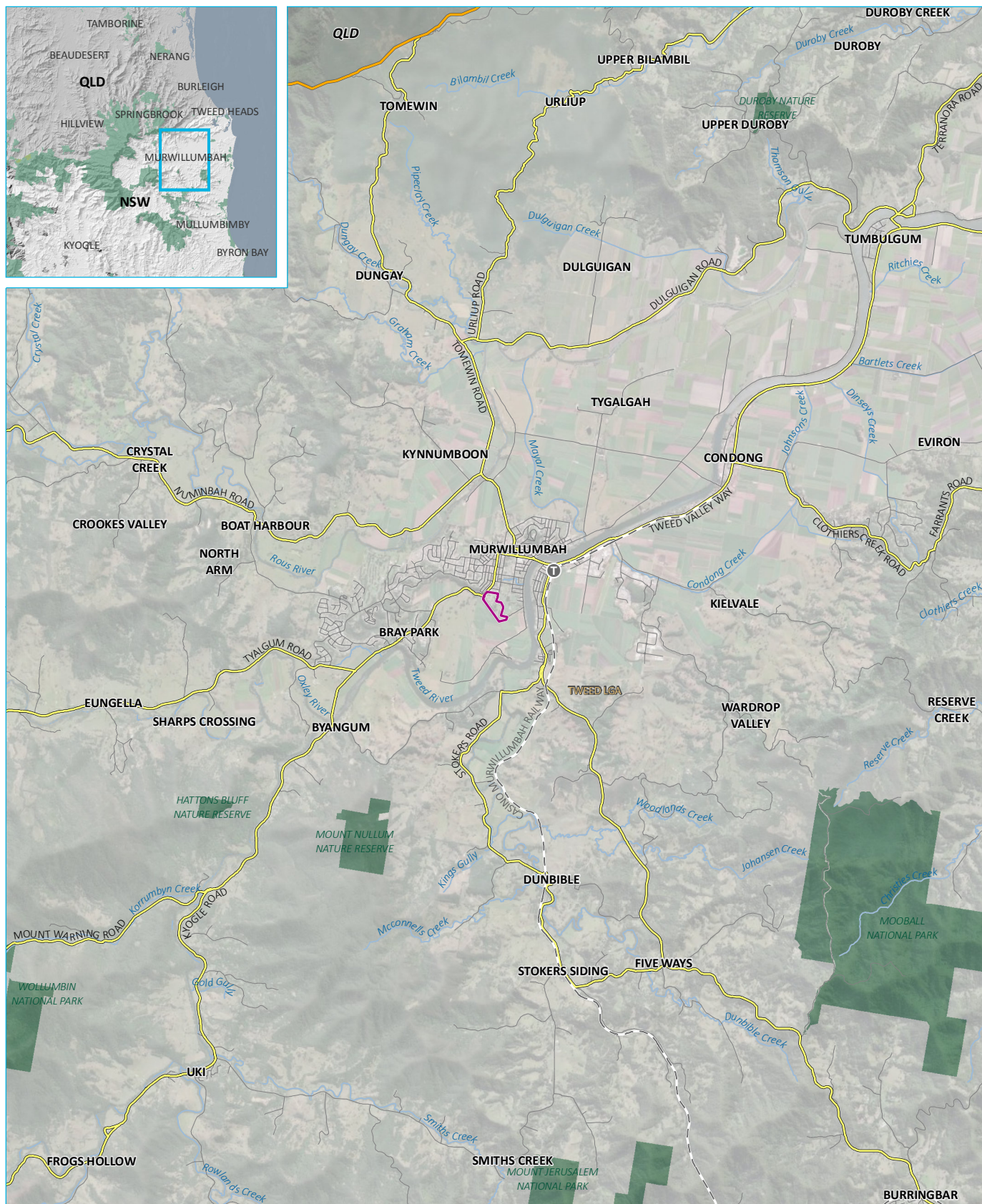
1.1.1 Site and Location

The Murwillumbah High School is located at 86 Riverview St, Murwillumbah and is legally defined as Lot 2 in DP 578679 and Lots 5 and 6 in DP 820602. The school site is located within the Tweed Shire Council Local Government Area (LGA) and the land is owned by the NSW Department of Education (DoE).

Plate 1.1 identifies the proposed site and the four schools which are proposed to come together to create the Murwillumbah Education Campus. Figure 1.1 and Figure 1.2 identifies the existing site boundary and site layout.



Plate 1.1 Site location (Source: Google Maps)



KEY

- Study area
- Train station
- Rail line
- Major road
- Minor road
- Named watercourse
- Local government area
- NPWS reserve

Regional context

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 1.1



Source: EMM (2021); MetroMap (2021); DFSI (2017)

KEY

- Study area
- Proposed development footprint
- Major road
- Minor road
- Watercourse/drainage line

Local context

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 1.2

The proposed development works are being assessed under Division 4.7 of the *Environmental Planning and Assessment Act 1979* (ref: SSD-16848913). As a result, SINSW has obtained Secretary's environmental assessment requirements (SEARs) for the project. SINSW has engaged Built to seek proposals from specialist consultants to prepare the EIS, including the preparation of specific technical assessments to address all relevant items in the SEARs. To address Aboriginal heritage requirements, EMM Consulting Pty Limited (EMM) has been commissioned to prepare an Aboriginal Cultural Heritage Assessment (ACHA) (Table 1.1). This report considers potential heritage impacts of the proposed development and provides management and mitigation measures where this occurs.

Table 1.1 The SEARs that this document applies to

SEARs	Where in this document
8. Aboriginal Cultural Heritage	-
Provide an Aboriginal Cultural Heritage Assessment report (ACHA) that:	
identifies and describes the Aboriginal cultural heritage values that exist across the site.	Section 7
includes surface surveys and test excavations where necessary.	Section 6
has been prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010).	Entire report
incorporates consultation with Aboriginal people in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents (Department of Environment, Climate Change and Water, 2010).	Section 2
documents the significance of cultural heritage values of Aboriginal people who have a cultural association with the land. o identifies, assesses and documents all impacts on the Aboriginal cultural heritage values.	Section 8
demonstrates attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR and EIS must outline measures proposed to mitigate impacts.	Sections 9 and 10.1
demonstrates attempts to interpret the Aboriginal cultural heritage significance identified into the development.	Section 10.1 and recommendations for such activities in the post-approval phase (Section 10.2)
Any Aboriginal objects recorded as part of the Aboriginal Cultural Heritage Assessment Report must be documented and notified to the Aboriginal Heritage Information Management System (AHIMS) within Heritage NSW of the Department of Premier and Cabinet	N/A

1.2 Report aims and objectives

The principal objectives of the ACHA are to:

- liaise and consult with Aboriginal community members and knowledge holders to identify tangible and intangible cultural values and places of cultural value within the study area;

- compile a review of existing environmental, historical and archaeological information for the study area, by identifying and summarising known and previously Aboriginal heritage places, cultural values areas and landforms of archaeological interest in its immediate surrounds;
- determine if any Aboriginal objects, places, cultural values areas, or areas of archaeological potential are present (or are likely to be present) within the study area, as well as areas of existing disturbance, through ground-truthing;
- identify the type, nature, and extent of any Aboriginal sites, objects, archaeological deposits, potential archaeological deposits, and cultural values areas within the project area;
- map the locations of known and potential Aboriginal sites, objects and deposits and cultural values areas identified;
- assess the archaeological and cultural significance of the project area;
- assess and identify heritage constraints and opportunities and the potential impacts of the project, and
- identify and recommend measures to mitigate any heritage impacts and risks to the project.

This report has therefore been prepared in accordance with the following Heritage NSW guidelines:

- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011);
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010); and
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010).

1.3 Study area

The proposed development is located in the current site of the MHS, 86 Riverview Street, Murwillumbah, New South Wales 2484 (Figure 1.1 and Figure 1.2).

The study area has a real property description of Lot 6 DP820602, Lot 5 DP820602 and Lot 2 DP578679, located within the parish of Murwillumbah, the county of Rous and the local government area of Tweed Shire. Lots 5 and 6 of DP820602 contains most of the buildings and facilities related to the function of the high school and would be the main lots where the development is proposed to occur (Figure 1.2). The southern segment of Lot 2 DP578679 predominantly consists of open sporting and recreation fields and would not be affected by the proposed development (Figure 1.2).

The study area encompasses both northern and southern aspects, which comprises an area of ~12 hectares, and includes ridge crest and upper slope landforms – the latter running towards the Tweed River ~300-500 m to the east. The study area is located approximately 1 km from the town centre and is bordered on the east by a collection of sports fields, courts, clubs and outdoor recreational zones, and to the south and west by open rural and agricultural land. A small man-made creek frames the high school lot and terminates at the Tweed River.

1.3.1 Proposed development activities

The school site is irregular in shape and has a total area of approximately 11.7ha. It is located approximately 1km from the Murwillumbah town centre and to the south of a well-established suburban area with residential properties. The site is bordered on the east, south and west by open rural landscape and is approximately 500 metres from the Tweed River. The school is bound by Riverview Street, High School Lane, Nullum Street and residential structures to the north; grassland/farmland to the west and south; and sports fields to the east.

The school currently comprises 11 permanent buildings, as well as an off-street staff car park, various playgrounds, sports ovals, sport courts and green space.

i Topography

This school site slopes from the entrance at Riverview Street to the lower playing fields adjacent to the agricultural land and a levy bank system to the south.

ii Proposed Development

The NSW Department of Education – School Infrastructure have proposed the development of an education campus, including a primary school and high school, at the Murwillumbah High School site. The Murwillumbah Education Campus will bring together students from Murwillumbah Primary School, Murwillumbah East Primary School, Murwillumbah High School, and Wollumbin High School.

The Murwillumbah High School is located at 86 Riverview Street, Murwillumbah and is legally defined as Lot 2 in DP 578679 and Lots 5 and 6 in DP 820602. The school site is located within the Tweed Shire LGA and the land is owned by the NSW Department of Education (DoE). This application seeks development consent for the following development:

- demolition of Buildings E;
- all inground slabs, pathways, hardstands and footings including those to buildings B, C, D, G, H, P, S, AW and AZ;
- associated groundworks required to facilitate the construction of new buildings and landscaped areas;
- constructions of new Buildings 1, 2, 3 and 4;
- refurbishment of Building F to provide learning space for agricultural education;
- retention of existing AY;
- creation of new public school and high school outdoor learning spaces to support future learning outcomes;
- new landscaping and embellishment of outdoor playgrounds;
- civil and infrastructure works; and
- kiss n drop and parking off Nullum street.

1.4 Legislative context

There are several Commonwealth and state Acts (and associated regulations) that manage and protect Aboriginal cultural heritage (Appendix A). These are summarised in Table 1.2 below.

Table 1.2 Commonwealth and State legislation relevant to the project.

Legislation	Description	Relevance to the project?	Details
Commonwealth			
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Recognises sites with universal value on the World Heritage List (WHL). Protects Indigenous heritage places with outstanding heritage value to the nation on the National Heritage List (NHL), and significant heritage value on the Commonwealth Heritage List (CHL).	Not currently.	The project area is not listed on the CHL, WHL or NHL. References are made in relation to view-lines associated with Wollumbin (Mount Warning), which is in Wollumbin National Park (WNP) that is listed on the NHL and WHL. This is part of the Gondwana Rainforests of Australia, a UNESCO World Heritage site, which comprises numerous reserves located between Newcastle and Brisbane.
<i>Native Title Act 1993</i>	Administers rights and interests over lands and waters by Aboriginal people. Provides for negotiation and registration of Indigenous Land Use Agreements (ILUAs). Often used in NSW to identify relevant stakeholders for consultation.	Not currently.	The study area is within the boundary of a vast claim applied for by the Tweed River Bundjalung People (NC2020/002). In the opinion of the Delegate of the Native Title Registrar, the claim did not satisfy all conditions in sections 190B-190C of the Act, and was “not accepted for registration” on 16 September 2020. One of the Applicants in this claim was consulted as part of this ACHA.
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Preserves and protects areas and objects of particular significance to Aboriginal people that are under threat from injury or desecration.	Not currently.	The study area is not currently subject to any application for a declaration under this Act, but it remains in force for ministerial declarations, and surpasses State-based regulatory and planning controls.

Table 1.2 Commonwealth and State legislation relevant to the project.

Legislation	Description	Relevance to the project?	Details
State			
<i>Environmental Planning and Assessment Act 1979</i>	Requires environmental impacts, including to Aboriginal heritage, to be considered in land use planning. Provides for the development of environmental planning instruments, including State Environmental Planning Policies and Local Environmental Plans.	Yes. This project is being assessed as a State Significant Development (SSD) under Division 4.7 of this Act (ref: SSD-16848913).	The SEARs and project EIS must assess whether the project has the potential to impact on Aboriginal objects, sites, or places of Aboriginal heritage significance.
<i>National Parks and Wildlife Act 1974</i>	Provides blanket protection for all Aboriginal objects and declared Aboriginal places. Includes processes and mechanisms for development where Aboriginal objects are present, or where Aboriginal Places are proposed for harm.	Yes, in part.	While elements of this Act do not apply to SSD projects, the potential impact to Aboriginal objects generally still requires consideration as part of the assessment needs of such projects.
<i>Aboriginal Land Rights Act 1983</i>	Establishes Local Aboriginal Land Councils (LALCs). Allows transfer of ownership of vacant crown land to a Local Aboriginal Land Council. The Office of the Registrar, <i>Aboriginal Land Rights Act 1983 (ORALRA)</i> , registers Aboriginal land claims and maintains the Register of Aboriginal Owners. Often used in NSW to identify relevant stakeholders for consultation.	No.	A request to search the Register of Aboriginal Owners was made to the ORALRA on 14 May 2021 but not they did not respond.

1.5 Report limitations

This report is based on existing and publicly available environmental and archaeological information (including the Aboriginal heritage information management system (AHIMS) data) and reports about the project area. The background research did not include any independent verification of the results and interpretations of externally sourced existing reports (except where the ground-truthing was undertaken). The report further makes archaeological predictions based on these existing data and targeted ground-truthing, and which may contain errors depending on the accuracy of these third-party studies and the extent of ground-truthing investigations.

This report does not consider historical and/or built heritage unless specifically related to Aboriginal heritage values. Such heritage items are addressed in a separate report undertaken for the project.

2 Aboriginal consultation

2.1 Key findings

- The ACHA adopted the consultation process outlined in Heritage NSW's Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010).
- The consultation process initially identified 18 Aboriginal stakeholder organisations for the project. Following notification of these organisations, five expressed an interest in the project. Four of these organisations were invited to participate in the field investigation.
- The field program included the participation of representatives from the Tweed Byron Local Aboriginal Land Council (TBLALC), Jackie McDonald, Paul Buxton, and Jason McDonald.
- Discussion with RAPs has occurred onsite during field investigation and at other key times in the project via telephone and/or e-mail. It was agreed that the majority of the development footprint in the norther portion of the study area is unlikely to contain tangible Aboriginal cultural heritage, however there is potential for the red soils of the Cudgen soil landscape to be present in the development footprint. If this were the case, it would connect MHS with the Young Man and the Kangaroo Dreaming story. Discussions also focused on the association of the location of the MHS in the broader cultural landscape with view-lines over the valley towards Wollumbin and numerous other culturally important sites. It was recommended that the MHS a suitable location for an educational campus and strong support for any opportunity to create a teaching space about Bundjalung culture.
- A meeting was undertaken opportunistically with the TBLALC, Jackie McDonald, and Paul Buxton following the release of the draft report as part of broader school activities. During this meeting, no issues with content of the report were raised. However, concern was made in relation to comments provided by other RAPs that were considered inaccurate. As such, these comments have been removed from the report, with reference made to them where suitable.

2.2 The legislative consultation process

Aboriginal people are the primary source of information about the significance and value of their Aboriginal cultural heritage and how this is best interpreted, appreciated, valued, protected and conserved for the benefit of current and future generations. Consultation with the local Aboriginal community is important and needs to be sustained throughout the heritage assessment process, to ensure cultural perspectives, views and concerns are considered.

This section describes Aboriginal stakeholder consultation and engagement undertaken as part of the cultural heritage assessment to date, to identify and assess Aboriginal cultural, mythological, social and spiritual values associated with the study area.

A log of actions and correspondence regarding Aboriginal community consultation to date is included in Appendix B.1 and summarised in Table 2.1.

Aboriginal consultation for this project has been undertaken in accordance with procedures set out in the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010). These guidelines identify a five-stage process:

1. Pre-Notification – identification of the Aboriginal individuals and/or communities relevant to the study area by contacting several state government agencies.

2. Notification – contacting all Aboriginal individuals and/or communities identified in (1) to determine their interest in being consulted during the project. This includes direct communication and the placement of advertisements in local media seeking further expressions of interest from Aboriginal individuals and/or communities that may have been missed through (1). Those Aboriginal individuals and/or communities that wish to be consulted become a ‘registered’ Aboriginal party (RAP).
3. Presentation of project information/assessment methodology – briefing RAPs about the project and scope of any Aboriginal heritage assessment and investigations. This is usually undertaken through written correspondence, but can include meetings, and may undergo several iterations through the project as the nature of the assessment changes (eg surface ground-truthing may lead to a requirement for test excavations).
4. Impacts and mitigation strategies – discussion of potential impacts to cultural materials and mitigation options with the RAPs prior to developing the ACHA. This is often undertaken either onsite at the end of any field program and/or as part of (5).
5. Report review – the RAPs are provided an opportunity to review and comment upon the draft ACHA, to contribute input into the overall findings, significance and management of cultural heritage.

The consultation process for this project had two aims:

1. to comply with the Heritage NSW consultation procedures to obtain input on the ACHA process; and
2. to identify cultural places and intangible values that may be affected by the proposed activity.

2.3 This project

Aboriginal consultation for this project has been undertaken in accordance with procedures set out in Section 2.1 and included interactions with the RAPs between May and July 2021 (Table 2.1; Annexures B.1 and B.2).

Initial stages of the consultation process identified 18 potential Aboriginal stakeholders in the region (Appendix B). Following notification, five of these organisations and/or individuals registered an interest:

- Paul Buxton;
- Jackie McDonald;
- Jason McDonald;
- Rachael Cavanagh; and
- Tweed Byron Local Aboriginal Land Council (TBLALC).

Table 2.1 provides a summary of the main steps undertaken to conform with Heritage NSW guidelines. Notably, this included representatives of the TBLALC, Jackie McDonald, Jason McDonald and Paul Buxton participating in an archaeological survey of the study area on 22 July 2021; and an opportunity to discuss the potential connections with the surrounding cultural landscape.

Table 2.1 Summary of Aboriginal consultation undertaken for the project.

Consultation Stage	Description	Date Started	Date Completed	Notes
1	Pre-notification	4 May 2021	18 May 2021	Additional details provided in Appendix B
2	Notification (including advertisement in the Tweed Valley Weekly)	20 May 2021	3 June 2020	Additional details provided in Appendix B
	Provision of Information to DPIE and TBLALC	9 June 2021	9 June 2021	Additional details provided in Appendix B
3	Presentation of Information and Assessment Methodology	4 June 2021	2 July 2021	Additional details provided in Appendix B
4	Field Investigation (survey)	22 July 2021	22 July 2021	See Section 6 of this report
	Report Review and Feedback	28 September 2021	26 October 2021	Additional details provided in Appendix B

2.4 Aboriginal stakeholder feedback

A copy of the ACHA has been provided to the RAPs. Following the release of the report, EMM were advised that there were some concerns with comments provided by one of the RAPs (Rachel Cavanagh) in the appendices. Subsequently, a meeting was undertaken on 4 November 2021 with Jackie McDonald, Paul Buxton, Maurice Gannon (TBLALC) and Warren Phillips (TBLALC). This was a meeting organised for another project, but discussions were undertaken of the issue. Ultimately, it was considered that the comment provided by Ms Cavanagh contained some inaccuracies and that the attendees would prefer was not included in a public document. Since Ms Cavanagh's comments were around the broader Murwillumbah region, with limited reference to the project area, they have been removed. A copy of this can be provided separately to regulators and/or other individuals that wish to view a copy. No further issues with the report were identified at the meeting.

In addition to the meeting, additional comments were received. These are presented in Appendix B and summarised below:

- TBLALC supported the ACHA including the recommendations and background discussion, noting the report is a 'comprehensive summary of the Aboriginal cultural perspectives on the site' (TBLALC 2021). They also support the development of an Aboriginal cultural heritage management plan (ACHMP) for the project, in consultation with the RAPs.
- TBLALC agree the area would have been utilised by Aboriginal people in the past although historical disturbance of the school site has likely removed the artefact bearing topsoils. However, it remains a possibility that subsurface cultural materials may be encountered during the ground disturbance activities of the project. As such, it is recommended that a cultural representative be present to monitor the removal of the bitumen and existing buildings to inspect the ground surface when exposed. This will be considered further in the ACHMP proposed for the project.

TBLALC note the significance of the intangible values of the school site, particularly the viewsheds to surrounding landscape features. This is discussed further in Section 4.

3 Environmental context

3.1 Key findings

- The study area is located ~4 km north-east of Wollumbin National Park, a UNESCO World Heritage site, which is listed as a natural place for comprising a portion of the Gondwana Rainforests of Australia. Mount Warning (Wollumbin) dominates the Tweed-Byron landscape, which is the remnant core of a massive shield volcano. This mountain has significant cultural value to the Bundjalung people.
- The northern portion of the study area is dominated by the volcanic Mount Warning Exhumed Slopes landscape, comprised of Silurian-Devonian greywacke, slate, phyllite, and quartzite, Triassic rhyolite, tuff, claystone, and Jurassic shale sandstone and coal. The southern portion of the study area is dominated by the Byron-Tweed Alluvial Plains landscape, which is comprised of channels, floodplains, terraces, and estuaries of the Tweed River on Quaternary alluvium. This has resulted in shallow soil profiles in the vicinity of the main MHS structures, and deeper alluvial deposits beneath the established playing fields and open space.
- The dominant hydrological feature of the study area is the Tweed River located ~300-500 m east of the study area. There is a 3rd order (Strahler stream order) watercourse that runs along the southern boundary of the study area, which has been confirmed as a man-made canal constructed around 1912.
- The study area is part of a highly diverse ecosystem with a rich biodiversity that would have been attractive to past Aboriginal populations, however, has been subject to urbanisation. An example of this is the well-established hoop pines evident across the site, but an absence of remnant endemic vegetation.
- The study area has been subjected to high levels of disturbance through historical construction of the MHS, football ovals, agricultural sheds, canal and paddocks. Geotechnical investigations of the proposed development footprint indicate a loss of the upper soil profile (in which cultural materials may be expected) with various depths of modern fill units onto a clay subsoil (B2 horizon).

3.2 Rationale

Understanding environmental context assists with predictions of archaeological potential, such as the likelihood of archaeological material being present in the landscape, its spatial distribution and its preservation. Landscape features were an important factor for the choice of camping and transitory and ceremonial areas used by Aboriginal people. Similarly, these landscape features and historical land-use plays a role in the level of preservation and the integrity of archaeological sites.

A landscape consisting of suitable topography, hydrology, geology and soils has strong links with natural resources that would have been available to, and sought after, by Aboriginal people. Flora and fauna would have provided food, tools and ceremonial items (culturally modified trees); proximity to fresh water was necessary for life and growing crops, as well as gathering fish and eels. Landscape features, such as sandstone overhangs, were useful for shelter; stone artefacts were manufactured from raw stone material that was collected from quarry sites; and stone arrangements relied on the landscape.

3.3 Geology and geomorphology

The Tweed-Byron landscape is dominated by the remnant core of a massive shield volcano known as Wollumbin (Mount Warning), whereby extensive hills and ridges form a broadly circular pattern 50 km in diameter and centred on Wollumbin (Mitchell 2002:147).

The underlying geology of the region is volcanic (known as “Lamington” group of volcanics and tertiary basalts), with flows of basalt, rhyolite, trachyte and other pyroclastics including tuff and agglomerate. Subsequent volcanic activity and weathering processes have led to the formation of steep valley sides, escarpments and steep cliffs, where more resistant rock formations remained while softer materials eroded away (Ecograph 2004:64-65). Wollumbin reaches an elevation of 1,156 m although despite its impressive and dramatic appearance today, it is only a fraction of its original size, which covered an area of ~100 km x 80 km in the past (DeGood 2016:19).

The majority of the study area is dominated by the Mount Warning Exhumed Slopes landscape, which is comprised of Silurian-Devonian greywacke, slate, phyllite, and quartzite, Triassic rhyolite, tuff, claystone, and Jurassic shale sandstone and coal with general elevation ranging from 25 m to 300 m, with local relief of 125 m (Mitchell 2002:147). The southern portion of the study area (refer Figure 3.1) is dominated by the Byron-Tweed Alluvial Plains landscape which is comprised of channels, floodplains, terraces and estuaries of the Tweed River on Quaternary alluvium (Mitchell 2002:144). General elevation reaches 50 m with local relief of 15 m.

Topographically, the Murwillumbah locality is characterised by rolling hills on metamorphics of the Neranleigh-Fernvale Group with long moderate slopes extending 200-300 m ranging from 10-20% with simple slope shapes, often waning (NSW Department of Planning, Industry and Environment (DPIE) 2010). Ridges and crests are narrow (100-150 m). Elevation ranges from effectively sea level up to 100 m. Where the hillslopes transition to the extensive Byron-Tweed alluvial plain, the elevation becomes minimal, ranging from 0-3 m and with slope gradients <3%, which is most apparent on the levees. Drainage is alluvial and has been modified extensively (DPIE 2010).

3.4 Soil landscapes

Soil landscape classifications represented pre-defined boundaries aligned with several geographic features, and which are informative for archaeological investigation. They provide localised information including landform patterns, soils, geology, rock outcrop percentage, land use and vegetation. This information provides another layer to categorise the landscape for the predictive model, additional to what a topographic description can provide. Soil landscape information builds on underlying geology and describes the depths of residual soils and colluvial soils and identifies areas that are characterised by erosion or skeletal soils and exposed bedrock versus those that may contain a deeper profile where cultural material may be buried.

Soil landscape mapping by the Soil Conservation Service of NSW and the Department of Planning, Industry and Environment indicates that the study area is primarily situated within the Bilinudgel soil landscape with the southernmost portion extending into the Tweed soil landscape (Figure 3.2). The soils of the Bilinudgel landscape are comprised of dark brown to brown silty clay loams (A1 horizon) overlying hard-setting pale clays (B2 horizon). These soil profiles range in depth from ~100–150 cm, although generally only the A1 horizon contains cultural material, and this is commonly constrained to the upper 50 cm or so. The shallow nature of these A1 deposits has implications for the potential survivability of Aboriginal objects, as even minor disturbance and/or de-vegetation will often result in the complete removal of the upper parts of the soil profile in which objects may occur.

The Tweed soil landscape in the southern portion of the study area is comprised of deep Quaternary alluvium and estuarine sediments. These soils are dominated by poorly drained humic gleys and peat materials on the plains while levee banks tend to consist of poorly drained brown alluvial clays (DPIE 2010). Generally, these have highly disturbed topsoils but can contain deeply buried cultural materials.

A preliminary geotechnical investigation was conducted by Douglas Partners for the project in April 2020. The investigation involved the drilling and sampling of 12 boreholes across the proposed development footprint to understand the subsurface conditions and suitability for high level and deep foundations. The report showed a soil profile consistent with the mapped Bilinudgel volcanic soil landscape described above. The A1 horizon soil layer, where cultural materials are generally found, was frequently absent, with only a shallow topsoil dressing documented and extending to depths of 10-20 cm below surface. The presence of fill material in some places >1 m in depth were also documented across the MHS site. Below these units was a harder basal clay, or B2 horizon, which is generally regarded as a culturally sterile layer.

The bores were concentrated in the proposed development footprint and did not include the southern portion of the study area where the alluvial soils of the Tweed soil landscape are mapped.

3.5 Hydrology

Archaeologically, the presence or availability of water was a major influence on the intensity of past Aboriginal occupation. The large river systems and coastal barrier resources running through the region are key natural resources along with which Aboriginal activity appears to have been focused.

The Tweed River is the dominant watercourse the vicinity of the study area and Mayal Creek, a 6th order watercourse runs from north to south 1.7 km north of the study area connecting the Rous River (6th order) with the Tweed River (Figure 3.2). There are numerous 1st to 3rd order streams in the vicinity of the study area which are tributaries to the Tweed River. The 3rd unnamed watercourse that runs along the south-western boundary of the study area, is a man-made canal created around 1912 according to a desktop investigation conducted by EMM (2020). The desktop investigation reviewed parish maps dating to 1903 and historical aerial photographs taken of the area as early as 1963 (Plate 3.1). The study concluded that the earliest evidence of the 'creek' was in 1912, with data suggesting its construction as part of a scheme to drain the inland wetland areas into the nearby Tweed River. Throughout the early 20th Century, documentation refers to the channel as an open earth drain, rather than a creek or natural water source. The alignment of this channel has deviated several times over the 20th Century until reaching the current state by 1929 and has encompassed parts of the playing fields east of the school. As such, it is unlikely that Aboriginal cultural heritage will be clustered along this canal as would be expected if it were a natural creekline.

During the survey Jackie McDonald noted that it would have been developed to avoid flooding of the cane fields during the rainy season by providing drainage for water runoff (Jackie McDonald pers comms, July 2021).

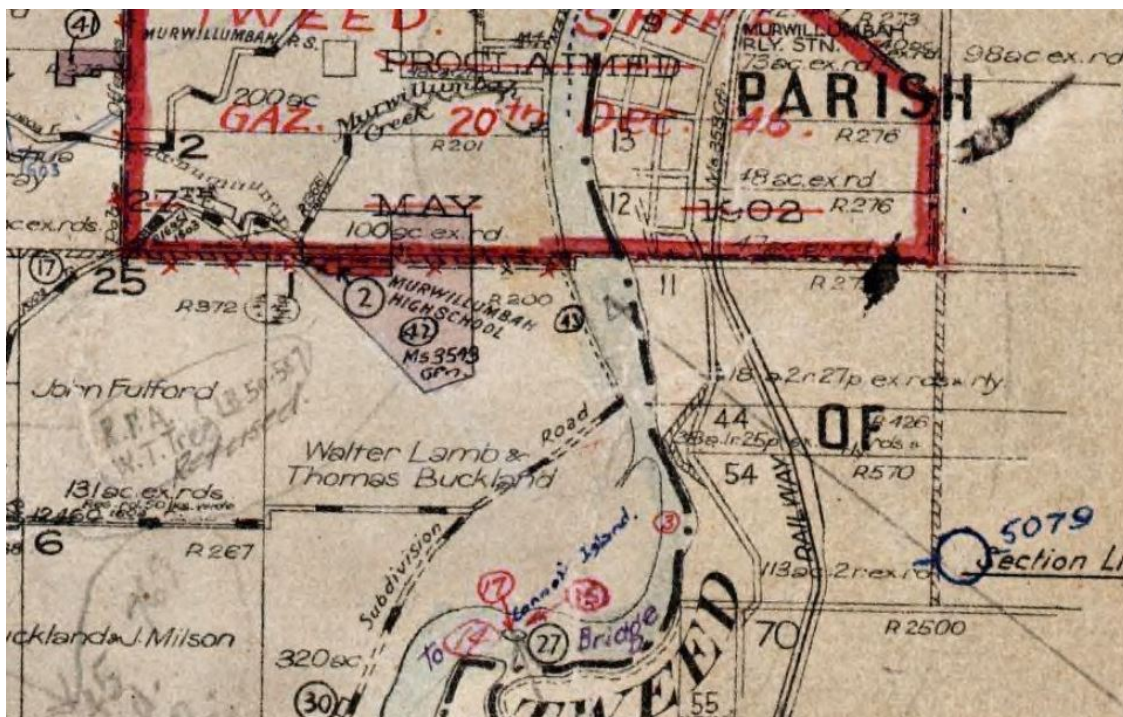


Plate 3.1 Parish of Murwillumbah Map dated to 23 May 1937 showing the Murwillumbah High School property boundary. Note the lack of a waterway along the southern and south-western portion of the study area. (Source: Land district of Murwillumbah, Parish of Murwillumbah Map, 23 May 1937)

3.6 Past flora and fauna

The natural vegetation of a landscape is an important consideration when preparing an Aboriginal heritage assessment because it provided Aboriginal people with resources. Bark from trees could be stripped to make canoes, shields, housing and other items. The vegetation itself provided food resources such as edible plants, fruits and seeds, windbreaks and shelter, and also provided habitats for animals such as possums and birds and herbivores, which could be hunted or skinned for clothing and other purposes (Turnbull et al. 2019:188; Attenbrow 2010:7–78).

The study area is located ~4 km north-east of Wollumbin National Park, a UNESCO World Heritage site, which is listed as a natural place for comprising a portion of the Gondwana Rainforests of Australia. The Wollumbin National Park fulfils its UNESCO World Heritage listing by containing species of plants and animals that have lineages and communities with ancient Origins in Gondwana, and for presenting outstanding examples of Earth’s evolutionary history, ongoing geological and biological processes, and exceptional biological diversity (UNESCO 1994). The Gondwana Rainforests of Australia provide habitat for many species of plants and animals including more than 270 threatened species as well as relict and primitive species (UNESCO 1994). Stands of cool temperate Antarctic beech trees can be found above 1000 m (Mitchell 2002:147).

The study area and surrounding town of Murwillumbah is characterised by extensive clearing, farming, and residential development; however, prior to European dispossession of Aboriginal lands the native vegetation would have comprised sub-tropical and warm temperate rainforests, or wet sclerophyll forests. Dominant tree species would have included black booyong (*Argyrodendron actinophyllum*), white booyong (*Argyrodendron trifoliolatum*), hoop pine (*Araucaria cunninghamii*), bangalow palm (*Archontophoenix cunninghamiana*), climbing palm (*Calamus muelleri*), rough tree fern (*Cyathea australis*), Australian cedar (*Toona australis*), teak (*Flindersia australis*), white mahogany (*Eucalyptus acmenoides*), small-fruited grey gum (*Eucalyptus propinqua*), tallowwood (*Eucalyptus microcorys*) and Sydney blue gum (*Eucalyptus saligna*) (Virtus Heritage 2019b:23-24).

Due to a highly diverse ecosystem, variety of landforms and geological features, the Tweed Coast was and still is rich in biodiversity (Hannah et al. 2019:254). The permanent freshwater and estuarine streams and channels, and the Pacific Ocean to the east, would have provided suitable habitats for a vast range of amphibians, reptiles and mammals as well as sea birds, shore birds and land birds, freshwater fish species, shellfish, edible bivalves, invertebrate worms and crustacean resources. Mangrove creeks are also important habitats for fish, crabs, birds and other animals. The diverse wet sclerophyll forest, rainforest and woodland associations support a range of ground and arboreal animals including snakes, native rats, lizards, bandicoots, antechinus, wallabies, possums, gliders, forest birds and bats. Echidna range from coastal dunes to heathlands, floodplain forests, sclerophyll forests and rainforests. Koalas are also dependant on large areas of eucalypt forests and woodlands, especially, forest red gum, swamp mahogany, tallowwood and small-fruited grey gum.

3.7 Previous disturbance and land use

Previous land disturbance has a significant impact to the survivability of cultural materials if present. While there are natural processes that can disturb and destroy cultural material, more frequently it is increasing urbanisation over the past 200 years that has resulted in the most significant impacts. The history and land use of the study area is outlined in detail in EMM’s historical assessment of the proposed development activity.

In brief, the study area has been the subject of various post-contact European land disturbances since the mid-twentieth century. Initially, exploration of the Tweed region began in the 1820s when John Oxley travelled north in search of a suitable location for a second penal colony. The Tweed region was overlooked in favour of a more suitable settlement at Moreton Bay, but nonetheless the “very hilly and richly wooded” landscape and “richer soils” of the Tweed River attracted cedar-getters and boatbuilders into the area in the 1830s and 1840s, who exploited the region’s timber resources and shipped the material back to Sydney (Uniacke 1825:27-66).

Cedar getters set up camps along the river, “creating their own tracks, often the shortest or easiest means between the beaches... and the rivers” (Tweed Heads Historical Society 2009).

The Cudgen Plateau quickly became known for its highly fertile volcanic soils, and with the passing of the *Robertson Lands Act* of 1861 the Tweed region was opened to farming and agricultural pursuits. Plantations and orchards began cropping up in the Chinderah and Cudgen locality, with crops such as sugar cane, and fruits such as oranges, dates, plums, breadfruit, mangoes, lychees, bananas and pineapples being grown. These industries relied on the use of a vast but inexpensive and reliable labour workforce of Pacific Islanders (mainly from the Solomon Islands and Vanuatu) who were employed to harvest crops, work with machinery and load produce. Between 1863 and 1904 more than 60,000 South Sea Islanders were taken to Queensland and Northern NSW to work on sugar plantations, and approximately 350 are known to have arrived in the Tweed between 1874 and 1918. There are several cane sugar plantations in the vicinity of the study area.

The study area itself was developed as an educational precinct in the early 1900s. A large plot of land including the study area was purchased by Mr. Denis Hartigan, an Irish immigrant, who acquired the land in 1892. Construction of the Murwillumbah Public School began in 1928 and completed one year later (Plate 3.2 to Plate 3.4). The school was officially opened on the 21 September 1929. The school building (Block A) was three storeys with a concrete basement (Plate 3.4). A separate gas plant for educational purposes, a septic system and boys and girls closet blocks were constructed externally, adjacent to the main building. The main building was situated on the highest part of the site with open paved areas at the front and rear. A large open playground with a retaining wall was introduced to the front of the main building at a lower elevation for recreational purposes. This was later turned into an enclosed sports court in 1930. Additional buildings continued to be added up until the 1990s.

Vegetation clearance together with earth works for site levelling and construction have resulted in substantial subsurface disturbance across the site, but particularly in the northern section. Geotechnical information demonstrates that the upper soil profile has been lost through these activities and is frequently replaced by up to 1+m of modern fill materials (Section 3.3). This has significantly reduced the potential for surface or subsurface cultural material to have survived in situ in the northern part of the study area.

The southern part of the study area is mainly sporting fields and paddocks. It has been cleared and used for pastoral grazing and subject to localised earthworks for water management, notably the establishment of the canal along the southern border of the study area.



Plate 3.2 From Hartigan's Hill looking across to Riverview Street showing commencement of construction initial earthworks works on Hartigan's Estate for the future Murwillumbah High School. c. 1928. Source: M19-34, Tweed Regional Museum archives. Photographer Unknown.



Plate 3.3 Construction of Murwillumbah High School with lower floors c. 1928. Source: M12-33, Tweed Regional Museum archives. Photographer Unknown.

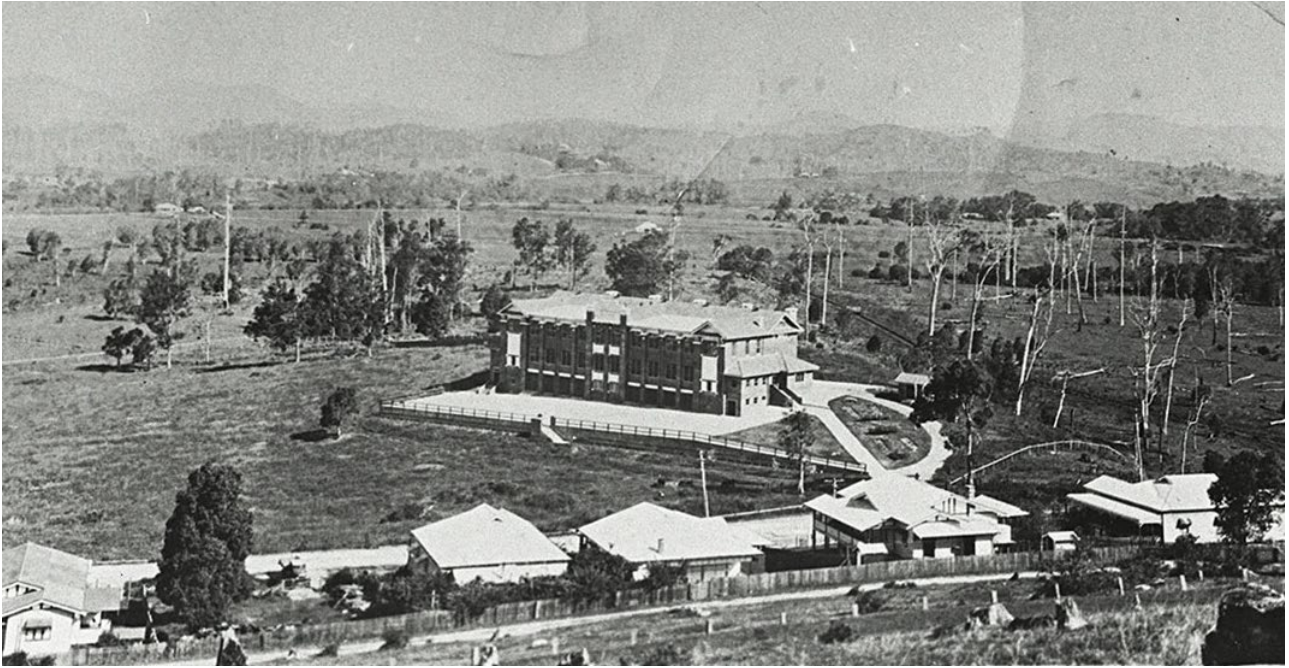
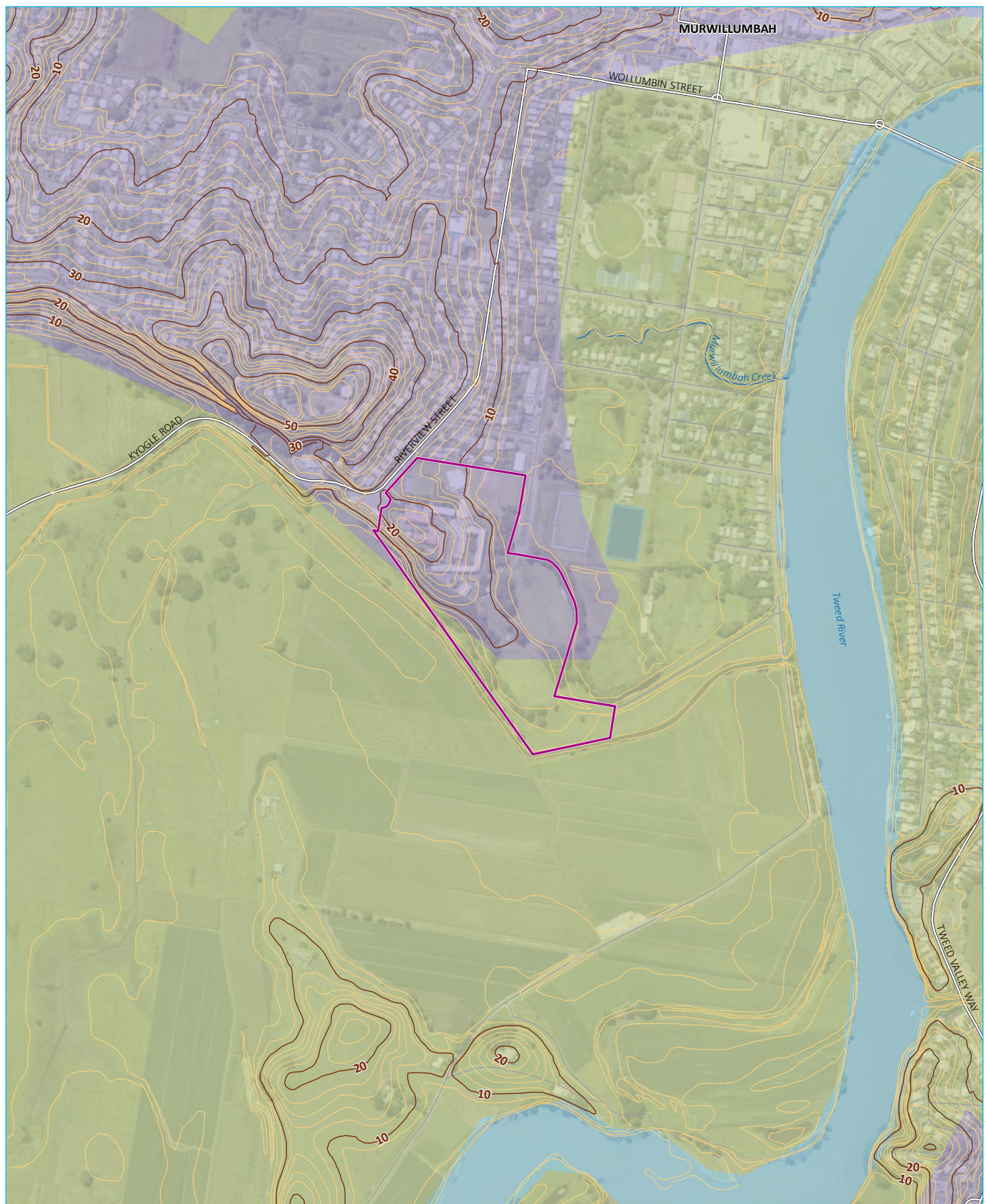


Plate 3.4 Completed building and surrounding landscape of Murwillumbah High School prior to opening C. 1929. Source: M19-11, Tweed Regional Museum archives. Photographer Unknown.

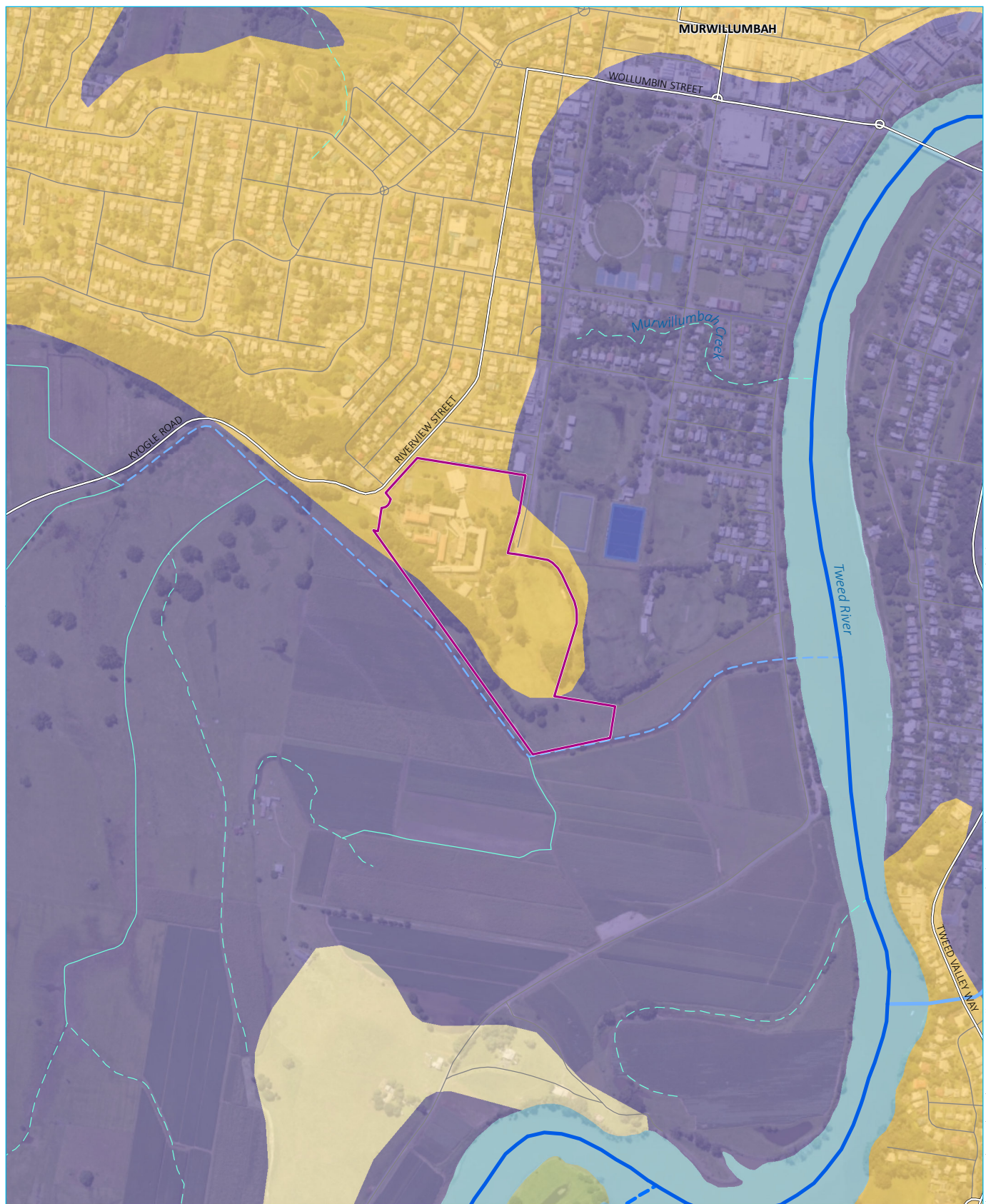


KEY

- Study area
- Major road
- Minor road
- Named watercourse
- Index contour (10 m interval)
- Intermediate contour (2 m interval)
- Mitchell landscapes
 - Byron - Tweed Alluvial Plains
 - Estuary/Water Added
 - Mount Warning Exhumed Slopes

Geology and topography

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 3.1



KEY

Study area	Strahler stream order	Soil landscape
Major road	--- 1st	Billinudgel
Minor road	--- 2nd	Billinudgel variant a
	--- 3rd	Nobby's Creek
	--- 5th	Tweed
	--- 6th	Water
	--- 7th	

Soil landscapes and hydrology

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 3.2

4 Ethnohistory

4.1 Key findings

- The study area falls within the lands of the Bundjalung people of the Tweed Region whose lands extend from Grafton and the Clarence River in the south to Beaudesert in the north and as far west as Allora in Queensland and Tenterfield in the New England Tablelands in New South Wales.
- Historical information provides several observations in relation to early 19th century Aboriginal society in general regions, but no site-specific areas of activities within the study area.
- There are numerous Aboriginal Ceremony and Dreaming sites in the region. Information was provided by the RAPs advised of Hospital Hill located 1.3 km north-east, Solomon's Row on Perie Street ~430 m east of the study area, and Wollumbin (and associated sites) located ~10 km south-west of the study area.
- There is low potential for the red soils of the Cudgen soil landscape to be present within the study area, however if present this would connect the study area to the Young Man and the Kangaroo Dreaming story that encompasses much of the region, and remains of interest to the RAPs.

4.2 Regional ethnohistory

Bundjalung people of the Tweed region are the traditional owners of the study area and have lived in connection with this landscape for millennia. Contemporary Bundjalung traditional owners have maintained close cultural and spiritual connections to Country. As cultural custodians of country, Bundjalung traditional owners continue to exercise cultural responsibility to care for, manage and speak about the country and its cultural and natural heritage values.

This section provides a summary of the Aboriginal ethnohistorical record about Aboriginal life on the land at first contact and life during the contact period when their land was invaded and occupied by European colonists.

4.2.1 Living as Australia's earliest inhabitants

Local Bundjalung origin stories variously tell that Aboriginal people were always here from time immemorial, while others relate that "Three Brothers" – Mamoon, Birrung and Yar-Birrain – came to the land via canoe from the ocean in the time of the Dreaming (Fox & Slabb 2019:91). Each brother's tribe or family spread across the country in a particular direction – Mamoon to the west, Birrung to the south and Yar-Birrain to the north (implying, that they landed on the east coast).

The archaeological evidence supports the oral traditions of many generations of Aboriginal people living in this region. The material evidence shows that Aboriginal communities have lived in the area known as NSW for at least 45,000 years [45 ka] (NPWS 2003:14), and within the NSW north coast/Moreton Bay region for at least 20 ka (Neal & Stock 1986; NSW Department of Planning 1989:3). At this time the Pleistocene environment was dry and cold, and the sea level was approximately 110–130 m lower than present and the coastline some 24–32 km east of its present location. The big rivers and estuaries including the Tweed River were freshwater inland waterways running through forests and woodlands on the gradually sloping plains of the continental shelf (Druery & Curedale 1979:17).

The climate eased and sea levels rose between 5–8 ka (Sloss et al. 2007; Lewis et al. 2008). Aboriginal occupation sites and resource gathering zones that were on the coast during the Ice Age are presently submerged, and those that are located along the present coastline were originally inland sites.

The lands of the Bundjalung people extended across a vast area of what we now call northern NSW and Queensland (refer Plate 4.1). Bundjalung traditional lands extended from Grafton and the Clarence River in the south to Beaudesert in the north and as far west as Allora in Queensland and Tenterfield in the New England Tablelands in New South Wales (Sharpe 1985). Within the Bundjalung nation, as many as twenty distinct language groups or dialects existed, each with their own corresponding country (Fox & Slabb 2019:93). According to anthropologist Norman Tindale, the language group of the Tweed River region was the Minjungbal, whose country ranged from “Cape Byron north to Southport in Queensland, inland to Murwillumbah and Nerang Creek” (Tindale 1974). It is worth noting that Tindale’s descriptions of tribal boundaries are based on the distribution of language groups in this area, which are derived largely from linguistic evidence published from 1887 to 1958, but it is evident that the boundaries are approximate and probably varied over time.

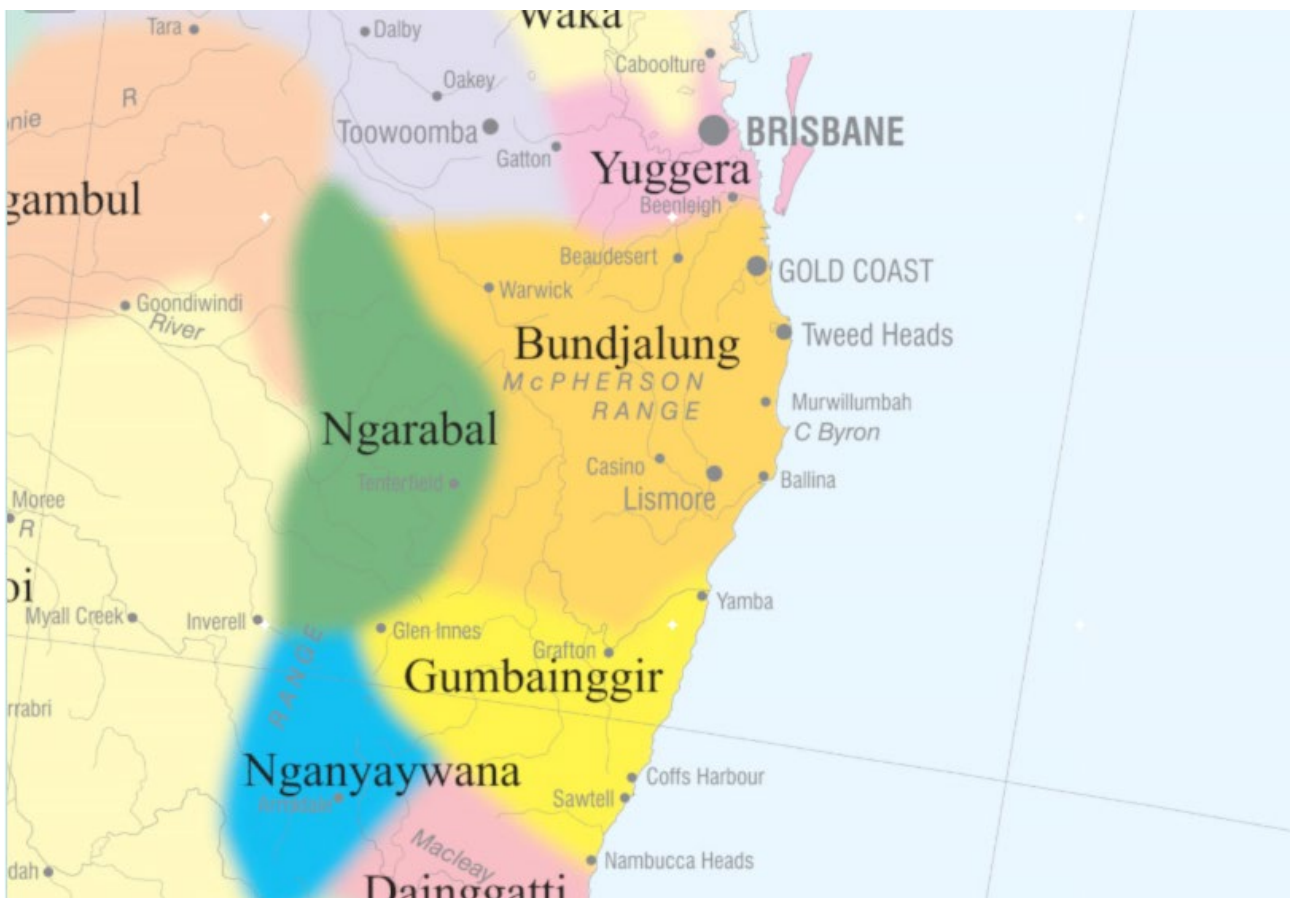


Plate 4.1 Tindale’s map (1974) showing the location of the *Bundjalung* (AIATSIS 1996)

It has been suggested that Aboriginal people did not usually identify themselves by the name of the language that they spoke because they spoke several languages. Instead, people identified by their clan within which they lived. It is generally accepted amongst the Tweed Aboriginal community that three main clans existed within the Tweed River Valley – these being the Coodjinburra, the Tul-gi-gin and the Moorung-Moobar. The Coodjingburra clan took stewardship of the land between the Tweed and Brunswick Rivers and approximately 16 km inland to Murwillumbah; the Tul-gi-gin for the north arm of the Tweed River, and the Moorung-Moobar the southern and central arms of the Tweed River, around Wollumbin (Mt Warning) (Steele 1984:85). Each clan comprised of between 50 and 250 men, women and children, and often these were organised into local family hearth groups of between 10 to 30 people who shared a cooking fire (Fox & Slabb 2019:99).

Movement of people occurred throughout the landscape, in order to exploit hunting grounds and marine resources, to escape the winter cold and driving winds, and allow country to regenerate. People created and maintained tracks by burning forest, scrub and mangroves which promoted contact between local tribes and more distant groups, and to facilitate exchange, marriage, initiation and armed conflicts, share news, organise events and discuss law. At the tri-annual gathering of bunya-nut feasting in the Blackall Ranges in south-east Queensland, Aboriginal groups from as far south as Grafton would travel to the ranges to take part in feasting and ceremony. During this time, rites of passage were provided and particular pathways were used for travelling groups, as the rules regarding trespass were relaxed (Boileau 2007:26).

At other times, complex social interactions and alliances meant that tribal boundaries could not be traversed. Police Magistrate at Murwillumbah Joshua Bray recalled:

Though the blacks up this way would not trespass on each other's country the coast blacks used to mix more. The Coodjungburry tribe inhabiting the coast between Tweed and Brunswick used to mix very much with the Ballina Richmond River Heads blacks. When I came here first I used to have to send to Ballina to post my letters, but my own blacks (the Mooung Moobar tribe) would not go there. I used to pull down to the Tweed Heads, go to the camp of The Coodjungburra blacks and send one of them to Ballina with my mail bag. Then in about a week I would go down to their camp and get it, as he would not come up here ... it gave me a great deal of trouble this fastidiousness about trespassing in each other's grounds. When I was with them they did not mind where they went, but they said they would be killed if caught by themselves trespassing (Bray 1901:9).

4.2.2 Utilising natural resources

The coastline, foreshores, estuaries and creeks of the Tweed area were a focus for Aboriginal occupation. Aboriginal groups of the Tweed region enjoyed a rich economy providing quality and variety in food. The types of traditional foods consumed and the methods for their procurement are described in contemporary ethnographic sources and the later oral testimony of traditional elders.

Aboriginal subsistence activities were likely seasonal and varied based on resource availability and social customs. Along the Tweed River, the subsistence likely had a strong marine base, primarily consisting of fish, crustaceans, oysters, pipis, cockles and other shellfish and fern-root gathering (Virtus Heritage 2019:16). Popular fish consumed by Aboriginal people included snapper and bream, as well as mullet, flathead, leatherjacket, gudgeon, smelt, rainbowfish, catfish and long-finned or marbled eel. Fish were either speared by men using spears, or caught with scoop nets that were cast from the bank or from canoes (Boileau 2007:27). Women sometimes fished at night by aid of torch light, and a fire resting on clay at the bottom of their canoes. Natural rock formations and sand banks were used to trap fish and eels in tidal creeks when the tide went out.

In addition to marine resources, Aboriginal people of the Tweed utilised the resources of the forests. This included hunting kangaroos, wallabies, kangaroo rats, pademelons, wombats, bandicoots, and possums, reptiles and other small game and collecting wild honey, berries, tubers, rhizomes and seeds (Virtus Heritage 2019b:16; Boileau 2007:24-46; Fox & Slabb 2019). Wild bush honey was obtained from the hives of native bees and was either mixed with water to make a sweet drink or eaten with dippers of bark. The nectar of the Coastal Banksia was also mixed with water to creating a sweet drink.

Plant foods, seeds and fruits also played an important role in Bundjalung subsistence practices. Plants such as midgin berry, blue flax lily, pigface, saltbush, bunya, quandong, lilly pilly, Davidson plums, finger limes, Midyim, lemon aspen, orange berry, native Wampee, and native tamarind grew abundantly across the Tweed Coast and would have been frequently consumed. Clans managed not only the plants that they preferred, but also those that the animals they ate relied upon, providing food and shelter for them.

Tubers, bulbs, roots and rhizomes were critical to the diet in the colder months. Often, complex food processing techniques were required before some species of yam (*Dioscorea bulbifera*), lilies (eg *Dianella* spp.) and seeds (eg *Macrozamia* spp.) could be consumed. This involved roasting or prolonged leaching in water to remove toxins or bitterness. The reverend Christoph Eipper, who established an Aboriginal Mission at Moreton Bay in 1838, gave the following account:

The natives got the root of a fern (*Blechnum* spp.) which grew in the swamps in great quantities. It was mostly the gins who dug this up and put it in their dillies to carry to camp; great loads there would be at times, for the root was highly esteemed. It was called “Bangwal”, and was at first roasted, then scraped and cut up finely with sharp stones on a log, when it was read to eat. “Bangwal” was generally eaten with fish or flesh, as we use bread, though also eaten separately. In a camp one would hear the chop-chop continually all over the place, as this food was prepared...

Aboriginal women and girls also collected and used plants for medicinal purposes. Oils from the leaves of the Paper bark treated headaches, coughs and colds. Sap from the iodine plant (*Ervatamia orientalis*) and the sandpaper fig (*Ficus coronate*) was used to treat wounds and sores, while the Australian bugle (*Ajuga Australis*) was effective for gangrene. The leaves of the bleeding heart (*Omalanthus nutans*) were crushed and applied to the body to stop bleeding. The leaves of the toothache tree (*Euodia vitiflora*) were soaked in small wooden bowls, and the tea applied to sore teeth and gums. Juice of the leaves of the pigface plant was rubbed onto midge and bluebottle stings and bites to reduce pain. The stinging nettle (*Urtica incisa*) leaf was used as a decoction and as a poultice for sprains.

Habitation structures were also constructed using natural resources. Shelters or “*mia mia*” were constructed using a frame of forked branches secured to the ground (DeGood 2019:100). Sheets of paper bark were placed against the frame, angled against the wind. The front of the shelter was generally left open, facing a small fire. Camps consisted of groups of bark huts or gunyahs, each with a fireplace, and may also have included discrete areas for activities including food preparation and implement production (NSW Department of Planning 1989:10).

Recorded material culture indicates use of a wide range of plant and vegetable fibre, as well as animal resources for fashioning weapons, ornaments, and utensils. Within the Tweed River valley there was reportedly no discernible difference in the material culture of people who inhabited the uplands mountains or the coastal strip. The hunting toolkit comprised war spears, shields, tomahawks, and nulla nulla, as well as lighter reed spears used for spearing mullet and other fish. Women wove bags from rushes and reeds, and carried fishing nets and implements for digging yams (Boileau 2004:27). Clothing was rarely worn (Unjacke 1825), although possum skin cloaks were used for protection during cold and wet weather, and as bedding material. They were sewn together with a bone or wooden needle using plant fibres or sinew from animals, and often geometric clan design patterns were inscribed in the reverse of the skin. Other items included bone and tooth adornments, canoes, shields, clubs, spear throwers, clap sticks, boomerangs, hatchets, paint, resin and string.

4.2.3 Traditional ceremonial activities

The passage from childhood to adulthood was marked by traditional ceremonies that brought about greater spiritual awareness, knowledge and responsibility for men and women. The ethnographic record, however, offers only glimpses into the ceremonial life of these Aboriginal communities. Due to the secrecy surrounding ceremonial events, even the most richly described accounts only contain limited information about these ceremonies.

Initiates were put through a series of ordeals or trials, and received instruction from initiated Elders regarding medicine, the healing arts, spiritual beliefs, traditional customs, and totemic responsibilities. People specialised in the knowledge appropriate to their totem, and while all people had responsibility for preserving, enhancing and transmitting some knowledge, there were different levels of knowledge that were accessed and accumulated through initiations. For example, certain learnings and cultural wisdom were not divulged to boys until they arrived at the years of puberty, and not until the ceremony of *Wandaral* had been performed upon them (DeGood 2019:100). Members of the opposite sex, and other uninitiated individuals were strictly forbidden from attending these ceremonies.

Initiates had their bodies marked with cuts and filled with ash to create raised scars, had their noses pierced or teeth removed. Raised scars were worn with pride as marks of initiation and were imbued with meanings that were understood by others from distant lands. In 1823 John Uniacke observed a local Aboriginal man as being “Scarified all over the body, the flesh being raised as thick as my finger all over his breasts” (Uniacke 1825:39). Some traditional customs changed following European invasion of cultural land; however, traditional ceremonies were still conducted in the Tweed Coast region. A great corroboree of several hundred participants was reportedly held on the Bray property at Kynumboon in 1863 (Bray 1901).

On the Tweed Coast, historical and ethnographic accounts most often describe initiation ceremonies as taking place at Bora grounds. Bora ground ornamentation took several forms and were often accompanied by ground drawings or mouldings of people, animals or deities. Nearby trees were marked to warn others that a Bora ground was near, and different patterns were used for men’s and women’s sites. Corroboree sites, bora rings and ceremonial sites were well documented in the broader region, regardless of whether or not their cultural significance was understood by the non-Aboriginal recorders. Many of these sites have been destroyed by the activities of early settlers, and more recent 20th Century impacts. Bora rings were recorded at Cape Byron, Billinudgel Creek, Tyalgum and in the sandy soils of Tweed Heads, and where housing subdivisions now dominate at Black Rocks Estate, Pottsville Village and Kingscliff (Steele 1984:48; Fox & Slabb 2019:114).

4.2.4 Aboriginal burial customs

A variety of burial methods were described in the Tweed district, although these were generally confined to contexts with soft sediments such as middens, dunes and estuary banks. At the time of European settlement, observers frequently reported that Aboriginal bodies were buried in a tightly contracted crouching or sitting position, and generally upright. An Aboriginal burial was reportedly also uncovered during the construction of a water storage tank at Kingscliff Reservoir in the 1960s (Pers. Comm. Jackie McDonald and Paul Buxton November 2020).

Several burials have been reported in caves in the broader Tweed valley; however, this appears to have been a strictly pre-contact practice (NSW Department of Planning 1989:16). In 1933, a cave burial was also reported at Tabulam, where three bodies had been placed on the floor of the cave with the knees drawn up to the chin in the custom of Aboriginal burials and lying on their sides, and limb bones had been broken before burial (NSW Department of Planning 1989:16; McBryde 1974:146-147). Alternatively, bodies may have been smoked; or wrapped in bark before being placed in the ground, along with weapons such as boomerangs or nulla nullas and other belongings. According to Mrs Mary Bundock, the northern rivers tribes bound or severed the limbs of enemies to prevent their spirits from doing any harm (Bundock 1898; NSW Department of Planning 1989:16).

Sometimes the dead were buried in burial grounds which belongs to clans and were situated in areas frequented by clan members. Graves themselves were occasionally marked by stone or earth mounds and sometimes nearby trees were carved. According to archaeologist Adrian Piper, Wollumbin Johnnie was buried on top of a hill, and his grave consisted of “three cairns of stones forming a triangle” (Piper 1980, cited in Virtus Heritage 2019b:18). King Durranbah was said to have been buried on a ridge with white chalcedony stones placed as ornamentation (Steele 1984:52). Mrs Allan Macpherson recalled visiting an Aboriginal burial ground at Keera, NSW with four or five gravel mounds surrounded by tree trunks with ‘hieroglyphics’ (Macpherson 1860).

Aboriginal burial methods changed over time, possibly in response to European contact. European-style graves became more common in the post-contact period on reserves and pastoral stations (Department of Environment and Climate Change 2007:11), such as those at Ashby Aboriginal Reserve and on Ulkundahi Island (McSwan and Switzer 2006:20). Five depressions on the north bank of the Clarence River opposite Brushgrove have been identified by Grafton-Ngerrie LALC members as post contact contracted inhumation burials, which suggests that some traditional burial customs continued to be observed (Byrne 1986:38). George Cadwell, an Aboriginal man from Grafton, remembered two of these burials from when he was a young boy.

Members of the Bundjalung tribe bound the bodies with rope, wrapped them in Government blankets, and placed them in a sitting or crouching position in the prepared holes (G Cadwell pers. comm., in Byrne 1985:28).

Burial practices have been described by Piper with regards to the well-known Aboriginal leader, Wollumbin Johnnie (Piper 1980). His grave was located on a hill and consisted of three cairns of stones forming a triangle. Another well-respected Aboriginal man, King Durranbah, was said to have been buried on a ridge with white chalcedony stones placed as ornamentation (Steele 1984:52). Steele notes that the use of semiprecious stones was 'normal at graves, bora grounds and other sites of sacred importance in the Tweed district' (Steele 1984:53). Additionally, there is evidence that Aboriginal people frequently used the coastal dunes as burial sites and cemeteries. A large traditional burial ground was excavated at Broadbeach, Queensland (Haglund 1968), and closer to the study area, an Aboriginal and South-Sea Islander Cemetery is located at Fingal. This cemetery has traditional Aboriginal burials and represents continuity of site use from pre-contact times (Virtus Heritage 2019b). It has been noted by RAP Jackie McDonald that the Chinderah cemetery also has Aboriginal and South Sea Islander burials, and that there is also an Aboriginal burial ground at the end of Drydock Road at South Tweed Heads (pers.coms Jackie McDonald).

4.2.5 Thriving in a 'white-dominated' economy

Instances of frontier conflict are recorded from the Tweed region between Aboriginal people and early cedar cutters, although instances of later conflict between local Aboriginal people and early Tweed settlers was far less commonly reported (Keats 1988:75). Some Aboriginal people gained employment in the local timber industry as bush navigators, cedar cutters and general labourers, and appear to have established quite amicable relationships with their employers. Later on, they were employed as stock-riders or involved in timber clearing and draining land for crops, harvesting crops and operating machinery. Few received wages for their labour, but it was more common for Aboriginal people to be paid in rations such as bread, flour, sugar, tea, tobacco and alcohol (Boileau 2007:29-30).

While other states frequently brought in Governmental policies of protectionism and segregation that increasingly marginalised Aboriginal people to the edges of colonial society, to some degree the farming boom in the Tweed region from the 1860s allowed for the partial integration of Aboriginal people into the European economy. There was such a shortage of local Aboriginal and European labour that indentured workers from Vanuatu, the Solomon Islands, New Caledonia, Samoa, Papua New Guinea, Kiribati and Tuvalu were (occasionally forcibly) brought over to work on Queensland and NSW farms. In the period between 1863 and 1904 some 60,000 South Sea Islander people migrated to Australia, establishing self-supporting communities on the fringes of "white society" in areas that were unsuitable or undesirable for farming. As Ian Fox noted:

Aboriginal people and South Sea Islander people were connected with a common purpose through the employment opportunities of that time. It must also be said that both groups were united, too, in bearing the brunt of any racial prejudice and segregation. Through the generations, shared bonds were strengthened by way of tight-knit friendships, shared community and intermarriage (Fox & Slabb 2019:124).

In the 1880s an Aboriginal camp was established at Wommin on the southern end of the Fingal peninsula. By 1900, the camp had moved up the peninsular to Letita Spit. It was known as 'the blacks camp', but was actually a multicultural community of Aboriginal, South-Sea Islander and other mixed-race people. This community continued to live relatively isolated from the European community north at Tweed Heads until the 1960s, when white people began to move to the area (Boileau 2007:30). Local community Elder Jackie McDonald recalled that another Aboriginal camp, also known as 'the blacks camp', existed at Chinderah in this period (pers.comm. Jackie McDonald, cited in Virtus Heritage 2019b).

In the Tweed region, only one Aboriginal Reserve and settlement was established in 1927 – at Ukerebagh Island, immediately inland of the Letita Spit at Fingal. Aboriginal reserves were established for different reasons: some were created in response to complaints from white residents who objected to Aboriginal people living on the fringes of towns, and others were established at the request of Aboriginal people themselves who were seeking land for agricultural, living and schooling purposes.

The Aborigines Protection Board made an effort to select sites that Aboriginal people already used, or sites where Aboriginal people had been living. Local Aboriginal men found seasonal work fishing, cutting cane, felling timber, harvesting fruit and vegetables and working on the roads and railways, while the women worked as domestics or took on laundry work. They supplemented their income by keeping goats, cows and chickens, fishing and collecting traditional marine resources such as mud crabs, oysters, pipis, and other shellfish (Boileau 2007:31). The Reserve remained in operation until 1951, after most of the residents had moved to Fingal, Chinderah and South Tweed.

4.2.6 Oral tradition: The Young Man and the Kangaroo

The landscape was also socialised with spiritual creation stories and hero figures and other beings. A number of these are known through the records of early ethnographers and diarists, and through contemporary Aboriginal knowledge holders.

The red soils of the Cudgen plateau are inextricably linked to the creation myth of the Young Man and the Kangaroo, a traditional Bundjalung story passed down by Bundjalung Elder James Morgan and since retold by the Aboriginal Advisory Committee for Tweed Shire Council:

In the Dreaming – a young man went out hunting. He saw a Kangaroo and cast his spear into it.

Now the spear did not kill the Kangaroo, but only wounded it. For the spear went into the thigh of the Kangaroo's leg. When the young man came close to it, and went to pick it up so that he might take it back to camp, the Kangaroo got up and hopped away.

The young man followed it, for where ever the Kangaroo went there was blood to be found from its spear wound. Over much country did the wounded Kangaroo go, till at last it came to a mountain, and within this mountain there was a cave, and it was within this cave that the Kangaroo went and there he died.

Now, no sooner that the Kangaroo had died, then the blood from it turned straight away into the red clay paint which is Goodjin, the red paint which the warriors wear. Paint that is far more red than is to be found elsewhere, for it is the blood of the wounded Kangaroo, that died within the cave. This paint can be found in the cave to this day.

This is the story of the wounded Kangaroo, whose blood turned into the red clay paint that the warriors wear (Morgan no date, pers. Comm, Jackie McDonald, and cited in Fox and Slabb 2019:95).

The story helps to explain how the ochre and red clay soils of the Cudgen plateau came to be so red and is an important story that demonstrates a physical connection between Kingscliff and Mount Theresa in the Kyogle Shire.

4.3 Contemporary connection

The *Robertson Land Act 1861*, settler retributions, segregation and widespread urban development of coastal environments are still remembered in the local Aboriginal community and these events have come to symbolise the violent nature of the European invasion of their lands. The events also demonstrate the strength of the local Aboriginal community in surviving and retaining their identity in the face of systematic attempts to remove them from their lands.

The contemporary traditional owners of the Tweed maintain their cultural links to Country, family and aspects of traditional life. They fulfil their cultural responsibilities to care for country and for their cultural heritage places right across the NSW Northern Rivers region and maintain a special connection to places such as Fingal, Ukerebagh Island, Chinderah, and Cudgen.

4.3.1 The Men of Solomon's Row

There is an AHIMS site located 445 m north-east of the study area called Lavender Creek Tweed ACH Artefact (AHIMS # 04-1-0174), which comprises an open campsite and artefact scatter found at the end of what is now Peri Street. The artefact scatter consists of axe heads and other stone tools, but also Chinese coins. Jackie McDonald (pers. comms, July 2021) noted that the Chinese would give these coins to Aboriginal people who would try to use them to buy supplies, but realising they were useless they chucked them away, which has resulted in people in recent times coming across Chinese coins while digging up their gardens.

This site is significant because not only is it the location of a traditional Aboriginal campsite, but it became a street where the houses were built purposefully to house 'the blacks' and became known as Solomon's Row (Jackie McDonald pers. comms, July 2021) (Plate 4.2). It was from this tiny, dead-end street in Murwillumbah that 18 Aboriginal men (from 16 homes) enlisted and served in the First World War. Of these 18 men, one Arthur Brown, great uncle to Jackie McDonald served and died in Gallipoli on Hill 971 on 8 August 1915. Of the 18 men who served in the War, 6 of them were killed and many others were wounded. It was recorded in the Sydney Arrow newspaper in 1917 that 12 of these young men were from the same family boasting a (not confirmed) world record (Interview with Jackie McDonald and Trish Borgs, 22 April 2015). Recent photographs of the street are provided in Appendix D.1 and the location is shown on as AHIMS #04-1-0174 on Figure 5.2.



Plate 4.2 Solomon's Row in Murwillumbah, where 18 young Aboriginal men enlisted and served in the First World War (ABC News 2020, date of photograph 1910).

4.4 Information provided by RAPs

Traditionally, Aboriginal cultural knowledge, customs and history was transmitted orally, being passed down from generation to generation. The following discussion represents a summary of the cultural knowledge that the RAPs have provided to the authors during the assessment:

- Discussions were undertaken of Solomon's Row, which have been incorporate into Section 4.3.1 above.
- Discussions on site raised concerns that soil mapping can be incorrect and that the red Cudgen soils could be located below MHS. If this is the case, it would connect the study area to the Young Man and the Kangaroo Dreamtime story discussed in Section 4.2.6. The RAPs indicated it is common to find artefacts associated with this soil type.
- Connections were made between MHS's location on top of a hillcrest and its position in the broader cultural landscape. From the carpark in the north-western corner of the study area, view-lines towards the north-east look towards Hospital Hill, an Aboriginal Ceremony and Dreaming site, and where the current Murwillumbah District Hospital is located 1.3 km north-east of the study area. It was noted it is not a coincidence that a place of healing and birthing should be situated there.
- It was noted that the location of MWH on the ridge-crest overlooking the Wollumbin valley was a suitable location for a school. Views from the north-west portion of the study area (behind where the music room is currently located) look over the valley, which features numerous Aboriginal Ceremony and Dreaming sites in the landscape (refer to photo location 26 and 27 in Figure 6.1 in Chapter 6). It was discussed this was a suitable location for a yarnning circle and teaching place to discuss Bundjalung culture and the importance of Wollumbin while being immersed in the landscape.

Additional information was provided by the TBLALC during the ACHA review process (further information provided in Appendix B):

- The Aboriginal camps located at Fingal and Chinderah (Section 4.2.5) preceded colonisation.
- The actual heritage of the 'Chinese coins' found at Peri Street is unknown, the artefacts may be associated with the Aboriginal inhabitants, or they may have been found in conjunction with the Aboriginal objects.
- The story of the 'Boy and the Kangaroo' references Boodharam gawari, the songline that connects sacred sites (djurebil) characterised by the warrior's red clay paint (ochre) found in Googin (Cudgen). The red ochre is generally found in weathered igneous dykes, and though the hill on which the school is situated has a common origin, it is not part of the story. The site of the school is not connected to the songline.

5 Archaeological context

5.1 Key findings

- No Aboriginal cultural heritage sites or places have been identified within the study area. Few regional archaeological studies of the Tweed region have been undertaken, and where present these investigations have been generally focussed on midden sites in coastal environments.
- Where cultural heritage management investigations have occurred, they generally demonstrate that tangible cultural materials (stone artefacts of varying densities) are found in proximity to water courses – often on nearby elevation, and ridge-lines, hill tops, crests, etc. The region contains a high number of Ceremonial and Dreaming sites, which are captured in the archaeological review, which are discussed in other sections of the report.
- The AHIMS search identified 35 sites within a 17 km x 17 km search area centred on the study area. The sites nearest to the study area consist of the Perie Street artefact scatter (AHIMS #04-1-0174) located ~430 m to the north-east on the banks of Lavender Creek, and a burial and artefact site (AHIMS #04-1-0206) located ~650 m south-east of the study area.

5.2 Regional archaeological background

Archaeologists examine regional and local trends in the distribution of known sites in relation to environment and topography for the purposes of determining settlement and site location patterns. This provides evidence about the economic and social systems in the past, and also assists archaeologists in predicting likely site types, site locations and the nature of the archaeological resource in any given area.

This section provides a concise summary of the regional and local archaeological context of the study area, a summary of known sites, and the likely locations of archaeological material within the study area.

Archaeologically, the first peopling of Australia occurred ~50 ka and likely consisted of reasonably large groups of technologically advanced hunter-gatherers (Bradshaw et al. 2019; O’Connell et al. 2018). The peopling of the continent was rapid, with sites such as Devil’s Lair (WA), Warratyí (SA), and Lake Mungo (NSW) all occupied within a few thousand years of arrival (Bowler et al. 2003; Hamm et al. 2016; Turney et al. 2001). Genomic (DNA) research has shown that following these initial explorations of the continent, regional populations or “nomadic sedentism” was established by ~40 ka (Tobler et al. 2017). These small populations were highly mobile, but remained within a broad spatial geographic area, dictated in general by the nature of resources and water availability. In the case of some of the arid parts of the continent, mobility encompassed thousands of square kilometres (Gould 1977), while major riverine corridors such as the Murray River had near permanent settlements (Pardoe 1993).

In NSW, the earliest evidence of Aboriginal people are human remains recovered from the lunette in Lake Mungo, dating to ~42 ka (Bowler et al. 2003; O’Connell et al. 2018). Near the coastal edge, the earliest populations were found at Cranebrook Terrace, near Penrith (western Sydney). Here a handful of rudimentary stone tools were found in an alluvial unit, some 8 m below the current surface, and which were dated to ~40-45 ka (Williams et al. 2017). However, it is not until ~35 ka, that regional populations appear to have become established in the Sydney and North Coast Basins, and which appeared to consist of small bands of people focussed mainly along major river systems, including the Hawkesbury-Nepean River, Georges River and Hunter River (AAJV 2017; Hughes et al. 2014; Williams et al. 2012; 2014). These rivers formed key ecological refuges that hunter-gatherer groups used to survive major climatic events such as the Last Glacial Maximum (21±3 ka) – a cool and arid climatic period.

Well-established archaeological models suggest populations experienced a major reduction in size (by as much as 60%), and settlement contraction and abandonment across much of the continent during this time (Veth 1993; Williams et al. 2013), although recent research suggests that the story may be more complex than this (eg Tobler et al. 2017).

The terminal Pleistocene and early Holocene (~18-8 ka) was characterized by significant environmental change, notably the rapid inundation of much of the coastal shelf, resulting in the reduction of the continent by ~21% (~2 million km²) (Williams et al. 2018), in tandem with improving climatic conditions – the Holocene climatic optimum (Williams et al. 2015a; 2015b). More broadly, these conditions resulted in increasing population growth, expansion of ranging territories, increasing sedentism (longer patch residence time) and the beginnings of low-level food production (eg aquaculture), and ultimately the initiation of social and cultural groupings observed in the late Holocene (Williams et al. 2015b). Along the NSW coastline, a large number of sites are first occupied during this time, including Burrill Lake (~20 ka), Bass Point (~17 ka), and Loggers Shelter in Mangrove Creek (~11 ka), as well as at Wallen Wallen Creek on Stradbroke Island (~21 ka), Broadbeach (~10 ka) and Tugun (~7 ka), and Bushrangers Cave in the McPherson Range (~9 ka) (Bowdler 1970; Lampert 1971; Attenbrow 2004; AMBS 2006: 87; Neal & Stock 1986; Haglund 1976; Ozark 2007; Ulm and Hall 1996). More broadly, we see a much broader range of archaeological site types occurring, and the increasing use of marine resources. Many of the previous refuges were subject to abandonment or a re-structuring of land use (Dortch 1979; Fitzsimmons et al. 2019). These activities suggest the ability to undertake large-scale movements to mitigate environmental distress was becoming increasingly difficult and was addressed through diversification of hunter-gathering behaviours and, at least in part, technological advances and investment (Williams et al. 2015b).

The late Holocene saw significant population increase, with hunter-gatherers reaching their zenith of ~1.2 million at 0.5 ka, a tenfold increase on Pleistocene levels (Williams 2013). Data suggests that the highest populations during this time were in the southeast of Australia. Williams et al. (2015b) suggest that this increase was likely a result of intensification of earlier technological advancements, including hafting-technology, plant and seed processing, and localized landscape management (using fire), allowing climatic downturns to be successfully weathered. These included strong arid El Nino Southern Oscillation (ENSO) conditions between 4-2 ka, and increasingly turbulent climatic conditions during the Medieval Climatic Anomaly (1.3-1 ka) (generally wetter) and Little Ice Age (0.3-0.5 ka) (generally drier) (Williams et al. 2010; 2015b). A result of these denser populations was decreasing freedom of movement and the formation of strong classificatory kinship systems, complex cultural and symbolic landscapes based on geographic totemism (the 'Dreaming'), distinctive graphic art systems, land rights in the form of ritual property, and formalised exchange networks (Williams et al. 2015b; Boileau 2007). For the northern NSW coastline, these conditions resulted in a significant increase in the archaeological visibility of past Aboriginal populations, with sites occurring in a much wider range of locations; and generally indicative of a more intensive use of the landscape. The majority of dated sites in the Tweed region fall within this time period, including midden sites at North and Chickiba Creeks (Bailey 1975), Sextons Hill (Appleton 1993:17-18) and at South Ballina and Broadwater (McBryde 1982:77).

5.2.1 Tweed Valley site distribution

Few regional archaeological studies of the Tweed region have been undertaken, and where present these investigations have been generally focussed on the midden sites in coastal environments (eg Sullivan 1982). As such, assumptions about local site patterning presented here have been supplemented by regional modelling work in the New England region of NSW (McBryde 1974; Byrne 1985; Byrne 1986), and the Moreton Bay region of south-eastern Queensland (Hall 1987; Neal & Stock 1986; Morwood 1987).

In their comprehensive analysis of the New England region, McBryde and Byrne considered coastal, inland riverine, and upland environment zones. Of the coastal zone specifically, both noted the predominance of shell midden sites and associated occupation deposits on coastal foredunes, though shell material was also likely to be found in back-dunes, perched swamps and lagoons, the margins of back-swamps and the margins of estuaries.

The food-rich estuaries were noted as particularly important locations, being positioned at the interface of estuarine, beach and rock platform environments (Byrne 1985:55). Other common site types included artefact scatters on high ground elevated above the floodplain and on the flat tops of ridgeline spurs, though it was stressed that sites on the floodplain could be covered to some extent by alluvium. Aboriginal burials were also considered likely in coastal and wetland environments, in sand dune contexts.

In a later study, Sullivan (1982) noted the importance of fresh water in relation to Aboriginal site patterning, particularly for coastal midden sites and occupation sites of the far north coast of NSW. 77% of shell middens were found within 100 m of a fresh water source, while up to 90% are within 200 m of fresh or slightly brackish water. Of the identified midden sites, up to 40% of these are located near swamps (Sullivan 1982:69). Given that prevailing winds blow from the south and south-east, Sullivan recorded that 89% of the known campsites lie to the west and north-west of shelter, while 70% of campsites were located behind headlands (Sullivan 1982:143-146).

Together with local Aboriginal communities, the Tweed Shire Council developed a number of conclusions about site patterning in the Tweed Shire as part of an Aboriginal Cultural Heritage Management Plan of the LGA (Eisermann 2017). These conclusions are as follows:

Watercourses can expose large areas of underlying geology which can provide opportunities for collecting raw material for stone tool construction or suitable rock exposures that were utilised for shaping tools (grinding grooves).

Stratified cultural deposits can be located on creek terraces, or within sediment accumulations from cumulative flood events where artefacts from an upstream campsite are transported and re-deposited downstream.

Elevated edges of lakes, lagoons and swamps have a higher probability for campsites that were especially selected when exploiting available aquatic food sources.

Regular harvesting of estuarine resources has resulted in vast accumulations of shellfish remains (middens), often positioned in proximity to the shorelines. Large, stratified middens can provide a record over time of resource preference, availability, and can also contain artefacts and human remains.

Associated with middens are evidence of numerous campsites which contain fire hearths and artefacts.

Coastal landscapes are associated with open campsites, middens, burials, ceremonial locations and traditional story places.

Midden deposits and associated campsites with artefact scatters may occur within more recently formed coastal dune systems (Holocene dune systems) that have not been impacted by mineral sand mining or sand extraction. However, they can also occur at depths down to several metres within far older coastal deposits (Pleistocene dune systems), for example at Cobaki.

Headlands hold additional cultural significance as story places with ceremonial significance, such as Fingal, and as tool making sites with observational opportunities such as Hastings Point and Cabarita.

Cultural sites are also associated with ridge crests, plateaus and ridge saddles which form a natural watershed with connecting routes between the Tweed River floodplain and upper catchment watercourses.

Terminating ridgelines and toe slopes in undulating landscapes were favoured locations for camping, particularly those with a northerly aspect (warmer) and access to nearby natural water sources;

Any geological exposures (escarpment) in these landscapes are likely to be significant, both as a resource for suitable tool making rock types, but also for habitation if rock shelters are present. High energy upper catchment streams are also more likely to expose sandstone geologies in creek beds where tool making grinding grooves are found.

Ceremonial sites are often associated with unique landforms such as waterfalls, which are usually found in upper catchments.

A significant aspect of traditional Aboriginal belief is the tangible connection and spiritual values attributed to elevated topographic features within a landscape. For Tweed Shire, the most obvious feature is Wollumbin/Mt Warning, but the surrounding lesser peaks and the elevated summits of the adjacent Border Ranges provide a rich cultural identity (Eisermann 2017:43-47).

An outcome of the Tweed Shire's ACHMP (Eisermann 2017) was the development of archaeological sensitivity mapping for the LGA, to guide future development with regards to Aboriginal cultural heritage. The mapping incorporated known Aboriginal archaeological and cultural sites (identified in yellow shading on the subsequent mapping outputs), as well as areas that were predicted to have Aboriginal archaeological and/or cultural sensitivity (identified in blue shading on the subsequent mapping outputs). This map is based on an analysis of previous disturbance, local site patterning and the knowledge of local Traditional Knowledge holders and is illustrated in Plate 5.1 and Plate 5.2. There are no areas of predicted Aboriginal cultural heritage within the study area, and the closest Aboriginal place of heritage significance is located to the north-east being Solomon's Row and previously recorded artefact scatter Lavender Creek Tweed ACH Artefact (AHIMS #04-1-0174).

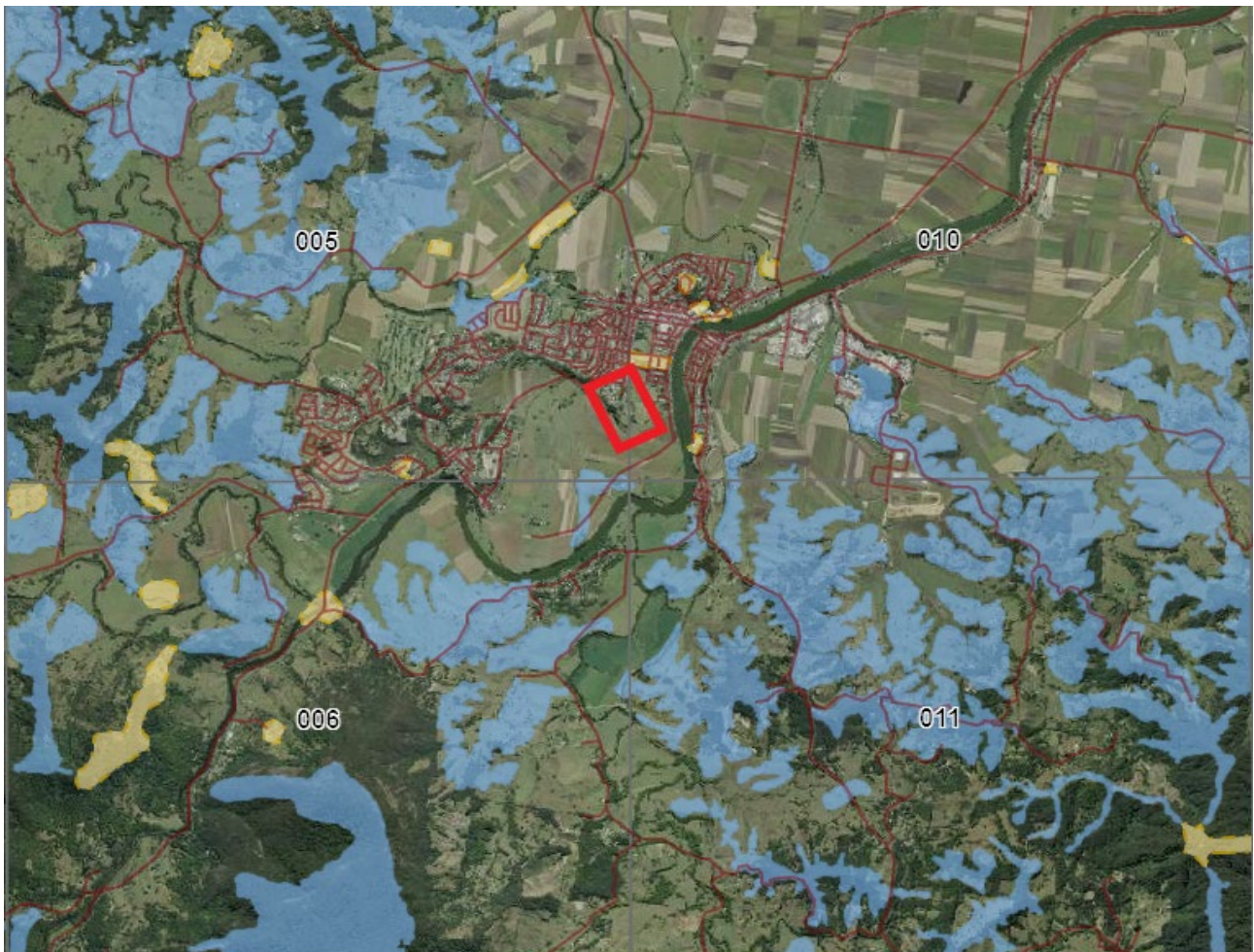


Plate 5.1 Excerpt from Tweed Shire Council's Aboriginal Cultural Heritage Management Plan (2018) Aboriginal sensitivity mapping, showing 'Aboriginal places of heritage significance' (yellow shading), and areas of 'predictive Aboriginal cultural heritage' (blue). The study area is identified by the red box.



Plate 5.2 A close-up of the study area (featured in the red box), showing the Aboriginal place of heritage significance being Solomon's Row (Peri Street) and AHIMS site #04-1-0174 just to the north-east of the study area.

5.3 Local archaeological background

The majority of archaeological investigations conducted in the Tweed region have been compliance-based investigations primarily for mineral sand mines or property developments along the coastline. Overwhelmingly, the majority of sites identified during these assessments comprise freshwater or estuarine shell midden sites or open campsites on the banks (the surface) of the Tweed River and Cudgen Creek and concentrated on dune deposits that potentially date to the Pleistocene period. These midden sites comprise relatively shallow deposits of estuarine oyster or cockles and whelk, obtained locally in the coastal area. Studies reveal these midden deposits are no greater than 30 cm in depth, but occasionally can be spread over vast distances along riverbanks. Open campsites have also been identified in inner barrier sand and wetland environments, predominantly in elevated positions adjacent to creeks, wetlands and lakes. Artefact scatters identified in the Kings Forest and Duranbah Hills areas are typically of a low density, and contain a variety of unretouched and retouched flakes, cores, backed blades, scrapers and axes. The artefacts were typically manufactured from chert, chalcedony, quartz and quartzite, as well as greywacke and basalt (Piper 1998; 1999; Robins 2009).

Hall (1986) conducted academic exploratory excavations at Bushrangers Cave (Site La:A11), a 6,000 year old campsite in Southeast Queensland, ~17 km north-west of the study area. The cave is a large rockshelter, 60 m long and about 8.5 m deep, within a rhyolite cliff on the eastern edge of the Lamington Plateau along the Queensland state border. The shelter has a north-east aspect viewing over the Numinbah Valley north of Murwillumbah, and has been known historically as Bushrangers Cave as it was a stable hideout for outlaws working up the Tweed Valley in the mid-19th century (Groom 1948:51, Hall 1986:88). Stone artefacts have been collected from the surface of this site from as early as the 1890s (Museum No. QE2221) as well as a collection gathered in 1939 by Young, an amateur archaeologist who collected artefacts and bones from a small pit and placed them in the Queensland Museum (Museum No. QE6156) (Hall 1986:88). The site was officially recorded by Michael Quinnell, the Museum's Curator of Anthropology in 1979.

A grid composed of 50 cm x 50 cm test pits was laid over the site though as this was an exploratory activity, only three pits were excavated. The first test pit was excavated to a depth of ~75 cm before reaching degrading roof spall, and two stratigraphic units were identified: the first unit comprising a greyish-brown fine silty-ashy deposit to ~60 cm, which became more sandy and almost gravelly after 25 cm deep with increasing roof spall inclusions to 60 cm (Hall 1986:92). Artefacts were recovered throughout the test pit and included stone artefacts, bone and shell fragment of mussels, snails, turkey eggs, and crayfish exoskeleton. The second stratigraphic unit comprised a culturally sterile reddish-brown silty deposit on top of base rock. A total of 120 flakes, 62 flaked pieces, and 77 chips (less than 5 mm in most dimensions) were recovered from this test pit. The second test pit after quickly encountering roof spall was trenched towards the third test pit. The trench was 1 m x 50 cm and varied in depth up to ~85 cm deep and revealed a number of hearths as well as stone artefacts. Unit 1 comprised this a cultural brown soil layer over the culturally sterile weathered rock layer comprising reddish-brown soil. The finds of the trench were not analysed in this report though it was noted that they reflected the finds of the first test pit. Two radiocarbon samples were collected from 45-50 cm deep within the first test pit and at the lowest hearth (Layer 9) from within the trench where the brown soil transitioned to the culturally sterile red soils. Radiocarbon ages for the base of these deposits ranged from 5430 +/- 300 for the first test pit and 6220 +/- 280 cal years BP. As such, it was determined that occupation of the rockshelter began ~6,500 years ago and ended approximately when Europeans colonised the land and began to use the shelter for themselves.

Within the Murwillumbah locality, a survey of seven modern quarry sites was conducted as part of an environmental impact statement for the Tweed Shire Council (Piper 1994). The quarries were situated within hinterland hills comprised of steep hills dissected by steep sided gullies around Brunswick Heads, Murwillumbah, and near Tweed Heads. No archaeological sites were identified during the survey efforts.

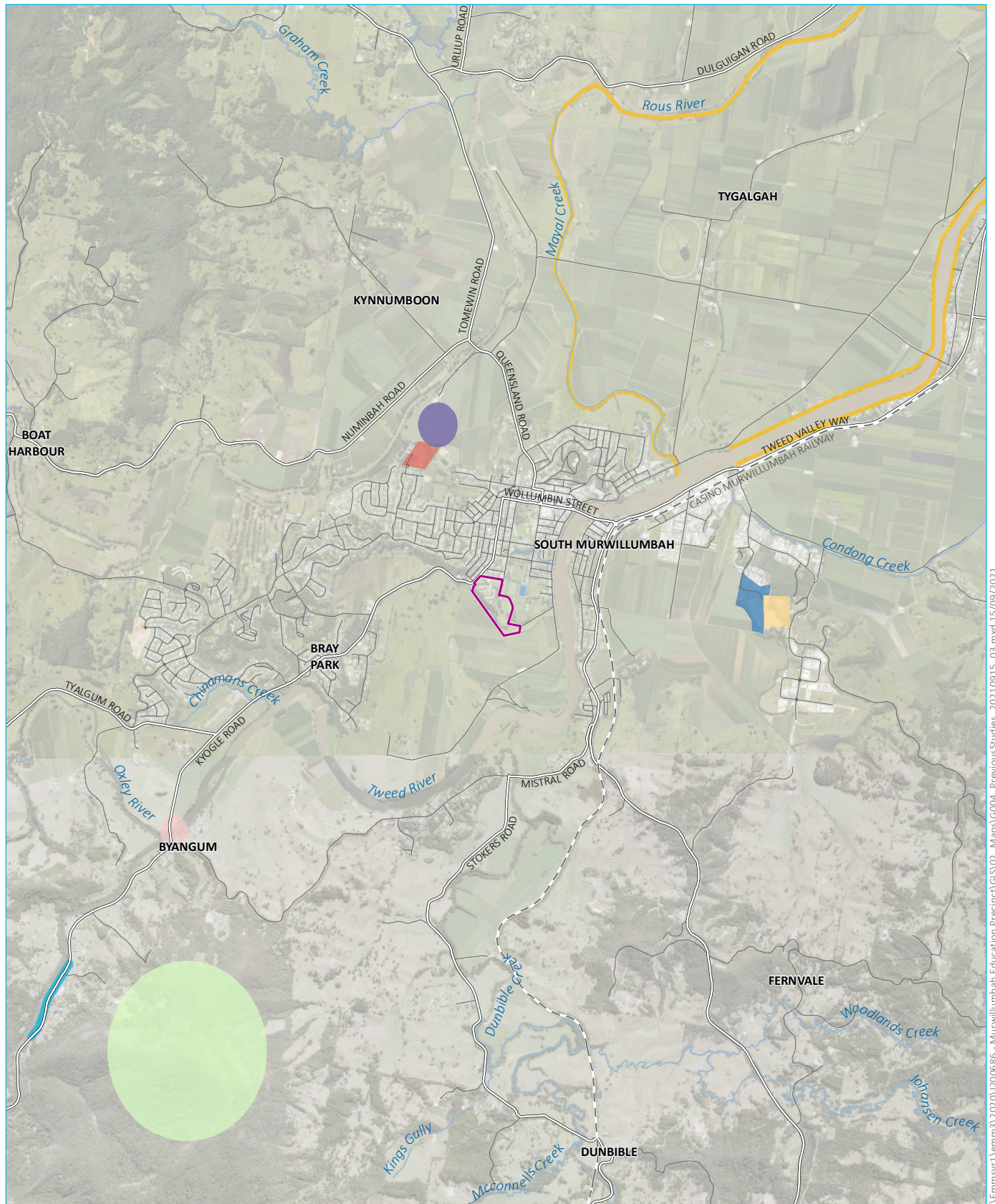
An archaeological assessment was by Heritage Surveys (Piper 2002) for Haliburton KBR (on behalf of the Tweed Shire Council) at the proposed Byangum Bridge in Murwillumbah, located 3.5 km south-west of the study area. The existing bridge was situated downstream of the junction of the Oxley River and Tweed River and was proposed to be demolished in favour of a higher bridge built immediately upstream to improve the alignment of Kyogle Road and provide safe passage for pedestrians and cyclists. The assessment consisted of a survey of the project area (~2.7 ha) although no test excavation was proposed. No Aboriginal sites were identified during the survey, however a member of the Tweed Byron LALC showed Piper two chert flakes and green and red jasper stone pebbles recovered by the LALC one month prior in August 2002 (now registered as AHIMS #04-1-0071). These were located on a river beach on the immediate eastern side at the northern end of the existing bridge (Piper 2002:30), which was exposed due to lower water levels at the time of the archaeological assessment. Recommendations were made to avoid the known artefacts and monitor constructions works in the event that more artefacts are found beneath the surface, as well as provisions for the management of unexpected cultural material and human remains.

Another archaeological assessment was conducted by Heritage Surveys (Piper 2003) for Jim Glazebrook & Associates Pty Ltd at Barnaby Street in Murwillumbah, located 1 km north-west from the study area. The assessment was conducted to accompany a rezoning application to the Tweed Shire Council. The field survey was conducted in November 2003, which yielded high surface visibility on recently harvested sections of the floodplain.

The survey efforts located an isolated find (possibly a reworked ground-edge axe) located on level alluvial plain in an open harvested sugar cane paddock ~75 m east of the Rous River (Piper 2003:28). Recommendations included avoiding the identified Aboriginal site and monitoring of initial construction works on the hillcrest, slopes, and ridgecrest within the study area so to mitigate potential impacts to subsurface artefactual materials as well as provisions for the management of unexpected cultural material and human remains.

Piper (1994a) conducted another archaeological assessment of the Quirks Quarry project area located on Environ Road located 13 km north-east of the study area. The study area was found to have been significantly disturbed by past quarrying activities (removing the top 3 m of the soil), such that the likelihood of identifying intact cultural deposits was considered very low. The report included provisions for the management of unexpected cultural material and human remains.

In February 2020 EMM undertook a site inspection for an Aboriginal heritage due diligence assessment for the Murwillumbah Education Campus project. The site inspection encompassed the whole school grounds, which were noted to range from highly disturbed in the development footprint in the northern portion at the location of the school buildings, to less disturbed areas consisting of football field and agriculture paddocks in the southern portion of the study area. The site inspection did not reveal any previously unidentified Aboriginal sites, however at the time of the inspection it was deemed difficult to determine whether the creeklines bordering the south-west and southern portions of the study area were natural drainage lines that had been modified to create sugar cane channels. As such, recommendations were made to avoid any ground disturbance activities within 50 m of the creek edges as well as provisions for the management of unexpected cultural finds and human remains. EMM further investigated this creekline with a desktop investigation conducted in October 2020, which reviewed parish maps and historical aerial imagery. The results of the desktop assessment concluded that the creekline was a man-made canal constructed around 1912 as part of a scheme to drain the inland wetland areas west of the MHS into the nearby Tweed River (EMM 2020a). Overall, despite high levels of disturbance within the Tweed Valley region, a variety of archaeological sites have been recorded, indicating that Aboriginal people utilised many different landscape elements and had access to a variety of resources.



Source: EMM (2021); DPC (2020); DFSI (2017)

KEY

Study area

Rail line

Major road

Minor road

Relevant archaeological studies

Archaeological sensitivity of the Mount Nullum area

Brims Quarry (1995)

Byangum Bridge

Lot 10 DP 258122 Quarry Road (2000)

Lot 3 and portion4 Oceanside Place (1996)

Murwillumbah sewage treatment works (1996)

Section of the proposed telecom inter-exchange network (1993)

Upper Tweed River management plan (1994)

Note: Studies "Ocean beach to mountain top (1976)" & "Aboriginal sites in the northern region (1989)" encompass the study area and entire environs and so are not represented on this figure

Map of previous studies
in the local area

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 5.1

5.4 AHIMS data

The Aboriginal Heritage Information Management System (AHIMS) database is managed by Heritage NSW and includes details on the location and nature of Aboriginal objects and sites that have previously been recorded and registered, as a result of academic investigation and cultural resource management projects. An extensive search of the AHIMS database was carried out on 15 July 2021 (AHIMS Client Service ID: 606742) encompassing 17 km x 17 km search area centred over the study area. The search identified any Aboriginal sites or Aboriginal places registered within the search area; and aids predictions for the study area showing frequency and distribution of Aboriginal site types in the broader landscape. A copy of the AHIMS search is provided in Appendix C.2.

The search identified 35 sites within the search area, which are categorised in Table 5.1 and their locations are presented in Figure 5.2. Of these recorded sites the majority (n=13, 37%) are recorded as restricted sites. Often, the Aboriginal community places restrictions on public access to sensitive information about sites that are culturally sensitive and cannot be shared with uninitiated members of the community or members of the opposite gender. Often, the location of these sites is withheld, as well as details about the nature of the recorded sites and their significance. This is often a protection mechanism to protect these sites from advertent or inadvertent damage, and because it may be inappropriate for certain individuals to have access to this information (eg they may become unwell if this information is shared, or because the information can only be passed on once a person has acquired a certain level of wisdom or cultural knowledge). Further enquiries with the Aboriginal Heritage Information Officers at the Heritage NSW on 29 July 2021 confirmed that none of the 13 restricted sites are located within the study area.

All sites are listed as valid, and two sites are listed as closed sites (492 Nobbys Creek Road Stone Artefact Scatter (AHIMS #04-1-0072) and one of the restricted sites (AHIMS #04-1-0135)) meaning they have defined boundaries, such as being located within a rockshelter, rather than open campsites or artefact scatters that can extend any distance within the landscape. The Aboriginal site type with the second highest frequency is artefact sites (n=11, 31%) followed by Aboriginal Ceremony and Dreaming sites (n=7, 20%). There are several burial sites in the search area (n=3, 9%) and one conflict site (3%) located at Mayal Creek ~2 km north-east of the project area. There are no recorded sites in the study area listed on the AHIMS database.

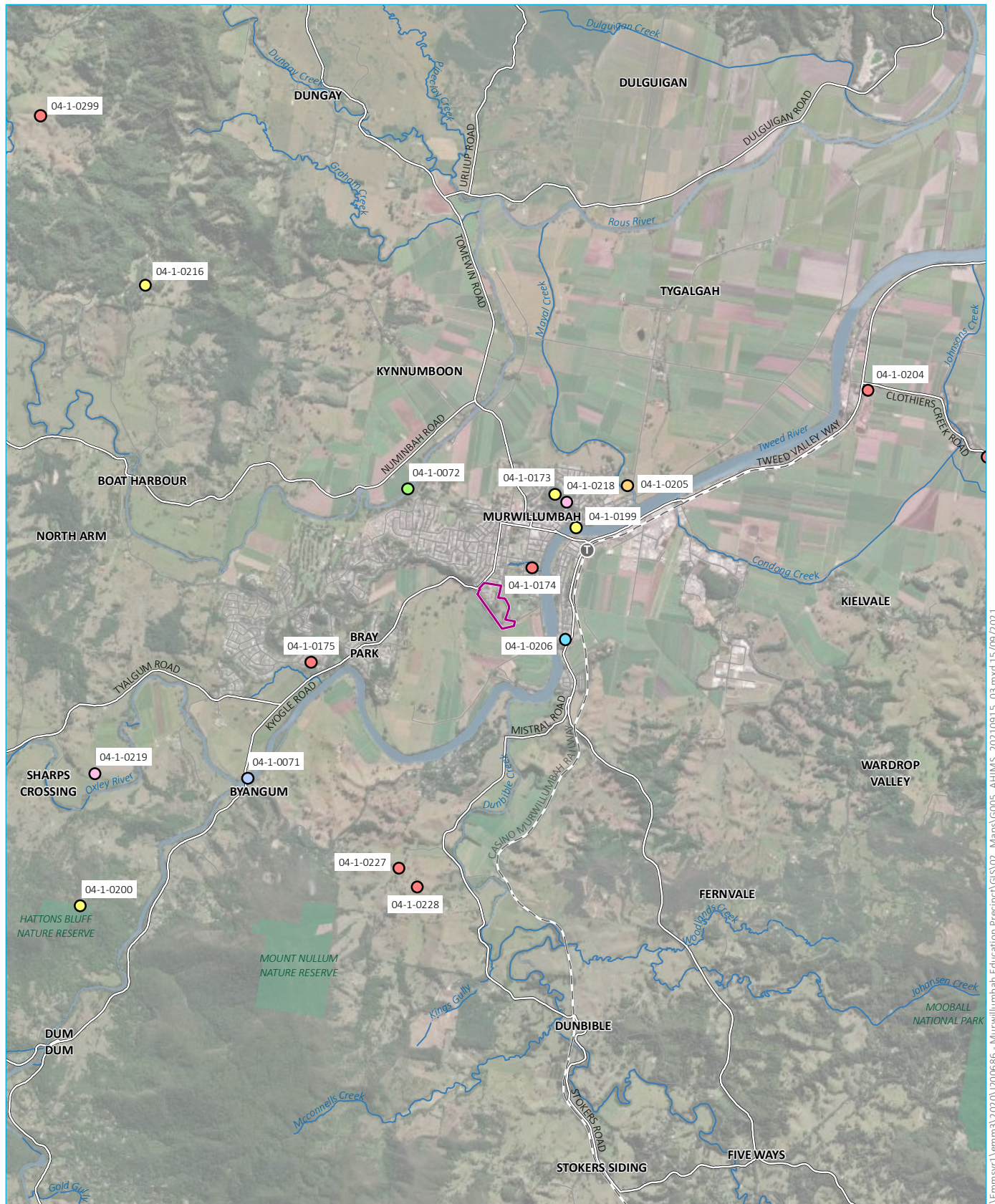
The Aboriginal cultural heritage assessment process requires that proponents identify whether there have been previous permits to conduction archaeological research ("Section 87 permits") or consent to destroy cultural material (previously "Section 90 permits", now called Aboriginal Heritage Impact Permits (AHIPs)) for a given study area. This helps the consent authority to determine the cumulative impact of previous developments on a given Aboriginal cultural resource. There have been no research or consent to destroy permits issued for the study area.

Table 5.1 Recorded site features for AHIMS sites within the search area

Site Feature	Number (n)	Percentage (%) of total
Artefact sites	11	31
number not specified	8	23
isolated find	1	3
w/ burial	1	3
w/ modified tree	1	3
Aboriginal Ceremony and Dreaming sites	7	20
w/ burial	1	3
Ceremonial ring (stone or earth)	2	6
Burial	1	3

Table 5.1 **Recorded site features for AHIMS sites within the search area**

Site Feature	Number (n)	Percentage (%) of total
Conflict site	1	3
Restricted site	13	37
TOTAL	35	100



Source: EMM (2021); OEH (2021); DFSI (2017)

KEY

- Study area
- Train station
- Rail line
- Major road
- Minor road
- Named watercourse
- NPWS reserve

- AHIMS site type
- Aboriginal ceremony and dreaming
 - Artefact/modified tree (carved or scarred)
 - Artefact number unknown
 - Burial/artefact
 - Ceremonial ring (stone or earth)
 - Conflict
 - Isolated find

AHIMS sites

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 5.2

5.5 Archaeological predictions and summary

Based on regional ethnographic information, environmental factors and regional archaeological site patterning, it is highly likely that the study area was occupied and used by local Bundjalung people. The study area is situated on a ridge crest and ridge slope within 300-500 m of the Tweed River. The top of the hillcrest provides views of the valley and clear view-lines of Wollumbin some 10 km away. The Tweed Byron LALC noted that there are numerous Dreaming storylines visible in the landscape surrounding MHS, particularly the music room which looks west towards Wollumbin.

With regards to the material culture that is likely to be preserved on site, regional and local site patterning suggests this is likely to be made up of occupation deposits containing stone artefacts and hearths evident of either transient use of the landscape or use of the area as a more permanent camping location.

Previous disturbance commonly reduces the potential for such sites and occupation deposits to be present and/or intact, and in the case of the study area the impact of previous disturbance is highly variable. The study area was partly cleared of its native forest vegetation at least prior to construction of the school in 1901. The development footprint in the northern portion of the study area has been significantly developed over the last century with a variety of masonry structures, concrete and asphalt paving and landscaping. These development activities are likely to have impacted the upper soil deposits in the northern portion of site, with more significant and localised disturbance resulting from the installation of various electrical, sewerage and water services. This is supported by geotechnical investigations that suggest an absence of an A1 horizon, frequently substituted by modern fill materials. The southern portion of the study area exhibits less ground disturbance, however some clearing and ground modification has occurred to create two football ovals and a berm in the south-easternmost corner of the study area. The remaining southern and western portions exhibit minimal visible ground disturbance and may retain subsurface materials along the drainage line.

The following conclusions can therefore be drawn regarding the potential presence and location of Aboriginal sites and objects within the study area:

- Occupation sites containing stone artefacts, hearths and potential freshwater shell (midden) and stone artefacts are most likely to be identified on site. Artefact sites and isolated finds can occur across most landforms, even in disturbed contexts, but are most commonly found close to streams on elevated, level to gently inclined landforms, such as hill crests and hill spur crests, alluvial plains and terraces.
- Shell midden deposits occur often in sandy alluvial contexts, and mostly within 200 m of fresh or brackish water. However, the integrity and extent of the deposit is reliant on the condition and depth of soils. Where present, shell middens and stone artefacts are most likely to reflect occupation over the last 5,000 or so years, with few significantly older open sites documented in the region.
- Traditional Aboriginal burials can occur anywhere in the landscape, but they are most commonly found within soft, sandy sediment contexts. Generally, they would be identified by mounds of earth, carved trees or stone markers. Burial sites have been historically and orally noted by RAPs in association with sandy hills, but evidence of burials can be rare because human bodies are susceptible to acidic Australian environments and other taphonomic processes.
- The underlying geology of the study area is volcanic, as such, the geology of the area is not conducive to the formation of vertical overhangs or flat outcrops that would have been suitable for use and occupation. Rock shelters with pigmented art or occupation deposit, engraved art sites and grinding grooves are therefore highly unlikely to be found within the study area.

- Culturally modified trees have not been recorded within the study area previously; given the early use of the region for timber getting and/or pastoralism they are considered highly unlikely to be present. The exception to this is the south-eastern portion, which retains several native trees have been retained as a windbreak, which appear to be of an age where cultural modification could have occurred. The trees were inspected during the survey and did not show any signs of cultural modification.
- Stone arrangements are most likely to occur on elevated and relatively flat landforms (eg crests, terraces, ridges) near sources of outcropping cobbles or small boulders capable of being moved manually. None such have been identified within the study area previously; and given the early use of the region for timber getting and/or pastoralism they are considered unlikely to have survived, were they ever present.

6 Field investigation

6.1 Key findings

- An archaeological field survey was undertaken by an EMM archaeologist and representatives of the RAP organisations. The field survey conducted a general overview of the project area and targeted areas with high visibility and exposure.
- The field team walked ~2.7 km each over the study area. The study area is situated on a ridge crest and upper slope that terminates at the man-made canal along the southern boundary.
- The study area exhibits high levels of disturbance from the construction of MHS, agricultural sheds, football fields, paddocks, and canal.
- The field investigation did not identify any new Aboriginal sites. The site was ultimately assessed as having low archaeological potential due to the high levels of ground disturbance removing the layers of topsoil most likely to contain cultural materials. The subsurface potential of the southern portion of the study area within the Byron-Tweed Alluvial Plains landscape could not be robustly determined, however there are no ground disturbance activities proposed for this part of the site.
- No intangible cultural values were identified within the study area during the field investigation. However, concerns were raised for the potential presence of the red Cudgen soils below the current fill, and the view-lines to other known cultural places and sites (see Section 3).

6.2 Archaeological survey

On site investigation of the study area was undertaken in accordance with the requirements of Heritage NSW's *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a). This included an archaeological survey of the site.

EMM conducted an archaeological field survey of the survey areas with the assistance of RAP representatives on 22 July 2021. The pedestrian survey was completed over one day and was directed by Taylor Reid (EMM archaeologist) with assistance from Warren Phillips and Maurice Gannon (TBLALC), Jackie McDonald, Paul Buxton, and a representative for Jason McDonald.

An overview of the survey tracks completed for the survey is shown on Figure 6.1.

The primary aims of the survey were to:

- identify Aboriginal archaeological sites and/or Aboriginal places with the assistance of Aboriginal knowledge holders;
- characterise the landscape to aid predictions of archaeological potential;
- identify sites or areas that would require further investigation if planned for development as part of the project;
- identify sites or areas to be avoided by development, where possible; and
- identify areas with minor or negligible Aboriginal cultural heritage values that are most suitable for development.

The field investigation was undertaken during active school hours and therefore required sensitive time management to ensure that school activities were not interrupted. The survey encompassed all external areas of the school property proposed for development, including playgrounds, landscaped areas, breezeways and carparking areas. The common areas between buildings were also inspected, but classrooms and other internal areas were not surveyed. In the proposed construction areas and where slope gradient and access allowed, participants were spaced at 2–5 m intervals. The team targeted ground exposures along transects. It must be noted, however, that archaeological surveys are inherently limited by ground surface visibility conditions and therefore any survey, despite the intensity of survey effort and spacing of survey transects, is considered to only *sample* the archaeological landscape.

The effectiveness of the survey is determined through recording and analysing survey coverage data. It is evaluated for its effectiveness in identifying the distribution of Aboriginal objects across the landscape, taking into account the potential for archaeological deposits. The percentage of the ground surface exposed in each landform and the visible ground surface within exposures (as ground exposures are often obscured by vegetation, gravels, etc) influences the survey results. For example, an archaeologically sensitive landform surface that is highly exposed by erosion is likely to reveal Aboriginal objects, whereas a similar landform that is thickly grassed will obscure surface artefacts if they are present. Overall, calculation of effective survey coverage is used to estimate not only how much area was physically surveyed, but also how favourable the survey conditions were for the identification of Aboriginal sites.

Site recording was completed in accordance with the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a). Survey transects were recorded as tracks on GPS units and detailed information about each transect recorded in field notebooks.

6.2.1 Survey results

The survey comprised one transect across the study area, which was largely situated on a ridge slope. The school infrastructure is situated on the crest of the ridge, as such this area was included in the ridge slope landform since none of the natural ground was visible on the crest landform. The survey transect was a total of 2,735 m and some 54,294 m² of coverage. Overall, ground surface exposure was high (90%) with an average visibility of 5% and an effective coverage of 4.5% (Table 6.1). The survey unit is described below and shown in Figure 6.1 with a corresponding photographic log provided in Appendix D.1.

The study area is situated on a ridge crest and ridge slope that extends south-eastward towards the Tweed River. Overall, the study area had a high level of exposure largely attributed to the development of the school infrastructure on the ridge crest in the northern portion of the study area and the football ovals in the southern portion. The proposed development footprint is characterised by an almost entirely modified landscape and contains the main high school buildings (mostly masonry structures with strip footing foundations), as well as an asphalted carpark with manicured gardens, concrete pathways and covered breezeway structures. Within SU1 there is considerable evidence for disturbance from the installation of underground services, especially stormwater drainage, gas and electricity mains throughout the staff parking area. The main school campus area is paved with concrete/pavers, and contains a network of stormwater pipes and grates that drain away surface water. Several small, terraced lawn areas and planted garden beds exist in open courtyards between buildings. Construction of the school has significantly impacted the majority of the ridge crest, which is situated on eroded volcanic geologies likely reducing the potential for subsurface materials across the proposed development footprint. However, the agriculture paddocks and football ovals in the southern portion which are situated on alluvial soils from the Tweed River, although being subject to high ground surface disturbance, have less evidence of past activity and the potential to contain subsurface cultural materials.

There were very few ground surface exposures evident in SU1, as much of the survey unit is covered in asphalt, concrete or turf. The exception to this was along eroded paths from foot traffic in lawn areas in the northern portion, and dirt tracks, animal burrows, and erosion exposures in the southern portion where the paddocks and livestock were kept. The steep hillslope on the western side of the study area presented the most extensive ground exposure where a stand of pine trees have been planted. It was here that one of the RAPs identified a potential stone artefact (grindstone). However, the artefact lacked diagnostic and had differing opinions in the field team. Ultimately, the location of the find was documented, but it was not considered an Aboriginal object (see Figure 6.1 and Plate 6.5). Overall, visibility was assessed to be about 5% of the total study area. Examples of exposure and visibility are shown in Plate 6.1 to Plate 6.8.

Table 6.1 **Survey effective coverage summary**

Transect (SU#)	Length (m)	Area (m ²)	Landform	Exposure (%)	Visibility (%)	Effective Coverage (sq m)	Effective Coverage (%)	Aboriginal sites identified
1	2,735	54,294	Ridge slope	90	5	2,443	4.5	0
Total	2,735	54,294	-	-	-	2,443	-	0



Plate 6.1 Eastern side of the northern portion of the study area, showing buildings and pathways, view south.



Plate 6.2 Northern portion of the study area showing main school building and staircase, view west.



Plate 6.3 Western side of the northern portion of the study area showing exposure, visibility and rubbish, view west.



Plate 6.4 Northern portion of the study area behind the music room looking towards Wollumbin, evident in the background, view west.



Plate 6.5 A stone fragment initially considered as of cultural origin, but ultimately determined to be natural.



Plate 6.6 Southern portion of the study area showing drainage line and paddocks with Wollumbin in the background, view west.



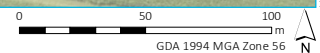
Plate 6.7 Southern portion of the study area showing football oval, view south.



Plate 6.8 Western side of the southern portion of the study area showing visibility along access tracks, view north.



Source: EMM (2021); MetroMap (2021); DFSI (2017)



KEY

- Location of potential grindstone
- Photo location
- ⋯ Survey track
- ▭ Study area
- Major road
- Minor road
- Watercourse/drainage line

Survey results

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 6.1

7 Archaeological and cultural resource

Regional studies and previously documented Aboriginal cultural heritage sites show that the Aboriginal archaeological and cultural resource of the Tweed Valley is dominated by Aboriginal Ceremony and Dreaming sites and artefact sites of varying densities. Key criteria for the presence of such cultural material are proximity to water, notably major fresh and brackish watercourses and other wetlands; and elevation above water providing view lines across these resources. The majority of sites registered within the Murwillumbah locality are Aboriginal Ceremony and Dreaming sites mostly related to mountain peaks, ridges, hillcrests and other prominent features in the landscape. While the predicted Aboriginal cultural heritage sensitivity Tweed Shire Council mapping did not highlight any sensitive areas within Murwillumbah itself, the less impacted hills and ridges in the area, particularly near water would align with these broader findings. These occupation sites most frequently demonstrate occupation of the region by local Aboriginal people within the last 5,000 years, with few sites bearing evidence of Pleistocene occupation and use.

Despite the proximity of the study area on a ridge slope in proximity to a major watercourse (the Tweed River), it was anticipated that no Aboriginal objects would be identified during the survey due to the highly developed nature of the site. This proved to be the case. Geotechnical information demonstrated that the portion of soil profile within which such cultural materials may be expected is no longer present within the development footprint. Instead, in the northern portion of the study area, significant fill units are present over-lying a truncated sub-soil. This is supported by the field investigations that identified no cultural material and numerous recent underground activities (eg strip footings, services, etc).

The southern portion of the study area is comprised of the deep alluvial soils of the Tweed soil landscape. This portion has also been disturbed but to a much lesser degree than in the proposed development footprint. As such, there is the potential for subsurface materials to be present within the southern portion of the study area. Currently, no activities are proposed in these parts of the site.

Due to the heavily urbanised environment, the study area retains little to no native vegetation that would have typically characterised the ridges of this landscape. There are several old native trees on the eastern boundary of the study area, which were inspected for cultural modifications, none were identified. The remaining trees are introduced species that would have been planted within the last 100 years and do not show any signs of cultural modification. Much of the northern (carpark) and southern (oval) parts of the site have been levelled during the historical period to create appropriate school spaces, and these areas retain no aesthetic value.

Based on discussions with RAPs, it was noted that the school had a good view of the valley towards Wollumbin from the northwest portion of the site (where the music room is currently located). There are also views over towards Hospital Hill, which is the location of another Aboriginal Ceremony and Dreaming site. It was discussed that the study area was a prime location for an education precinct and should maximise its opportunity to maintain and improve the view-lines across these sites to allow future cultural heritage education opportunities. The RAPs also identified the potential for the red soils of the Cudgen soil landscape to be located within the study area. If this proved to be the case, this would associate the study area with the Young Man and the Kangaroo Dreaming story.

The investigations identified no evidence of tangible cultural materials within the proposed development footprint. The site has been subject to significant impacts from the establishment of MHS. While no intangible values were identified on the site, it is within the Tweed Valley cultural landscape, and surrounded by numerous important cultural places. The RAPs strongly supported the celebration and integration of these places into the proposed development through view-lines, education areas, etc.



KEY

- | | |
|---|--|
| Study area | Soil profile |
| Rail line | Shallow soil profiles subject to heavy disturbance |
| Major road | Potential deep soil profiles |
| Minor road | Areas of cultural significance |
| Watercourse/drainage line | Hospital Hill |
| Mitchel Landscapes | Wollumbin |
| Byron - Tweed Alluvial Plains | |
| Mount Warning Exhumed Slopes | |

The archaeological and cultural resource

Murwillumbah Education Campus
Aboriginal cultural heritage assessment
Figure 7.1

8 Significance assessment

8.1 Assessment criteria

All Aboriginal objects in NSW are protected under the *National Parks and Wildlife Act 1974*. It is recognised that the destruction of sites may be necessary to allow other activities or developments to occur. In order for the consent authority to make informed decisions on such matters, an important element of cultural resource management is determining the significance of cultural heritage places and objects to understand what may be lost; and how best it can be mitigated.

Cultural significance is outlined in Article 1.2 of the Burra Charter – the best practise document for managing cultural heritage – as ‘aesthetic, historic, scientific, social or spiritual value for past, present or future generations’ (Australia ICOMOS 2013). These values are reiterated in the NSW guidelines, which determines that the cultural significance of a place can be assessed by identifying the values that are present across the subject area and assessing what is important and why (OEH 2011). In assessing the scientific significance of sites, aspects such as rarity and representativeness and the integrity must be considered. Generally speaking, a site or object that is rare will have a heightened significance, although a site that is suitable of conservation as ‘representative’ of its type will also be significant. Conversely, an extremely rare site may no longer be significant if its integrity has been sufficiently compromised.

The criteria adopted for this report are defined in Table 8.1 below.

Table 8.1 A summary of criteria used to assess the significance of the Aboriginal archaeological and cultural resource (after OEH 2012: 8-10)

Criterion	Definition
Social value —Does the place have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons?	Social (or cultural) value refers to the spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them. Social or cultural value can only be identified through consultation with Aboriginal people.
Historic value —Is the place important to the cultural or natural history of the local area and/or region and/or state?	Historic value refers to the association of a place with a historically important person, event, phase or activity. Historic places do not always have physical evidence of their historical importance (such as structures, planted vegetation or landscape modifications). They may have ‘shared’ historic values with other (non-Aboriginal) communities.
Scientific (archaeological) value —Does the place have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state?	Scientific (archaeological) value refers to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information. Information about scientific values is gathered through archaeological investigation undertaken in this report.

Table 8.1 A summary of criteria used to assess the significance of the Aboriginal archaeological and cultural resource (after OEH 2012: 8-10)

Criterion	Definition
Aesthetic value —Is the place important in demonstrating aesthetic characteristics in the local, regional, and/or state environment?	Aesthetic value refers to the sensory, scenic, architectural and creative aspects of the place. It is often linked with social value, and can consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use. This value is only relevant to archaeological sites on only rare occasions, such as rockshelters that contain art, or culturally modified trees in prominent positions, etc.

8.2 Statement of significance

From a scientific perspective, the archaeological investigation undertaken for this ACHA found no evidence of surface or subsurface cultural material in the northern portion of the study area where the development activities are currently proposed. The southern portion of the study area possesses the potential for subsurface artefactual material, despite being ~300-500 m from the Tweed River, based on the potentially deep alluvial soils of the Tweed soil landscape. The project's current design does not propose for ground disturbance activities to occur in this area. Old parish maps show that the canal that runs along the southern and south-western portion of the study area was created after 1937 (Plate 3.1), and therefore does not provide an additional source of water or environmental factor that may have been exploited by Aboriginal people in the past.

Overall, the study area is assessed as having low archaeological significance. While such areas would have been attractive to past use, investigations reveal that historical disturbance has been extensive. If Aboriginal objects were present on site, these would likely be in small (<20 m) discrete areas and within a disturbed soil profile and would therefore provide limited technological information. Isolated Aboriginal objects are highly prevalent in all locations and contexts across the NSW far north coast, and simply reflect ~50,000 years of repeated occupation and visitation across the region by Aboriginal people. Based on this, their significance would be of low scientific, historical and/or aesthetic value, being unable to provide additional information upon the past use of the site, nor exhibit rare qualities that are not found elsewhere in the Tweed region.

Historically, the Murwillumbah High School has no evidence of important historical or social associations with the local Aboriginal community, since very little historical development occurred on site prior to the establishment of the school in 1929. There is no evidence gathered to date to suggest that the local Aboriginal inhabitants worked on the earlier estate belonging to Mr. Denis Hartigan or were able to continue traditional subsistence gathering practices, but in the absence of any historical records or journal recollections from the time, such associations may have existed. There is also a lack of evidence to suggest that any Aboriginal people of historical significance attended MHS in particular. It was noted on site by the RAPs that there are red soils found in the region (typically associated with the Cudgen soil landscape) that are associated with a Dreaming story (the Young Man and the Kangaroo). There is information in the ethnographic recorded that the wounded kangaroo leapt from place to place to evade capture, and that those places where the kangaroo landed were stained with the kangaroo's blood. While no red soils were identified during survey, RAPs noted that if red soils are found below the bitumen and concrete during the development of the education precinct, that it would spiritually link the study area through song lines to several other locations in the region between Kingscliff and Teresa Mountain, in the Richmond Ranges in Kyogle.

9 Impact assessment

In response to the SEARs deliverables, we propose the below key findings from this assessment.

9.1 Key findings

- At the time of preparing this report the final project design has yet to be determined but ground surface impacts proposed for the development footprint would involve removal of several trees, demolition, and removal of existing structures across much of the site, construction of new learning facilities, extensions to multiple existing structures, redevelopment of existing carparks and construction of associated services and landscaping.
- No Aboriginal objects were identified during the survey and the area was assessed as posing a low potential for such cultural materials to be present in the northern portion of the study area. While it is unlikely that the red soils of the Cudgen soil landscape are present this cannot be confirmed until removal of the structures and carparks occurs.
- The project is unlikely to result in any intergenerational/cumulative loss to material culture and there are potentially numerous cultural heritage benefits. This includes incorporating Aboriginal culture into the school curriculum as well as physically incorporating Aboriginal cultural heritage into the landscaping, artwork and building design.

9.2 Project impacts

As outlined in Section 1.3.1, the project will provide new learning facilities, outdoor spaces and amenities for the school community in a refurbishment program. The proposed refurbishment works will be undertaken via Division 4.7 of the *Environmental Planning and Assessment Act 1979*.

At the time of preparing this report detailed construction drawings are not yet available for the proposed works, however, impacts to the ground surface can be expected to include the installation of piles to under-lying bedrock (or a considerable depth below surface in the order of several metres), broader excavation to establish foundations for the main building components, and shallower ground disturbance for ancillary activities such as new paving, gardens, etc. With the exception of any proposed piling, it is considered that all impacts would be <2 m in depth.

In addition, indirect impacts to the ground surface and underlying deposits can occur from the movement of heavy machinery and storage of materials, equipment and vehicles, especially where these movements or storage activities occur in areas that do not have existing hardstand installed. These activities can cause compaction and downward movement of the upper portions of the soil profile, which may affect cultural material if present.

9.3 Potential Aboriginal heritage impact

No cultural material was recovered as part of the archaeological investigation. Based on previous geotechnical investigations, it is considered that the shallower soil profile along the ridge line and heavily disturbed nature of the proposed development footprint is unlikely to contain subsurface cultural materials. While the potential for subsurface cultural materials to occur in the southern portion is uncertain due to the probable deep alluvial soils, no development activities are proposed here (Figure 7.1). It is therefore considered that there is a low risk of further Aboriginal objects being present within the impact footprint of the proposed works.

While there is little evidence based on environmental characteristics (Section 3), the RAPs indicated that the site may contain the red soils typically associated with the Cudgen soil landscape. If such soils are present below the concrete and bitumen, it would link this locale to the Young Man and the Kangaroo Dreaming story. It must however be highlighted that the importance of these natural soil variations are primarily in their intangible values associated with the Dreaming connection, rather than the physical composition of the soil profile.

They are distributed across the Tweed Shire LGA and in other projects are typically integrated into interpretive outputs where potential impacts prove necessary.

As such, it is considered that the proposed development is unlikely to have an impact upon tangible cultural material. However, the proposed works are extending through a cultural landscape that includes numerous Aboriginal sites and places, and which indirect impacts may occur. Strategies and recommendations to manage this are outlined in Section 10.

9.4 Inter-generational equity

Intergenerational equity is the principle whereby the current generation should ensure the health, diversity and longevity of the environment for the benefit of future society. For Aboriginal heritage management, intergenerational equity can be considered primarily in terms of the cumulative impacts to Aboriginal objects, sites and/or places in a region. If few Aboriginal objects and places remain in a region (eg due to development impacts), there are fewer opportunities for future generations of Aboriginal people and the broader community to enjoy the cultural benefits. Information about the integrity, rarity and representativeness of the Aboriginal objects, sites and places that may be impacted, and how they inform the past visitation and occupation of land by Aboriginal people, are relevant to the consideration of intergenerational equity and the understanding of the cumulative impacts of a project.

Given the absence of cultural materials identified within the development footprint, or the potential for it to be present, it is considered that the project would have negligible intergenerational loss to Aboriginal objects and/or areas of cultural value. The investigations of the study area have significantly improved our archaeological and scientific understanding of a previously poorly understood region. Information on the past peopling and their activities within the development footprint have now come to light, as well as an improved understanding of contemporary sites and values. Such information will only be added to and further refined through future stages of the project (see Section 10). This project also provides the Aboriginal community with opportunities to undertake heritage interpretation, development of narratives and visual representation of Aboriginal values, stories and places for the study area— something that is currently lacking from the region.

As part of the ongoing consultation with the Aboriginal community, it was noted that the school's position on top of the hillcrest was a suitable location for an educational precinct. From the music room and the grassy area northwest of MHS, there are sweeping views across the valley looking towards Wollumbin, which features several Aboriginal Ceremony and Dreaming sites and Lore storylines. Attention was drawn to the planted pine trees which obscure the view of the valley towards Wollumbin, and that these introduced, and historically planted trees should be removed to improve the view and attract the attention towards Wollumbin. It was noted that this could be an opportunity to create a space to educate young people on Bundjalung culture, though the methods (ie an information board on the grassy knoll) and the level of information provided would be determined in further consultation (refer Section 10). This would improve understanding and public outreach of cultural heritage to the broader community into the future. Assuming such opportunities progress through the project, the relationship of this 'created' Aboriginal place would be in place for many decades to come, this site too would form an important continuation and re-imagining of cultural heritage of the region for future generations.

10 Management and mitigation strategy

10.1 Key findings

- The ACHA did not identify any Aboriginal objects or their potential to occur within the development footprint. Areas to the south of the study area not currently proposed for any development activities have the potential for deeper soil profiles where cultural material is more probable.
- Consultation with the RAPs identified a range of cultural sites and places in the general vicinity of the study area. With the possible exception of red Cudgen soil profiles associated with a regional Dreaming story – and which there is currently no evidence within the study area – no direct impacts to these places were identified. However, a range of interpretive opportunities were recommended by the RAPs as an outcome of the ACHA.
- Recommendations are proposed for inclusion in the project approval to guide post-approval requirements for Aboriginal heritage (Section 10.3). These include the development of an Aboriginal Cultural Heritage Management Plan (ACHMP) to provide a framework for such activities, as well as direction on its content; and; the development an Interpretation Strategy and Plan to provide acknowledgement and other visual/educational opportunities for the Aboriginal and broader local community.

10.2 Management Strategy

This ACHA process, which included consultation with the local Aboriginal community and on-site investigations, did not identify any Aboriginal objects or their potential to occur within the development footprint. Geotechnical information, validated by on-site inspection, revealed that the northern portion of the site, has been subject to extensive disturbance by the current MHS. Specifically, that the upper soil profile within which cultural materials may be expected, has been lost and replaced with various amounts of modern fill units over-lying a truncated subsoil. The southern part of the study area has some potential for deep soil profiles within which cultural material may be present but is not proposed for development activities. The southern portion of the study area is situated within the floodplain of the Tweed River, and likely would have been inundated periodically, resulting in both scouring and deposition of deposits. While these environments would have been attractive for exploitation in the past, occupation would more likely have occurred on drier ground outside of such swampy locales, and which was not evident within the study area.

Based on our understanding of the potential impacts for the project, it is considered that the majority of works are constrained to the existing MHS and as such would have low risk of harming cultural materials. No cultural materials have been identified and the potential for them to be present in these areas is considered low. Even in the southern portion of the study area, the establishment of playing fields and flood protection has likely resulted in adverse impacts and potential loss to the upper soil profile. However, consultation with the local Aboriginal community has advised of a number of important cultural places and sites in the general region of the project. While the only potential direct impacts would be on red Cudgen soils – a soil profile found across the region and associated with a Dreaming story (Section 4.2.6) – a range of opportunities was discussed in relation to acknowledgement and interpretation of these in the broader landscape. It is important to note that there is currently no evidence of the red Cudgen soils within the study area, nor would the proposed development have any specific indirect impacts to the cultural sites or places identified, many of which are >7 km from the study area; and within sight of much of the Murwillumbah township.

In NSW, Aboriginal objects are provided with statutory protection by the *National Parks and Wildlife Act 1974*. In general, where a proposed activity will result in harm to an Aboriginal object, an application must be made and an Aboriginal Heritage Impact Permit (AHIP) must be granted before any harm may occur. If granted, the AHIP will contain conditions intended to manage and mitigate the identified impact and allowing harm to proceed.

As the proposed development is an SSD project, an AHIP is not required. The identified harm and any mitigation measures will instead be assessed through the EIS and, if consent to harm is granted, included within the project's conditions of approval. The conditions of approval of a SSD project generally incorporate Aboriginal heritage management requirements based on advice from Heritage NSW, and the recommendations of this assessment (Section 10.3). For the purposes of this project, recommendations below include the development of an Aboriginal Cultural Heritage Management Plan (ACHMP) to provide the post-approval management framework for all future Aboriginal heritage requirements for the project. They further outline the specific mitigation measures that should be implemented prior to, during and after the development. The recommendations include measures to ensure the continuation of Aboriginal consultation and engagement, appropriate documentation of the works to date, unexpected finds protocols, and lodging the ACHA with appropriate public repositories. While there is low potential for archaeological deposits, the concern of the red Cudgen soils remains, and this can be suitably addressed by providing the RAPs opportunity to inspect and/or monitor the initial ground disturbance activities; and it is recommended that these activities are incorporated into the ACHMP. Such cultural monitoring would typically be constrained to visual observation of the works by RAPs, and collection of any identified cultural materials, rather than a more extensive archaeological program. However, the specific methodological and operational requirements would be explored further in the ACHMP.

Given the potential opportunities to acknowledge, celebrate and educate the nearby areas of cultural value, recommendations below include the development of an interpretation strategy, interpretation plan, and their implementation to explore, develop and present these. Specific discussion with the RAPs has recommended an outdoor education facility and/or yarning circle be established in the northwest of the study area, and this has been incorporated into the below recommendations. These documents should focus on primarily on the potential opportunities to acknowledge and celebrate Wollumbin and possibly the Young Man and the Kangaroo creation, but may also include:

1. the ethnographic and historical record, which includes post-contact and contemporary associations with the site and immediate environs;
2. consultation and input from the Aboriginal participants; and
3. information obtained from the archaeological excavations and findings undertaken for the project on the cultural and environmental landscape within which past Aboriginal people interacted with in the past.

10.3 Recommendations

The project is being assessed under Division 4.7 of the *Environmental Planning and Assessment Act 1979* (the Act). As such, the following recommendations are made to be included within the Minister's Conditions of Approval (MCoA), with regards to Aboriginal cultural heritage (see Section 10.1 for further discussion):

- Prior to ground disturbance, an Aboriginal cultural heritage management plan (ACHMP) must be developed by a heritage specialist in consultation with the Aboriginal stakeholders and consent authority to provide the post-approval framework for managing Aboriginal heritage within the study area. The ACHMP should include the following issues:
 - processes, timing, and communication methods for maintaining Aboriginal community consultation and participation through the remainder of the project;

- descriptions and methods of any additional investigative and/or mitigative archaeological actions that may be required prior to works commencing or during the project. These may include cultural inductions for all personnel and subcontractors outlining the past history and sensitivity of the region, archival recording, archaeological excavation and/or cultural monitoring for any areas where the surface impacts of the project intersect the identified Aboriginal objects and/or sites, and/or areas of archaeological sensitivity, and any additional requirements identified by the Aboriginal community;
 - description and methods for undertaking further Aboriginal heritage assessment, investigation and mitigation of any areas of the project development footprint that have changed following completion of the Aboriginal heritage assessment and/or during the final design and construction phases of the project;
 - description and methods of post-excavation analysis and reporting of any archaeological investigations and activities implemented as part of the ACHMP. For excavations, these should include suitable collection and processing of stone artefacts, and chronological, soil, and environmental samples;
 - procedures for managing the unexpected discovery of Aboriginal objects, sites and/or human remains during the project;
 - procedures for the curation and long-term management of cultural materials recovered as part of the works outlined in the ACHMP and any preceding stages associated with the project; and
 - processes for reviewing, monitoring, and updating the ACHMP as the project progresses.
- A heritage-interpretation strategy must be developed by a heritage specialist to identify the interpretive values of the study area, and specifically Aboriginal heritage values across the study area relating to Wollumbin and potentially the Young Man and the Kangaroo, and to provide direction for potential interpretive installations and devices. This strategy should be made available for consultation and feedback with the RAPs. Following consultation and feedback on the strategy, a heritage interpretation plan would refine the strategy with content (visual and textual) and design details in order to allow the implementation stage. The interpretation strategy and interpretation plan must include consideration of three main components identified through the ACHA process:
 - input and feedback from the RAPs, which to date includes the importance of showcasing Wollumbin to promote teaching of cultural heritage by the school. This should include consideration of the establishment of a yarning circle or teaching area in the north-western portion of the site (refer to photo location 27 in Figure 6.1), removal of vegetation to assist view-lines, and incorporation of written/visual information on the history and importance of Wollumbin;
 - any further information provided by the RAPs during the development of the document; and
 - the past cultural and environmental landscape informed by current investigations and analysis, and any future activities that may result from the project.
 - Consultation should be maintained with the RAPs during the finalisation of the assessment process and throughout the project.
 - A copy of the ACHA should be lodged with AHIMS and provided to each of the RAPs.

- Where the heritage consultant changes through the project, suitable hand over should be undertaken to ensure no loss or mistranslation of the intent of the information, findings and future steps in heritage management occur.

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Appendix A

Legislative context



A.1 Commonwealth Legislation

A.1.1 Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* preserves and protect areas (especially sacred or intangible sites) and places of particular significance to Aboriginal people from damage or destruction. Steps necessary for the protection of a threatened place are outlined in a gazetted Ministerial Declaration (Sections 9 and 10); and which can result in a cessation of any development activity.

In addition, the Act also protects objects by Declaration, notably Aboriginal skeletal remains (Section 12). This can be applied at a State level where a State is unwilling or unable to provide such protection.

A.1.2 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* provides for protection of natural and cultural heritage places. The Act establishes a National Heritage List (NHL) and a Commonwealth Heritage List (CHL) upon which places of natural or cultural significance can be listed. Sites at a national level and can be in public or private ownership. The CHL is limited to places owned by the Commonwealth, and most frequently encompass Department of Defence sites. Sites and places listed on the NHL are considered to be of State and local heritage value, even if they are not listed or documented as such at a State level.

The values of sites and places on the NHL/CHL are protected under the EPBC Act. The Act requires that the Minister administering the Act assess any action which has, will have, or is likely to have, a significant impact on the heritage values. Where relevant, a referral is made to the relevant Commonwealth Department, and either approval, approval with controls, or rejection of the proposed action is determined.

A.1.3 Native Title Act 1993

The *Native Title Act 1993* provides recognition and protection for native title. The Act establishes the managing body, National Native Title Tribunal, who administers native title claims to rights and interests over lands and waters by Aboriginal people. It also administers the future act processes that allow proponents to identify and manage potential native title issues for a given activity on a site where a claim has yet to be made or finalised.

In addition, the Act provides for Indigenous Land Use Agreements (ILUA), which is an agreement between a native title group and others about the use and management of land and waters. ILUAs were introduced as a result of amendments to the Act in 1998. They allow people to negotiate flexible and bipartisan agreements to suit their particular circumstances often circumventing lengthy timeframes associated with the native title process. An ILUA can be negotiated over areas where native title has, or has not yet, been determined. They can be part of a broader determination or settled separately.

A.2 State Legislation

A.2.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the over-arching Act that dictates the nature of assessment and management of the environment during a development project, and within which heritage forms a component. requires that environmental and heritage impacts are considered by consent authorities prior to granting development approvals.

The Act has two main approval pathways within which heritage needs to be considered. Generally, for smaller scale (either financially or spatially), Parts 4 (Division 4.1) and 5 (Division 5.1) of the Act are implemented. Part 4 requires that a proponent submits a Development Application (DA) to local council for a given development, and within this document a consideration of Aboriginal and historical heritage is required. The specific nature of the assessment is usually determined at a pre-DA meeting with the council, and in relation to the relevant heritage Acts. Where Aboriginal heritage is identified as an issue, the DA may become Integrated Development, whereby the State government is also required to review and provide comments on the DA prior to its issue. Part 5 of the Act is a similar process, but only relates to approvals developed and issued by State government departments. Each State government department has their own internal approach to considering environmental issues, but ultimately must develop a Review of Environmental Factors (REF), which is comparable to a DA, and which requires consideration and management of heritage. Similarly, where heritage is identified as an issue, liaison with relevant State consent authorities and approvals under other Acts may still be required.

The other approval pathway relates to State Significant Development and/or Infrastructure (Parts 4.7 and 5.2, respectively). These processes require an Environmental Impact Statement (EIS) to be developed for a project and assessed currently by the Department of Planning, Industry and Environment. Importantly, the SSD and SSI processes turn off a number of pieces of other legislation, including parts of the *National Parks and Wildlife Act 1974*. In the case of Aboriginal heritage, both the assessment and approval for harm are dictated by the Secretary's Environmental Assessment Requirements (SEARs) outlining the contents and scope of the EIS, and the Project Approval that dictates controls on how a development should proceed.

A.2.2 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) provides protection for Aboriginal objects and places across NSW:

- An Aboriginal object is defined as: Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.
- An Aboriginal place is: any place declared to be an Aboriginal place under section 84. This is a very specific piece of legislation that provides process and management of Aboriginal sites of cultural, but not necessarily scientific, values. They are commonly, but not always associated with intangible values.
- Any place declared to be an Aboriginal place by the Minister for the Environment, under Section 84 of the Act.

It is an offence to disturb Aboriginal objects or places without a Aboriginal Heritage Impact Permit (AHIP), which is outlined in Section 90 of the Act. Currently, such permits can be sought from the Chief Executive of Heritage NSW, with the recent relocation of the Office of Environment and Heritage.

To obtain an AHIP, certain assessment and documentation (outlined in this report) must be provided to DPC for their consideration. Once satisfied, they may endorse an AHIP to harm cultural heritage either conditionally or unconditionally. They can also refuse an application as outlined in Section 90C of the Act, and which can be appealed in accordance with Section 90L.

A.2.3 Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* provides process and protocols for the transfer of vacant Crown land ownership to a Local Aboriginal Land Council, where the land is not for an essential purpose or for residential land. These lands are then managed and maintained by the Local Aboriginal Land Council.

For the purposes of this report, the Act is primarily important to inform relevant Aboriginal communities for consultation; and where Crown land forms part of the development area may require additional liaison with the LALC as a potential, or existing, landowner.



Appendix B

Aboriginal community consultation



Aboriginal Consultation Requirements for Proponents (DECCW 2010)*							Response received	
ABORIGINAL CONSULTATION RECORD							No response received.	
Project Name: Murwillumbah Education Campus							Other	
DECCW 2010*	ORGANISATION	CONTACT TYPE	TRACKING # (if applicable)	SUBJECT	SENT DATE	RESPONSE DUE	RESPONSE DATE	COMMENT/S
4.1	Stage 1: Notification of project proposal and registration of interest							
4.1.2 (a)	DPIE BCD (North East Branch)	Email		Identification of Aboriginal parties	4/May/21	18/May/21	5/May/21	Provided list of contact details of potential interested parties.
4.1.2 (b)	Tweed Byron Local Aboriginal Lands Council	Email		Identification of Aboriginal parties	4/May/21	18/May/21	4/May/21	provided names of potential interested parties
4.1.2 (c)	The Office of the Registrar, Aboriginal Land Rights Act 1983	Email		Identification of Aboriginal parties	4/May/21	18/May/21		
4.1.2 (d)	National Native Title Tribunal	Email		Identification of Aboriginal parties	4/May/21	18/May/21	4/May/21	Confirmed that the three parcels in question are freehold land, and that an application had been made over the parcels by the "Tweed River Bunjalung People"
4.1.2 (e)	Native Title Services NTSCORP	Email		Identification of Aboriginal parties	4/May/21	18/May/21		
4.1.2 (f)	Tweed Shire Council	Email		Identification of Aboriginal parties	4/May/21	18/May/21	5/May/21	Provided names of potential interested parties, and carbon-copied other Council representatives who might wish to provide additional detail.
4.1.2 (g)	North Coast Local Land Service (former CMA)	Email		Identification of Aboriginal parties	4/May/21	18/May/21	5/May/21	Provided list of contact details of potential interested parties.
4.1.3	Newspaper Notice - Request for registrations							
4.1.3	Tweed Valley Weekly	Advertisement		Identification of Aboriginal parties	20/May/21	3/Jun/21	13/May/21	Advertisement appeared on 20 May 2021
4.1.3/4.2	Aboriginal Group Notifications							
4.1.3	Tweed Byron Local Aboriginal Land Council	Email		Request for registrations	10/May/21	24/May/21	4/May/21	Registered an interest in the project
4.1.3	Tweed Aboriginal Cooperative Society Pty Ltd	Email		Request for registrations	10/May/21	24/May/21		
4.1.3	Jason McDonald	Email		Request for registrations	10/May/21	24/May/21	25/May/21	Registered an interest in the project
4.1.3	Jackie McDonald	Email		Request for registrations	10/May/21	24/May/21	10/May/21	Registered an interest in the project
4.1.3	Paul Buxton	Email		Request for registrations	10/May/21	24/May/21	10/May/21	Registered an interest in the project
4.1.3	Marcus Ferguson	Email		Request for registrations	10/May/21	24/May/21	10/May/21	Received bounce-back notification to state that the domain name does not exist. No other details provided
4.1.3	Ash Moran	Email		Request for registrations	10/May/21	24/May/21		
4.1.3	TSC Aboriginal Advisory Committee	Email/post		Request for registrations	10/May/21	24/May/21	10/May/21	Received bounce-back notification to state that the domain name does not exist. Posted letter instead.
4.1.3	Aaron Talbot and Netalene Mercy	Email		Request for registrations	10/May/21	24/May/21		
4.1.3	Canowindrra Tweed Byron Aged and Disabled Aboriginal Corp	Email/post		Request for registrations	10/May/21	24/May/21	10/May/21	Received bounce-back notification to state that the domain name does not exist. Posted letter instead.
4.1.3	Durahrwa Training and Development Aboriginal Corporation	Email/Post		Request for registrations	10/May/21	24/May/21	10/May/21	Received bounce-back notification to state that the domain name does not exist. Posted letter instead.
4.1.3	Rachael Cavanagh	Email		Request for registrations	10/May/21	24/May/21	28/May/21	Registered an interest in the project
4.1.3	Minjungbal Cultural Museum	Post		Request for registrations	10/May/21	24/May/21		
4.1.3	Banjlang Aboriginal Corporation	Post		Request for registrations	10/May/21	24/May/21		
4.1.3	Baryulgil Square Co-operative Society	Post		Request for registrations	10/May/21	24/May/21		
4.1.3	Bunjalung Elders Council Aboriginal Corporation	Post		Request for registrations	10/May/21	24/May/21		
4.1.3	Burabi Aboriginal Corporation	Post		Request for registrations	10/May/21	24/May/21		
4.1.3	Burra:Waj:Ad	Post		Request for registrations	10/May/21	24/May/21		
4.1.6	Notification of registered parties							
4.1.6	Heritage NSW			Submit record of registrations	9/Jun/21	N/A	N/A	
4.1.6	Tweed Byron Local Aboriginal Lands Council			Submit record of registrations	9/Jun/21	N/A	N/A	
4.2 / 4.3	Stage 2/3: Presentation of information about the proposed project and gathering information about cultural significance							
4.2.1 / 4.3.1 / 4.3.3	Tweed Byron Local Aboriginal Land Council			Project information and methodology	4/Jun/21	2/Jul/21		
4.2.1 / 4.3.1 / 4.3.3	Jason McDonald			Project information and methodology	4/Jun/21	2/Jul/21		
4.2.1 / 4.3.1 / 4.3.3	Jackie McDonald			Project information and methodology	4/Jun/21	2/Jul/21		
4.2.1 / 4.3.1 / 4.3.3	Paul Buxton			Project information and methodology	4/Jun/21	2/Jul/21		
4.2.1 / 4.3.1 / 4.3.3	Rachael Cavanagh			Project information and methodology	4/Jun/21	2/Jul/21		
4.4	Stage 4: Review of draft cultural heritage assessment report							
4.4.2	Tweed Byron Local Aboriginal Land Council			Cultural information and ACHA review	28/Sep/21	26/Oct/21	24/Nov/21	Supported the ACHA.
4.4.2	Jason McDonald			Cultural information and ACHA review	28/Sep/21	26/Oct/21		
4.4.2	Jackie McDonald			Cultural information and ACHA review	28/Sep/21	26/Oct/21		
4.4.2	Paul Buxton			Cultural information and ACHA review	28/Sep/21	26/Oct/21		
4.4.2	Rachael Cavanagh			Cultural information and ACHA review	28/Sep/21	26/Oct/21	14/Oct/21	Supported the ACHA.
4.4.5	Distribution of final ACHA and AHIP application to RAPs							
4.4.5	All Registered Aboriginal Parties			Distribution of ACHA and AHIP application to RAPs	26/Nov/21	N/A	N/A	No response required

Aboriginal Consultation Requirements for Proponents (DECCW 2010)*
ABORIGINAL COMMUNICATIONS LOG
Project Name: Murwillumbah Education Campus

Project #: J200686

DATE	OUTGOING / INCOMING	ORGANISATION	CONTACT MADE BY	CONTACT TO	CONTACT TYPE	COMMENTS
4-May-21	Outgoing	Heritage NSW (North Coast Branch)	Laressa Barry (EMM)	Heritage Mailbox	Email	Distributed agency notification letter
4-May-21	Outgoing	Tweed Shire Council	Laressa Barry (EMM)	Sir/Madam	Email	Distributed agency notification letter
4-May-21	Outgoing	Tweed Byron Local Aboriginal Land Council	Laressa Barry (EMM)	Warren Phillips	Email	Distributed agency notification letter
4-May-21	Outgoing	North Coast Local Land Services	Laressa Barry (EMM)	Sir/Madam	Email	Distributed agency notification letter
4-May-21	Outgoing	NTS Corporation	Laressa Barry (EMM)	George Tonna	Email	Distributed agency notification letter
4-May-21	Outgoing	National Native Title Tribunal (Geospatial Services)	Laressa Barry (EMM)	Geospatial Services	Email	Distributed agency notification letter, and request for search of tribunal register
4-May-21	Outgoing	Office of the Registrar, Aboriginal Land Rights Act	Laressa Barry (EMM)	Aboriginal Land Claims	Email	Distributed agency notification letter, and request for search of land claim register
4-May-21	Incoming	Tweed Byron Local Aboriginal Land Council	Warren Phillips	Laressa Barry (EMM)	Email	Registered interest in project. Provided names of potential interested parties.
4-May-21	Incoming	National Native Title Tribunal (Geospatial Services)	Geospatial Services	Laressa Barry (EMM)	Email	Confirmed that the three parcels in question are freehold land, and that an application had been made over the parcels by the "Tweed River Bunjalung People"
5-May-21	Incoming	North Coast Local Land Services	Louise Orr	Laressa Barry (EMM)	Letter	Provided list of contact details of potential interested parties.
5-May-21	Incoming	Heritage NSW (North Coast Branch)	Rosalie Neve	Laressa Barry (EMM)	Letter	Provided list of contact details of potential interested parties.
5-May-21	Incoming	Tweed Shire Council	Helen Carter	Laressa Barry (EMM)	Email	Provided names of potential interested parties, and carbon-copied other Council representatives who might wish to provide additional detail.
10-May-21	Outgoing	Tweed Byron Local Aboriginal Land Council	Maurice Gannon	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Tweed Aboriginal Cooperative Society Pty Ltd	Desrae Rotunah	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Jason McDonald	Jason McDonald	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Jackie McDonald	Jackie McDonald	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Paul Buxton	Paul Buxton	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Marcus Ferguson	Marcus Ferguson	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Ash Moran	Ash Moran	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	TSC Aboriginal Advisory Committee	Rob Appo	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Aaron Talbot and Netalene Mercy	Aaron Talbot and Netalene Mercy	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Canowindrra Tweed Byron Aged and Disabled Aboriginal Corp	Veronese Burgess	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Durahrwa Training and Development Aboriginal Corporation	Andrew Hegeodus	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Rachael Cavanagh	Rachael Cavanagh	Laressa Barry (EMM)	Email	Emailed project notification letter
10-May-21	Outgoing	Minjungbal Cultural Museum		Scarlet Ward	Post	Posted project notification letter
10-May-21	Outgoing	Banjalang Aboriginal Corporation	Simone Barker	Scarlet Ward	Post	Posted project notification letter
10-May-21	Outgoing	Baryulgil Square Co-operative Society	Scott Monaghan	Scarlet Ward	Post	Posted project notification letter
10-May-21	Outgoing	Bunjalung Elders Council Aboriginal Corporation	Bertha Kapeen	Scarlet Ward	Post	Posted project notification letter
10-May-21	Outgoing	Burabi Aboriginal Corporation	Lewis and Lois Cook	Scarlet Ward	Post	Posted project notification letter
10-May-21	Outgoing	Burra:Waj:Ad	Dave Walker	Scarlet Ward	Post	Posted project notification letter
10-May-21	Incoming	Durahrwa Training and Development Aboriginal Corporation	Microsoft outlook	Laressa Barry (EMM)	Email	Received bounce-back notification stating the email domain does not exist
10-May-21	Incoming	Tweed Aboriginal Cooperative Society Pty Ltd	Microsoft outlook	Laressa Barry (EMM)	Email	Received bounce-back notification stating the email domain does not exist
10-May-21	Incoming	Canowindrra Tweed Byron Aged and Disabled Aboriginal Corp	Microsoft outlook	Laressa Barry (EMM)	Email	Received bounce-back notification stating the email domain does not exist
10-May-21	Incoming	Marcus Ferguson	Office 365	Laressa Barry (EMM)	Email	Received bounce-back notification stating the email domain does not exist
10-May-21	Incoming		Paul Buxton	Laressa Barry (EMM)	Email	Registered interest in project
10-May-21	Incoming		Jackie McDonald	Laressa Barry (EMM)	Email	Registered interest in project
20-May-21	Outgoing	Tweed Valley Weekly	Eryn Young	Laressa Barry (EMM)	Email	Publication of public notice in the Tweed Valley Weekly on 20th May 2021.
25-May-21	Incoming		Jason McDonald	Laressa Barry (EMM)	Email	Registered interest in project
28-May-21	Incoming		Rachael Cavanagh	Laressa Barry (EMM)	Email	Registered interest in project
4-Jun-21	Outgoing	TBLALC, Paul Buxton, Jackie McDonald, Jason McDonald, Rachael Cavanagh (All RAPs)	Georgia Burnett (EMM)	Various	Email	Provided project information and proposed assessment methods letter. Requested feedback by 2 July 2021.
9-Jun-21	Outgoing	Heritage NSW, TBLALC	Georgia Burnett (EMM)	Various	Email	Provided list of RAPs for the project.
10-Jun-21	Incoming		Jackie McDonald	Laressa Barry (EMM)	Phone	JM called to discuss stakeholder consultation for the project. Noted it is inappropriate for outsiders to register interest in the project if not from Country.
14-Jul-21	Outgoing	TBLALC, Paul Buxton, Jackie McDonald, Jason McDonald	Taylor Reid (EMM)		Phone/Email	Called all RAPs to organise day of survey next week. Followed up with email requesting their preferred day (Weds or Thurs).
15-Jul-21	Outgoing	TBLALC, Paul Buxton, Jackie McDonald, Jason McDonald	Taylor Reid (EMM)		Email	Confirmed fieldwork to commence next Thursday 22 July 2021.
15-Jul-21	Incoming	Jason McDonald	Jason McDonald	Taylor Reid (EMM)	Email	Emailed to confirm he will not be able to attend site but will send his son Kalib as his representative.
13-Sep-21	Incoming	Rachael Cavanagh	Rachael Cavanagh	Alan Williams (EMM)	Email	Emailed review of methodology which was sent to RAPs on 4 June 2021 noting she had sent this prior but received no response so was sending it again. EMM did not receive her initial methodology review, noting that the assessment has progressed considerably since then, but her response will be included in the documentation and she will continue to be informed as the project progresses.
28-Sep-21	Outgoing	All RAPs	Taylor Reid (EMM)		Email	Sent draft ACHA to RAPs for their review.
29/Sep/21	Incoming	Jackie McDonald	Jackie McDonald	Taylor Reid (EMM)	Email	Requested to have ACHA printed and mailed in hard copy to her address. EMM confirmed this will be sent today.
29/Sep/21	Incoming	Paul Buxton	Paul Buxton	Taylor Reid (EMM)	Email	Requested to have ACHA printed and mailed in hard copy to his address. EMM confirmed this will be sent today.
11/Oct/21	Outgoing	All RAPs	Taylor Reid (EMM)		Email	Sent a reminder the draft ACHA review close period is 26 October 2021.
14/Oct/21	Incoming	Rachael Cavanagh	Rachael Cavanagh	Taylor Reid (EMM)	Email	Supported the ACHA.
28/Oct/21	Outgoing	All RAPs	Taylor Reid (EMM)		Email	Extending draft review period until 4 November 2021, following a request from some RAPs for more time to review the document.
28/Oct/21	Incoming	TBLALC	Maurice Gannon	Taylor Reid (EMM)	Email	Appreciated the extension and will review ASAP.
3/Nov/21	Outgoing	Jackie McDonald, Paul Buxton, Maurice Gannon and Warren Phillips (TB LALC)	Alan Williams (EMM)		Meeting	At request of RAPs met to discuss contents of ACHA regarding some incorrect information provided by one of the other RAPs, requested it's removal prior to finalisation.

[illegible]

4 May 2021

Ground floor, 20 Chandos Street
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

To Whom it May Concern

T 02 9493 9500
E info@emmconsulting.com.au
www.emmconsulting.com.au

Re: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - Request for information on local Aboriginal stakeholders.

Sir/Madam

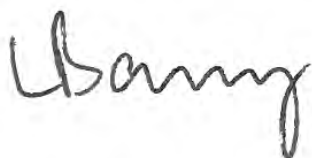
EMM Consulting Pty Ltd (EMM Heritage) has been commissioned by Built Pty Ltd to undertake an Aboriginal Cultural Heritage Assessment (ACHA) in advance of the re-development of the Murwillumbah High School site, Tweed Shire LGA (Lot 2, DP 578679; Lots 5 and 6 DP 820602). School Infrastructure NSW (SINSW) propose to co-locate Wollumbin High School, Murwillumbah Primary School, Murwillumbah East Primary School and Murwillumbah High School – proposed as the eventual site – to form the Murwillumbah Education Campus. The proposed works involve the demolition of existing buildings, refurbishment of selected buildings and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school (Figure 1). The aim of the study is to inform the cultural heritage of the impact footprint, and to develop an Aboriginal Heritage Impact Permit (AHIP) to allow the works to proceed (where required).

The proponent is NSW Department of Education, A: GPO Box 33, Sydney NSW 2001; T: 1300 482 651; E: schoolinfrastructure@det.nsw.edu.au

In accordance with NSW State government's *Aboriginal cultural heritage consultation requirements for proponents 2010*, I am writing to you to seek information on relevant Aboriginal individuals and/or communities that you are aware of in the region, and who may hold cultural knowledge and/or information about Aboriginal objects and sites in the vicinity. Could you please provide me with this information as soon as possible at the Sydney address above, or lbarry@emmconsulting.com.au.

If you have any questions or enquiries, please don't hesitate to contact me on 02 9493 9500.

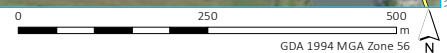
Yours sincerely



Laressa Barry
Senior Archaeologist
lbarry@emmconsulting.com.au



Source: EMM (2020); DFSI (2017); GA (2011); ASGC (2006); LPI (2020)



KEY

- Project area
- Major road
- Minor road
- Vehicular track
- Watercourse
- Waterbody
- NPWS reserve (refer inset)
- State forest (refer inset)

Local context

Murwillumbah Education Precinct
Due diligence investigation
Figure 1.1



Request for Spatial Search of Tribunal Registers

1: Your details

Your name:	Laressa Barry		
Your company:	EMM Consulting Pty Ltd		
E-mail address:	LBarry@emmconsulting.com.au	Phone:	0432 830 813
Your reference:	J210012	Your state:	NSW
☒	I have read and acknowledge the terms and conditions on the next page.		

2: Areas to be searched

Jurisdiction to be searched:	New South Wales	Tenure to be searched:	
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Non freehold parcel or tenement identifiers (add up to 20 separate identifiers)

Parcel 1:	Lot 2 DP 578679	Parcel 2:	Lot 5 DP 820602
Parcel 3:	Lot 6 PD 820806	Parcel 4:	
Parcel 5:		Parcel 6:	
Parcel 7:		Parcel 8:	
Parcel 9:		Parcel 10:	
Parcel 11:		Parcel 12:	
Parcel 13:		Parcel 14:	
Parcel 15:		Parcel 16:	
Parcel 17:		Parcel 18:	
Parcel 19:		Parcel 20:	

If your search area is not a non-freehold parcel or mining or petroleum tenement, you can enter other tenure or administrative regions here (e.g. local government area, townsite or county). Please provide as much detail as you can.

Click or tap here to enter text.

Parish of Murwillumbah, County of Rous

E-mail the completed form to GeospatialSearch@NNTT.gov.au

Terms and Conditions

1. Specify only one jurisdiction (e.g. Queensland) and one type of tenure (e.g. mining tenement) per form. You can add up to 20 separate tenements or parcels per search request. For more than 20 parcels or tenements please submit additional search requests or contact GeospatialSearch@NNTT.gov.au to discuss your requirements.

Note: if your area of interest cannot be clearly identified from the search form, or is not held in NNTT datasets, we may instead provide search results for a surrounding local government area, or other suitable regional area.

2. The NNTT does not conduct searches over freehold land (other than freehold land identified as aboriginal freehold)

Under the Native Title Act 1993 (Cth), the valid grant of a freehold estate (other than certain types of Aboriginal and Torres Strait Islander land) on or before 23 December 1996 is known as a 'previous exclusive possession act'. This means that native title has been extinguished over the area. Native title claimants are not allowed to include land and waters covered by previous exclusive possession acts in their applications; therefore they would normally exclude freehold areas. A native title application may, however, be made over freehold land on the basis that freehold was invalidly granted, but the chances of this happening are very low.

The NNTT is not the custodian of the data for freehold estates. To determine whether a particular parcel of land is freehold land, you may wish to seek such information from the relevant state government custodian.

3. Cultural Heritage in NSW.

The National Native Title Tribunal has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

4. Spatial searches rely on data obtained from the relevant custodian. Whilst efforts are taken to update such datasets on a regular basis, the collection and interpretation of such datasets may be influenced by a number of factors that can impact of the completeness and accuracy of your search results.

Disclaimer

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that neither the NNTT, the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise your own judgment and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used.

The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date.

The NNTT and Registrar expressly disclaim any liability arising from the use of this information.

This information should not be relied upon in relation to any matters associated with cultural heritage.

REQUEST FOR SEARCH OF LAND CLAIM REGISTER



OFFICE OF THE REGISTRAR
ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Level 3, 2-10 Wentworth Street
Parramatta NSW 2124
02 8633 1266
PO Box 5068
Parramatta NSW 2124

Please print all details clearly using block letters

1. Contact details

Full name:	Laressa Barry
Name of company:	EMM Consulting Pty Ltd
Postal address:	Ground Level, 20 Chandos Street St Leonards, NSW 2065
Email address:	LBarry@emmconsulting.com.au
Telephone number:	0432 830 813

2. Real Property Details (if more than one parcel please attach separate table)

Lot / Section / Deposited Plan:	Lot 2, DP578679, Lot 5 DP820602 and Lot 6 DP820602
Parish:	Murwillumbah
County:	Rous

Attached is a copy of the current title search(es), please tick (✓): ☐

3. To assist our office in assigning priorities please provide:

a. The purpose for which information is required:

To identify interested Aboriginal parties for an Aboriginal Cultural Heritage Assessment

b. The reason for urgency (when urgent consideration is required):

Please note:

- Searches will only be performed on Crown Land.
- In order to process a search we require a copy of a current title search for the relevant land.
- Subject to demand, searches are normally completed within 10 working days.
Complex searches may take longer.
- If your search is urgent, please indicate why at point 3b above.
- Please send the completed form together with current relevant title search(es) via email to: ALC@oralra.nsw.gov.au

4 Signature and date:

LBarry 4.5.2021

REQUEST FOR SEARCH OF LAND CLAIM REGISTER



OFFICE OF THE REGISTRAR
ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

Level 3, 2-10 Wentworth Street
Parramatta NSW 2124
02 8633 1266
PO Box 5068
Parramatta NSW 2124

Please print all details clearly using block letters

1. Contact details

Full name:	Laressa Barry
Name of company:	EMM Consulting Pty Ltd
Postal address:	Ground Level, 20 Chandos Street St Leonards, NSW 2065
Email address:	LBarry@emmconsulting.com.au
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Lot / Section / Deposited Plan:	Lot 2, DP578679, Lot 5 DP820602 and Lot 6 DP820602
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County:	Rous

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3. To assist our office in assigning priorities please provide:

a. The purpose for which information is required:

To identify interested Aboriginal parties for an Aboriginal Cultural Heritage Assessment

b. The reason for urgency (when urgent consideration is required):

Please note:

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- Subject to demand, searches are normally completed within 10 working days.
Complex searches may take longer.
- If your search is urgent, please indicate why at point 3b above.
- Please send the completed form together with current relevant title search(es) via email to: ALC@oralra.nsw.gov.au

4 Signature and date:

LBarry 4.5.2021

From: [Laressa Barry](#)
To: ["admin.northcoast@ils.nsw.gov.au"](mailto:admin.northcoast@ils.nsw.gov.au)
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[J210012_AgencyRequest.pdf](#)

Dear Sir/Madam,

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

☐ Connect with us

SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065

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From: [Laressa Barry](#)
To: gtonna@ntscorp.com.au
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [J210012_AgencyRequest.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Dear George,

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

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From: [Laressa Barry](#)
To: heritagemailbox@environment.nsw.gov.au
Cc: dmitri.young@environment.nsw.gov.au
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [J210012_AgencyRequest.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Dear ACH team (North Coast Branch),

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

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From: [Laressa Barry](#)
To: [Cultural Heritage](#)
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [J210012_AgencyRequest.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Warren,
I hope you are going well?

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

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From: [Laressa Barry](#)
To: ["tsc@tweed.nsw.gov.au"](mailto:tsc@tweed.nsw.gov.au)
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [J210012_AgencyRequest.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Dear Sir/Madam,

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

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SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065

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From: [Laressa Barry](#)
To: GeospatialSearch@nntt.gov.au
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[J210012_AgencyRequest.pdf](#)
[J210012_GeospatialSearch2019.pdf](#)

Dear Sir/Madam,

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region, and a request to search the tribunal registers.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

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SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065

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From: [Laressa Barry](#)
To: ALC@oralra.nsw.gov.au
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information
Date: Tuesday, 4 May 2021 3:35:00 PM
Attachments: [J210012_AgencyRequest.pdf](#)
[J210012_ORALRA.pdf](#)
[image001.png](#)
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Dear Sir/Madam,

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region, and a request to search the land claim register.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



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M 0432 830 813

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Laressa Barry

From: Cultural Heritage <culturalheritage@tblalc.com>
Sent: Tuesday, 4 May 2021 4:42 PM
To: Laressa Barry
Subject: RE: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information

CAUTION: This email originated outside of the Organisation.

Hello Laressa,

I am well thank you, I hope you are to.

In regards to interested Aboriginal individuals and / or organisations, I believe the Tweed Aboriginal co-op, Rob Appo, the MacDonald family (Jason, Jackie, Paul) and TBLALC are defiantly interested. There is a good chance more interested individuals will come forward on this one given the location.

I hope this helpful.
Kind regards.

From: Laressa Barry [mailto:lbarry@emmconsulting.com.au]
Sent: Tuesday, 4 May 2021 3:35 PM
To: Cultural Heritage <culturalheritage@tblalc.com>
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information

Hi Warren,
I hope you are going well?

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation Requirements for Proponents in NSW*, please find attached a letter requesting information on the Aboriginal individuals and/or organisations known to be involved in cultural heritage in the region.

I would greatly appreciate if you could please review the document and provide a response at your earliest convenience.

Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813



Connect with us

SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065

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NORTH COAST Local Land Services

24-26 Mulgi Drive

South Grafton NSW 2460

Tel: 02 6623 3900

www.ils.nsw.gov.au/northcoast

Ref: 21/82404

Emm Consulting

PO Box 21

ST LEONARDS NSW 1590

E: info@emmconsulting.com.au

Dear Ms Barry

Re: Aboriginal Cultural Heritage Knowledge Holders – Murwillumbah Education Precinct

Thank you for your letter dated 4 May 2021 seeking the registration of interest by Aboriginal stakeholders in regard to the above matter.

We appreciate being consulted and, while we work closely with Aboriginal communities in our region, we do not maintain comprehensive lists of Aboriginal communities or persons that may hold information to comment on planning issues. The Biodiversity and Conservation Division (BCD) of the NSW Department of Planning, Industry and Environment (DPIE) is the primary source of this information. Accordingly, it is recommended that you contact the regional BCD office in Coffs Harbour on 02 6651 5946 to obtain detailed contact information.

In addition, you may wish to contact the following local contacts:

- Tweed/Byron Local Aboriginal Land Council
Phone: 07 5536 1763
- Marcus Ferguson, Knowledge Holder and Advisor
Phone: 0428 114 212 Email: mferguson3105774@gmail.com
- Ash Moran, BCD Heritage Division and Knowledge Holder
Phone: 02 6627 0205 Email: ashley.moran@environment.nsw.gov.au

If you have any questions or require further information please contact Grant Lewis on 0428 291 829 or by email at: admin.northcoast@ils.nsw.gov.au.

Yours sincerely



Louise Orr
General Manager
5 May 2021

Reference: DOC21/352321

Ms Laressa Barry
EMM Consulting
lbarry@emmconsulting.com.au

RE: Request for information on Aboriginal stakeholders for Aboriginal Cultural Heritage Assessment Murwillumbah Education Precinct

Dear Ms Barry

Thank you for your letter of 4 May 2021 about Aboriginal cultural heritage consultation for the proposed above matter within the Tweed local government area. I appreciate the opportunity to provide input.

Please find enclosed a list of known Aboriginal parties for the Tweed local government area (Attachment 1) that we consider likely to have an interest in the proposal. Note this is not an exhaustive list of all interested Aboriginal parties. Receipt of this list does not remove the requirement for a proponent/consultant to advertise the proposal in the local print media and contact other bodies and community groups seeking interested Aboriginal parties, in accordance with the '*Aboriginal cultural heritage consultation requirements for proponents 2010*' (the CRs).

We would also like to take this opportunity to remind the proponent and consultant to ensure that consultation is fair, equitable and transparent. If the Aboriginal parties express concern or are opposed to parts of or the entire project, we expect that evidence will be provided to demonstrate the efforts made to find common ground between the opponents and the proponent.

If you have any questions about this advice, please do not hesitate to contact me via rosalie.neve@environment.nsw.gov.au or 02 6659 8221.

Yours sincerely



Rosalie Neve
Aboriginal Heritage Planning Officer
Aboriginal Cultural Heritage Regulation - Northern
Heritage NSW
Department of Premier and Cabinet

5 May 2021

Attachment 1: Aboriginal stakeholders in the Tweed Local Government Area

Organisation/ Individual	Contact Name	Email Address/ Fax / Phone	Postal Address	Additional information
Aaron Talbott & Natalene Mercy	Natalene Mercy	0457 617 117 atgomilaroi@hotmail.com	6 Bando street GUNNEDAH NSW 2380	
Banjaling Aboriginal Corporation	Simone Barker	(02) 66832041	31 Belmore Street CORAKI NSW 2471	
Baryulgil Square Co-operative Society Ltd	Scott Monaghan	(02) 66472207	The Square BARYULGIL NSW 2460	
Bundjalung Elders Council Aboriginal Corporation	Bertha Kapeen	(02) 66868241	PO Box 1015 LISMORE NSW 2480	
Burabi Aboriginal Corporation	Lewis and Lois Cook	(02) 66834806 0405 654 280	PO Box 128 WARDELL NSW 2477	
Burra:Waj:Ad	Dave Walker		48 Spring Street GRAFTON NSW 2460	
Canowindra Tweed Byron Aged and Disabled Aboriginal Corporation	Veronese Burgess	(07) 55362105 0414291259 ccdlc@optusnet.com	PO Box 6425 TWEED HEADS SOUTH SW 2486	
Minjungbal Cultural Museum		(07) 55242109	PO Box 6231 TWEED HEADS SOUTH NSW 2486	
Tweed Aboriginal Co-operative Society Pty Ltd	Desrae Rotunah	(07) 55242275 tweedacs@aho.tel.com.au	PO Box 6218 TWEED HEADS SOUTH NSW 2486	
Durahwa Training and Development Aboriginal Corporation	Andrew Hegedus	(02) 66434866 Andrew.hegedus@durahwa.com.au	PO Box 1075 GRAFTON NSW 2460	
Tweed Byron Local Aboriginal Land Council	Contact CEO: Leweena Williams	tblalc@better.net.au	PO Box 6967 Tweed Heads NSW 2485	
Jackie McDonald	Jackie McDonald	0408 369 629 mctogo2@gmail.com	63 Tringa St West Tweed Heads NSW 2485	

Jason McDonald	Jason McDonald	0484 286 604 hession@live.com.au	C/- 63 Tringa St West Tweed Heads NSW 2485	
Rachael Cavanagh	Rachael Cavanagh	0408 731 087 Balunbudjabin@gmail.com /curriefoundation8@gmail.com		

Laressa Barry

From: Helen Carter <HCarter@tweed.nsw.gov.au>
Sent: Wednesday, 5 May 2021 11:57 AM
To: Laressa Barry
Cc: Vince Connell; Lindsay McGavin
Subject: RE: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated outside of the Organisation.

Hello Laressa, thanks for your email. From a community services perspective, we deal with the Tweed Byron Local Aboriginal Land Council <http://www.tblalc.com/> and also manage the Council's Aboriginal Advisory Committee which has representatives from a range of local services, but not necessarily in relation to heritage matters.

I've copied Council's planning and regulation directorate for their input as appropriate.

Kind regards

Helen Carter BA MM
Unit Coordinator
Community Services



p (02) 6670 2400

[contact us](#) | [website](#) | [your say tweed](#) | [our values](#)



Your actions matter: print less to save more

From: Laressa Barry [mailto:lbarry@emmconsulting.com.au]
Sent: Tuesday, 4 May 2021 3:35 PM
To: Corporate Email <tsc@tweed.nsw.gov.au>
Subject: Murwillumbah Education Precinct - Aboriginal cultural heritage assessment - request for information

CYBER SECURITY WARNING - This Message is from an **external sender - be cautious**, particularly with links embedded within the message and/or attachments.

Dear Sir/Madam,

EMM has been engaged by Schools Infrastructure NSW to undertake an Aboriginal cultural heritage assessment for the Murwillumbah Education Precinct, Murwillumbah, NSW. In accordance with the *Aboriginal Consultation*

Public Notice

Invitation for Registrations of Interest - Aboriginal Cultural Heritage Assessment - Murwillumbah Education Campus, Tweed Shire LGA.

School Infrastructure NSW, on behalf of NSW Department of Education, is proposing the re-development of the Murwillumbah High School site (Lot 2, DP 578679; Lots 5 and 6 DP 820602). EMM is undertaking an Aboriginal cultural heritage assessment to inform the activity.

The proponent is NSW Department of Education, A: GPO Box 33, Sydney NSW 2001; T: 1300 482 651; E: schoolinfrastructure@det.nsw.edu.au

Registrations are invited from Aboriginal individuals and organisations who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the area, and who wish to be involved in the consultation process undertaken as part of the assessment.

The purpose of consultation is to assist the proponent in: 1) assessing the Aboriginal heritage values of the area; 2) to assist NSW Government in the assessment of Aboriginal heritage reports prepared for this project; and 3) to support any future applications or approvals for the project sought under Environmental Planning and Assessment Act 1979 and/or National Parks and Wildlife Act 1974.

Registrations of interest should be provided by no later than 03.06.2021 to Alan Williams, EMM Consulting Pty Ltd, 20 Olandos Street, St Leonards, NSW 2065; T: 02 9493 9500; E: awilliams@emmconsulting.com.au.

Positions Vacant

LOCAL JOURNALIST WANTED Tweed Valley Weekly's newsroom is expanding and a position has become available for an experienced local journalist. Previous experience and training in an active newsroom, or qualifications, are highly desirable. The role is two days per week (Monday and Tuesday). Please email your resume and one story example to editor@theweekly.net.au

Positions Vacant

LONG TERM Full Time Gardener wanted in Byron Shire (5 Days p/week). Must have industry experience in hedging, brush cutting & spraying. Text 0402 487 213 only between 7am-6pm or email resume to kascha@leafittous.com.au

CALL OUR TEAM (02) 6672 4443

Positions Vacant

**CAMPUS DIRECTOR**

Pacific Hope School, Tweed Heads, a dynamic Years 3-12, co-educational special needs school with 70 students, is seeking a Campus Director to lead the School into its next stage of development.

This position will report to the Executive Principal. Applicants should be suitably qualified and have experience in special education, educational leadership and management. Applicants must be committed Christians and active in their local Evangelical Church.

Application Form is available from the Group HR Manager, employment@pacifichills.nsw.edu.au
Applications close Friday June 4, 2021

Wanted To Rent

WANTED, PONTOON TO RENT West Tweed, will access by water \$40 per week rent. Phone 0423 525 493.

ALMOST 50 Y/O YOUNG SELF EMPLOYED TRADIE Seeks rental/caretaking residence within 30km of Murwillumbah. Preferably on acreage with storage facilities. Murwillumbah local for almost 20 years. I can take care of animals, horses, stock, cats, dogs, birds etc including lawns & gardens, own mower & brush cutter. Painter by trade with extensive handy man & practical cost effective maintenance strategies. Excellent references, no prior's, full merit points. Prior Youth worker local, voluntary & paid. Please call Justin 0407 871 311 or email justin.b.vella@gmail.com

Wanted To Rent

48 YEAR OLD QUIET clean male seeking long term rental or shared accommodation in the Tweed Shire and surrounding areas including QLD. Up to \$280. Happy to provide references. Please call to discuss - 0435 010 320.

Property For Sale

"CASH FLOW POSITIVE INVESTMENT!" North Qld location, would suit novice investor. New roof, 2 x 2 Bedroom flats. Returning approx. 8.5 % Be quick! \$215,000. Ph 0429 345 895

Wanted To Buy

FAMILY OF 4 looking for a place to call home. Hoping to buy small-medium size acreage with 3+ bedroom house. Murwillumbah area, or up to 20 mins out of town. If your considering selling we would love to hear from you. Ph: 0477 430 991.

BUYING ALL COINS Banknotes - Militaria - Badges - Rugby League & Sporting Memorabilia Call Peter on 0407 783 910.

WE BUY GOOD & BAD TRUCKS, VANS, 4X4'S, UTES, CARS & MACHINERY Any condition up to \$12,500 Free Tow as Needed. Call now to discuss 0403 118 534



WANTED TO BUY ANTIQUE FURNITURE. Fine China, garden tools, LP Records, Doc Martin boots, jewellery, general furniture, quality clothes, fishing gear, old bottles, garage oil bottles eg Castrol fuel & Esso, old prints & paintings, anything old and interesting. Happy to come and look. Phone 0417 606 052

Death Notices

LUCAS David
30/04/2021
Dolphin Funerals
0427 743 817

GOULD Dennis William
08/05/2021
Dolphin Funerals
0427 743 817

TOSI James
10/05/2021
Dolphin Funerals
0427 743 817

BURNETT Robert Edwin
11/05/2021
Dolphin Funerals
0427 743 817

BLYTH Marion
12/05/2021
Dolphin Funerals
0427 743 817

HURDMAN Betty Anne
15/05/2021
Dolphin Funerals
0427 743 817

DAVIDSON Gordon Thomas
16/05/2021
Dolphin Funerals
0427 743 817

Alander Bruno
10/05/2021
Late of Suffolk Park
McGuinness Funerals
02 6672 2144

Black Nesbitt "Nes"
14/05/2021
Late of Murwillumbah
McGuinness Funerals
02 6672 2144

Vick John William
7/05/2021
Late of Murwillumbah
McGuinness Funerals
02 6672 2144

YOUNG Benjamin
11/5/21
White Lady Funerals
07 5536 5300

Weekly Memoriams

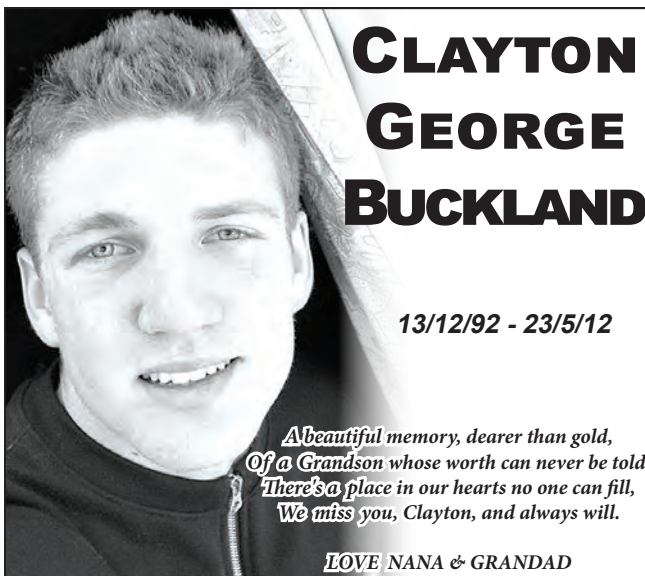
In Memoriam

CLAYTON GEORGE BUCKLAND

13/12/92 - 23/5/12

We wish that we could see you,
For just a little while,
We wish that we could hug you and
see your lovely smile,
But wishing gets us nowhere,
And longing is in vain.
So we will hold you in our hearts.
Until we meet again.

WE LOVE YOU CLAYTON, MUM & DAD

**CLAYTON GEORGE BUCKLAND**

13/12/92 - 23/5/12

A beautiful memory, dearer than gold,
Of a Grandson whose worth can never be told,
There's a place in our hearts no one can fill,
We miss you, Clayton, and always will.

LOVE NANA & GRANDAD

**BROTHER, FRIEND, PROTECTOR
"OUR HERO FOREVER"**

There is always a face before us,
A voice we would love to hear,
A smile we will always remember,
Of a brother we loved so dear.
Deep in our hearts lies a picture,
More precious than silver or gold,

It's a picture of our brother,
Whose memory will never grow old.
We will love & miss you forever, Clayton

Yasmin & Jade

Funeral Director



**McGuinness
Funerals**

Tradition of care

Murwillumbah (02) 6672 2144
Billinudgel (02) 6680 3084

Please refer to our website for funeral notices
www.mcguinessfunerals.com.au

UNTIL WE MEET AGAIN

WE THINK ABOUT YOU ALWAYS WE TALK ABOUT YOU STILL
YOU HAVE NEVER BEEN FORGOTTEN AND YOU NEVER WILL.

WE HOLD YOU CLOSE
WITHIN OUR HEARTS
AND THERE YOU WILL REMAIN
TO WALK AND GUIDE US THROUGH OUR LIVES
UNTIL WE MEET AGAIN.

10 May 2021

Ground floor, 20 Chandos Street
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

T 02 9493 9500

E info@emmconsulting.com.au

www.emmconsulting.com.au

To Whom it May Concern

Re: Invitation for Registrations of Interest – Aboriginal Cultural Heritage – Murwillumbah Education Precinct

Dear Sir/Madam,

Built Pty Ltd, on behalf of School Infrastructure NSW, is proposing to re-develop the Murwillumbah High School site (Figure 1.1). Specifically, they propose to co-locate Wollumbin High School, Murwillumbah Primary School, Murwillumbah East Primary School, and Murwillumbah High School to form the Murwillumbah Education Campus. The proposed works involve the demolition of existing buildings, refurbishment of selected buildings and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school. EMM Consulting Pty Ltd (EMM) is undertaking an Aboriginal cultural heritage assessment to identify the presence of any Aboriginal heritage values, and support Built to avoid and minimise impacts to Aboriginal heritage as a result of the proposed construction.

The proponent is NSW Department of Education, A: GPO Box 33, Sydney NSW 2001; T: 1300 482 651; E: schoolinfrastructure@det.nsw.edu.au

This project is being undertaken in accordance with NSW State government's *Aboriginal cultural heritage consultation requirements for proponents 2010*. As per the first stage of the NSW State government consultation guidelines, I am writing to notify you of the project and seeking you and/or your organisation's interest in being registered for subsequent consultation and involvement. We are interested in Aboriginal individuals and/or organisations who may hold relevant cultural knowledge for determining the Aboriginal cultural heritage of the area, and who wish to be involved in the project.

The purpose of consultation is to assist the proponent to:

1. Assess the Aboriginal heritage values of the area.
2. Assist NSW Government in the assessment of Aboriginal heritage reports prepared for this project.
3. Support any future applications or approvals for the project sought under Environmental Planning and Assessment Act 1979 and/or National Parks and Wildlife Act 1974.

If you wish to register your interest as an Aboriginal party your registration must be in writing (letter or email). This information must be received by Alan Williams (see contact details below) by **27 May 2021**.

Alan Williams, EMM Consulting Pty Ltd, 20 Chandos Street, St Leonards, NSW 2065; T: 02 9493 9500;
E: awilliams@emmconsulting.com.au

In your response, please provide the following information:

- clear identification of the individual and/or organisation registering an interest. Please ensure all contact details and personal, along with relevant phone, address and e-mail (if available) is provided;
- preferred communication method (e.g. e-mail) during the consultation of this project, along with your organisation's nominated contact person and their details;
- the level of project involvement you or your organisation wishes, including attendance of meetings, fieldwork participation and/or simply reviewing documentation;
- identification on any procedures, protocols or requirements for the use and reproduction of any cultural information or materials you or your organisation provides EMM Heritage as part of this project; and
- identification of any Aboriginal objects, sites and/or areas of cultural value that you are aware of in, or near, the project area.

As required by the consultation guidelines, details of people registering as Aboriginal Parties will be forwarded to Heritage NSW and the relevant Local Aboriginal Land Council unless you specify otherwise in your response.

If you have any questions or enquiries, please don't hesitate to contact us.

Yours sincerely



Dr Alan Williams FSA FRSA MAACAI

Associate Director, National Technical Lead Aboriginal Heritage

awilliams@emmconsulting.com.au

C:\Users\larry\Desktop\G002_Local\Setting_20210420_05.mxd 10/05/2021



KEY

- Study area
- Major road
- Minor road
- Named watercourse
- Named waterbody

Study area in the local setting

Murwillumbah Education Campus
Aboriginal cultural heritage assesment
Figure 1.1

Laressa Barry

From: Laressa Barry
Sent: Monday, 10 May 2021 3:39 PM
To: Laressa Barry
Subject: Notification of project - Murwillumbah Education Precinct ACHA
Attachments: J210012_ Invitation to register_V04.pdf

Bcc: culturalheritage@tblalc.com; tweedacs@aho.tel.com.au; hesion@live.com.au; mctogo2@gmail.com; paul.j.buxton@gmail.com; mferguson3105774@gmail.com; ashley.moran@environment.nsw.gov.au; tsc@tweed.nsw.gov.au; atgomilaroi@hotmail.com; ccdic@optusnet.com; andrew.hegedus@durahrwa.com.au; balunbudjabin@gmail.com

Good afternoon,

In accordance with the Heritage NSW Aboriginal Community Consultation process, I am writing to you today to inform you of an Aboriginal Cultural Heritage Assessment being prepared by EMM Consulting Pty Ltd for the Murwillumbah Education Precinct project.

You are receiving this email because you have a) been previously involved in heritage assessments of the site; b) have been identified as potentially having an interest in the project, and because you may wish to share your knowledge and expertise regarding the management of any Aboriginal places, objects or significant areas within the site.

Please find attached a letter that describes the study area and the project goals. If you wish to register your interest in the project, please contact myself or Dr Alan Williams using the details in this letter. Please feel free to pass this letter on to any other organisations or individuals you think may be interested, and encourage them to also register their interest. Please do so by **Thursday 27th May 2021**.

Should you have any questions or would like any additional information, I'd be happy to chat.
Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813



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SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065

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Laressa Barry

From: Paul Buxton <paul.j.buxton@gmail.com>
Sent: Monday, 10 May 2021 4:42 PM
To: Laressa Barry
Cc: Alan Williams; Jackie McDonald
Subject: Re: Notification of project - Murwillumbah Education Precinct ACHA
Attachments: image001.png; image002.png; image003.png

CAUTION: This email originated outside of the Organisation.

Thanks Laressa,

Good to hear from you and hope you and your new family are well.
Please register my interest in the Murwillumbah Education Precinct projects.

Regards Paul

Paul Buxton

On Mon, 10 May 2021, 3:39 pm Laressa Barry, <lbarry@emmconsulting.com.au> wrote:

Good afternoon,

In accordance with the Heritage NSW Aboriginal Community Consultation process, I am writing to you today to inform you of an Aboriginal Cultural Heritage Assessment being prepared by EMM Consulting Pty Ltd for the Murwillumbah Education Precinct project.

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Kind regards

Laressa Barry
Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions
T 02 9493 9500

Laressa Barry

From: Jason McDonald <hesion@live.com.au>
Sent: Tuesday, 25 May 2021 8:55 PM
To: Laressa Barry

CAUTION: This email originated outside of the Organisation.

Hi Laressa,

Please register my interest in the murwillumbah education precinct project

Kind regards
Jason McDonald

Sent from my iPhone

Laressa Barry

From: Rachael Cavanagh <balunbudjabin@gmail.com>
Sent: Friday, 28 May 2021 4:53 PM
To: Laressa Barry
Subject: Re: Notification of project - Murwillumbah Education Precinct ACHA
Attachments: image003.png

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated outside of the Organisation.

Hi Laressa,

Sorry for the late response, I have been working away on Country and didn't have adequate internet reception.

I'd like to register my interest in the project.

As a Traditional Owner and extensive knowledge of Cultural heritage and Site policy and procedure.

Also I am a representative of the Currie Foundation Executive Officer for Environment Management

I have the capacity and knowledge to be an asset to the working group.

Look forward to hearing from you soon.

Bugalbeh,

On Mon, 10 May 2021, 15:39 Laressa Barry, <lbarry@emmconsulting.com.au> wrote:

Good afternoon,

In accordance with the Heritage NSW Aboriginal Community Consultation process, I am writing to you today to inform you of an Aboriginal Cultural Heritage Assessment being prepared by EMM Consulting Pty Ltd for the Murwillumbah Education Precinct project.

You are receiving this email because you have a) been previously involved in heritage assessments of the site; b) have been identified as potentially having an interest in the project, and because you may wish to share your knowledge and expertise regarding the management of any Aboriginal places, objects or significant areas within the site.

Please find attached a letter that describes the study area and the project goals. If you wish to register your interest in the project, please contact myself or Dr Alan Williams using the details in this letter. Please feel free to pass this letter on to any other organisations or individuals you think may be interested, and encourage them to also register their interest. Please do so by **Thursday 27th May 2021**.

Should you have any questions or would like any additional information, I'd be happy to chat.

Kind regards

Laressa Barry

From: Jackie McDonald <mctogo2@gmail.com>
Sent: Monday, 10 May 2021 5:33 PM
To: Laressa Barry
Subject: RE: Notification of project - Murwillumbah Education Precinct ACHA

CAUTION: This email originated outside of the Organisation.

Hello Laressa,
Thank you for making contact about the new Murwillumbah Education Campus.
Please register my interest.
Regards Jackie McDonald

From: Laressa Barry <lbarry@emmconsulting.com.au>
Sent: Monday, 10 May 2021 3:39 PM
To: Laressa Barry <lbarry@emmconsulting.com.au>
Subject: Notification of project - Murwillumbah Education Precinct ACHA

Good afternoon,
In accordance with the Heritage NSW Aboriginal Community Consultation process, I am writing to you today to inform you of an Aboriginal Cultural Heritage Assessment being prepared by EMM Consulting Pty Ltd for the Murwillumbah Education Precinct project.
You are receiving this email because you have a) been previously involved in heritage assessments of the site; b) have been identified as potentially having an interest in the project, and because you may wish to share your knowledge and expertise regarding the management of any Aboriginal places, objects or significant areas within the site.

Please find attached a letter that describes the study area and the project goals. If you wish to register your interest in the project, please contact myself or Dr Alan Williams using the details in this letter. Please feel free to pass this letter on to any other organisations or individuals you think may be interested, and encourage them to also register their interest. Please do so by **Thursday 27th May 2021**.

Should you have any questions or would like any additional information, I'd be happy to chat.
Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813

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9 June 2021

Rosalie Neve
Aboriginal Heritage Planning Officer
Heritage NSW, Department of Premier and Cabinet
Level 6, 10 Valentine Avenue
Parramatta NSW 2150

Ground floor, 20 Chandos Street
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

T 02 9493 9500
E info@emmconsulting.com.au
www.emmconsulting.com.au

Re: Notification of registered Aboriginal parties - Murwillumbah Education Precinct

Dear Rosalie,

School Infrastructure NSW (SINSW) is proposing the development of an education campus, including a primary school and high school, at the existing Murwillumbah High School site. EMM Consulting Pty Ltd (EMM) has been commissioned by Built., on behalf of SINSW, to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed development. The detailed design plans are not yet available; however, we understand that the proposed works involve the demolition of existing buildings, refurbishment of selected buildings and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school.

We are implementing the *Aboriginal cultural heritage consultation for requirements for proponents 2010*. In accordance with 4.1.6 of those requirements, we are providing a list of the five Aboriginal parties who have registered for consultation on the project.

As per the consultation requirements, the Registered Aboriginal Parties can be found in Table 1 and the forms of notification are attached to this letter.

Table 1 **List of Registered Aboriginal Parties for Murwillumbah Education Precinct, NSW.**

Organisation	Contact
Tweed Byron Local Aboriginal Lands Council	Warren Phillips
N/A	Paul Buxton
N/A	Jackie McDonald
N/A	Jason McDonald
N/A	Rachael Cavanagh

If you require further information, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in dark ink that reads "G. Burnett". The signature is written in a cursive, slightly slanted style.

Georgia Burnett

Archaeologist

gburnett@emmconsulting.com.au

Public Notice

Invitation for Registrations of Interest - Aboriginal Cultural Heritage Assessment - Murwillumbah Education Campus, Tweed Shire LGA.

School Infrastructure NSW, on behalf of NSW Department of Education, is proposing the re-development of the Murwillumbah High School site (Lot 2, DP 578679; Lots 5 and 6 DP 820602). EMM is undertaking an Aboriginal cultural heritage assessment to inform the activity.

The proponent is NSW Department of Education,
A: GPO Box 33, Sydney NSW 2001; T: 1300 482 651;
E: schoolinfrastructure@det.nsw.edu.au

Registrations are invited from Aboriginal individuals and organisations who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the area, and who wish to be involved in the consultation process undertaken as part of the assessment.

The purpose of consultation is to assist the proponent in:
1) assessing the Aboriginal heritage values of the area;
2) to assist NSW Government in the assessment of Aboriginal heritage reports prepared for this project; and 3) to support any future applications or approvals for the project sought under Environmental Planning and Assessment Act 1979 and/or National Parks and Wildlife Act 1974.

Registrations of interest should be provided by no later than 03.06.2021 to Alan Williams, EMM Consulting Pty Ltd, 20 Olandos Street, St Leonards, NSW 2065; T: 02 9493 9500; E: awilliams@emmconsulting.com.au.

Plate 1 Newspaper advertisement placed in the *Tweed Valley Weekly* on 20 May 2021.

Laressa Barry

From: Laressa Barry
Sent: Monday, 10 May 2021 3:39 PM
To: Laressa Barry
Subject: Notification of project - Murwillumbah Education Precinct ACHA
Attachments: J210012_ Invitation to register_V04.pdf

Bcc: culturalheritage@tblalc.com; tweedacs@aho.tel.com.au; hesion@live.com.au; mctogo2@gmail.com; paul.j.buxton@gmail.com; mferguson3105774@gmail.com; ashley.moran@environment.nsw.gov.au; tsc@tweed.nsw.gov.au; atgomilaroi@hotmail.com; ccdic@optusnet.com; andrew.hegedus@durahrwa.com.au; balunbudjabin@gmail.com

Good afternoon,

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Please find attached a letter that describes the study area and the project goals. If you wish to register your interest in the project, please contact myself or Dr Alan Williams using the details in this letter. Please feel free to pass this letter on to any other organisations or individuals you think may be interested, and encourage them to also register their interest. Please do so by **Thursday 27th May 2021**.

Should you have any questions or would like any additional information, I'd be happy to chat.
Kind regards

Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0432 830 813



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10 May 2021

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T 02 9493 9500

E info@emmconsulting.com.au

www.emmconsulting.com.au

To Whom it May Concern

Re: Invitation for Registrations of Interest – Aboriginal Cultural Heritage – Murwillumbah Education Precinct

Dear Sir/Madam,

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If you wish to register your interest as an Aboriginal party your registration must be in writing (letter or email). This information must be received by Alan Williams (see contact details below) by **27 May 2021**.

Alan Williams, EMM Consulting Pty Ltd, 20 Chandos Street, St Leonards, NSW 2065; T: 02 9493 9500;
E: awilliams@emmconsulting.com.au

In your response, please provide the following information:

- clear identification of the individual and/or organisation registering an interest. Please ensure all contact details and personal, along with relevant phone, address and e-mail (if available) is provided;
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As required by the consultation guidelines, details of people registering as Aboriginal Parties will be forwarded to Heritage NSW and the relevant Local Aboriginal Land Council unless you specify otherwise in your response.

If you have any questions or enquiries, please don't hesitate to contact us.

Yours sincerely



Dr Alan Williams FSA FRSA MAACAI

Associate Director, National Technical Lead Aboriginal Heritage

awilliams@emmconsulting.com.au

C:\Users\larry\Desktop\G002_Local\Setting_20210420_05.mxd 10/05/2021



- KEY
- Study area
 - Major road
 - Minor road
 - Named watercourse
 - Named waterbody

Study area in the local setting

Murwillumbah Education Campus
Aboriginal cultural heritage assesment
Figure 1.1

From: [Georgia Burnett](#)
To: rosalie.neve@environment.nsw.gov.au
Cc: [Alan Williams](#)
Subject: Murwillumbah Education Campus - Notification of Registered Aboriginal Parties
Date: Wednesday, 9 June 2021 4:18:00 PM
Attachments: [J200686_List of RAPs_Heritage NSW.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Rosalie,

Please find attached a letter notifying Heritage NSW of the Aboriginal parties who have registered for consultation on the Murwillumbah Education Campus project.

Please let me know if you have any questions.

Kind regards,
Georgia

Georgia Burnett

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0400 472 412

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9 June 2021

Warren Phillips
Senior Cultural Heritage Sites Officer
Tweed Byron Local Aboriginal Land Council
PO Box 6967
Tweed Heads NSW 2485

Ground floor, 20 Chandos Street
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

T 02 9493 9500
E info@emmconsulting.com.au
www.emmconsulting.com.au

Re: Notification of registered Aboriginal parties - Murwillumbah Education Precinct

Dear Warren,

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Yours sincerely

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Archaeologist

gburnett@emmconsulting.com.au

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Plate 1

Newspaper advertisement placed in the *Tweed Valley Weekly* on 20 May 2021.

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Laressa Barry

Senior Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



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Dear Sir/Madam,

Built Pty Ltd, on behalf of School Infrastructure NSW, is proposing to re-develop the Murwillumbah High School site (Figure 1.1). Specifically, they propose to co-locate Wollumbin High School, Murwillumbah Primary School, Murwillumbah East Primary School, and Murwillumbah High School to form the Murwillumbah Education Campus. The proposed works involve the demolition of existing buildings, refurbishment of selected buildings and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school. EMM Consulting Pty Ltd (EMM) is undertaking an Aboriginal cultural heritage assessment to identify the presence of any Aboriginal heritage values, and support Built to avoid and minimise impacts to Aboriginal heritage as a result of the proposed construction.

The proponent is NSW Department of Education, A: GPO Box 33, Sydney NSW 2001; T: 1300 482 651; E: schoolinfrastructure@det.nsw.edu.au

This project is being undertaken in accordance with NSW State government's *Aboriginal cultural heritage consultation requirements for proponents 2010*. As per the first stage of the NSW State government consultation guidelines, I am writing to notify you of the project and seeking you and/or your organisation's interest in being registered for subsequent consultation and involvement. We are interested in Aboriginal individuals and/or organisations who may hold relevant cultural knowledge for determining the Aboriginal cultural heritage of the area, and who wish to be involved in the project.

The purpose of consultation is to assist the proponent to:

1. Assess the Aboriginal heritage values of the area.
2. Assist NSW Government in the assessment of Aboriginal heritage reports prepared for this project.
3. Support any future applications or approvals for the project sought under Environmental Planning and Assessment Act 1979 and/or National Parks and Wildlife Act 1974.

If you wish to register your interest as an Aboriginal party your registration must be in writing (letter or email). This information must be received by Alan Williams (see contact details below) by **27 May 2021**.

Alan Williams, EMM Consulting Pty Ltd, 20 Chandos Street, St Leonards, NSW 2065; T: 02 9493 9500;
E: awilliams@emmconsulting.com.au

In your response, please provide the following information:

- clear identification of the individual and/or organisation registering an interest. Please ensure all contact details and personal, along with relevant phone, address and e-mail (if available) is provided;
- preferred communication method (e.g. e-mail) during the consultation of this project, along with your organisation's nominated contact person and their details;
- the level of project involvement you or your organisation wishes, including attendance of meetings, fieldwork participation and/or simply reviewing documentation;
- identification on any procedures, protocols or requirements for the use and reproduction of any cultural information or materials you or your organisation provides EMM Heritage as part of this project; and
- identification of any Aboriginal objects, sites and/or areas of cultural value that you are aware of in, or near, the project area.

As required by the consultation guidelines, details of people registering as Aboriginal Parties will be forwarded to Heritage NSW and the relevant Local Aboriginal Land Council unless you specify otherwise in your response.

If you have any questions or enquiries, please don't hesitate to contact us.

Yours sincerely



Dr Alan Williams FSA FRSA MAACAI

Associate Director, National Technical Lead Aboriginal Heritage

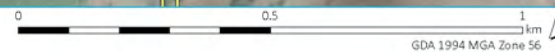
awilliams@emmconsulting.com.au

C:\Users\larry\Desktop\G002_Local\Setting_20210420_05.mxd 10/05/2021



- KEY
- Study area
 - Major road
 - Minor road
 - Named watercourse
 - Named waterbody

Source: EMM (2021); DFSI (2017); GA (2011); ASGC (2006)



Study area in the local setting

Murwillumbah Education Campus
Aboriginal cultural heritage assesment
Figure 1.1

From: [Georgia Burnett](#)
To: Culturalheritage@tblalc.com
Cc: [Sites](#); [Alan Williams](#)
Subject: Murwillumbah Education Campus - Notification of Registered Aboriginal Parties
Date: Wednesday, 9 June 2021 4:18:00 PM
Attachments: [J200686_List of RAPs_TBLALC.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Warren,

Please find attached a letter notifying Tweed Byron LALC of the Aboriginal parties who have registered for consultation on the Murwillumbah Education Campus project.

Please let me know if you have any questions.

Kind regards,
Georgia

Georgia Burnett

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0400 472 412

☐ Connect with us

SYDNEY | Ground floor, 20 Chandos Street, St Leonards NSW 2065

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4 June 2021

Ground floor, 20 Chandos Street
St Leonards NSW 2065
PO Box 21
St Leonards NSW 1590

T 02 9493 9500

E info@emmconsulting.com.au

www.emmconsulting.com.au

Re: Murwillumbah Education Campus - Project information and Aboriginal cultural heritage assessment methodology

Dear Sir/Madam,

1 Introduction

The NSW Department of Education - School Infrastructure have proposed the development of an education campus, including a primary school and high school, at the Murwillumbah High School site (Figure 1.1). The Murwillumbah Education Campus will bring together students from Murwillumbah Primary School, Murwillumbah East Primary School, Murwillumbah High School, and Wollumbin High School. The detailed design plans are not yet available; however, we understand that the proposed works involve the demolition of existing buildings, refurbishment of selected buildings and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school. EMM Consulting Pty Ltd (EMM) is undertaking an Aboriginal cultural heritage assessment to identify the presence of any Aboriginal heritage sites and values, and support the proponent to avoid and minimise impacts to Aboriginal heritage as a result of the proposed construction.

This document is provided in accordance with sections 4.2 and 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010), which sets out the Aboriginal consultation requirements for the project. Additional Aboriginal community liaison and participation opportunities will occur in accordance with a project specific consultation strategy.

The aims of this letter are to:

- provide an overview of the project and how it will be assessed;
- provide background on the project;
- establish the purpose and aims of the Aboriginal consultation process;
- seek information about any Aboriginal cultural heritage values associated with the project and how they may affect, inform or refine the project and/or assessment methods;
- identify any culturally appropriate protocols that registered parties wish to be adopted during the information gathering process (eg protocols during field survey, or handling of culturally sensitive information); and
- present a draft of the intended assessment methods for your review and comment.

We welcome your feedback at your earliest convenience, and will be consulting with the registered Aboriginal parties for the duration of the ACHA. However, for the purposes of this initial stage and in accordance with the Heritage NSW guidelines, we request any written response on the information and process below by **COB 2 July 2021**.

EMM is working on the proponent's behalf, and all queries should be directed through EMM. Feedback can be provided to:

Georgia Burnett, EMM Consulting Pty Ltd, 20 Chandos Street, St Leonards, NSW 2065; T: 02 9493 9500, E: gburnett@emmconsulting.com.au

2 Project information

The NSW Department of Education is developing an education campus at the Murwillumbah High School site. The campus will include a primary school, a high school and school community health hub facilities co-located within an integrated, purpose designed and built education campus. This will ensure students of different ages have their own spaces to learn and play while also offering opportunities for easier transition between stages, long-term relationships between families and the campus and collaborative professional development for teachers. Campus facilities will reflect contemporary, best-practice education design principles providing students in Murwillumbah with access to innovative, flexible and digitally connected learning spaces. The campus will also include a range of open green spaces, structured sporting spaces and creative spaces.

The proposal involves the following:

- the demolition of existing buildings, refurbishment of selected buildings and the construction of new buildings to accommodate existing and new facilities for the collective function of the primary and secondary school and public facilities;
- a new landscape plan including the removal of some existing vegetation, replacement with suitable planting and other alterations and modifications to the landscape that integrate with the development of the proposed learning spaces;
- encourage the implementation of “Future Focused Learning” educational principles across the Campus and present a functional and fit for purpose facility that supports and expands on the growing educational and civic needs of the local community.

As noted above, the current iteration of the design is still being finalised and has yet to be provided to EMM. The description of the concept design above is based solely on information provided through correspondence by School Infrastructure NSW. It is important to note that the works as currently described do not reflect a finalised or detailed submission, instead communicating the general works and design intent. Final designs will be provided when available and will be incorporated into the ACHA.

2.1 Background and current approvals pathway

In mid-2020, during the early planning stages, EMM prepared an Aboriginal heritage due diligence that assessed the potential for cultural material to be present in the project area (EMM 2020). It included a review of the existing environmental and archaeological context of the region, as well as a brief site inspection to identify the presence of any Aboriginal objects that may constrain or affect the proposed activities.

The desktop information indicated that while the project area is in proximity to water, and a key threshold for further assessment, it is considered likely that the watercourse is not natural and may reflect European drainage of the floodplains along the Tweed River. The alignment of the creek with property boundaries also suggested artificial modification. It could not be verified, however, whether these works were in part based on original creeklines, or entirely artificial. In addition to the creekline, the study area includes a crest landform, which typically is of archaeological interest. However, this too has been affected by extensive development, most notably the establishment of the school; and it is considered that any natural soil profile (if present) will have been subject to extensive disturbance and/or truncation. On-site inspections verified all these findings, and made no observations of cultural material, although visibility due to ground coverage was poor.

Subsequently, recommendations were made based on the information presented above. Within the existing school footprint in the northern portion of the project area, it was considered that the high level of disturbance as a consequence of the initial construction phase has resulted in low potential for Aboriginal objects to be present; and any impacts would therefore likely have low risk of harming Aboriginal objects in this area. With regards to the rest of the project area, it was determined that until validation of the artificial nature of the creekline running along the southern and western border can be determined, it should be considered as a natural watercourse and managed accordingly. Therefore, it was considered that there was higher potential for cultural material in the southern half of the study area.

Subsequent to the due diligence assessment, the Murwillumbah Education Campus is being assessed as State Significant Development (SSD 16848913) under the provisions of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The project would therefore require approval from the Minister for Planning, and is to be accompanied by an Environmental Impact Statement (EIS). The EIS is being developed in response to Secretary Environmental Assessment Requirements (SEARs) issued by the Minister for Planning, which outlines the investigative requirements for Aboriginal heritage. In this case, it was determined that an ACHA be prepared to assess the Aboriginal cultural heritage values that exist within the project area. Note that SSD projects do not require separate approvals under *the National Parks and Wildlife Act 1974* (eg Aboriginal heritage impact permits), rather any subsequent requirements for heritage are managed in accordance with the conditions of approval, provided by the Minister.

In light of the Aboriginal heritage requirements outlined in the SEARs, EMM is now undertaking a more extensive investigation of the Aboriginal heritage and archaeological values of the study area through its development of an ACHA, including consultation with and participation of Aboriginal stakeholders in accordance with Heritage NSW guidelines.

3 Aboriginal stakeholders

Following the notification process undertaken between 10 May – 3 June 2021, the following Aboriginal stakeholders have expressed an interest in being involved in the project:

- Tweed Byron Local Aboriginal Land Council;
- Paul Buxton;
- Jackie McDonald;
- Jason McDonald; and,
- Rachael Cavanagh.

4 Methods

The assessment of the development of the Murwillumbah Education Campus will be assessed under Part 4 (Division 4.7) of the EP&A Act. As such, additional approvals required under the *National Parks and Wildlife Act 1974* do not apply, though the SEARs require that Aboriginal heritage be assessed and managed in accordance with the following guidelines:

- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011);
- *Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW* (the Code of Practice) (DECCW 2010); and
- *Aboriginal Consultation Requirements for Proponents 2010* (DECCW 2010).

4.1 Field investigation

The purpose of the assessment is to identify and manage the Aboriginal cultural heritage sites and values of all areas that will be affected by the project. In summary, this will involve.

- consultation with the Aboriginal stakeholders to identify socio-cultural values of the project area and places of special significance that should be considered;
- a search of the AHIMS register for records of previously registered Aboriginal sites;
- a review of past Aboriginal heritage reports covering the study area;
- environmental landscape analysis to identify past Aboriginal resources and suitable occupation areas;
- synthesis of background research to develop a predictive model of Aboriginal site location;
- field investigation to validate the findings of the desktop assessment and identify any previously undocumented cultural material. This would include surface inspection and may extend to test excavations of areas of archaeological interest if required;
- an assessment of significance for Aboriginal cultural heritage values in the project area (with input from the registered Aboriginal stakeholders);
- where required, an impact assessment of how the project will affect Aboriginal cultural heritage values in the project area; and
- development of management recommendations based on the results of the assessment and input from registered Aboriginal stakeholders during the consultation process and particularly from the draft ACHA review period.

4.1.1 Archaeological survey

Survey of the project area would be undertaken to identify any extant Aboriginal objects or sites. Surface investigation will consist of the survey team evenly spaced (5-10 m apart) walking transects across accessible parts of the study area, with a key focus on targeting areas of low disturbance. The focus of the team will be to both investigate soil exposures for extant Aboriginal objects and identify landforms that have potential for cultural material to be present (either in surface or subsurface deposits). It should be acknowledged that the entire ground surface within the project area is unlikely to be surveyed, but a representative sample of each landform will be gathered to characterise the archaeology, or its potential, of the project area. All Aboriginal objects and/or landforms of interest would be mapped and documented using hand-held GPS, photographs, sketches and/or written description.

The survey will be undertaken in accordance with Requirements 5 to 10 of the Code of Practice. In summary, the Code of Practice requires the following general methodology:

- pedestrian survey;
- survey and recording according to survey unit and/or transect;
- recording of beginning and end points of transects or the boundaries of survey units, and the spacing between survey personnel;
- recording of landform, soil information, land surface, vegetation conditions, visibility and exposure, and survey coverage;

- recording of any identified Aboriginal sites identified according to Requirements 6-8, and recording of any identified Aboriginal objects in accordance with Requirements 18-24 of the Code of Practice;
- if any Aboriginal objects and/or sites are identified in the course of the survey, site cards will be completed and submitted to the AHIMS registrar; and
- in the event of Aboriginal heritage being identified within the project footprint, undertake discussions on site as to the potential further investigation and/or management of these finds.

4.1.2 Archaeological test excavation (TBD)

At this stage, no test excavations are proposed, and the aim of the project is to avoid such a program where possible, largely through project redesign. However, if test excavations are required to further characterise the archaeological resource of an area identified in the survey, they would be implemented shortly following the survey, in accordance with the Code of Practice. Specifically, they would include the following activities:

- all test excavation pits would be spatially located using a differential GPS device, which would also provide elevation data;
- manual excavation of 0.25m² test pits in a systematic grid across areas of archaeological interest within the impact footprint. The spatial resolution of the grid would be dependent on on-ground conditions, but would likely have test pits between 20-50m apart;
- excavation would use hand tools. Excavation of the first unit would be in 5cm spits, with subsequent excavation allowed in 10cm spits or according to stratigraphy (whichever is smallest) depending on the results of the first unit. Manual excavation would continue to either: i) the base of the cultural deposits; ii) to the depth of the underlying geology; or iii) to the maximum depth possible via hand excavation (likely ~ 80cm).
- sieving of all manually excavated material through a 5 mm sieve;
- reduced levels of the top and bottom of the test pit would be documented using a dumpy level against a known elevation. Other levels may be taken as required;
- soil profiles would be recorded in accordance with the Code of Practice, including scaled drawings, photographs, and written descriptions;
- soil samples may be collected for description, sedimentological and chronological analysis where such analysis is considered likely to contribute significant information; and
- excavation procedures and protocols may be modified at the discretion of the Excavation Director, in consultation with the Aboriginal stakeholders and the proponent as the conditions in the field and nature of the excavations develop. This includes the movement of test pits to avoid existing built structures, buried services and disturbances not identified during the desktop phase.

4.2 Timeframes

The following indicative timeframes for the assessment would apply:

- distribution of this document to the registered Aboriginal stakeholders: June 2021;
- field investigation (survey) of the project area: mid-to-late July 2021;
- distribution of the draft report: mid-to-late September 2021;

- input into recommendations and review of draft report: early October – early November 2021;
- report finalisation and submission of AHIP application (if required): December 2021;

This timeline does not account for an archaeological test excavation program, as it is unclear if this will be required at this stage. If the archaeological survey identifies areas of archaeological interest, and test excavations are required to characterise the archaeological resource of the project area, the scope of these excavations will be refined to the current project footprint and an updated timeline will be provided.

5 What we need from you

In addition to the archaeological evidence described above, Aboriginal heritage incorporates a wide range of values such as stories, traditions and cultural practices. EMM welcomes advice from the Aboriginal community about cultural values (which might include archaeological sites or other types of values) relevant to the project area and its surrounds. EMM is relying on the Aboriginal community for advice on non-archaeological and intangible Aboriginal values for the study area. We are happy to discuss any information which you are willing to share and will respect confidentiality where requested.

EMM would appreciate your feedback on the above methodology proposed for the investigation and assessment of the project area. In responding, please also consider the following questions:

- Are there any other knowledge-holders or traditional owner groups we should be contacting to obtain cultural information on this area?
- Are there any protocols in relation to community interaction and/or cultural heritage that you would like adopted during the project?
- Are you aware of any Aboriginal objects, places, sites or stories of cultural significance and/or importance that you are aware of within the project area? If so, please advise us how you wish them to be dealt with during the project.
- Are you aware of any past or current fishing and hunting activities within the project area? Do you have any views on how these should be managed into the future?
- Is the information you are providing sensitive, gender specific, etc? If so, how would you like the information you provide to EMM to be managed? Noting that some documentation for the ACHA process will be required.
- Do you require any further information prior to EMM proceeding with the project?

In your response, can you please also clearly identify who you would like EMM to talk to within your organisation, and provide contact details for these individuals. Please also ensure your preferred method of communication (eg telephone call, e-mail, letter, etc) is highlighted for subsequent stages of the project.

6 Closing

We look forward to receiving any response your organisation wishes to make about the proposed method by **COB 2 July 2021**. Your response will be documented and considered in the assessment. Most importantly, your cultural information is also welcome within this timeframe; but it can also be submitted up until the completion of the draft ACHA.

Please feel free to contact me with any questions.

Yours sincerely

A handwritten signature in dark ink, appearing to read "G. Burnett". The signature is written in a cursive, slightly slanted style.

Georgia Burnett

Archaeologist

gburnett@emmconsulting.com.au

C:\Users\larry\Desktop\G002_Local\Setting_20210420_05.mxd 10/05/2021



- KEY
- Study area
 - Major road
 - Minor road
 - Named watercourse
 - Named waterbody

Study area in the local setting

Murwillumbah Education Campus
Aboriginal cultural heritage assesment
Figure 1.1

From: [Georgia Burnett](#)
To: Culturalheritage@tblalc.com
Cc: [Sites](#)
Subject: FW: Murwillumbah Education Campus - Project information and proposed assessment methods
Date: Friday, 4 June 2021 3:24:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[J200686_Methodology_v1.pdf](#)

Hi all,

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed development of an education campus, including a primary school and high school, at the Murwillumbah High School site.

Attached to this email is a letter which outlines the proposed assessment methods for the ACHA. The letter includes information about the project itself and the design plans, as well as our proposed methods for undertaking survey at the school site. I would appreciate if you could please review the letter and let me know your thoughts or comments, if any. I would also be happy for you to share any cultural information about the study area and its cultural value to you.

Your response would be greatly appreciated, and please feel free to send any information or feedback to me via email, post or phone. As outlined in the letter, if you could provide any comments by **COB 2 July 2021**, that would be ideal.

Any questions, please let me know.

Kind regards,
Georgia

Georgia Burnett

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0400 472 412

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From: [Georgia Burnett](#)
Cc: [Alan Williams](#)
Bcc: [sites@tblac.org.au](#); [paul.i.buxton@gmail.com](#); [mctogo2@gmail.com](#); [hesion@live.com.au](#); [balunbudjabin@gmail.com](#)
Subject: Murwillumbah Education Campus - Project information and proposed assessment methods
Date: Friday, 4 June 2021 3:21:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[J200686_Methodology_v1.pdf](#)

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Taylor Reid

From: Taylor Reid
Sent: Wednesday, July 14, 2021 11:21 AM
To: sites@tblalc.org.au; paul.j.buxton@gmail.com; mctogo2@gmail.com; hesion@live.com.au
Cc: Alan Williams; Georgia Burnett
Subject: J200686 Murwillumbah Education Precinct Survey

Hi all,

Thank you for speaking with me this morning if I had a chance to catch you on the phone. For those of you whom I couldn't reach, we are conducting a day of survey at the Murwillumbah education precinct next week and it would be great if you or your representative could assist me with the field investigation.

I am trying to find a day that suits everyone, either **Wednesday 21 July** or **Thursday 22 July** (preferred).

If you could please let me know your availability and preferred day that would be great. Just for your information, I will be driving up from Newcastle and have not been to any COVID risk areas. I will be taking all the precautions leading up to the survey.

Kind regards,

Taylor Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



M 0428 280 542

T 02 4907 4828

 Connect with us

NEWCASTLE | Level 3, 175 Scott Street, Newcastle NSW 2300



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Taylor Reid

From: Taylor Reid
Sent: Wednesday, July 14, 2021 11:27 AM
To: sites@tblalc.com
Subject: J200686 Murwillumbah Education Precinct Survey

Hi all,

Thank you for speaking with me this morning if I had a chance to catch you on the phone. For those of you whom I couldn't reach, we are conducting a day of survey at the Murwillumbah education precinct next week and it would be great if you or your representative could assist me with the field investigation.

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Taylor Reid

From: Taylor Reid
Sent: Thursday, July 15, 2021 12:09 PM
To: paul.j.buxton@gmail.com; mctogo2@gmail.com; hesion@live.com.au; Sites
Cc: Alan Williams; Georgia Burnett
Subject: RE: J200686 Murwillumbah Education Precinct Survey
Attachments: H001_LocalSetting_20210510_01.pdf

Hi all,

Confirming we are locked in for **Thursday 22 July 2021** at the Murwillumbah High School for **830AM**. We will meet in the top carpark, I believe everyone knows where to go but just in case – the address is 86 Riverview Street, Murwillumbah.

We will be conducting a day of field survey of the project area (see attached). I have also attached some COVID declaration forms. Could you please read both forms and ensure you or your representative meet the criteria to be able to work on site. I will have hard copies with me on the day that I will have everyone review and sign. I will also have some disposable masks but if you have your own I encourage you to bring it.

Please remember to bring your lunch, lots of water, and suitable shoes and clothing for a day of work outside.

My number is 0428 280 542 if you have any questions, I will be out of service on Monday but reachable the rest of the week.

Looking forward to meeting you.

Kind regards,

Taylor Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



M 0428 280 542

T 02 4907 4828



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From: Taylar Reid

Sent: Wednesday, July 14, 2021 11:21 AM

To: sites@tblalc.org.au; paul.j.buxton@gmail.com; mctogo2@gmail.com; hesion@live.com.au

Cc: Alan Williams <awilliams@emmconsulting.com.au>; Georgia Burnett <gburnett@emmconsulting.com.au>

Subject: J200686 Murwillumbah Education Precinct Survey

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Kind regards,

Taylar Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



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Taylor Reid

From: Jason McDonald <hesion@live.com.au>
Sent: Thursday, July 15, 2021 12:57 PM
To: Taylor Reid
Subject: RE: J200686 Murwillumbah Education Precinct Survey

CAUTION: This email originated outside of the Organisation.

Hi Taylor
Unfortunately I won't be available but I will be sending my son Kalib to represent me thank you

Sent from [Mail](#) for Windows 10

From: [Taylor Reid](#)
Sent: Thursday, 15 July 2021 12:09 PM
To: paul.j.buxton@gmail.com; mctogo2@gmail.com; hesion@live.com.au; [Sites](#)
Cc: [Alan Williams](#); [Georgia Burnett](#)
Subject: RE: J200686 Murwillumbah Education Precinct Survey

Hi all,

Confirming we are locked in for **Thursday 22 July 2021** at the Murwillumbah High School for **830AM**. We will meet in the top carpark, I believe everyone knows where to go but just in case – the address is 86 Riverview Street, Murwillumbah.

We will be conducting a day of field survey of the project area (see attached). I have also attached some COVID declaration forms. Could you please read both forms and ensure you or your representative meet the criteria to be able to work on site. I will have hard copies with me on the day that I will have everyone review and sign. I will also have some disposable masks but if you have your own I encourage you to bring it.

Please remember to bring your lunch, lots of water, and suitable shoes and clothing for a day of work outside.

My number is 0428 280 542 if you have any questions, I will be out of service on Monday but reachable the rest of the week.

Looking forward to meeting you.

Kind regards,

Taylor Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



M 0428 280 542

T 02 4907 4828



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From: Taylar Reid

Sent: Wednesday, July 14, 2021 11:21 AM

To: sites@tblalc.org.au; paul.j.buxton@gmail.com; mctogo2@gmail.com; hesion@live.com.au

Cc: Alan Williams <awilliams@emmconsulting.com.au>; Georgia Burnett <gburnett@emmconsulting.com.au>

Subject: J200686 Murwillumbah Education Precinct Survey

Hi all,

Thank you for speaking with me this morning if I had a chance to catch you on the phone. For those of you whom I couldn't reach, we are conducting a day of survey at the Murwillumbah education precinct next week and it would be great if you or your representative could assist me with the field investigation.

I am trying to find a day that suits everyone, either **Wednesday 21 July** or **Thursday 22 July** (preferred).

If you could please let me know your availability and preferred day that would be great. Just for your information, I will be driving up from Newcastle and have not been to any COVID risk areas. I will be taking all the precautions leading up to the survey.

Kind regards,

Taylar Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



M 0428 280 542

T 02 4907 4828

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Taylor Reid

From: Rachael Cavanagh <balunbudjabin@gmail.com>
Sent: Monday, September 13, 2021 12:13 PM
To: Georgia Burnett
Cc: Alan Williams
Subject: Re: Murwillumbah Education Campus - Project information and proposed assessment methods
Attachments: MurbahEducationCampus.pdf

CAUTION: This email originated outside of the Organisation.

Hi Georgia,

I'm not sure if you received my report regarding the Cultural heritage for the methodology as I have not received any follow up in regards to the report I send. I have attached it again just in case.

Please don't hesitate to call me if you have any questions or concerns.

Rachael Cavanagh

Balun Budjabin Consulting
E: balunbudjabinconsulting M:0408731087

On Fri, Jun 4, 2021 at 3:22 PM Georgia Burnett <gburnett@emmconsulting.com.au> wrote:

Hi all,

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed development of an education campus, including a primary school and high school, at the Murwillumbah High School site.

Attached to this email is a letter which outlines the proposed assessment methods for the ACHA. The letter includes information about the project itself and the design plans, as well as our proposed methods for undertaking survey at the school site. I would appreciate if you could please review the letter and let me know your thoughts or comments, if any. I would also be happy for you to share any cultural information about the study area and its cultural value to you.

Your response would be greatly appreciated, and please feel free to send any information or feedback to me via email, post or phone. As outlined in the letter, if you could provide any comments by **COB 2 July 2021**, that would be ideal.

Any questions, please let me know.

Kind regards,

Georgia

Georgia Burnett

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0400 472 412

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Taylor Reid

From: Alan Williams
Sent: Monday, September 13, 2021 12:21 PM
To: Rachael Cavanagh; Georgia Burnett
Cc: Taylor Reid
Subject: RE: Murwillumbah Education Campus - Project information and proposed assessment methods

Hi Rachael,

Thanks for your response. I believe the assessment has substantively progressed since the distributed methodology, and we'll continue to be in touch as the reporting, etc, develops.

A

Dr Alan Williams FSA FRSA MAACA

Associate Director | National Technical Leader, Aboriginal Heritage

T 02 9493 9584

M 0438 104 740

www.emmconsulting.com.au

I work flexibly. I'm sending you this message now because it's a good time for me, but do not expect you to read, respond or action it outside your regular hours

From: Rachael Cavanagh <balunbudjabin@gmail.com>
Sent: Monday, 13 September 2021 12:13 PM
To: Georgia Burnett <gburnett@emmconsulting.com.au>
Cc: Alan Williams <awilliams@emmconsulting.com.au>
Subject: Re: Murwillumbah Education Campus - Project information and proposed assessment methods

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Rachael Cavanagh

Balun Budjabin Consulting

E: balunbudjabinconsulting M:0408731087

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Any questions, please let me know.

Kind regards,

Georgia

Georgia Burnett

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



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Taylor Reid

From: Taylor Reid
Sent: Monday, October 11, 2021 11:01 AM
Cc: Alan Williams
Subject: Murwillumbah Education Precinct Draft ACHA Review

Hello All,

This is a friendly reminder that the Murwillumbah Education Precinct draft ACHA review period ends **Tuesday 26 October 2021**.

Please let me know if you have any comments or questions, or if you support the ACHA.

Thank you!

Kind regards,

Taylor Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



M 0428 280 542

T 02 4907 4828

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Taylor Reid

From: Taylor Reid
Sent: Thursday, October 28, 2021 11:59 AM
Cc: Alan Williams
Subject: Murwillumbah Education Campus Draft ACHA Review Extended

Hi All,

Following a request from a few organisations, the draft ACHA review period has been extended for one more week, closing **Friday 4 November 2021**.

If you have any questions or comments please don't hesitate to ask.

Kind regards,

Taylor Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



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T 02 4907 4828

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Taylor Reid

From: Sites <sites@tblalc.com>
Sent: Thursday, October 28, 2021 12:23 PM
To: Taylor Reid
Cc: Alan Williams
Subject: RE: Murwillumbah Education Campus Draft ACHA Review Extended

CAUTION: This email originated outside of the Organisation.

Hi Taylor

No problem. It's on the priority pile but extensions of time are always welcome.

Kind regards

Maurice

P: 07 5536 1926 **M:** 0407 643 349

From: Taylor Reid [mailto:treid@emmconsulting.com.au]
Sent: Thursday, 28 October 2021 10:59 AM
Cc: Alan Williams <awilliams@emmconsulting.com.au>
Subject: Murwillumbah Education Campus Draft ACHA Review Extended

Hi All,

Following a request from a few organisations, the draft ACHA review period has been extended for one more week, closing **Friday 4 November 2021**.

If you have any questions or comments please don't hesitate to ask.

Kind regards,

Taylor Reid

Archaeologist

Bushfire, Ecology, Heritage and Spatial Solutions



M 0428 280 542

T 02 4907 4828

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Taylor Reid

From: Sites <sites@tblalc.com>
Sent: Thursday, November 11, 2021 3:54 PM
To: Alan Williams; Taylor Reid
Subject: RE: Kingscliff schools - AFG meeting (4 November 2021) - minutes (final)

CAUTION: This email originated outside of the Organisation.

Hi Alan and Taylor

Just a quick note and another issue: I have provided DRAFT response to the M'Bah Campus ACHA to our CEO. I don't know whether she's finalised it and sent it to you but, if not, please keep the document open.

Alan: we have no comments re the minutes of the meeting or the ACHMPs for the Kingscliff schools.

Kind regards

Maurice

P: 07 5536 1926 **M:** 0407 643 349

From: Alan Williams [mailto:awilliams@emmconsulting.com.au]
Sent: Thursday, 11 November 2021 1:10 PM
To: Jackie McDonald <mctogo2@gmail.com>; Cultural Heritage <culturalheritage@tblalc.com>; Sites <sites@tblalc.com>; Paul Buxton <paul.j.buxton@gmail.com>; Martyn Charlett <Martyn.Charlett@mbbgroup.com.au>; Gareth James <gareth.james4@det.nsw.edu.au>; Laura Goodall <Laura.goodall@mbbgroup.com.au>
Cc: Gabriel Reyes <Gabriel.Reyes@mbbgroup.com.au>; Georgia Burnett <gburnett@emmconsulting.com.au>; Frank De Vitis <Frank@indigeco.com.au>
Subject: Kingscliff schools - AFG meeting (4 November 2021) - minutes (final)

Hi All,

I haven't received any concerns about the minutes from last week, so will finalise them. We are proposing to finalise the ACHMP tomorrow. If anyone wants to provide further inputs, please get in touch before then. As discussed, it is a live document, so changes and amendments will be feasible as the project progresses.

Happy to discuss

Thanks

Al

From: Alan Williams <awilliams@emmconsulting.com.au>
Sent: Friday, 5 November 2021 11:37 AM
To: Jackie McDonald <mctogo2@gmail.com>; culturalheritage@tblalc.com; Sites <sites@tblalc.com>; Paul Buxton <paul.j.buxton@gmail.com>; Martyn Charlett <Martyn.Charlett@mbbgroup.com.au>; Gareth James <gareth.james4@det.nsw.edu.au>; Laura Goodall <Laura.goodall@mbbgroup.com.au>
Cc: Gabriel Reyes <Gabriel.Reyes@mbbgroup.com.au>; Georgia Burnett <gburnett@emmconsulting.com.au>; Frank De Vitis <Frank@indigeco.com.au>
Subject: Kingscliff schools - AFG meeting (4 November 2021) - minutes (draft)

Hi All,

Thanks for meeting yesterday. Please find below a summary of our discussions that I will be using as part of the finalisation of the ACHMPs and AHIP application.

Face-to-face meeting, Lions Park, Kingscliff (5 November 2021): Alan Williams (EMM), Gareth James (Schools Infrastructure NSW), Martyn Charlett and Laura Goodall (MBB Group), Maurice Gannon and Warren Phillips (Tweed Byron LALC), Auntie Jackie MacDonald, Paul Buxton.

Apologies: Marcus Ferguson advised he would defer any decisions to the Traditional Owners attending.

Key points and actions:

- AW provided information on the following:
 - Outlined the various assessment and approval processes to date for the Kingscliff public school and Kingscliff high school. This included discussion focussed on the public school, with the complex combination of approval via State Significant Development and a Review of Environmental Factors (REF).
 - Outlined the proposed development of an Aboriginal heritage impact permit (AHIP) application to cover the REF components of the work to allow recovery of recently identified unexpected finds, and to minimise the issue for the remaining works. A map of the AHIP boundary was provided (attached).
 - Undertook a section-by-section review of the two Aboriginal cultural heritage management plans (ACHMP) that were developed as an expected post-approval condition of the two sites.
- Discussions and outcomes included:
 - Support was provided for the AHIP submission and that it be connected to the management and mitigation measures in the ACHMP. This would avoid the need for multiple different types of management to be adopted across the site and align all heritage activities to the same document (regardless of the eventual approval). Several representatives indicated that they were displeased that the Aboriginal community could not manage the finds directly in collaboration with Schools Infrastructure NSW without the need for an AHIP. This was especially given the disturbed nature of the finds, considered probably from an artificial garden bed. GJ and AW advised that Heritage NSW had directed the need for an AHIP, and hence the reason for the application.
 - The Kingscliff public school ACHMP was reviewed in detail. All were supportive of the general contents and approach, with only minor amendments sought. A range of conversation was undertaken on the works that had occurred to date and the findings, on applied and potential dating techniques, on the identified Cudgen soils on the site and their scientific origins, and timing of the various activities (which are dictated by approvals and likely after Xmas 2021). Minor amendments were sought to the ACMP including updating the timing of the notification of the RAPs in relation to certain activities to provide some flexibility with resourcing, the inclusion of 'Sorry Business' for periods when work should not be undertaken, the addition of test pits along the eastern edge of the site where the recently unexpected finds came from, the flexibility to determine long term curation of the recovered cultural material later in the project, and a range of minor typos, etc. Appendix D was not reviewed in detail, but was discussed, and notably the thresholds for further expansion/investigation.
 - The Kingscliff high school ACHMP was briefly discussed, since it contains considerable overlap with the public school in terms of content, approach and management measures. No concerns were raised over the ACHMP, which primarily only includes cultural inductions and unexpected finds.

- The Aboriginal representatives sought a further week to further review and provide input/comments. As such, the ACHMPs will be finalised on 13 November 2021. Noting the ACHMPs are proposed for regular and continual update through the project.

Please let me know if I have omitted or forgotten anything, happy to correct were inaccurate.

Happy to discuss.

Thanks

A

Dr Alan Williams FSA MAACAI

Associate Director

National Technical Leader, Aboriginal Heritage

Bushfire, Ecology, Heritage and Spatial Solutions



T 02 9493 9500

M 0438 104 740

D 02 9493 9584

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Taylor Reid

From: Alan Williams
Sent: Wednesday, November 24, 2021 10:13 AM
To: Sites
Cc: Taylor Reid
Subject: Murwillumbah - ACHA

Hi Maurice,

We're needing to finalise the ACHA for Murwillumbah. I recall an e-mail from you saying some comments were inbound, but I don't recall ever seeing the comments. Can you please follow up if they weren't sent, we're probably going to have to finalise the report by end of the week.

Thanks

A

Dr Alan Williams FSA FRSA MAACAI

Associate Director

National Technical Leader, Aboriginal Heritage

Bushfire, Ecology, Heritage and Spatial Solutions



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M 0438 104 740

D 02 9493 9584

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Taylor Reid

From: Sites <sites@tblalc.com>
Sent: Wednesday, November 24, 2021 3:29 PM
To: Alan Williams
Cc: Taylor Reid
Subject: RE: Murwillumbah - ACHA
Attachments: response to ACHA Sept 21.pdf

CAUTION: This email originated outside of the Organisation.

Hi Alan and Taylor

Attached is TBLALCs comments re the Murwillumbah ACHA.

Kind regards

Maurice

P: 07 5536 1926 **M:** 0407 643 349

From: Alan Williams [mailto:awilliams@emmconsulting.com.au]
Sent: Wednesday, 24 November 2021 9:13 AM
To: Sites <sites@tblalc.com>
Cc: Taylor Reid <treid@emmconsulting.com.au>
Subject: Murwillumbah - ACHA

Hi Maurice,

We're needing to finalise the ACHA for Murwillumbah. I recall an e-mail from you saying some comments were inbound, but I don't recall ever seeing the comments. Can you please follow up if they weren't sent, we're probably going to have to finalise the report by end of the week.

Thanks

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Dr Alan Williams FSA FRSA MAACAI

Associate Director

National Technical Leader, Aboriginal Heritage

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TWEED BYRON LOCAL ABORIGINAL LAND COUNCIL

EMM Newcastle
Level 3, 175 Scott Street
Newcastle NSW 2300

Attention: Dr Alan Williams
Cc: Taylar Reid treid@emmconsulting.com.au

By email: info@emmconsulting.com.au

November 24, 2021

**Re: Murwillumbah Education Campus Aboriginal cultural heritage assessment
Prepared for Built, on behalf of Schools Infrastructure NSW September 2021**

Dear Alan

TBLALC is pleased to note that the report is a comprehensive summary of the Aboriginal cultural perspectives on the site and the proposal. We agree with the recommendations and the background discussion and reasoning behind them which I summarise as follows:

1. the site is likely to have been traversed and camped upon by Aboriginal people however the A horizon soils, which were likely to have contained artefacts have been removed from the site, especially those areas that have been previously built upon.
2. based on a review of past research and reports, and following on-site consultations with the majority of the Registered Aboriginal Parties (RAPs), it is reasonable to conclude that it is possible, but not probable, that the proposed works will encounter ACH Objects.
3. the site has intangible Aboriginal cultural values, particularly line-of-site to surrounding landscape features.
4. the proposed development is a State Significant Development and will therefore not require an AHIP. An Aboriginal cultural heritage management plan must be developed through consultation with the RAPs prior to any ground disturbance.
5. the main school building is one of the early public buildings in the area.

Point 1 and 4, taken together, qualify the recommendation that RAPs should be engaged to monitor the removal of existing buildings and tarmacs because there is a possibility that ACH Objects could be encountered when the ground surface is exposed.

Comments regarding 'the blacks camp' (p25): For clarity, whilst there were post-colonial effects on where many Aboriginal people lived or were allowed to live, the origins of Aboriginal camps at Fingal and Chinderah preceded colonisation.

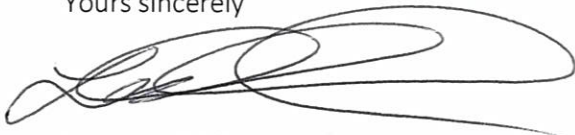
Regarding the Chinese coins found at Lavender Creek: the actual heritage of the coins is not known. They may have been given to Aboriginal people and discarded as worthless as suggested in the report, but Chinese people also lived in the area at the time and it is equally possible, even probable, that they also camped in the area. The sources of the two types of artefacts may, or may not be, related.

The story of the 'boy and the kangaroo' mentioned at various places in the report are references to Boodharam gawari, the songline that connects sacred sites (djurebil), characterized by the warrior's red clay paint found in Googin (Cudgen). The hill upon which the school is located is not part of the story. Geologically, the red ochre sites are most likely in-situ weathered igneous dykes. They are connected and have a common origin, but the school is not such a site and is not part of the story. It is not appropriate to connect the site of the school to this songline.

We note the 'question and answer' input provided by Rachael Cavanagh. Whilst we respect the right of any interested Aboriginal person or group to register as a RAP for any particular project, we expect that all RAPs provide inputs as openly and transparently as possible. Specifically, TBLALC disagrees with the statement that "the project area is on Minyungbal Country" and that the Minyungbal people "have priority and the final say when it comes to management of Cultural Values within Minyungbal Country" insofar as these statements refer to the school site. We note the comment that certain people were "born down the back of the sports fields" is contrary to our understanding. Such a statement requires substantiation. In any case, place of birth is not necessarily relevant to an individual's ancestral origins. The concept of 'traditional ownership' is a basically a post-colonial legal concept but it is, nevertheless fundamentally based upon proven ancestral connections to place. It cannot simply be asserted.

We also note the comment in Rachael's submission: "When conducting the Cultural Heritage Survey and Assessment a Cultural Heritage Representative from the Traditional Owner family's needs to be on site at all times". The procedural requirement is that representatives of RAPs be consulted. 'Traditional Owners' by registering as RAPs have the same levels of access, input and authority as all RAPs. Equally, RAPs may challenge each other's inputs.

Yours sincerely



Leweena Williams
Chief Executive Officer



Appendix C

Archaeological background



C.1 Site definitions

In the AHIMS database, Aboriginal sites are defined in several ways. At the simplest level, sites are recorded as ‘closed’ or ‘open’. Closed sites are associated with rockshelters and include other evidence of Aboriginal occupation that may be present, such as areas where subsurface Aboriginal objects may occur within the shelter (‘potential archaeological deposit’ (PAD)), faunal remains, and art on the shelter walls (paintings/engravings). Open sites are broadly defined and encompass all other types of Aboriginal site features that are located in areas where there is no rockshelter. The most common open site features found generally include artefacts, grinding grooves, art, culturally modified trees, and shell deposits (middens) (OEH 2012). The presence or absence of stone artefacts is often a defining factor in site identification, with almost every site likely to have at least some associated artefacts, as discard or loss of this most ubiquitous and practically indestructible marker of past Aboriginal visitation.

Any one site (or group of linked sites described as a ‘complex’) can contain several different site features. For example, a shelter may have art on the walls, artefacts on the floor surface or outside the shelter, and be predicted to contain faunal remains and further artefacts in the accumulated deposit inside.

A description of terms used to describe different site features known to occur in the vicinity of the study area is provided in Table C.1. Similarly, there may be places of contemporary significance to Aboriginal people in the region and that will require consultation with this community to identify.

Table C.1 Aboriginal site feature definitions (OEH 2012)

Site feature	Definition
Aboriginal ceremony and Dreaming	Previously referred to as mythological sites these are spiritual/story places where no physical evidence of previous use of the place may occur; eg natural unmodified landscape features, ceremonial or spiritual areas, men’s/women’s sites, dreaming (creation) tracks, marriage places etc.
Artefacts	Objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating evidence of use of the area by Aboriginal people.
Burials	A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside designated cemeteries and may not be marked; eg in caves, marked by stone cairns, in sand areas, along creek banks etc.
Fish trap	A modified area on watercourses where fish were trapped for short-term storage and gathering.
Habitation structure	Structures constructed by Aboriginal people for short- or long-term shelter. More temporary structures are commonly preserved away from the NSW coastline, may include historic camps of contemporary significance. Smaller structures may make use of natural materials such as branches, logs and bark sheets or manufactured materials such as corrugated iron to form shelters. Archaeological remains of a former structure such as chimney/fireplace, raised earth building platform, excavated pits, rubble mounds etc.
Modified tree (carved or scarred)	Trees which show the marks of modification as a result of cutting of bark from the trunk for use in the production of shields, canoes, boomerangs, burials shrouds, for medicinal purposes, foot holds etc., or alternately intentional carving of the heartwood of the tree to form a permanent marker to indicate ceremonial use/significance of a nearby area, again these carvings may also act as territorial or burial markers.
Potential archaeological deposit (PAD)	An area where Aboriginal objects may occur below the ground surface. The term ‘potential archaeological deposit’ was first applied in Sydney regional archaeology in the 1980s, and referred to rockshelters that were large enough and contained enough accumulated deposit to allow archaeologists to predict that subsurface cultural material was likely to be present. Since then, the term has come to include open sites where the same prediction can be made.
Restricted	Site information contained in the Aboriginal Heritage Information Management System is available only to certain authorised groups of people, as requested by the Aboriginal community. Detailed information may not be available in search reports.

Table C.1 **Aboriginal site feature definitions (OEH 2012)**

Site feature	Definition
Shell	An accumulation or deposit of shellfish from beach, estuarine, lacustrine or riverine species resulting from Aboriginal gathering or consumption. Usually found in deposits previously referred to as shell middens. Must be found in association with other objects like stone tools, fish bones, charcoal, fireplaces/hearths, and burials. Will vary greatly in size and composition.
Stone quarry	Usually a source of good quality stone which is quarried and used for the production of stone tools.

C.1.1 Stone artefacts

Aboriginal stone artefacts are an important source of archaeological information because stone is preserved for long periods of time, whereas organic materials (eg bone, shell, wood, etc) often decay. Stone artefacts provide valuable information about technology, economy, cultural change through time and settlement patterning. Stone has also been used for understanding how old a site is (a type of ‘relative’ dating) where direct chronological methods cannot be employed. A technological sequence for stone artefacts for the region was first described in the late 1940s by McCarthy (1948) and has since been refined over time into the ‘Eastern Regional Sequence’ (Hiscock and Attenbrow 1998; 2002).

Table C.2 **Summary of key attributes in the Eastern Regional Sequence for the Sydney Region (Attenbrow 2002: 153-158)**

Phase	Time period	Attributes
Capertian >5,000 years ago	Pleistocene: pre-Glacial to post-Glacial 60,000-10,000 years ago	Tools (stone tools with retouch and some usewear). Flakes produced by free-hand percussion and some limited bipolar flaking. Retouched flakes on average are larger than Bondaian phased retouched artefacts. Principal raw material local tuff/chert but other types also observed including silcrete, quartz and basalt.
	Early Holocene period 10,000 – 5,000 years ago	Stone tools of previous period continued. Small flakes are backed forming Bondi Points which appear in limited numbers in some areas (although not yet confirmed in Hunter Valley, they are present in Upper Mangrove Creek at 8500 years ago and Capertee 3 at 7500 BP).
Bondaian 5,000 years ago to 1788 AD	Early Bondaian c.5,000 – c.3,000 years ago	Late Holocene period 5,000 to 1,600 years ago Backed artefacts often the characteristic tool-type. Implements and associated debitage made (including Bondi Points, geometric microliths, Elouera and other retouched flakes) are much smaller in average size and weight than those from earlier assemblages. Silcrete, chert and tuff and other fine-grained siliceous material were the preferred materials for backed artefacts. Elouera and ground implements (such as hatchets) appear c.4500-4000 years ago.
	Middle Bondaian, c.3,000 – c.1,600 years ago	c.3,500-3,000 years ago; backed artefacts and thumbnail scrapers increasingly used and produced across the region and higher numbers of backed artefacts found in coastal locations in particular. Increasing use of the bipolar percussive technique over free-hand percussion over time (especially from 3,000 years ago to 1788 AD).

Table C.2 **Summary of key attributes in the Eastern Regional Sequence for the Sydney Region**
(Attenbrow 2002: 153-158)

Phase	Time period	Attributes
Late Bondaian c.1,600 years ago to 1788AD		Elouera increase in number. Plain. Along coast and in sandstone country fewer Bondi Points and geometric microliths were used. Unmodified flakes, mainly of quartz, often produced by the bipolar technique (implements of bone and shell some probably as piercing, cutting and scraping components in tools and weapons found more often, but due to non-preservation in earlier levels). In Cumberland Plain, tool kit continued as earlier (with backed artefacts until at least 600 years ago) in places where silcrete and chert/tuff were the dominant raw materials. In these places quartz was a minor component and bipolar technique used infrequently. Change around 650 years ago with few backed artefacts being produced. Increase in ground edged hatchets from c. 1000 years ago). Archaeological evidence of processing of plant foods from (c.1150 years ago) again due to non-preservation in earlier levels. Fishing with shell hook & line from c.900 years ago.

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J200686

Client Service ID : 606742

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
04-1-0071	Byangum 1, BMP-05-0158	AGD	56	535300	6863250	Open site	Valid	Artefact : 1, Modified Tree (Carved or Scarred) : -		98845
	Contact Tweed Byron LALC	Recorders	Mr.Adrian Piper,Mr.Ian Fox					Permits		
04-1-0072	Rous River 1, BMP-05-0159	AGD	56	537220	6866720	Open site	Valid	Artefact : 1		98889
	Contact Tweed Byron LALC	Recorders	Mr.Adrian Piper,Mr.Ian Fox					Permits		
04-1-0299	492 Nobbys Creek Road Stone Artefact Scatter	GDA	56	532919	6871387	Closed site	Valid	Artefact : -		
	Contact	Recorders	Everick Heritage Pty Ltd,Mr.Tim Hill					Permits		
04-1-0227	747 Stokers Road 1	GDA	56	537224	6862355	Open site	Valid	Artefact : -		
	Contact	Recorders	Everick Heritage Pty Ltd,Mr.Tim Hill					Permits		
04-1-0228	747 Stokers Road 2	GDA	56	537444	6862128	Open site	Valid	Artefact : -		
	Contact	Recorders	Everick Heritage Pty Ltd,Mr.Tim Hill					Permits		
04-1-0077	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0139	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0140	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0141	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0142	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0143	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0144	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0133	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		
04-1-0134	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			
	Contact Searle	Recorders	Mr.Ian Fox					Permits		

Report generated by AHIMS Web Service on 15/07/2021 for Georgia Burnett for the following area at Datum :GDA, Zone : 56, Eastings : 530000 - 547000, Northings : 6858000 - 6875000 with a Buffer of 0 meters. Additional Info : for an ACHA. Number of Aboriginal sites and Aboriginal objects found is 35

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J200686

Client Service ID : 606742

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
04-1-0135	Restriction applied. Please contact ahims@environment.nsw.gov.au. Contact Searle					Closed site	Valid			
		Recorders	Mr.Ian Fox					Permits		
04-1-0136	Restriction applied. Please contact ahims@environment.nsw.gov.au. Contact Searle					Open site	Valid			
		Recorders	Mr.Ian Fox					Permits		
04-1-0137	Restriction applied. Please contact ahims@environment.nsw.gov.au. Contact Searle					Open site	Valid			
		Recorders	Mr.Ian Fox					Permits		
04-1-0138	Restriction applied. Please contact ahims@environment.nsw.gov.au. Contact Searle					Open site	Valid			
		Recorders	Mr.Ian Fox					Permits		
04-1-0204	Condong Tweed ACH Artefacts Contact	GDA	56	542854	6868091	Open site	Valid	Artefact : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0205	Mayall Creek Tweed ACH Conflict Contact	GDA	56	539963	6866945	Open site	Valid	Conflict : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0206	Greenhills Tweed ACH Artefact Contact	GDA	56	539218	6865101	Open site	Valid	Burial : -, Artefact : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0215	Former Mt. Wollumbin Tweed ACH Story Place Contact	GDA	56	530287	6860964	Open site	Valid	Aboriginal Ceremony and Dreaming : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0182	Nunderi Tweed ACH Artefact Contact	GDA	56	544284	6867293	Open site	Valid	Artefact : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0190	Moobal National Park Tweed ACH Artefacts Contact	GDA	56	544344	6860746	Open site	Valid	Artefact : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0198	Mckenzie's Rock Tweed ACH Story Place Contact	GDA	56	544832	6870575	Open site	Valid	Aboriginal Ceremony and Dreaming : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0199	Tumbulgum Road 2 Tweed ACH Story Place Contact	GDA	56	539349	6866443	Open site	Valid	Aboriginal Ceremony and Dreaming : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0200	Hattons Bluff Tweed ACH Story Place Contact	GDA	56	533396	6861905	Open site	Valid	Aboriginal Ceremony and Dreaming : -		
		Recorders	Mr.Ian Fox					Permits		
04-1-0216	Bryens Road Tweed ACH Cultural Location Contact	GDA	56	534177	6869352	Open site	Valid	Aboriginal Ceremony and Dreaming : -		
		Recorders	Mr.Ian Fox					Permits		

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : J200686

Client Service ID : 606742

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
04-1-0218	Tumbulgum Road 1 Tweed ACH Ceremonial Site	GDA	56	539238	6866750	Open site	Valid	Ceremonial Ring (Stone or Earth) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							
04-1-0219	Sharps Crossing Tweed ACH Ceremonial Site	GDA	56	533575	6863488	Open site	Valid	Ceremonial Ring (Stone or Earth) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							
04-1-0173	Hospital Hill Tweed ACH Ceremonial and Dreaming	GDA	56	539092	6866843	Open site	Valid	Aboriginal Ceremony and Dreaming : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							
04-1-0174	Lavender Creek Tweed ACH Artefact	GDA	56	538819	6865962	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							
04-1-0175	Bray Park Tweed ACH Artefact	GDA	56	536166	6864825	Open site	Valid	Artefact : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							
04-1-0178	Kellys Road Tweed ACH Burials	GDA	56	532254	6864534	Open site	Valid	Burial : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							
04-1-0179	Eungella 1 Tweed ACH Ceremony and Dreaming	GDA	56	531415	6861951	Open site	Valid	Aboriginal Ceremony and Dreaming : -, Burial : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Ian Fox <u>Permits</u>							

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Appendix D

Field investigation



Photo Point No: Solomon Row story location				
N	S	N	NW	NE
				

Photo Point No: 1			
W	W	SE	E
			

Photo Point No: 2

W



E



N



Photo Point No: 3

S



W



Photo Point No: 4

W



S



Photo Point No: 5

NW



W



S



Photo Point No: 6

W



S



N



Photo Point No: 7

W



NW



Photo Point No: 8

N



Sw



Photo Point No: 9

NW



Photo Point No: 10

S



W



Photo Point No: 11

SW



Photo Point No: 12

SE



NW



Photo Point No: 13

W



S



E



Photo Point No: 14

W



E



Photo Point No: 15

E



SW





Photo Point No: 18

E



W



N



Photo Point No: 19

W



Photo Point No: 20

SW



Photo Point No: 21

S



Photo Point No: 22

S



Photo Point No: 23

S





Photo Point No: 26

W



SE



N



Photo Point No: 27

E



S





