



**Tocomwall Pty Ltd**  
PO Box 145 Miranda NSW 1490  
Tel: 02 9542 7714 Fax: 02 9524 4146  
E: [info@tocomwall.com.au](mailto:info@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)  
ABN: 13 137 694 618

# ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

## Proposed Development at John Palmer Public School

<b>Company</b>	Jacobs on behalf of School Infrastructure NSW
<b>Contact</b>	Vipal Patel
<b>Date</b>	11/10/2021

Project Name	Proposed Development John Palmer Public School
Client Name	Vipal Patel (Jacobs) on behalf of the proponent School Infrastructure NSW
Recipient	Jacobs and SINSW
Status	Final 1.3
Issue Date	11/10/2021
Prepared by	Will Moon
Approved by	Scott Franks

## **Executive Summary**

The proponent, School Infrastructure NSW is preparing a development application for the development for increased student accommodation and the removal of temporary demountable buildings at John Palmer Public School. The proposed development is located at The Ponds Boulevard, The Ponds, NSW 2769. Tocomwall Pty Ltd has been requested to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to support the development application. This document describes the Aboriginal Cultural Heritage Assessment developed to satisfy the SEARs requirements. It was carried out in accordance with the Guide to investigating, assessing, and reporting on Aboriginal cultural heritage in NSW (OEH 2011).

The Archaeological investigations carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW) has determined that there are no Aboriginal objects, sites, PAD or Places within the study area, and that the soils in the study area have been significantly disturbed as a result of historical land clearing and agriculture, and from urban development including the construction of the school.

Consultation has been undertaken in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010. One registered Aboriginal party (RAP) has expressed cultural values for the locality. These values are intangible values expressed for the area and do not relate to a specific object or site. A request was made by the RAP to undertake further investigation in the form of excavations, however the archaeological investigations conducted for the study area indicate that the site no longer retains the original soil profiles and sediments. The site survey and the results of geotechnical investigations indicate that the soils of the subject area are now comprised of fill and the original soils and sediments that were potentially culturally bearing are lost. No further archaeological investigations are recommended, and no management or mitigation measures are considered necessary for the study area. However there may be an opportunity to capture the intangible values expressed for the study area and locality as part of the Connecting with Country process being undertaken for the project.

During the undertaking of this cultural heritage assessment, the master plan and concept designs for the proposal were changed on a number of occasions. This included changes made after the preparation, consultation and review of the assessment methodology, after the archaeological survey of the site, and after the review of the ACHAR by the registered Aboriginal parties. However, these changes remain within the extent of the original development footprint that was assessed, and for this reason there are no changes to the recommendations or assessment outcomes in this report. The design changes relate primarily to the building configuration and positioning, and remain within the assessed extent of the development footprint.

## Acknowledgements

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Tocomwall Pty Ltd gratefully acknowledges the contributions of the following people and organisations (listed alphabetically) in preparing this report:

### Aboriginal Groups

- Aragung Aboriginal Cultural Heritage Site Assessments
- Butucarbin Aboriginal Corporation
- Darug Custodian Aboriginal Corporation
- Didge Ngunawal Clan
- Freeman & Marx Pty Ltd
- Ginninderra Aboriginal Corporation
- Goobah Developments
- Kamilaroi Yankuntjatjara Working Group
- Minnamunnung
- Ngambaa Cultural Connections
- Waawaar Awaab Aboriginal Corporation
- Yulay Cultural Services

### Client

- Jacobs/SINSW

## Abbreviations

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ACHA	Aboriginal Cultural Heritage Assessment
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
Cm	Centimetre
The Code	<i>The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW 2010b)
DEC	Department of Environment and Conservation
DECC	Department of Environment and Climate Change
DECCW	Department of Environment, Climate Change and Water
DP	Deposited Plan
EPA	Environment Planning and Assessment
ICOMOS	International Council on Monuments and Sites
km	Kilometre
LALC	Local Aboriginal Land Council
BCC	Blacktown City Council
LEP	Local Environmental Plan
LGA	Local Government Area
m	Metre
mm	Millimetre
NHL	National Heritage List



NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	National Parks and Wildlife Service
NSW	New South Wales
NTSCORP	Native Title Services Corporation
OEH	NSW Office of Environment and Heritage
PAD	Potential Archaeological Deposit
The Project	Proposed development within Project Area
RAPs	Registered Aboriginal Parties

## Contents

<b>Acknowledgements</b> .....	<b>4</b>
<b>Abbreviations</b> .....	<b>4</b>
Table of figures.....	7
<b>1 Introduction</b> .....	<b>9</b>
1.1 Background and Scope.....	9
1.2 Authorship and Acknowledgements.....	9
<b>2 Statutory Heritage Contexts and Controls</b> .....	<b>9</b>
2.1 National Parks and Wildlife Act 1974.....	10
2.2 Environmental Planning and Assessment Act 1979.....	10
2.3 Native Title Act 1993.....	11
2.4 Blacktown LEP .....	11
2.5 Reporting Standards and Guidelines .....	14
<b>3 Objectives of the Aboriginal Heritage Assessment</b> .....	<b>15</b>
<b>4 Description of the Study Area</b> .....	<b>16</b>
4.1 Location and Proposed Development .....	16
4.2 Scope and Objectives of the Proposed Development.....	17
<b>5 ACHA Methodology</b> .....	<b>21</b>
<b>6 The Environmental Context</b> .....	<b>24</b>
6.1 The Environment of the Cumberland Plain.....	24
6.2 Geology.....	25
6.3 Soil.....	25
<b>7 The Archaeological Context</b> .....	<b>26</b>
7.1 Previous Archaeological Assessments .....	28
7.2 AHIMS Search .....	34
<b>8 Historical Land Use</b> .....	<b>39</b>
8.1 Site Disturbance.....	43
<b>9 Predictive Model</b> .....	<b>46</b>
<b>10 Research Questions</b> .....	<b>46</b>
<b>11 Archaeological Survey</b> .....	<b>47</b>
<b>12 Aboriginal Community Consultation</b> .....	<b>47</b>
12.1 Stage 1 Notification of project proposal and registration of interest.....	47
12.1.1 Identification of relevant Aboriginal stakeholders.....	47
12.1.2 Public notice.....	47

12.1.3	Registration of Aboriginal parties .....	48
12.2	Stage 2 presentation of information about the proposed project .....	48
12.2.1	Presentation of Project Information Pack.....	48
12.2.2	Stage 3 gathering information about cultural significance .....	48
12.2.3	Archaeological assessment methodology information pack .....	48
12.3	Stage 4 review of draft Aboriginal cultural heritage assessment report .....	49
<b>13</b>	<b>Aboriginal cultural significance assessment .....</b>	<b>50</b>
13.1	Introduction to the assessment process.....	50
13.2	Social or Cultural Value .....	50
13.3	Historic Significance .....	52
13.4	Aesthetic Significance.....	52
13.5	Scientific Significance .....	53
13.6	Educational Significance .....	53
13.7	Representative significance.....	53
13.8	Rarity.....	53
13.9	Statement of Significance.....	54
<b>14</b>	<b>Proposed Activity and Impact Assessment .....</b>	<b>54</b>
14.1	Assessing Harm.....	54
14.2	Avoiding harm to Aboriginal heritage.....	54
14.3	Management and mitigation of measures.....	55
<b>15</b>	<b>Recommendations .....</b>	<b>55</b>
<b>16</b>	<b>References .....</b>	<b>56</b>
<b>17</b>	<b>Appendix 1 – Consultation Log .....</b>	<b>61</b>
<b>18</b>	<b>Appendix 2 – Correspondence .....</b>	<b>67</b>
<b>19</b>	<b>Appendix 3 – Information Pack, Methodology and Review Correspondence.....</b>	<b>88</b>
<b>20</b>	<b>Appendix 4 – Archaeological Report .....</b>	<b>155</b>
<b>21</b>	<b>Appendix 5 – AHIMS Searches .....</b>	<b>207</b>
<b>22</b>	<b>Appendix 6 – ACHAR Review Correspondence .....</b>	<b>215</b>

### Table of figures

Figure 1:	Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors. ....	16
Figure 2:	Existing site layout for John Palmer Public School.....	17
Figure 3:	Site plan (Masterplan Concept Design PTW 2021).....	18
Figure 4:	Section view (Concept Design PTW 2021). ....	19
Figure 5:	Three-dimensional perspective (Concept Design PTW 2021). ....	20
Figure 6:	ACHA Methodology.....	23
Figure 7:	Geology Map for the John Palmer Public School. Rwa represents Dark-grey to black claystone-siltstone and fine sandstone-siltstone laminate (Clark and Jones 1991). ....	25

Figure 8: Soil landscape map showing location of the John Palmer Public School within the Blacktown Soils landscape (Bannerman and Hazelton 1990). ..... 26

Figure 9: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. John Palmer Public School is shown in green at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government. .... 39

Figure 10: Application 22639 referred to from 23772 and 23787 showing the transfer of land from John Palmer through to the Pearce Family (Source Land Services NSW). ..... 40

Figure 11: John Palmer, R.N. – portrait (Source Mitchell Library, State Library of New South Wales). ..... 41

Figure 12: Early Parish map of Gidley showing the location of the John Palmer Public School on the original John Palmer Grant (Source NSW LRS HLRV Parish of Gidley)..... 42

Figure 13: 2005 Aerial image of the John Palmer Public School site. © Department of Customer Service, NSW Government. .... 43

Figure 14: Looking north-east across the proposed development zone at the south west corner of the study area..... 44

Figure 15: Looking east over the area of proposed development at the northeast corner of the study area. .... 44

Figure 16: Image showing borehole locations in the area of the development footprint (Douglas Partners 2020). ..... 45

## 1 Introduction

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### 1.1 Background and Scope

Tocomwall Pty Ltd have been engaged by School Infrastructure NSW (SINSW) to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 and the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW 2011 at the proposed site of the new development at John Palmer Public School. This ACHAR has been prepared in response to the Planning Secretary's Environmental Assessment Requirements for the proposed development.

### 1.2 Authorship and Acknowledgements

This report is prepared by William Moon MA Archaeology and Heritage Management (Flinders University), GCPJM, Dip PJM (University of New England) who has 12 years of experience working in heritage management, including 5 years as an archaeologist. He has 17 years of experience in the recording of Aboriginal archaeological sites.

## 2 Statutory Heritage Contexts and Controls

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Two primary pieces of legislation provide automatic statutory protection for Aboriginal heritage and the requirements for its management in New South Wales.

These are:

- The *National Parks and Wildlife Act 1974* (NPW Act); and
- The *Environmental Planning and Assessment Act 1979*.

SEARS requirements for ACHAR	Relevant section of report
Identifies and describes the Aboriginal cultural heritage values that exist across the site.	Section 13
Includes surface surveys and test excavations where necessary.	Refer to appendix 4
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).	All sections of report.
Incorporates consultation with Aboriginal people in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents	Refer appendix 1, 2, 3 and 6

(Department of Environment, Climate Change and Water, 2010).	
Documents the significance of cultural heritage values of Aboriginal people who have a cultural association with the land.	Refer to section 13

**Table 1: Table of responses to SEARS requirements**

## 2.1 National Parks and Wildlife Act 1974

The primary legislation for the protection of Aboriginal culture and heritage in NSW is the *NPW Act*. One of the key objectives stated in the *NPW Act* is:

*‘..... the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to: (i) places, objects and features of significance to Aboriginal people.... [s.2A (1) (6)].’*

The *NPW Act* defines Aboriginal Heritage as comprising ‘Aboriginal objects’ and ‘Aboriginal Places’. Aboriginal heritage is defined as:

- An object under the *NPW Act* is defined as ‘any deposit, or object or material evidence relating to the Aboriginal habitation of the area’ (Section 5 of the *NPW Act*); and
- An Aboriginal Place is defined as ‘a place that is or was of special significance with respect to Aboriginal culture’ (Section 84 of the *NPW Act*).

Part 6 of the *NPW Act* provides specific protection for Aboriginal objects and declared Aboriginal Places by establishing offences of harm. Harm is defined as ‘..destroying, defacing or damaging an Aboriginal object or place, or moving an object from the land.’ There are fines associated with causing harm to an Aboriginal object. However, there are exemptions for causing harm, for example the preparation of an Aboriginal Heritage Impact Permit (AHIP).

The Department of Planning, Industry and Environment (DPIE) is the current government agency with responsibility for the protection and management of Aboriginal archaeological sites and cultural heritage values and the statutory administration of the *NPW Act*.

## 2.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW through *State Environmental Planning Policies* (SEPPs), *Regional Environmental Plans* (REPs) and *Local Environmental Plans* (LEPs).

The EPA Act also establishes the framework for Aboriginal heritage values to be formally assessed in land use planning and development consent processes. The requirements for the project are defined in the Planning Secretary's Environmental Assessment requirements.

### 2.3 Native Title Act 1993

The Native Title Act 1993 provides the legal framework to recognition and protection of native title. It includes the recognition of the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people. Under the Native Title Act, native title claimants can make an application to the Federal Court to have their native title recognised by Australian law.

As part of the consultation process for the project it was confirmed that there are no registered native title claimants for the study area.

### 2.4 Blacktown LEP

The heritage conservation requirements of the Blacktown Local Environment Plan 2015 section 5.10 apply to the proposed development. These requirements are defined as follows:

#### **Heritage conservation [Section 5.10 Blacktown LEP]**

Note—

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Blacktown,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

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

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
  - (i) a heritage item,
  - (ii) an Aboriginal object,
  - (iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

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

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

(e) erecting a building on land—

(i) on which a heritage item is located or that is within a heritage conservation area, or

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

(f) subdividing land—

(i) on which a heritage item is located or that is within a heritage conservation area, or

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

(3) When consent not required. However, development consent under this clause is not required if—

(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—

(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development—

(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

(d) the development is exempt development.

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

(5) Heritage assessment. The consent authority may, before granting consent to any development—

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans. The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

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

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

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

(8) Aboriginal places of heritage significance. The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the

place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items. The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—

(a) notify the Heritage Council about the application, and

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

(10) Conservation incentives. The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and

(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and

(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and

(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

## 2.5 Reporting Standards and Guidelines

This report has been prepared in accordance with the following heritage recording, assessment and reporting guidelines and standards that are endorsed by the OEH:

- Australia ICOMOS. 2013. The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance. Australia ICOMOS Inc.<sup>1</sup>

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<sup>1</sup> The Burra Charter establishes nationally accepted principles for the conservation of places of cultural significance.

- NSW Department of Environment, Climate Change & Water. (DECCW) 2010a. Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010b (September). Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. 2010c Aboriginal cultural heritage consultation requirements for proponents 2010.
- DECCW. 2011 Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.

### 3 Objectives of the Aboriginal Heritage Assessment

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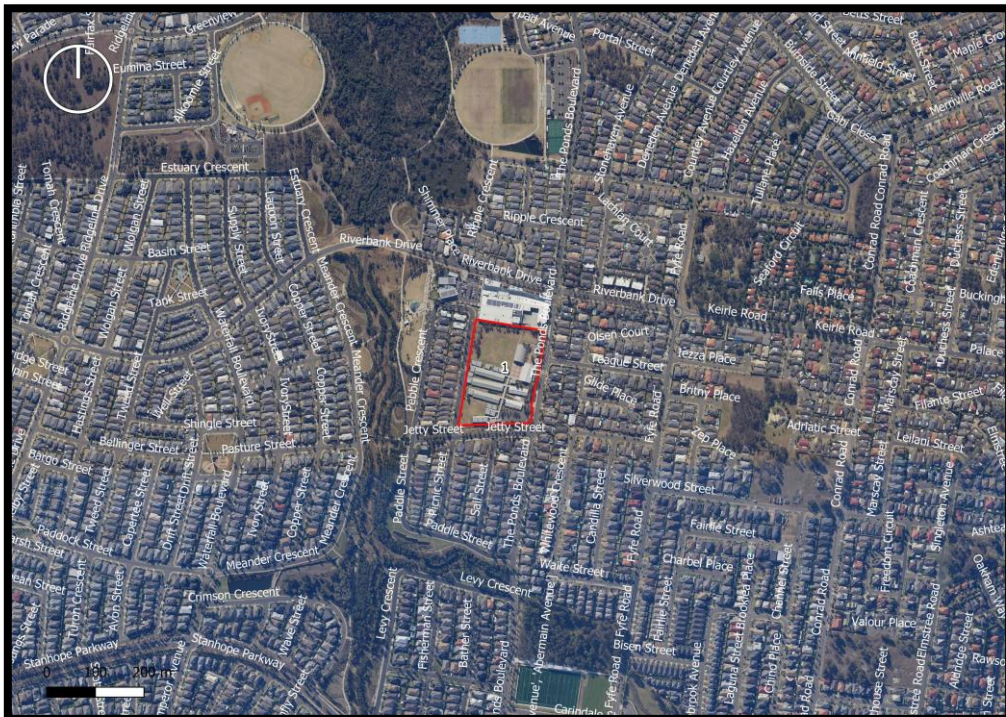
The objectives of the Aboriginal Heritage assessment are to:

- Address the requirements of the SEARS.
- Implement the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 with the objective of identifying and engaging Aboriginal knowledge holders for the study area.
- Review previous archaeological studies undertaken in the vicinity.
- Review the landscape context to help inform the predictive model.
- Summarise and discuss the local and regional character of Aboriginal land use and its material traces.
- Predict the nature and extent of archaeological evidence at the site.
- Undertake an archaeological survey and record the presence and extent of Aboriginal objects that are present in the study area.
- Involve the Aboriginal knowledge holders in the cultural heritage assessment process, including consultation to determine their opinions with respect to the project and its potential 'harm' to their cultural heritage and measures to protect their cultural heritage.
- Determine if there is a need to extend the investigation to undertake test excavations.
- Determine the nature and extent of the impacts of the proposed development upon the Aboriginal cultural heritage of the study area.
- Make recommendations for the protection of Aboriginal cultural heritage at the study area.

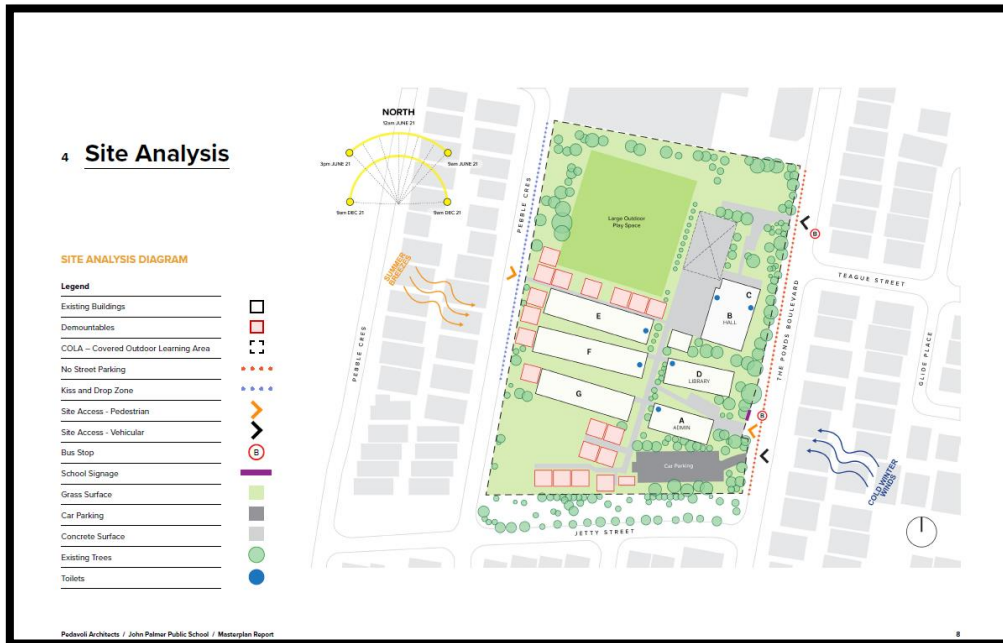
## 4 Description of the Study Area

### 4.1 Location and Proposed Development

The study area is at John Palmer Public School, 85 The Ponds Boulevard, The Ponds, NSW 2769. Figure 1 shows an aerial image of the study area where the John Palmer Public School is located at The Ponds. The existing layout of the school is shown in Figure 2. The proposed development includes the preferred design option shown in Figure 3, Figure 4 and Figure 5.



**Figure 1: Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors.**



**Figure 2: Existing site layout for John Palmer Public School.**

**Source: Master Plan Report, Pedavoli Architects.**

## 4.2 Scope and Objectives of the Proposed Development

The John Palmer Public School is a member of The Ponds Learning Community with a current student population of 917 students. The proposed upgrade will provide facilities for 1012 students (approximately 100 new students):

- 28 new teaching spaces to create a total of 34 permanent teaching spaces
- one new support unit
- removal of all 20 demountable teaching spaces
- core facilities expansion to core 35 (including administration facilities from 172m<sup>2</sup> to 205 m<sup>2</sup>, library from 290m<sup>2</sup> to 378m<sup>2</sup>, hall from 360m<sup>2</sup> to 330m<sup>2</sup>, staff facilities from 93m<sup>2</sup> to 145m<sup>2</sup>, student and staff amenities as required by the NCC, OOSH 63m<sup>2</sup>, COLA from 210m<sup>2</sup> to 330m<sup>2</sup>) (PTW 2021).



Figure 3: Site plan (Masterplan Concept Design PTW 2021).

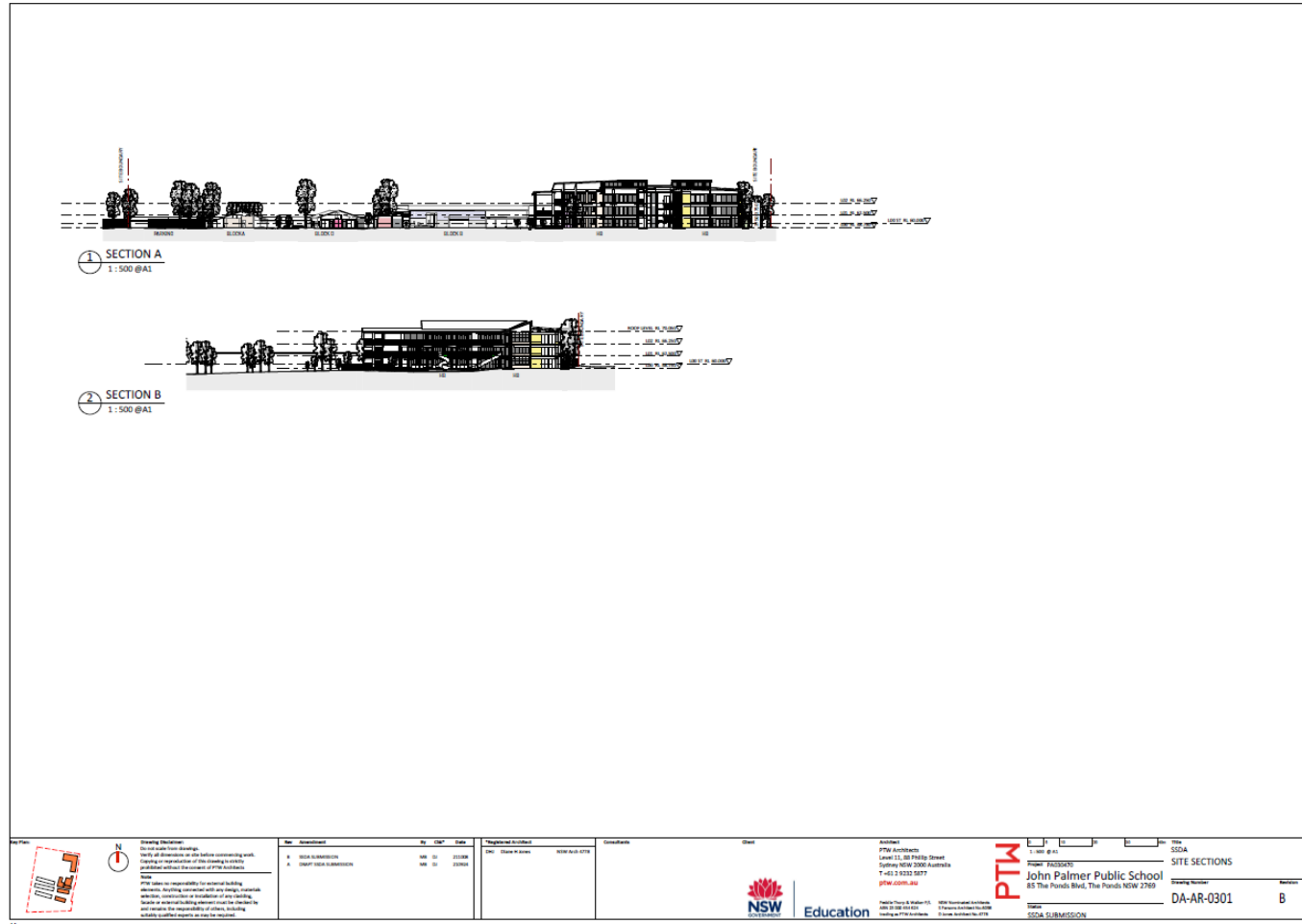


Figure 4: Section view (Concept Design PTW 2021).

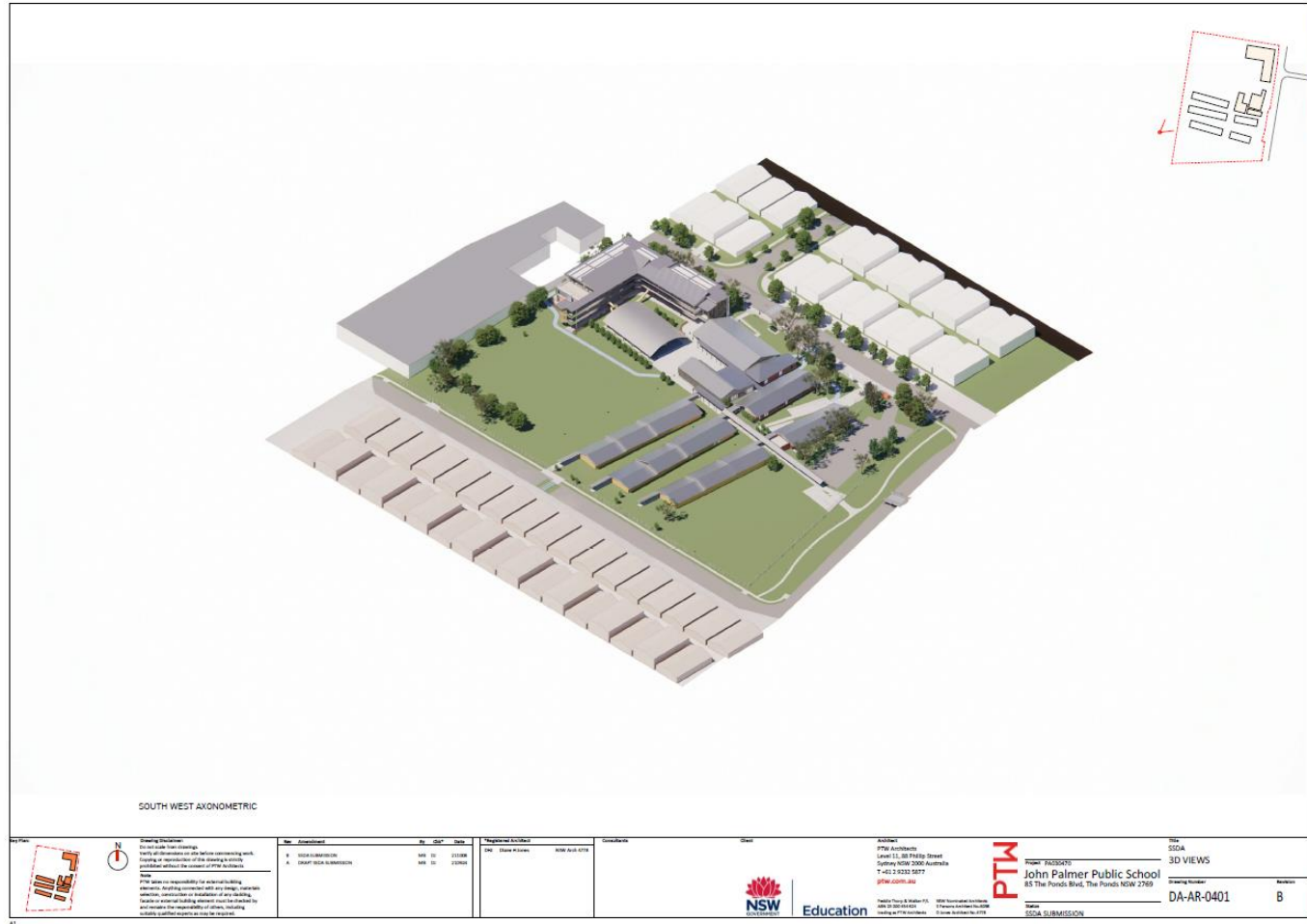


Figure 5: Three-dimensional perspective (Concept Design PTW 2021).

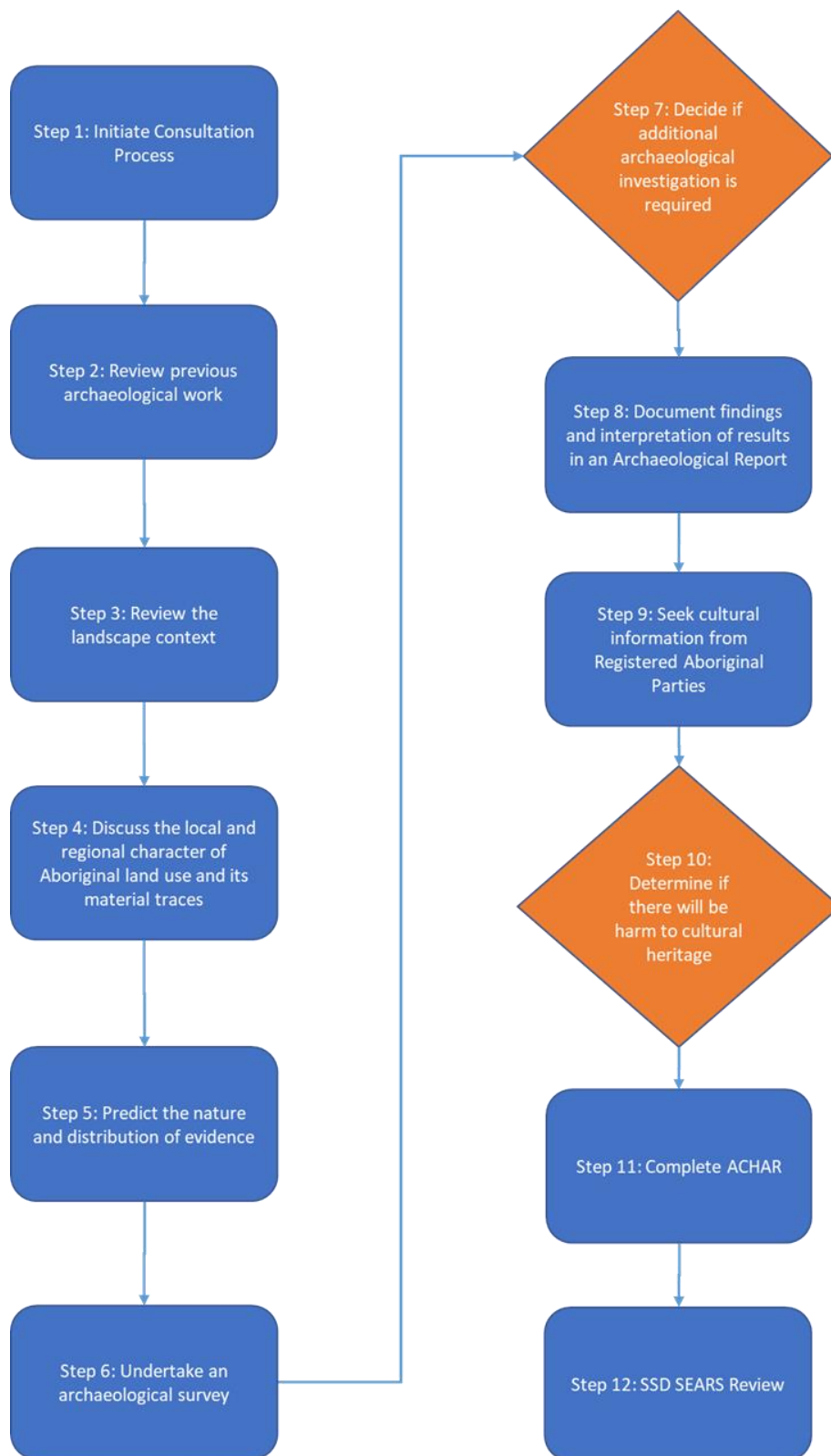
## 5 ACHA Methodology

The following defines the proposed methodology for the Aboriginal Cultural Heritage Assessment (ACHA). The ACHA will be carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, Aboriginal cultural heritage consultation requirements for proponents 2010, the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 and Applying for an Aboriginal Heritage Impact Permit: Guide for applicants 2011. The methodology is depicted in Figure 6: ACHA Methodology. The Steps are described in more detail in Table 2.

Step	Method
1: Initiate Consultation Process	The consultation process is initiated in accordance with Aboriginal cultural heritage consultation requirements for proponents 2010.
2: Review previous archaeological work	Review previous archaeological work in accordance with the requirements of Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. The review of previous archaeological work is defined in 7.1.
3: Review the landscape context	The review of the landscape context as defined in sections 4.1 and complete in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
4: Discuss the local and regional character of Aboriginal land use and its material traces	The local and regional character of Aboriginal land use and its material traces is described in section 6.1. An Archaeological Report will also be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
5: Predict the nature and distribution of evidence	A predictive model is described in Appendix 3 (Methodology) and has been prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
6: Undertake an archaeological survey	An archaeological survey of the study area was undertaken in 2021 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
7: Decide if additional archaeological investigation is required?	The archaeological assessment and results will determine if it is appropriate to undertake further archaeological investigation at the study area.

<p>8: Document findings and interpretation of results in an Archaeological Report</p>	<p>An archaeological report was prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. This report will be expanded upon following the outcomes of a test excavation program for the study area if this is a requirement.</p>
<p>9: Seek cultural information from Registered Aboriginal Parties</p>	<p>Information on the cultural information for the study area is sought during the methodology review and as per requirement 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010. Information gathered includes places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance. Information gathered will be used to further inform how the landscape was used, the social, cultural, aesthetic, historic and scientific values to enable an overall assessment of the significance of the study area and the associated values. Assessing values and significance will be undertaken as per section 2.4.2 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.</p>
<p>10: Determine if there will be harm to cultural heritage</p>	<p>Harm, or potential harm will be assessed as per section 2.5 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011. Assessing measures to avoid harm will be considered in accordance with sections 2.6 and 2.7 from the same guide. Registered Aboriginal knowledge holders will be consulted during this process as per the Aboriginal cultural heritage consultation requirements for proponents 2010 to help determine management options and mitigation measures.</p>
<p>11: Complete ACHAR</p>	<p>An Aboriginal Cultural Heritage Assessment Report will be prepared in accordance with section 3 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.</p>
<p>12: SSD SEARS Review</p>	<p>The final ACHAR is included in the final SEARS documentation submitted for review as part of the SSD approval process.</p>

**Table 2: ACHA Methodology**



**Figure 6: ACHA Methodology**

## 6 The Environmental Context

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### 6.1 The Environment of the Cumberland Plain

The study area is located at The Ponds, an area of the Cumberland Plain. The landscape of the study and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, creek systems, flats, residual rises, simple slopes and crests. The surface geology is part of the Wianamatta Group forming part of the Middle-Triassic sequence (Jones and Clark 1991: 17; NSW Department of Mines 1961). Soil landscapes in the study area include Blacktown Residual Soils (Bannerman and Hazelton 1990).

The vegetation of the study area has been significantly modified by historic European land management practices, initially for grazing and for crop production and more recently associated with urban development. Spatial layers from OEH 2010 and based upon Tozer 2003 show remnant vegetation communities in the area consisting of the Shale Plains Woodland. This type of vegetation community is also described as Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest by the Australian Government Department of Environment, Water, Heritage and the Arts (2010) and is listed as a threatened ecological community.

The Department of Environment, Water, Heritage and the Arts (2010) list the following species that are included in the vegetation community:

Tree canopy species include *Eucalyptus moluccana* (grey box), *Eucalyptus fibrosa* (red ironbark, broad-leaved ironbark), *Eucalyptus tereticornis* (forest red gum), *Eucalyptus crebra* (narrow-leaved ironbark), *Eucalyptus eugenioides* (thin-leaved stringybark), and *Corymbia maculate* (spotted gum).

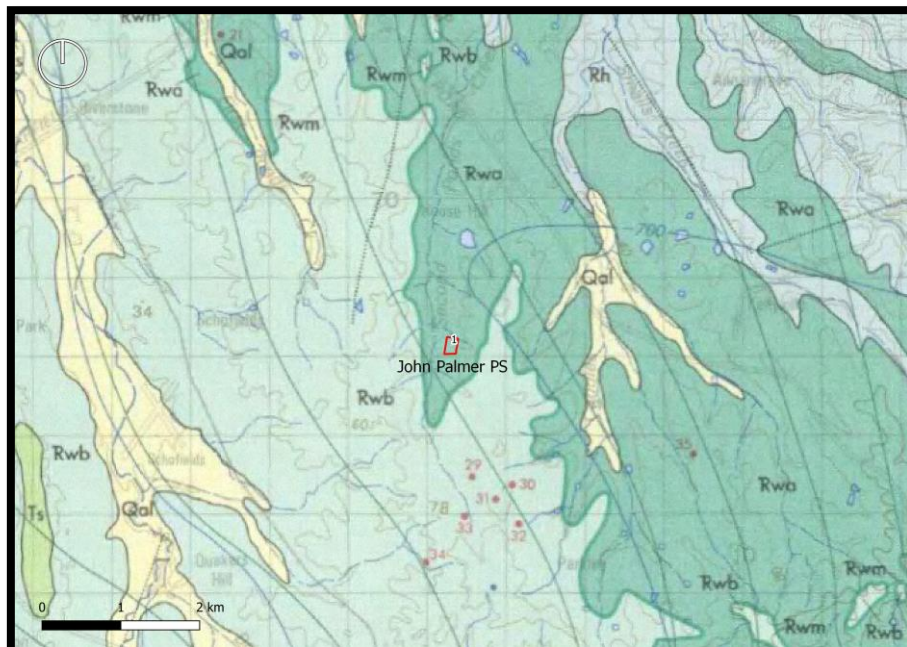
Small to medium sized trees include *Acacia decurrens* (black wattle, green wattle), *Exocarpos cupressiformis* (native cherry), *Acacia parramattensis* (Parramatta wattle), *Acacia implexa* (hickory wattle) and *Melaleuca decora* (paperbark).

Shrubs include *Acacia falcata* (sally), *Acacia implexa* (hickory wattle), *Breynia oblongifolia* (coffee bush), *Lissanthe strigose* (peach heath), *Rubus parvifolius* (native raspberry), *Dillwynia sieberi*, *Bursaria spinosa* (blackthorn), *Daviesia ulicifolia* (gorse bitter pea), *Dodonaea viscosa subsp. cuneate* (wedge-leaf hop-bush), *Indigofera australis* (native indigo).

Grasses and grass-like species include *Aristida ramosa* (purple wiregrass), *Themeda triandra* (kangaroo grass), *Dichelachne micrantha* (plumegrass), *Cymbopogon refractus* (barbed wire grass), *Microlaena stipoides subsp. stipoides* (weeping grass), *Lomandra filiformis subsp. filiformis* (wattle mat-rush), *Lomandra multiflora subsp. multiflora* (many-flowered mat-rush), *Cyperus gracilis* (slender sedge).

## 6.2 Geology

The study area is located within the Cumberland Plain. The landscape of the local and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, flats, residual rises, simple slopes and crests. The surface geology is part of the Wianamatta Group forming part of the Middle-Triassic sequence (Figure 7). The underlying geology of the study area is composed of the Ashfield Shales. Minchinbury Sandstones are present along the nearby Second Ponds Creek (Jones and Clark 1991).



**Figure 7: Geology Map for the John Palmer Public School. Rwa represents Dark-grey to black claystone-siltstone and fine sandstone-siltstone laminate (Clark and Jones 1991).**

## 6.3 Soil

Soils of the study area are part of the residual Blacktown soil landscape: these have formed in situ from the underlying shale geology. This landscape is characterised by shallow to moderately deep red, brown and yellow podzolic soils. Soil fertility and drainage are low. These soils are susceptible to erosion when the vegetation is not maintained (Bannerman and Hazelton 1990).



**Figure 8: Soil landscape map showing location of the John Palmer Public School within the Blacktown Soils landscape (Bannerman and Hazelton 1990).**

## 7 The Archaeological Context

Dating human colonisation of Australia is a primary pursuit of archaeologists. Their investigations can involve excavating rock shelters and open occupation sites to estimate the age of the lowest levels containing what are termed ‘cultural objects’ such as artefacts made or used by humans (see e.g. Hiscock 2008:27). There is now evidence of human colonisation of northern Australia 65,000 years BP (see e.g. Clarkson et al 2017). Bowdler (2010:182) posits that ‘people were on the western side of the Great Dividing Range by 40,000 years ago, and began to penetrate the western slopes of the eastern highlands not long after’. Bowdler suggests that ‘after the retreat of the glaciers, the east coast began to look like a more attractive proposition, luring travellers from the west to filter down its precipitous eastern cliffs and gullies to explore the newly emerging well-watered, resource-rich coasts and rivers of eastern Australia’.

The earliest presence of people in the Sydney Basin is uncertain but there is evidence for Pleistocene occupation of the region around 40,000 years ago. Archaeological excavations carried out at Parramatta by McDonald (2005) report dates as early as 30,000 years BP, providing some of the oldest dates for the Sydney Basin. Though limited details around the methodology used to collect the samples and obtain the dates has meant that the dating has not been subject to a sufficient level of scrutiny within the profession to enable confidence in

the reported dates (Bowdler 2010). However, the most recent dates from the Parramatta Sand Sheet indicates that this area was occupied from between 35-40,000 years BP (GML 2019).

In the western Cumberland Plain biogeographic region, in a rock shelter identified as Shaws Creek KII, near the Nepean River just north of Penrith, occupation dating of  $14,700 \pm 250$  BP has been obtained (Kohen et al 1984; Stockton 2009), possibly 20,000 years BP (Stockton 2009, 2019). At Cranebrook Terrace, human occupation has been dated at  $47,000 \pm 5,200$  BP (Stockton and Holland 1974; Nanson et al 1987; Stockton and Nanson 2004). More recently, Williams et al's (2017:1) 'results lend increasing support for visitation of the Nepean River corridor by Aboriginal people as a part of the initial colonisation of Australia'. In 2019, Stockton stated that the Cranebrook Terrace dating 'should not be seen as surprising given evidence of human occupation extending back approximately 60,000 years in Australia' (Knox 2019:17).

Kohen's (1986:295) early research of Aboriginal settlement of the western Cumberland Plain identified that material evidence of occupation can be 'found continuously across the landscape, with no environmental zone left unexploited'. He also found that most sites occurred within 100 metres of permanent water sources, on elevated terraces above water, and that major occupation sites would occur at the junction of different environment zones where there was an increase in plant based food resources.

The archaeological evidence for the majority of Aboriginal sites on the Cumberland Plain indicates that the area was intensively occupied from approximately 4,000 years BP (JMCHM 2007). Many researchers believe that these relatively 'young' dates are probably more a reflection of conditions of archaeological site preservation, rather than actual evidence of the presence or absence of an Aboriginal population prior to this time.

Our understanding of how and when Aboriginal people occupied and used the Sydney Basin landscape is largely based upon changes observed in the composition of stone tool assemblages. Detailed archaeological investigations of the Aboriginal settlement patterns of Sydney's Cumberland Plain can be traced back to the mid-1980s. This was a period marked by the rapid growth in residential and other forms of development across the area.

Recent intensive development activities have meant that the Cumberland Plain is one of the most intensely investigated archaeological regions in Australia. These Aboriginal archaeological investigations have identified over 4,000 sites across this region and reveal a rich and diverse record of past Aboriginal occupation on the Cumberland Plain. Summaries of these works are included in reports by, for example, Attenbrow (2010), JMCHM (1997), McDonald (2008) and Przywolnik (2007) in addition to the archaeological surveys cited above.

Key factors drawn from the research and our present understanding of the archaeology of the Cumberland Plain include:

- available radiocarbon determinations and optically stimulated luminescence dating indicate Aboriginal people have occupied the Cumberland Plain for potentially as long as 40,000 years

- Aboriginal settlement patterns on the Cumberland Plain have been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology being some of the key attributes dictating location of sites
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger more complex artefact assemblages associated with higher order streams
- artefact distributions across the Cumberland Plain do not form bounded 'sites' but rather cultural 'landscapes', and
- subsurface artefact distributions across the Cumberland Plain tend to vary significantly in relation to landform and stream order.

## 7.1 Previous Archaeological Assessments

Archaeological investigations have been conducted within the zone of the extensive AHIMS search carried out for the study area.

In 1989, Mary Dallas was commissioned by the Blacktown City Council to conduct an archaeological study of the land within the Parklea Release Area. During the investigation three distinct site types were identified, the first being archaeologically insignificant areas. The second site type were archaeologically sensitive areas which require further investigation and the third was an archaeologically significant area containing an open camp site. The study area is located on a well-documented environmental landscape. The area consists of undulating hills with ridge lines. Creeks and their associated tributaries drain into the low hills and empty into Cattal Creek. Second Ponds Creek and Caddies Creek are both sources of permanent water. The study area overlies the Bringelly and Ashfield Shales of the Wiannamatta Group. The Bringelly Shales are located on the ridge lines, separating the major creeks, while the Ashfield Shales occur along the creek lines. The soil profile in the study area is largely derived from the erosion of the shales. The soil is composed of clay loams, which historically would have supported eucalypts and sclerophyll. The study area has been largely modified into farms and residential areas. Furthermore, Second Ponds Creek has been exposed to erosions and destabilization from forest clearing. Previously, two archaeological investigations have been conducted in the Parklea Release Area both identifying camp sites, indicated by stone artefact scatters along exposed or eroded edges of Second Ponds Creek. Previous predictions of Aboriginal artefacts found in the area have indicated that sites can be found on any type of topographic landscape and will occur in a higher density towards water sources however, European settlement and major flooding has cause inconsistencies in the predicted distributions of artefacts. The archaeologically sensitive areas found in this study were identified as ridgetops or along creek lines. The archaeologically significant site displays continuous occupation of the area running along the creek line.

In 1993, Josephine McDonald conducted an archaeological survey of the Rouse Hill Infrastructure Project located along the Caddies and Second Ponds Creek in Rouse Hill. The study was the second survey commissioned by Rouse Hill Pty Ltd in stage one of the

developments. During the survey, six sites, six isolated finds and four potential deposits were identified. These are in addition to previously recorded sites in the area. Six of the sites were open sites, all containing artefacts and one with grinding grooves. The most common type of site found during this survey and previous surveys were open camp sites and grinding grooves with the least common including scarred trees, rock engravings and shelters with art. The artefacts found during the surveys generally include mudstone, silcrete and quartzite debitage.

In 1993, Elizabeth Rich was commissioned by Rouse Hill (Stage 1) Pty Ltd to conduct archaeological investigations of the site's PK/PC 1-5 in Parklea. Generally, the archaeological material found during the investigation was minimal however focused activity areas occurred in eight of the locations. The study area is located on the Cumberland Plain and forms the upper catchment of a gully draining into Caddies Creek. The study area overlies the Ashfield Shale with the hills to the west of the area composed of the Minchinbury sandstone and Bringelly Shale. Alluvial fills surrounding the area indicate episodes of infilling and gulying from low energy channels. The topography contains undulating hills with minimal erosion. Extensive modification after European settlement has resulted in native vegetation being cleared however some mature trees occurred. The sites PK/CD1+2 and PK/CD3-6 were identified as archaeologically significant and occur towards Caddies Creek. Furthermore, the site at Second Ponds Creek occurs 1.5km west. The sites are associated with semi-permanent to permanent water sources. Investigations of stone artefacts found indicate that all stone artefacts were imported with the predominant material being silcrete. The eight locations that contained artefacts were located within 50m of water sources or former drainage lines.

In 1993, Brayshaw McDonald Pty Ltd conducted an archaeological investigation of a potential archaeological deposit (PAD 21) at Parklea NSW. They were commissioned by Rouse Hill (Stage 1) Pty Ltd as part of an ongoing investigation linked to the Rouse Hill Infrastructure Project. Investigations uncovered a low density of archaeological material over most of the study area with major concentrations in one location. The major concentration is located on alluvial flats and the material suggests knapping was the primary activity. The study area is located on the Cumberland Plain with four major creek lines within the vicinity. It overlies the Ashfield Shale with several alluvial deposits forming along the creek lines. The topography consists of flood plains surrounding gentle hill slopes with swamp areas forming between. Historically, the vegetation consisted of eucalypts as well as other native trees adapted to the clay soils derived from the shales. At the time of the study the area had been largely cleared of vegetation however the ground remains undisturbed. The variations and densities of the archaeological materials indicates that different groups have entered the location throughout time for various reasons. Most of the artefacts found came from alluvial areas in the upper sections of the soil profile. The artefacts were predominantly silcrete with small amounts of quartz and mudstone.

In 1993, Brayshaw McDonald Pty Ltd undertook an archaeological survey in the proposed development area of the Rouse Hill Infrastructure Project (RHIP) Stage 1. The survey was commissioned by Rouse Hill Joint Venture Pty Ltd. During the survey, 38 sites were identified

with 15 being potential archaeological deposits and three isolated finds. The survey area is located on the Cumberland Plain with four major creek lines running through the area. The creek lines are Cattai Creek, Smalls Creek, Caddies Creek and Second Ponds Creek. The topography consists of undulating hills, becoming steeper towards the northern end. The study area overlies the Hawkesbury Sandstone towards the northern boundaries and the Bringelly Shale subgroup at the southern end. A majority of Caddies Creek and sections of Second Ponds Creek overlie the Ashfield Shale. The site also overlies and is surrounded by extensive alluvial activity. The soil profile is largely derived from the shales and consists of clay underlying a silty texture. In the northern sections, the soil profile is sandy and sourced from the Hawkesbury bedrock. Several sources of raw material are within 5km and consist of sandstone, siltstone and silcrete outcropping. Historically, the study area would have hosted complex woodlands and forests of native species adapted to the clay soils. Currently, the vegetation consists of introduced species surrounding the creek lines. There are 209 registered sites within 5km of the study area. The most common sites are open sites, shelters with deposits and shelters with art. The least common include rock engravings and scarred trees. Predictions based on previous studies in the area state that sites will most likely be associated with creek lines and ridgetops, consisting of low-density surface scatters made predominantly of fractured or heat shattered silcrete debitage. In the Hawkesbury sandstone areas, decorated shelters, rock engravings, grinding groves, middens and scarred trees will be more common. During the survey, most of the sites were open sites, shelters with art and deposits and grinding grooves. The sites were generally consistent with the predictive models however, there was significantly more grinding grooves in the area than originally expected, most likely due to the proximity of the Hawkesbury Sandstone. As well as Aboriginal archaeology some European heritage was identified. These consisted of marked graves, quarrying, various constructions and evidence of the battle of Vinegar Hill.

In 1998, Jo McDonald and Mary Casey were commissioned by Gutteridge Haskins & Davey Pty Ltd to undertake an archaeological survey of Stage 2 of the Rouse Hill Infrastructure Works. During the survey, 17 archaeological sites (including potential archaeological deposits) were located. A significant potential archaeological deposit (RH/CD12 and PADs X, Y and 25) is located along the Kellyville Park Sewer carrier. Some European archaeology was also identified, including tree plantings, bridges and gates. The study area is located on the Cumberland Plain and contains the Smalls, Caddies and Second Ponds creek lines. The area is heavily modified however the investigation is mainly focused on the undisturbed edges of the creek lines. Towards the northern end of the study area around Cattai Creek, Smalls and Cadies Creek, the bedrock is predominantly Hawkesbury Sandstone. A majority of Caddies Creek and some of Second Ponds Creek overlie the Ashfield Shale subgroup. Towards the south, the bedrock is predominantly the Bringelly Shale subgroup. The soil profile consists of coarse sands in the northern regions and silty or clay layers overlying the shales. Several outcrops of sandstone, siltstone and silcrete surround the area with the main sources being within 5km. The topography consists of undulating hills, becoming steeper towards the northern end. Historically, the study area would have hosted complex woodlands and forests of native species adapted to the clay soils. At the time of the study the vegetation consisted of

introduced species surrounding the creek lines. Predictive modelling indicates the size and density of the archaeological features depends on the proximity to sources of permanent water. Based on the predictive models it is likely that archaeological evidence will be minimal in first order creeks. Archaeological material will still be sparse in second order creeks but with more focus and third order creeks will display frequent occupation with highly concentrated activity. Theoretically, the major creek lines such as Second Ponds and Caddies Creeks which are fourth order streams, will have complex and focused evidence of occupation. As well as the order of streams, the junctions between creek lines, sources of raw material, bedrock and proximity of ridgetops and drainage lines are likely to influence the density of material. Based on previous studies and recordings, the most likely site expected in this area are open artefact scatters, shelters and grinding grooves along Smalls and Caddies Creeks.

In 2002, Jo McDonald Cultural Heritage Management Pty Ltd conducted an archaeological excavation in Kellyville. The excavation was commissioned by Mepstead and Associates and involves site RH/SC5. The site under investigation is a potential archaeological deposit that was located north of the Gum Nut Close and Smalls Creek junction. It was identified as PAD12 in an investigation in 1993 and renamed. Investigation into the site has revealed significant results. In total, 1099 artefacts were recovered from the site. The artefacts indicate distinct phases of occupation. The more recent assemblages typically occurred close to the surface, on the lower slopes towards creek edges. The earlier assemblages were generally in deeper layers of coarse sand, downslope towards a convex dome from the Hawkesbury Sandstone. Investigations into the site indicate that preserved assemblages can be found in shallow deposits in valleys at the shale and sandstone interfaces (e.g at Smalls Creek). Investigations have also indicated that the Hawkesbury Sandstone outcrops create well stratified structures which may retain evidence of human occupation. Furthermore, if sediment sequences are thin or mixed, assemblages will be difficult to detect. The study area is located on the Cumberland Plain at the interface between the Ashfield Shale subgroup and the Hawkesbury Sandstone. The soil profile in the area depends on the bedrock and is generally clay or silt soils towards the shale and coarser sands over the Hawkesbury sandstone. There are major creek lines running through the area. The site is located to the left of Smalls creek, a second order stream. There are several water holes surrounding Smalls Creek incised into the sandstone outcropping. These have grinding grooves and are permanent water sources unlike Smalls Creek. At the time of the study, the study area had been modified in the past for agriculture and then for residential areas. The vegetation currently consists of native species such as eucalypts and banksias but is infested with introduced species and weeds. Predictive modelling indicates that areas with major creek lines such as Second Ponds and Caddies creek (fourth order), junctions and raw material sources are the most likely to contain substantial archaeological materials. Furthermore, areas with sandstone overhangs can indicate art, shelters and evidence of sharpening tools. This investigation demonstrates that silicified tuff is the predominant material found in assemblages and the sandstone platform was a focus of occupation. Generally, silcrete is the most common material but in this investigation only made up 14% of the total number of artefacts found.

In 2002, Jo McDonald Heritage Management Pty Ltd was commissioned by Landcom to conduct a reassessment of land in the Second Ponds Creek catchment. In previous surveys of the area, six sites and five potential archaeological deposits were identified. The study area is located on the Cumberland Plain in an undulating plain overlying the Wianamatta group. The study area contains a ridgeline between Eastern and Second Ponds Creeks. Previous studies have developed predictive models using the geological formations and order of streams as they largely contribute to cultural variations. Second Ponds Creek is a first order tributary at its entry into the study area and forms a second order tributary further downstream. There are several ponds surrounding the creek line with more permanent sources of water. Raw materials such as silcrete, mudstone and silicified tuff can be found surrounding the study area. Historically, the site hosted complex woodlands associated with the clay soils derived from the Wianamatta Shales. More recently at the time of the study, the study area was cleared for agriculture, but hosts introduced species and weeds. In the hillslopes, various native species remain, and the creek lines contain flora associated with swamps. Five sites were identified during the survey, several with associated potential archaeological deposits. There were also several isolated artefacts identified in the highly eroded areas where surface visibility was increased. The study area has been assessed as ranging from low to high archaeological potential depending on the zone.

In 2002, Jo McDonald and Mary Casey conducted a survey commissioned by Rouse Hill Infrastructure Consortium in a development area near Second Points Creek. During the investigation, 22 archaeological sites, isolated finds and potential deposits were located. A sandstone bridge, weir and a dam in the development area are also considered valuable to the investigation. The development area is located on the Cumberland Plain and overlies the Hawkesbury Sandstone, Ashfield Shale and Bringelly Shale subgroups. The areas underlain by the shale subgroups have produced hillslopes, terraces and alluvium landscapes. There are several nearby raw material sources for stone artefacts. Historically, the study area contained forests and woodland associated with clay soils derived from shales. At the time of the study much of the study area has been cleared with severe soil disturbance however some areas remain intact. Predictive modelling in the investigation suggest that higher densities of artefacts will be found near shale hillslopes, ridges and first order tributaries. The sites identified in this investigation and previous investigations remain generally consistent with this trend.

In 2003 Biosis Research undertook an archaeological assessment of the site of the proposed school at Glenwood. The predictive model for the site predicted that there was a high likelihood of Aboriginal objects being present at the site and that due to the extensive vegetation cover subsurface investigations were recommended. Two artefacts and a potential scarred tree were identified during the site survey. The recommendations for the site included fencing of the scarred tree, application to impact permits for both of the isolated artefacts, and a program of archaeological testing.

In 2004 Biosis Research undertook the archaeological test excavation program that they had previously recommended during the investigation undertaken in 2003, including a salvage and

monitoring program on the Glenwood School site, that they had previously assessed in 2003. Under a consent permit a series of 80 test pits were excavated, and a number of grader scrapes were undertaken from which 116 artefacts were recovered. 98% of the archaeological resource was found in a sub-surface context.

In 2006, Stedinger Associates was commissioned by EDAW Australia Pty Ltd to conduct an Aboriginal site survey and assessment of Waite Reserve CR710 in Acacia Gardens in Blacktown. During the survey one isolated artefact and a potential archaeological deposit was identified. The isolated artefact was a flake made of mudstone found at surface level. The PAD was moderately disturbed and at an elevated area. The study area is located on the Cumberland Plain primarily underlain by the Wianamatta Shales. Some areas of the geology are susceptible to erosion which has contributed to undulating hills, tertiary terraces and alluvial flats. The clay soils in the area are derived from the shales and historically would have supported open eucalypt woodlands. European settlement has resulted in much of the area being cleared and repurposed for agriculture. At the time of the study vegetation consisted of a mix of various introduced and native species. Several sites had been recorded in the 2km vicinity of the development area consisting mainly of open campsites, isolated finds and potential archaeological deposits.

In 2012, Godden Mackay Logan Heritage Consultants and Jo McDonald Cultural Heritage Management undertook an archaeological excavation of Aboriginal site 45-5-2653 within Lot 2 and Lot 4 Windsor Road, Kellyville. The excavation was carried out on a lower slope adjacent to a third order stream. The excavation revealed a low density of artefacts. Backing was the most frequent type of modification that had been applied to artefacts. Backed artefacts comprised approximately four percent of the total assemblage. The significance of the site was assessed as being of low to moderate scientific significance. The deposit did not exhibit chronological stratification.

The assemblage was compared with other nearby assemblages from Second Ponds Creek to determine if changes in stream order, from second to fourth order streams influenced changes in the nature and complexity of the assemblage. The assemblage did not display the expected changes in correspondence to the stream order change. Other factors apart from the proximity to water influenced how the site was used and the corresponding makeup of the assemblage. The distance decay model was also applied. This considered changes in the artefact characteristics relative to rationing, as distance to the known raw material source of silcrete increased. Comparisons of the study area with other sites with varying distances of the known raw material source gave results that did not provide consistent support for the model (Godden Mackay Logan Heritage Consultants and Jo McDonald Cultural Heritage Management 2013:60-67).

## 7.2 AHIMS Search

A search of the AHIMS database records for the area within approximately 2 km radius of the study area identified 77 recorded sites. The sites are shown in Table 3 and Figure 9.

Site ID	Site name	Context	Site features	Site types
45-5-2028	RH/SP11;Parklea;	Open site	Artefact	Open Camp Site
45-5-2006	RH/SP13;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2023	ISF10;Parklea;	Open site	Artefact	Isolated Find
45-5-2025	ISF12;Parklea;	Open site	Artefact	Isolated Find
45-5-2417	IF-2;Conrad Rd;	Open site	Artefact	Isolated Find
45-5-2805	RH/SP15	Open site	Artefact	
45-5-2754	T4	Open site	Artefact	
45-5-2755	T3	Open site	Artefact	
45-5-2756	T1	Open site	Artefact	
45-5-2757	T2	Open site	Artefact	
45-5-2872	RH/SP21 (formerly PAD34)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2873	RH/SP22 (formerly PAD38)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2874	RH/SP20 (formerly PAD40)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2913	Conrad Road PAD1	Open site	Potential Archaeological Deposit (PAD)	
45-5-2890	RH/CR1	Open site	Artefact	
45-5-2977	RH/SP 20	Open site	Artefact	
45-5-3355	SCR/UPG1	Open site	Artefact : 1	
45-5-3356	SCR/UPG2	Open site	Artefact : 10, Potential Archaeological Deposit (PAD)	
45-5-3392	Pole 45 and Compound	Open site	Potential Archaeological Deposit (PAD) , Artefact	
45-5-2005	RH/SP14;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-3930	RH/A20P 15	Open site	Artefact : 1	
45-5-3931	RH/A20P 16	Open site	Artefact : 1	
45-5-3932	RH/A20P 17	Open site	Artefact : 5	
45-5-3933	RH/A20P 18	Open site	Artefact : 7	

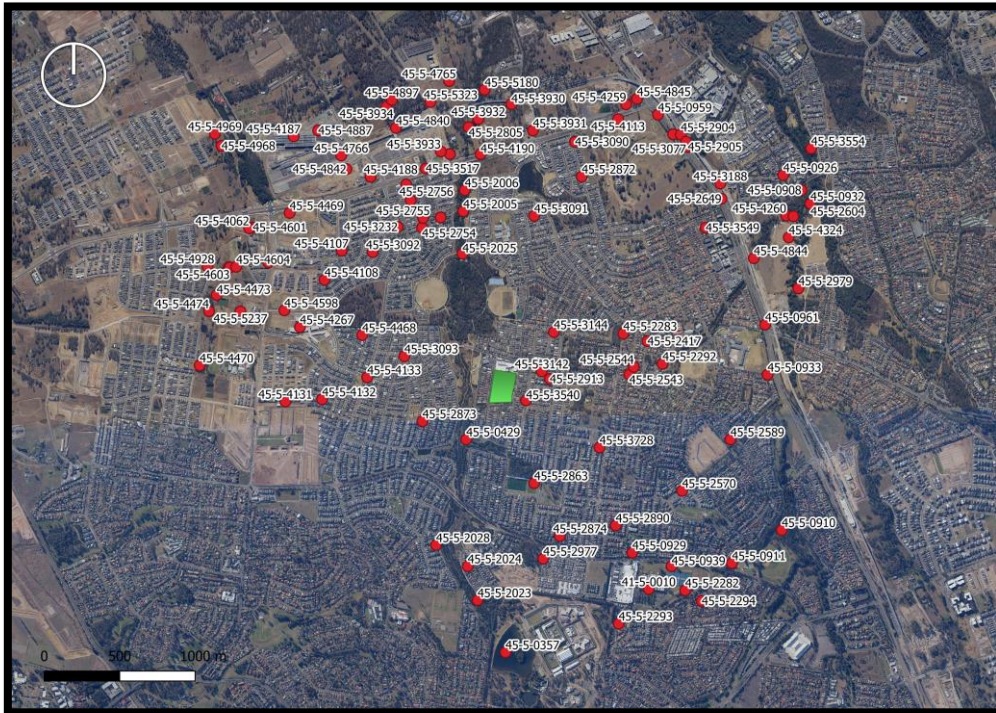
45-5-3934	RH/A20P 19	Open site	Artefact : 1	
45-5-4062	TR2 (Riverstone)	Open site	Artefact	
45-5-5237	Alex Avenue 6 (AA6)	Open site	Artefact	
45-5-2570	RH/SG1	Open site	Artefact	Open Camp Site
45-5-2543	IF 1	Open site	Artefact	Isolated Find
45-5-2544	IF 2	Open site	Artefact	Isolated Find
45-5-2545	1F1	Open site	Artefact	Isolated Find
45-5-2546	1F2	Open site	Artefact	Isolated Find
45-5-2294	PK/PC2 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0357	QH 1 Quakers Hill RH/SP10 ( PAD29 and ISF 10)	Open site	Artefact	Open Camp Site
45-5-0908	RH/CD 6 Rouse Hill	Open site	Grinding Groove	Axe Grinding Groove
45-5-0910	PK/CD 1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0911	PK/CD 2 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0926	RH/CD_10	Open site	Artefact	Open Camp Site
45-5-0929	PK/PC 5;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-0932	RH/CD12 (PAD24);Rouse Hill; duplicate of 45-5-2604	Open site	Artefact	Open Camp Site
45-5-0933	RH/CD9	Open site	Artefact	Open Camp Site
45-5-0939	PK/PC 4;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2282	PK/PC3;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2283	bc3;Rouse Hill;RH/CR 1;	Open site	Modified Tree (Carved or Scarred)	Scarred Tree
45-5-2292	RH/OC1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-2293	PK/PC1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0959	OWR 4 (Rouse Hill)	Open site	Artefact	Open Camp Site
45-5-0960	OWR 5 (Rouse Hill)	Open site	Artefact	Open Camp Site
45-5-0961	OWR 6;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-0429	Second Ponds Creek HC 7400 Quakers Hill RH/SP12	Open site	Artefact	Open Camp Site

45-5-2979	PAD 1 Windsor Road	Open site	Potential Archaeological Deposit (PAD)	
45-5-3144	Precinct 1B PAD	Open site	Potential Archaeological Deposit (PAD)	
45-5-3090	SPC-PAD33	Open site	Potential Archaeological Deposit (PAD)	
45-5-3091	SPC-PAD35	Open site	Potential Archaeological Deposit (PAD)	
45-5-3092	SPC-PAD36	Open site	Potential Archaeological Deposit (PAD) , Artefact : 16	
45-5-3093	SPC-PAD37	Open site	Potential Archaeological Deposit (PAD)	
45-5-3094	SPC-PAD39	Open site	Potential Archaeological Deposit (PAD)	
45-5-3142	Lot 45 Fyfe Rd	Open site	Artefact	
45-5-3188	Mungerie Park Open Artefact Scatter and associated PAD	Open site	Artefact : 7	
45-5-2024	ISF11;Parklea;	Open site	Artefact	Isolated Find
45-5-3517	Pole 45 and Compound. (DUPLICATE 45-5-3392)	Open site	Artefact	
45-5-3540	Lot 45 Fyfe Rd.	Open site	Artefact : 8	
45-5-3554	MWO2 (Riverstone)	Open site	Artefact : 2	
45-5-3549	W1 (Kellyville)	Open site	Artefact : 1	
45-5-3728	MPIP 5B	Open site	Artefact : 3	
45-5-4187	28 Tallawong Road	Open site	Artefact : 1	
45-5-4267	The Ponds PAD1	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact	
45-5-4188	59 Schofields Road	Open site	Artefact : 6	
45-5-4134	87 Schofields Road AS	Open site	Artefact : 6	
45-5-4259	NWRL PAD11	Open site	Potential Archaeological Deposit (PAD) : 1	
45-5-4260	NWRL PAD10	Open site	Potential Archaeological Deposit (PAD) : 1	

45-5-4112	69 Schofields Road (SCR/UPG3+PAD)	Open site	Artefact : 2	
45-5-4113	ISF SCR/UPG2	Open site	Artefact : 1, Potential Archaeological Deposit (PAD)	
45-5-4107	AA AS 3	Open site	Artefact : 2	
45-5-4108	AA AS 4	Open site	Artefact : 11	
45-5-4190	87 Schofields Road AS 1	Open site	Artefact : 1, Potential Archaeological Deposit (PAD) : 1	
45-5-4131	RAA 16	Open site	Artefact : 14	
45-5-4132	RAA 17	Open site	Artefact : 1	
45-5-4133	RAA 18	Open site	Artefact : 1	
45-5-4565	Hambledon Road PAD + AS	Open site	Artefact , Potential Archaeological Deposit (PAD)	
45-5-4566	Hambledon Road IF	Open site	Artefact	
45-5-4598	Alex Avenue 5 (AA5)	Open site	Artefact	
45-5-4601	Alex Avenue 1 (AA1)	Open site	Artefact	
45-5-4602	Alex Avenue 2 (AA2)	Open site	Artefact	
45-5-4603	Alex Avenue 3 (AA3)	Open site	Artefact	
45-5-4604	Alex Avenue 4 (AA4)	Open site	Artefact	
45-5-5180	PAD41	Open site	Artefact	
45-5-4968	Gordon Road Artefact Scatter (GR AS) 01	Open site	Artefact	
45-5-4969	Gordon Road Isolated Find 01 (GR ISO 01)	Open site	Artefact	
45-5-2589	IF1 Conrad Rd	Open site	Artefact	
45-5-2649	Windsor Road 1	Open site	Artefact : 1	
45-5-2604	RH/CD12 - Duplicate of 45-5-0932	Open site	Aboriginal Resource and Gathering	
45-5-2904	PAD 2	Open site	Potential Archaeological Deposit (PAD)	
45-5-2905	PAD 3	Open site	Potential Archaeological Deposit (PAD)	
45-5-2863	PAD 43 with ISF	Open site	Artefact	
45-5-3077	MTW	Open site	Artefact	
41-5-0010	PK/PC6	Open site	Artefact : 13	
45-5-3232	T5	Open site	Artefact	

45-5-4468	RAA13	Open site	Artefact	
45-5-4469	RAA14	Open site	Artefact	
45-5-4470	RAA15	Open site	Artefact	
45-5-4473	RAA22	Open site	Artefact	
45-5-4474	RAA23	Open site	Artefact , Potential Archaeological Deposit (PAD)	
45-5-4324	Caddies Creek 1	Open site	Artefact : 1	
45-5-4325	Caddies Creek 2	Open site	Artefact : 1	
45-5-4840	RH/A20P PAD 5	Open site	Potential Archaeological Deposit (PAD)	
45-5-4842	65 Schofields Road	Open site	Artefact	
45-5-4844	NWRL PAD 10	Open site	Potential Archaeological Deposit (PAD)	
45-5-4845	NWRL PAD 11	Open site	Potential Archaeological Deposit (PAD)	
45-5-4765	56 Cudgeong Road, Rouse Hill	Open site	Artefact : 1	
45-5-4897	5 9 - C R - A S	Open site	Artefact : 6	
45-5-4766	65 Schofields Road IF	Open site	Artefact	
45-5-4928	54 Schofields Road	Open site	Artefact : 1, Potential Archaeological Deposit (PAD) : 1	
45-5-4887	Riverstone Isolated Artefact 6	Open site	Artefact	
45-5-4777	44 Cudgeong Road, Rouse Hill	Open site	Artefact : 1	
45-5-4898	59-CR-AS	Open site	Artefact : 1	
45-5-5323	44-56 Cudgeong Rd Artefact Burial	Open site	Artefact	

**Table 3: List of site records obtained from AHIMS database from a 2 km search radius.**



**Figure 9: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. John Palmer Public School is shown in green at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.**

## 8 Historical Land Use

The land on which the John Palmer Public School is located was the traditional lands of the people of the Darug language group and was probably the traditional lands of the Bediagal Clan (Attenbrow 2002:23-24). With European occupation and colonisation of the land came the displacement of people from their traditional lands, and the introduction of land clearing and farming practices that had never been previously used on the continent. Land grants in the area that is known today as The Ponds began to occur during 1818 (Thorp et al. 1993:11). The land where John Palmer Public School is located was first granted to John Palmer as a 1500acre grant on the 13<sup>th</sup> of January 1818 by Governor Macquarie. This was Portion 12 of the Parish of Gidley, originally the district of Bathurst, and was name Hambledon (Steven 1967, Blacktown City Libraries 2018). Figure 12 shows the location of the John Palmer Public School within the John Palmer grant and Hambledon.

John Palmer was born in England in 1760. He became a naval officer and arrived in Australia as a purser with the First Fleet in 1788. He was responsible for maintaining track of the ship supplies on the Sirius (Vine 2016). Figure 11 shows a portrait of John Palmer.

Palmer was eventually forced to mortgage Hambledon to his brother in law, Robert Campbell. Figure 10 shows the transfer of the land from John Palmer through to the Pearce family and the Intercontinental Investment and Building Company (Source Land Services NSW: Applications

22639, 23772 and 23787). The land was used by the Pearces and the Intercontinental Investment and Building Company for grazing. The land remained as unimproved grazing land until 2005 (Blacktown City Libraries 2018).

**SEARCH PAPER.**

APPLICATION No. 22 639.

As to 589 ac. 2. 0<sup>th</sup> part of 1500<sup>th</sup> granted to John Palmer  
 three of Blacktown, Parish of Gridley,  
 County of Cumberland.

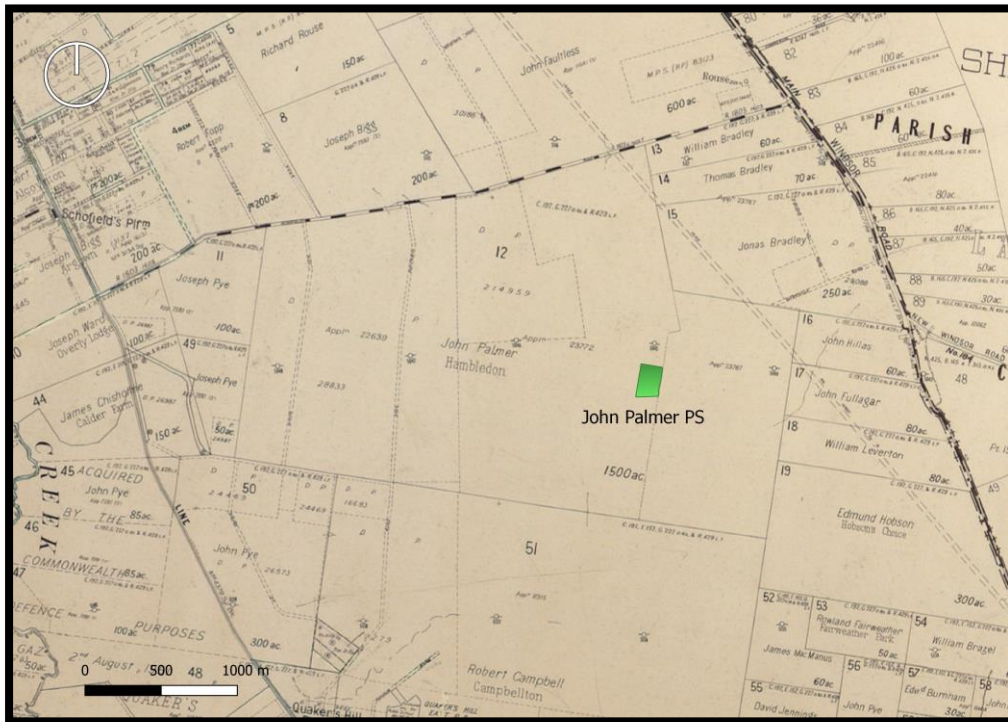
part of 1500<sup>th</sup> granted to John Palmer 13 Jan'y 1818.  
 Q. R.  
 Reason &c.

Against	From	To
John Palmer	13 Jan'y 1818	Conce 155 <sup>th</sup> Bk 41
John Palmer (Deceased)	" "	" " "
John Palmer	1 Nov. 1839	" " "
John Warrall Palumbo } Robert Campbell (Sr.) } John Campbell } Robert Campbell (Jr.) } (ms. 360. E)	31 March 1828.	Sur. 359 Bk. 20.
John Campbell. } Robert Campbell. } George Campbell. } Arthur Jeffrey. } Charles Campbell } George Thomas Palmer. } Samuel North. } Francis Reddick. } (ms. Hill of John Palmer)	1 Nov. 1839.	Conce 128 Bk 29 " " 155 " 41.
Richard Edwards	1 Jan'y 1855.	" 691 " 84
Lewis Duncan Whitaker (ms. 58 Bk 54)	27 Feb'y 1858.	Conce 692 " 84
John Sebbell (" 438 - 73)	17 June 1861.	" 793 " 84
Eleanor Jane Edwards } or Lydia Jane Edwards }	6 June 1862.	Conce 691 " 84
Arthur Wright	1 Jan'y 1863	" 749 " 137
Robert Pearce	1 Jan'y 1873	Partn. 558 " 1062 Conce 315 " 1881
Euphemia Jennie Pearce } George Woodward Pearce } Euphemia Jennie Pearce. } John Henry Pearce. } Edward Andrew Pearce. } Albert Charles Hillas Pearce. } Intercolonial Investment Land and } Building Company Limited }	1 Nov. 1914	" " "
	1 Jan'y 1920	present.

Figure 10: Application 22639 referred to from 23772 and 23787 showing the transfer of land from John Palmer through to the Pearce Family (Source Land Services NSW).



**Figure 11: John Palmer, R.N. – portrait (Source Mitchell Library, State Library of New South Wales).**



**Figure 12: Early Parish map of Gidley showing the location of the John Palmer Public School on the original John Palmer Grant (Source NSW LRS HLRV Parish of Gidley).**

Historical research for the study area does not indicate that there were any early buildings, dwellings or other structures on the site of the John Palmer Public School. Early aerial images of the site from 1938, 1946, 1955, 1961 and 1991 show the study area as being cleared of vegetation. There is no evidence of furrows or cultivation in these images, confirming its use was primarily for grazing. In 2005 the land use remains unchanged except for vehicle tracks. Figure 13 shows the development of the nearby land progressing towards the study area in 2005.



**Figure 13: 2005 Aerial image of the John Palmer Public School site. © Department of Customer Service, NSW Government.**

### 8.1 Site Disturbance

A visual inspection of the John Palmer Public School was carried out on the 12<sup>th</sup> of August 2020. All of the locations within the proposed development footprint were inspected by archaeologists William Moon and Danielle Mitchell. There is evidence that the study area and development footprint have been subjected to land clearing and some degree of modification associated with the installation of the temporary buildings and the associated services to these buildings, and the original school construction and associated shaping of the school grounds. There is also a sewer main that traverses the western side of the subject area, Figure 14 and Figure 15 shows views across the location of the proposed development where soils will be disturbed.

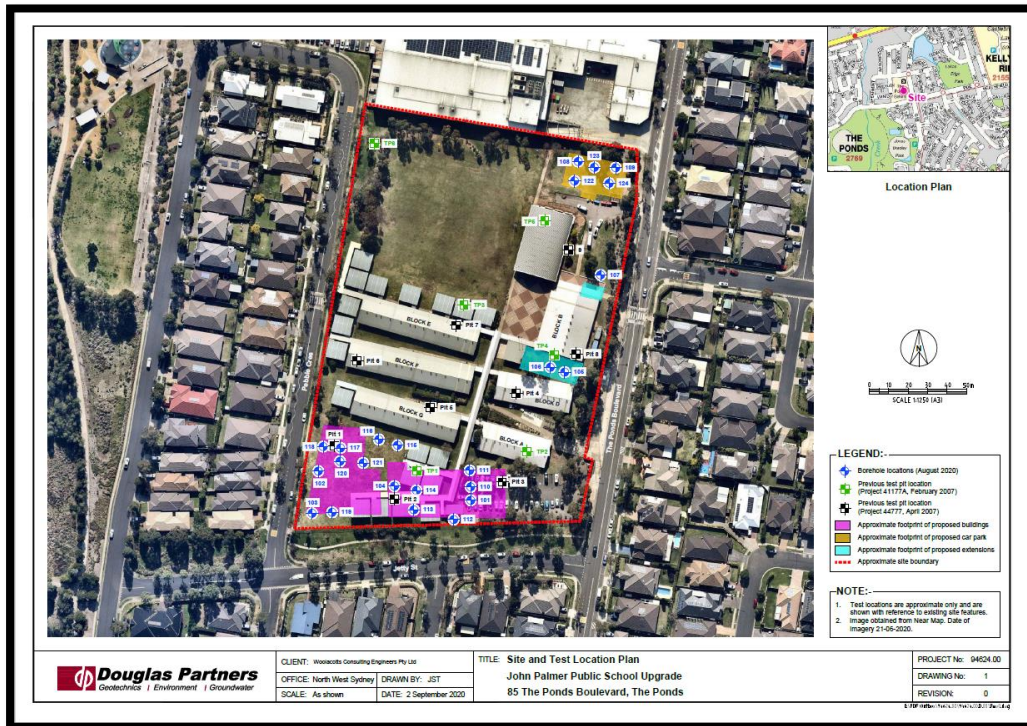
A review of the geotechnical investigation undertaken by Douglas and Partners (2020) has shown that tests throughout the site found that soils were composed of fill. Refer to Figure 16 which shows the bore hole locations for the investigation within the development footprint. The results from every bore indicate that fill is present down to medium to high plasticity clay.



**Figure 14: Looking north-east across the proposed development zone at the south west corner of the study area.**



**Figure 15: Looking east over the area of proposed development at the northeast corner of the study area.**



**Figure 16: Image showing borehole locations in the area of the development footprint (Douglas Partners 2020).**

Based upon the geotechnical investigation results and the visual inspection of the site it is concluded that there are no surviving soil profiles or sediments on the site that would have the potential to contain archaeological deposit. When considering the soil disturbance categories used by the National Committee on Soil and Terrain as shown in Table 4, the majority of the study area would fall into the 8<sup>th</sup> category as being highly disturbed due to urban development impacts. The majority of the proposed development footprint would be considered as disturbed land in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010*.

	SITE DISTURBANCE CATEGORY
0	No effective disturbance; natural
1	No effective disturbance other than grazing by hoofed animals
2	Limited clearing (e.g. selective logging)
3	Extensive clearing (e.g. poisoning, ringbarking)
4	Complete clearing; pasture, native or improved, but never cultivated
5	Complete clearing; pasture, native or improved, cultivated at some stage

6	Cultivation; rainfed
7	Cultivation; irrigated, past or present
8	Highly disturbed (e.g. quarrying, road works, mining, landfill, urban)

**Table 4: Categories of Soil Disturbance (National Committee on Soil and Terrain 2009).**

## 9 Predictive Model

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The predictive model for the study area is described within the methodology. Refer to Appendix 3. The Predictive Model is summarised as follows:

For the development of the predictive model, Tocomwall has considered the trends identified by Kohen (1986), White and McDonald (2010), and Attenbrow (2002) as well as the information available from the literature review. Other information considered includes the landscape topography, proximity to water, geology, environment, site disturbance, previous studies from the broader Cumberland Plain, and studies within locality. The prediction for the study area is that it was likely to have been used for open campsites and it is predicted that medium density artefact concentrations and Aboriginal objects would be present in surviving subsurface soil profiles. The archaeological survey and the results of geotechnical investigations indicate that there are no surviving subsurface soil profiles or sediments within the development footprint.

## 10 Research Questions

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Research questions that may be applied to the study area and the development footprint include:

- Can the information shared by the Aboriginal knowledge holders and traditional owners contribute to our understanding of the cultural values of the study area and its importance to Aboriginal people both past and present?
- Do the results of the archaeological investigations align with the predictive model?
- If the results do not align with the predictive model, how can this difference inform us about the how people used the landscape and resources in this part of the Cumberland Plain?
- How can the site and associated tangible and intangible values contribute to our cultural understanding of the place?

## 11 Archaeological Survey

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An archaeological survey was undertaken by Tocomwall archaeologists Will Moon and Dani Mitchell on 12th of August 2020 as a due diligence assessment carried out for School Infrastructure NSW, and another carried out on the 23rd of April 2021 for School Infrastructure NSW as a requirement of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. Two registered Aboriginal knowledge holders, Rodney Gunther from Waawaar Awaara Aboriginal Corporation and Joeleen Smith from Didge Ngunawal Clan Aboriginal Corporation were engaged to participate in the archaeological survey. Details of the archaeological survey are described in the archaeological report in Appendix 4. The results of the survey were that no Aboriginal objects were identified within the development footprint. A search of the AHIMS system also found that there are no recorded Aboriginal sites within the development footprint or within the school grounds. The background research and archaeological survey has determined that the subject area is significantly disturbed and is considered unlikely to retain any of the original culturally bearing soils or Aboriginal objects.

## 12 Aboriginal Community Consultation

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### 12.1 Stage 1 Notification of project proposal and registration of interest

The purpose of the stage 1 notification is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the area of the proposed project.

#### 12.1.1 Identification of relevant Aboriginal stakeholders

An inquiry with the NNTT, determined the project area to be freehold and clear of any native title determinations. In accordance with step 4.1.2 in the Aboriginal cultural heritage consultation requirements for proponents 2010, Tocomwall contacted the following organisations for information on Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the project area:

- Heritage NSW
- Deerubbin Aboriginal Land Council
- The Registrar, *Aboriginal Land Rights Act 1983*
- National Native Title Tribunal
- Native Title Services Corporation (NTSCORP)
- Blacktown City Council

#### 12.1.2 Public notice

In accordance with the consultation guidelines (2010), a notice was placed in the local newspaper:

- Daily Telegraph 25<sup>th</sup> February 2021

The advertisement invited the registration of interest from Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project.

### **12.1.3 Registration of Aboriginal parties**

In accordance with step 4.1.3 of the Aboriginal cultural heritage consultation requirements for proponents 2010, an invitation was sent to the list of Aboriginal organisations and names provided in step 4.1.2, inviting Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or places(s) in the project area, to register an interest (Appendix 2). There were 10 organisations/people that responded:

A copy of the notification from 4.1.3 and a list of names of Aboriginal persons who registered an interest, was sent to Heritage NSW and Deerubbin Local Aboriginal Land Council in accordance with step 4.1.6 of the Aboriginal cultural heritage consultation requirements for proponents 2010 (Appendix 2).

## **12.2 Stage 2 presentation of information about the proposed project**

The purpose of stage 2 of the consultation process is to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.

### **12.2.1 Presentation of Project Information Pack**

Tocomwall provided the information about the project in the project information pack, and the methodology that was sent to all registered parties in accordance with step 4.2 in the Aboriginal cultural heritage consultation requirements for proponents 2010. The information pack included the project details, objectives of the Aboriginal heritage assessment, roles and responsibilities and a project schedule. The information pack can be found in Appendix 3.

### **12.2.2 Stage 3 gathering information about cultural significance**

The purpose of stage 3 is to facilitate a process whereby registered Aboriginal parties can:

- Contribute to culturally appropriate information gathering and the research methodology
- Provide information that will enable the cultural significance of Aboriginal objects and/or places on the proposed project area to be determined
- Have input into the development of any cultural heritage management options

### **12.2.3 Archaeological assessment methodology information pack**

As specified in stage 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010, an ACHA methodology was sent to the registered parties for feedback on the 11<sup>th</sup> of May 2021. Knowledge holders were given 28 days to provide feedback.

### **12.3 Stage 4 review of draft Aboriginal cultural heritage assessment report**

The purpose of stage 4 is to prepare and finalise an Aboriginal cultural heritage assessment report with input from registered Aboriginal parties. A copy of the correspondence is in Appendix 6 and the log of correspondence is in Appendix 1.

## 13 Aboriginal cultural significance assessment

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### 13.1 Introduction to the assessment process

The Burra Charter defines cultural significance as meaning the ‘*aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups (Australia ICOMOS 2013).*’

The assessment process for this study is set out in the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011, and the Aboriginal cultural heritage consultation requirements for proponents 2010.

The NSW Heritage Management System includes three steps that are required for the management of heritage items. These steps include:

Investigate significance

Assess significance

Manage significance (NSW Heritage Office 2004).

The first stage of this ACHA was to investigate significance. This investigation process is defined in the ACHA methodology for the project. The investigations carried out at the study area in accordance with this methodology, includes the review of existing sites information, review of studies carried within the locality, Aboriginal knowledge holder inputs, review of the landscape context and existing models, predictive model, and site survey.

### 13.2 Social or Cultural Value

‘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 (OEH 2011).’

No Aboriginal objects, sites, PAD or places were identified within the study area. The original soils profiles at the site are now considered destroyed and it is unlikely that any cultural objects survive at the study area. The following cultural value was expressed by one of the registered Aboriginal parties following the review of the methodology:

*“KYWG hold cultural knowledge of the whole of Sydney area for over fifty years, we hold a deep spiritual connection to mother earth. We aim the look after her and conserve our land and cultural sites. These sacred sites are highly significant to us Aboriginal people. Aboriginal places, sacred sites, burials, art and objects are being*

*destroyed all over Sydney, it is in our best interest to save these places and treat them with respect.*

*Aboriginal people pass on their knowledge through generation-to-generation, through word of mouth and story. Aboriginal people followed a system of lore and have a kinship way of life; there is men's and woman's business. This way of life was about the land and spiritual connection to the land knowing how to find resources and surviving living a nomadic life style, having an understanding for the land and the wildlife around them.*

*Fire played a big part in the nomadic life style as the flora needs to be burnt to rejuvenate, this was known by the Aboriginal people and was carried out seasonally. The Aboriginal people moved around seasonally and knew the land very well, in fact they could read the land navigating them around, like they used the skies to navigate around and to understand the weather from reading the skies. We Aboriginal people hold a connection to the skies and many of our dreaming stories are told through the stars and constellations along with the land and wildlife.*

*The water ways are of high significance to our people, as they provide a source of fresh water and natural resources. We use water ways for birthing, bathing, stone tool manufacturing and many other activities, without water we would not be here. Aboriginal people would perform ceremonies and dance in hope of rain or water to be flowing regularly. Water ways are used to guide us, marking tribal boundaries, but was shared with all owned by none.*

*In the Aboriginal culture each clan has a totem this was our spirit animal or plant, our totem is the dingo for instance and we must take care of our sacred totem. It was given to us by the lore and we have to follow this kingship. We must not eat our totem this is a way Aboriginal people achieved conservation. We continue to have this deep connection to the flora and fauna, and we continue to care for our mother earth.*

*We Aboriginal people have a beautiful continuing culture, we practice dance, song, ceremonies and sacred men's and women's business. The study area is of high significance to our people it holds a large amount of our history, our cultural heritage. We as the first people of this land have not been heard for too long, something must change.*

*Interpretation of the study area is the next step to a better future an educated future, we now need to promote and highlight Aboriginal culture and heritage as it has not been achieved in the past to its full potential. This can be done in many ways even 3D imagery of the sites that have been identified and or going to be impacted. If this project goes a head more of our sites will be destroyed, it is key to protect and preserve them it is our lore the first peoples lore. These sites are so important to us Aboriginal people it holds our history. Other interpretation ideas are native gardens, art work, digital displays and design within in the development.*

*We Aboriginal people have a spiritual connection to the areas to the land and this needs to be recognised in the interpretation. We are one of the oldest continuing cultures in the world, now that's impressive we must be doing something right. It is important to educate the wider community about our culture and our past history before and after colonisation and assimilation. It is important to acknowledge the wars or battles between the Aboriginal people and the European people and how that has affected us today. We need to recognise all the achievements Aboriginal people have made after colonisation as we continue to thrive and succeed as the minority.*

*The study area is highly significant to us Aboriginal people, we hold a deep connection to the land, the sky, and the waterways. The study area is located in an area where there are water ways such as creeks and drainage area. This is important to us as daily activities would have taken place in and around the study area, the creeks would have been utilized for resources and fresh water" (email from Khan 2021).*

### 13.3 Historic Significance

The Australia ICOMOS Burra Charter 1999 describes Historic Significance: 'A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place, the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.'

No Aboriginal objects, sites, PAD or places were identified within the study area. No records of historically important events have been identified for the subject area, and no historical values have been expressed or communicated during the consultation process.

### 13.4 Aesthetic Significance

The Australia ICOMOS Burra Charter 1999 describes Aesthetic value as including aspects of 'sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with the place and its use.'

The study area has been significantly modified from its original state including the removal of all vegetation associated with early agricultural activity and by the extensive modification of the landscape associated with the construction of the John Palmer Primary School and the associated playing areas. The study area is now considered to be of low aesthetic significance. No specific aesthetic values have been expressed or communicated for the subject area during the consultation process.

### 13.5 Scientific Significance

The Australia ICOMOS Burra Charter 1999 describes scientific significance as follows: *'The scientific value of any given location will depend on the importance of the data that can be obtained from any archaeological material located, on its rarity, quality and on the degree to which this may contribute further substantial information to a scientific research process.'*

The study area is considered to be of low scientific significance. There were no Aboriginal objects, sites, PAD or places identified within the study area. The original soil profiles at the site are now considered destroyed and it is unlikely that any cultural objects survive at the study area.

### 13.6 Educational Significance

The Australia ICOMOS Burra Charter 1999 describes educational significance: *'The educational value of any given location will depend on the importance of any archaeological material located, on its rarity, quality and the contribution this material can have on any educational process.'*

There were no Aboriginal objects, sites, PAD or places identified within the study area and the original soil profiles at the site are now considered destroyed. No tangible values have been identified for the study area and it is considered to be of low educational significance.

### 13.7 Representative significance

The Australia ICOMOS Burra Charter 1999 describes representative significance: *'The representative value of any given location will depend on rarity and quality of any archaeological material located and on the degree to which this representativeness may contribute further substantial information to an educational or scientific research process.'*

The study area is considered to be of low representative significance. There were no Aboriginal objects, sites, PAD or places identified within the study area and the original soil profiles at the site are now considered destroyed. No Representative significance values have been identified as part of this assessment.

### 13.8 Rarity

There were no Aboriginal objects, sites, PAD or places identified within the study area and the original soil profiles at the site are now considered destroyed. No rarity values have been identified as part of this assessment.

### **13.9 Statement of Significance**

The subject area has been assessed as having low significance. The cultural importance of the study area has been expressed by one of the registered Aboriginal parties, refer to section 13.2. These values are expressed as intangible values for the locality and refer to the importance of the spiritual connection to the land, connection to flora and fauna, resources, creeks, lore and ways of life. Whilst the sense of loss expressed in the communication is acknowledged, the values expressed are not associated with tragic or warmly remembered experiences, or periods or events associated with the subject area. The values are expressed in a general sense for the area rather than specific to the subject area or site. The fabric of the subject area has been significantly modified from historical land use resulting from land clearing, farming and urban development associated with the construction of the John Palmer Public School. The original flora and fauna are lost, the creeks and waterways have been modified to address the hydrological engineering requirements associated with the urban development of the area, and the original sediments of the study area have been significantly modified. The study area is no longer considered to have scientific or aesthetic values, and there are no historical values. The study area is no longer considered to have the potential to yield information that would contribute to an understanding of the cultural history or values of the area. There is not strong association of the specific study area for social, cultural, or spiritual reasons.

## **14 Proposed Activity and Impact Assessment**

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The development is described within section 4. A summary of the history of the study area is described in Section 8. The objectives of the development are defined in Section 4.2. The proposed development will be assessed for approval during 2021 and site works are expected to commence in 2021.

### **14.1 Assessing Harm**

The proposed development includes the construction of a new school buildings with all associated services, access and parking. There were no Aboriginal objects, sites, PAD or places identified within the study area and the original soil profiles at the site are now considered destroyed. There is no tangible Aboriginal cultural heritage that has been identified for the study area that would be harmed by the proposed development.

### **14.2 Avoiding harm to Aboriginal heritage**

There is no Aboriginal cultural heritage that has been identified for the study area, and proposed development footprint, that would be harmed by the proposed development.

### 14.3 Management and mitigation of measures

There is no Aboriginal cultural heritage that has been identified for the study area that would be harmed by the proposed development. No management or mitigation measures are considered necessary.

## 15 Recommendations

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These recommendations are provided on the basis of the recognition of the legal requirements and automatic statutory protection provided to Aboriginal 'objects' and 'places' under the terms of the National Parks and Wildlife Act of 1974 (as amended), and as outlined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010).

The recommendations are:

There are no Aboriginal cultural heritage constraints for the proposed development;

If any unanticipated Aboriginal archaeological objects, sites or PAD are identified during the construction program within the impact footprint, works should cease immediately, and notify Heritage NSW;

If any human remains are identified during the earthworks within the impact footprint, works should cease immediately and the Police and NSW Heritage should be contacted;

As part of the Connection with Country process being undertaken for the project, there is an opportunity to integrate some of the intangible cultural significance values expressed by the registered Aboriginal party for the locality. Further consultation with the registered Aboriginal parties is encouraged as part of this process.

## 16 References

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# APPENDIXES

## 17 Appendix 1 – Consultation Log

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### Stage 1 – Notification of Project Proposal and Registration of Interest

Identify Aboriginal people who may have an interest for the proposed project area

Organisation	Date sent	Date received
Heritage NSW	Email 11/2/21	Email 18/2/21
Deerubbin Local Aboriginal Land Council	Email 11/2/21	
Office of the Registrar, <i>Aboriginal Land Rights Act 1983</i>	Email 11/2/21	Email 15/2/21
National Native Title Tribunal	Email 11/2/21	
Native Title Services Corporation Limited	Email 11/2/21	
Blacktown City Council	Email 11/2/21	Email 2/3/21

### Registration of Interest

Organisation	Date sent	Date received
A1 Indigenous Services	26/2/21	
Amanda Hickey Cultural Services	26/2/21	
Aragung Aboriginal Cultural Heritage Site Assessments	26/2/21	12/3/21
B.H. Heritage Consultants	26/2/21	
Badu	26/2/21	
Barking Owl Corporation	26/2/21	
Biamanga	26/2/21	
Bidjawong	26/2/21	
Bilinga	26/2/21	
Butucarbin Aboriginal Corporation	26/2/21	12/3/21

<b>Corroborree</b>	26/2/21	
<b>Callendulla</b>	26/2/21	
<b>Darug Boorooberongal Elders Aboriginal Corporation</b>	26/2/21	
<b>Darug Custodian Aboriginal Corporation</b>	26/2/21	8/3/21
<b>Deerubbin Local Aboriginal Land Council</b>	26/2/21	
<b>Dharug</b>	26/2/21	
<b>Dharug Ngurra</b>	26/2/21	
<b>Didge Ngunawal Clan</b>	26/2/21	26/2/21
<b>DJMD Consultancy</b>	26/2/21	
<b>Freeman &amp; Marx Pty Ltd</b>	26/2/21	26/2/21
<b>Ginninderra Aboriginal Corporation</b>	26/2/21	26/2/21
<b>Goobah</b>	26/2/21	5/3/21
<b>Goodradigbee Cultural &amp; Heritage Aboriginal Corporation</b>	26/2/21	
<b>Gulaga</b>	26/2/21	
<b>Gunyuu</b>	26/2/21	
<b>Jerringong</b>	26/2/21	
<b>Kamilaroi Yankuntjatjara Working Group</b>	26/2/21	2/3/21
<b>Minnamunnung</b>	26/2/21	26/2/21
<b>Munyunga</b>	26/2/21	
<b>Muragadi Heritage Indigenous Corporation</b>	26/2/21	
<b>Murra Bidgee Mullangari Aboriginal Corporation</b>	26/2/21	
<b>Murramarang</b>	26/2/21	
<b>Murrumbul</b>	26/2/21	
<b>Ngambaa Cultural Connections</b>	26/2/21	27/2/21
<b>Nundagurri</b>	26/2/21	

Paul Gale	26/2/21	
Pemulwuy CHTS	26/2/21	
Thauaira	26/2/21	
Thoorga Nura	26/2/21	
Waawaar Awaab Aboriginal Corporation	26/2/21	2/3/21
Wailwan Aboriginal Group	26/2/21	
Walbunja	26/2/21	
Walgalu	26/2/21	
Wingikara	26/2/21	
Yerramurra	26/2/21	
Yulay Cultural Services	26/2/21	2/3/21
Yurrandaali Cultural Services	26/2/21	
Wullung	26/2/21	

## Stage 2 – Presentation of information about the proposed project

Provide registered Aboriginal parties with project information pack

Organisation	Date sent	Date received	Response
Aragung Aboriginal Cultural Heritage Site Assessments	23/4/21		
Butucarbin Aboriginal Corporation	23/4/21		
Darug Custodian Aboriginal Corporation	23/4/21		
Didge Ngunawal Clan	23/4/21		
Freeman & Marx Pty Ltd	23/4/21		
Ginninderra Aboriginal Corporation	23/4/21		
Goobah Developments	23/4/21		

<b>Kamilaroi Yankuntjatjara Working Group</b>	23/4/21	23/4/21	Acknowledged receipt
<b>Minnamunnung</b>	23/4/21		
<b>Ngambaa Cultural Connections</b>	23/4/21	29/4/21	Acknowledged receipt
<b>Waawaar Awaab Aboriginal Corporation</b>	23/4/21		
<b>Yulay Cultural Services</b>	23/4/21	7/5/21	Acknowledged receipt

### Stage 3 – Gathering information about cultural significance

#### Step 1 - Project methodology

<b>Organisation</b>	<b>Date sent</b>	<b>Date received</b>	<b>Response</b>
<b>Aragung Aboriginal Cultural Heritage Site Assessments</b>	11/5/21		
<b>Butucarbin Aboriginal Corporation</b>	11/5/21		
<b>Darug Custodian Aboriginal Corporation</b>	11/5/21		
<b>Didge Ngunawal Clan</b>	11/5/21		
<b>Freeman &amp; Marx Pty Ltd</b>	11/5/21		
<b>Ginninderra Aboriginal Corporation</b>	11/5/21		
<b>Goobah Developments</b>	11/5/21		
<b>Kamilaroi Yankuntjatjara Working Group</b>	11/5/21	24/5/21	Does not agree with methodology. Refer to the review correspondence and responses in Appendix 3.
<b>Minnamunnung</b>	11/5/21		

Ngambaa Cultural Connections	11/5/21	20/5/21	Agree with methodology
Waawaar Awaa Aboriginal Corporation	11/5/21		
Yulay Cultural Services	11/5/21		

#### Stage 4 – Review of draft report

Organisation	Date sent	Date received	Response
Aragung Aboriginal Cultural Heritage Site Assessments			
Butucarbin Aboriginal Corporation			
Darug Custodian Aboriginal Corporation			
Didge Ngunawal Clan			
Freeman & Marx Pty Ltd			
Ginninderra Aboriginal Corporation			
Goobah Developments			
Kamilaroi Yankuntjatjara Working Group	6/8/21	18/8/21	Dear Will,  Thank you for your ACHA for John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. Here at KYWG we hold over 50 years of cultural knowledge, our aspiration is to conserve our cultural heritage and our aim is to pass on cultural knowledge. Aboriginal people have walked this land for tens of thousands of years and continue to do so. We follow the water ways as they provide resource, we hold a deep connection

			<p>with mother earth, and we are guided by the skies. Aboriginal people would camp, hunt, gather, practice lore and followed customs across mother earth, we protect our sacred sites such as men's and woman's sites. Is there interpretation plan in place, some ways to achieve interpretation is through art, native gardens, digital display, app etc.</p> <p>We believe the whole study area is highly significant to us Aboriginal people and for this reason we agree to your recommendations, and we support your ACHA, we look forward to working with you on the project.</p> <p>Kind Regards Kadibulla Khan</p>
<b>Minnamunnung</b>			
<b>Ngambaa Cultural Connections</b>			
<b>Waawaar Awa Aboriginal Corporation</b>			
<b>Yulay Cultural Services</b>			



## 18 Appendix 2 – Correspondence

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**Identify Aboriginal knowledge holders from suitable sources**



**Tocomwall Pty Ltd**

PO Box 76 Caringbah NSW 1495

Tel: 02 9542 7714 Fax: 02 9524 4146

Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)

ABN: 13 137 694 618

**11/2/2021**

**Blacktown City Council**  
62 Flushcombe Rd  
Blacktown NSW 2148

**To whom it may concern**

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA. The assessment is being undertaken on behalf of School Infrastructure Projects NSW, Level 8, George St, Sydney, NSW 2000.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/School Infrastructure Projects is seeking to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at the site and requests the names and contact details of any Aboriginal people to assist the proposed applicant in the preparation of an application or an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510. Please provide the details within 7 days of receipt to [danielle.mitchell@puliya-pang.com.au](mailto:danielle.mitchell@puliya-pang.com.au) or to the Tocomwall postal address shown on this letter. Thank you.

**Yours sincerely,**

*D. Mitchell*

Dani Mitchell  
Archaeologist



**Tocomwall Pty Ltd**

PO Box 76 Caringbah NSW 1495

Tel: 02 9542 7714 Fax: 02 9524 4146

Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)

ABN: 13 137 694 618

**11/2/2021**

**Heritage NSW**

Aboriginal Cultural Heritage Regulation

Locked bag 5020

Parramatta NSW 2124

**To whom it may concern**

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA. The assessment is being undertaken on behalf of School Infrastructure Projects NSW, Level 8, George St, Sydney, NSW 2000.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/School Infrastructure Projects is seeking to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at the site and requests the names and contact details of Aboriginal people to assist the proposed applicant in the preparation of an application for an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510. Please provide the details within 7 days of receipt to [danielle.mitchell@puliya-pang.com.au](mailto:danielle.mitchell@puliya-pang.com.au) or to the Tocomwall postal address shown on this letter. Thank you.

**Yours sincerely,**

*D. Mitchell*

Dani Mitchell  
Archaeologist

*Integrating Landscape Science & Aboriginal Cultural Knowledge for our Sustainable Future*



**Tocomwall Pty Ltd**

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Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)

ABN: 13 137 694 618

**11/2/2021**

**Deerubbin Local Aboriginal Land Council**

3/291-295 High St

Penrith NSW 2750

**To whom it may concern**

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA. The assessment is being undertaken on behalf of School Infrastructure Projects NSW, Level 8, George St, Sydney, NSW 2000.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/School Infrastructure Projects is seeking to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at the site and requests the names and contact details of the Aboriginal people from your organisation to assist the proposed applicant in the preparation of an application for an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510. Please provide the details within 7 days of receipt to [danielle.mitchell@puliypang.com.au](mailto:danielle.mitchell@puliypang.com.au) or to the Tocomwall postal address shown on this letter. Thank you.

Yours sincerely,

*D. Mitchell*

Dani Mitchell  
Archaeologist



**Tocomwall Pty Ltd**  
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Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)  
ABN: 13 137 694 618

11/2/2021

**National Native Title Tribunal**  
GPO Box 9973  
Sydney NSW 2001

**To whom it may concern**

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA. The assessment is being undertaken on behalf of School Infrastructure Projects NSW, Level 8, George St, Sydney, NSW 2000.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/Anthony Charles is seeking a list of registered native title claimants, native title holders and registered Indigenous Land Use Agreements and requests the names and contact details of the Aboriginal people from your organisation to assist the proposed applicant in the preparation of an application for an AHIP. If you require any further information, please do not hesitate to contact me on 04 66 67 6 510. Please provide the details within 7 days of receipt to [danielle.mitchell@puliypang.com.au](mailto:danielle.mitchell@puliypang.com.au) or to the Tocomwall postal address shown on this letter.

Thank you.

Yours sincerely,

*D. Mitchell*

Dani Mitchell  
Archaeologist



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Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)  
ABN: 13 137 694 618

**11/2/2021**

**Native Title Services Corporation Limited**

PO Box 2105  
Strawberry Hills NSW 2012  
Ph: 02 9310 3188

**To whom it may concern**

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA. The assessment is being undertaken on behalf of School Infrastructure Projects NSW, Level 8, George St, Sydney, NSW 2000.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/School Infrastructure Projects is seeking to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at the site and requests the names and contact details of any Native Title Holders to assist the proposed applicant in the preparation of an application for an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510. Please provide the details within 7 days of receipt to [danielle.mitchell@puliya-pang.com.au](mailto:danielle.mitchell@puliya-pang.com.au) or to the Tocomwall postal address shown on this letter. Thank you.

**Yours sincerely,**

*D. Mitchell*

Dani Mitchell  
Archaeologist



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Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)  
ABN: 13 137 694 618

**11/2/2021**

**Office of the Registrar**  
PO Box 5068  
Parramatta NSW 2124

**To whom it may concern**

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA. The assessment is being undertaken on behalf of School Infrastructure Projects NSW, Level 8, George St, Sydney, NSW 2000.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/School Infrastructure Projects is seeking to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at the site and requests the names and contact details of any Registered Aboriginal Owners to assist the proposed applicant in the preparation of an application for an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510.

Please provide the details within 7 days of receipt to [danielle.mitchell@puliypang.com.au](mailto:danielle.mitchell@puliypang.com.au) or to the Tocomwall postal address shown on this letter. Thank you.

**Yours sincerely,**

*D. Mitchell*

Dani Mitchell  
Archaeologist

John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**DM** Danielle Mitchell  
To: Reception@deerubbin.org.au

Reply Reply All Forward ...  
Thu 11/02/2021 1:13 PM

Request for stakeholders  
John Palmer PS\_LALC.pdf  
271 KB

To whom it may concern,

Please find attached a letter requesting relevant Aboriginal knowledge holders for the above project.

Kind regards

**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@quilyapang.com.au](mailto:Danielle.mitchell@quilyapang.com.au)

This email and any attachments are confidential and may be legally privileged (in which case neither is waived nor lost by mistaken delivery). If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any action taken in reliance upon this message is expressly prohibited. If you received this in error, please contact the sender and delete the material from any computer. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of the company.

Please consider the environment before printing this e-mail.

John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**DM** Danielle Mitchell  
To: NTSCORP (information@ntscorp.com.au)

Reply Reply All Forward ...  
Thu 11/02/2021 1:18 PM

Request for stakeholders  
John Palmer PS\_NTSCORP.pdf  
270 KB

To whom it may concern,

Please find attached a letter requesting relevant Aboriginal knowledge holders for the above project.

Kind regards

**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@quilyapang.com.au](mailto:Danielle.mitchell@quilyapang.com.au)

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Please consider the environment before printing this e-mail.

John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**DM** Danielle Mitchell  
To: council@blacktown.nsw.gov.au

Reply Reply All Forward ...  
Thu 11/02/2021 1:19 PM

Request for stakeholders  
John Palmer PS\_Blacktown council.pdf  
268 KB

To whom it may concern,

Please find attached a letter requesting relevant Aboriginal knowledge holders for the above project.

Kind regards





**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@quilyapang.com.au](mailto:Danielle.mitchell@quilyapang.com.au)

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Please consider the environment before printing this e-mail.

John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**Danielle Mitchell**  
To: adminofficer@oralra.nsw.gov.au

 Reply
  Reply All
  Forward
 

Thu 11/02/2021 1:18 PM

Request for stakeholders

 John Palmer\_registrar.pdf  
271 KB

To whom it may concern,

Please find attached a letter requesting relevant Aboriginal land holders for the above project.

Kind regards





**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@pullyapang.com.au](mailto:Danielle.mitchell@pullyapang.com.au)

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John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**Danielle Mitchell**  
To: heritagemailbox@environment.nsw.gov.au

 Reply
  Reply All
  Forward
 

Thu 11/02/2021 1:20 PM

Request for stakeholders

 John Palmer PS\_Heritage.pdf  
270 KB

To whom it may concern,

Please find attached a letter requesting relevant Aboriginal Knowledge holders for the above project.

Kind regards





**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@pullyapang.com.au](mailto:Danielle.mitchell@pullyapang.com.au)

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John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**Danielle Mitchell**  
To: GeospatialSearch@NNTT.gov.au

 Reply
  Reply All
  Forward
 

Thu 11/02/2021 1:19 PM

Request for stakeholders

 Request for Spatial Search of John Palmer PS.docx  
3 MB
  John Palmer PS\_NNTT.pdf  
270 KB

Kind regards

**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@pullyapang.com.au](mailto:Danielle.mitchell@pullyapang.com.au)

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RE: SR21/188 - John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds

**GS** Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>  
To: Danielle Michell

Reply Reply All Forward ...  
Fri 12/02/2021 6:48 PM

See for stakeholders response

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- Native Title Determinations
- Indigenous Land Use Agreements (Registered and notified)

At the time this search was carried out, there were **no relevant entries** in the above databases.

Parcel ID	Feature Area SqKm	Tenure	NNTT file number	Name	Category	Overlap Area SqKm	Percent Selected Feature
1/DP1131340	0.0298	FREEHOLD	No overlap			-	0.00%

For more information about the Tribunal's registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Information on native title claims and freehold land can also be found on the Tribunal's website here: [Native title claims and freehold land](#).

**Please note:** There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

**Search results and the existence of native title**

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

**The Tribunal accepts no liability for reliance placed on enclosed information**

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us on the free call number 1800 640 501.

Regards,

Geospatial Searches

15 February 2021

By email: [danielle.mitchell@pullyapang.com.au](mailto:danielle.mitchell@pullyapang.com.au)

Dani Mitchell  
Tocomwall Pty Ltd  
PO Box 76  
CARINGBAH NSW 1495

Dear Dani,

**Request - Search for Registered Aboriginal Owners**

We refer to your letter dated 01 December 2020 seeking the identification of Aboriginal organisations and people who may have an interest in the proposed John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds, within the Blacktown LGA New South Wales.

Under Section 170 of the Aboriginal Land Rights Act 1983 the Office of the Registrar is required to maintain the Register of Aboriginal Owners (RAO). A search of the RAO has shown that there are currently no Registered Aboriginal Owners in the project area.

We suggest you contact the Deerubbin Local Aboriginal Land Council on (02) 4724 5600 or via email – [KCavanagh@deerubbin.org.au](mailto:KCavanagh@deerubbin.org.au) as they may wish to participate.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Rachel Rewiri".

Rachel Rewiri  
Project Officer  
Office of the Registrar, Aboriginal Land Rights Act 1983

Dani Mitchell  
Tocomwall  
PO Box 76  
CARINGBAH NSW 1495  
[danielle.mitchell@puliypang.com.au](mailto:danielle.mitchell@puliypang.com.au)

**RE: Request for information on Aboriginal stakeholders for an Aboriginal cultural heritage assessment for proposed development for "John Palmer Public School, The Ponds, NSW"**

Dear Dani,

Thank you for your letter of 11 February 2021 about Aboriginal cultural heritage consultation for the proposed development at "John Palmer Public School, The Ponds, NSW", within the Blacktown local government area. I appreciate the opportunity to provide input.

Please find enclosed a list of known Aboriginal parties for the Blacktown 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).

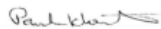
We would also like to take this opportunity to remind the proponent and consultant to:

- 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.

52 Martin Place Sydney ■ GPO Box 5341 Sydney NSW 2001 ■ P: (02) 9228 5555 ■ F: (02) 9228 3935 ■ [dpc.nsw.gov.au](http://dpc.nsw.gov.au)

If you have any questions about this advice, please do not hesitate to contact me via [paul.houston@environment.nsw.gov.au](mailto:paul.houston@environment.nsw.gov.au) or 02 6883 5361.

Yours sincerely



**Paul Houston**  
Aboriginal Heritage Planning Officer  
Aboriginal Cultural Heritage Regulation - Northern  
Heritage NSW  
Department of Premier and Cabinet  
18 February 2021

## Example letter format and email sent to all Aboriginal people who may have an interest for the proposed project area.

John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Danielle Mitchell  
To: Amanda DeZwart

 Reply  Reply All  Forward 

Fri 26/02/2021 2:27 PM

 ECSI sent

 Amanda Hickey.pdf  
304 KB

Dear Amanda,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached a letter requesting registration of interest of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places for the above development location.

Registration should be no later than **March 12 2021**.

Kind regards

**Dani Mitchell | Senior Archaeologist**  
M +61 466 676 510  
E [Danielle.mitchell@poulyapana.com.au](mailto:Danielle.mitchell@poulyapana.com.au)

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PO Box 76 Caringbah NSW 1495  
Tel: 02 9542 7714 Fax: 02 9524 4146  
Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)  
ABN: 13 137 694 618

**26 February 2021**

**Amanda Hickey Cultural Services**  
57 Gough Street  
Emu Plains NSW 2750

**RE: John Palmer Public School, Lot 1 on DP1131340, The Ponds Boulevard, The Ponds, Aboriginal Cultural Heritage Assessment – Identification of interested Aboriginal parties**

Dear Amanda,

The proponent, School Infrastructure Projects NSW, is preparing a Development Application (DA) for a proposed development at John Palmer Public School, at Lot 1 DP1131340, 85 The Ponds Boulevard, The Ponds, within the Blacktown Local Government Area (LGA). As part of the development application process, the proponent is required to complete an Aboriginal Cultural Heritage Investigation in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (OEH 2010) and part 8A of the *National Parks and Wildlife Regulation 2009* in preparation for an AHIP.

Tocomwall Pty Ltd have been engaged by School Infrastructure Projects NSW to undertake community consultation in accordance with OEH's *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. Tocomwall Pty Ltd is requesting the names and contact details of Aboriginal people or organisations that may hold cultural knowledge relevant to determining the significance of Aboriginal Objects and/or Places within the study area. The purpose of community consultation with Aboriginal people is to assist the proposed applicant in the preparation of an application for an AHIP and to assist the Director General of DECCW in his or her consideration and determination of the application.

In accordance with the consultation requirements, please note that the client contact for this project is:

Mathew Wood – Senior Project Officer  
Infrastructure Delivery  
School Infrastructure Projects NSW  
GPO Box 33  
Sydney NSW 2001  
Mob: 0400 001 248  
[Mathew.wood7@det.nsw.edu.au](mailto:Mathew.wood7@det.nsw.edu.au)

*Integrating Landscape Science & Aboriginal Cultural Knowledge for our Sustainable Future*



**Tocomwall Pty Ltd**  
PO Box 76 Caringbah NSW 1495  
Tel: 02 9542 7714 Fax: 02 9524 4146  
Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)  
ABN: 13 137 694 618

Interested Aboriginal people or organisations having cultural knowledge relating to this area are invited to register their interest in writing to:

Tocomwall Pty Ltd  
PO Box 76  
Caringbah NSW 1495  
[info@tocomwall.com.au](mailto:info@tocomwall.com.au)

Please note under the consultation requirements your details will be forwarded to Heritage NSW and Deerubbin Local Aboriginal Land Council (LALC) upon receipt of your registration of interest. If you do not wish to have your details forwarded on, please notify Tocomwall when registering your interest in the proposed project. Please note that under OEH guidelines, registration for consultation does not include employment in field activities or site monitoring.

Please forward your response by **COB March 12<sup>th</sup>, 2021**.

Yours sincerely,


*D. Mitchell*

Dani Mitchell  
Archaeologist  
Mob: 04 66 676 510

## Advertisement placed in the local Newspaper

**buy search sell**  
.com.au

EXPRESSION OF INTEREST



Lot 1 DP1131340, 85 The Ponds Boulevard, The Ponds 2769

Aboriginal cultural heritage consultation requirements for proponents 2010


Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW on behalf of the proponent Schools Infrastructure NSW, Level 8, 259 George St, Sydney, NSW 2000, for a proposed development at Lot 1 DP1131340, 85 The Ponds Boulevard, The Ponds, within the Blacktown LGA. Tocomwall Pty Ltd invites registration of interest from Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project, that may be subject to an application for an AHIP, to register an interest in a process of community consultation with the applicant.

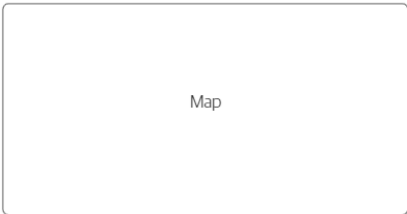
Aboriginal people registering an interest in the community consultation process will have their details forwarded to Heritage NSW, and the Deerubbin LALC unless they specify that they do not want their details released.

Please register your interest in the project by the closing date of 12th of March 2021.

Registrations should be sent to:

William Moon  
Tocomwall Pty Ltd  
PO Box 76  
Caringbah NSW 1495  
Email: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)


 **The Ponds NSW, Australia**



Map

## Registration of Interest from Aboriginal Knowledge Holders

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Clive Freeman <clive.freeman@y7mail.com>  
To: Danielle Mitchell

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Fri 26/02/2021 3:16 PM

[registered interest](#)

Hi team,

We at Freeman&max PtyLtd would like to register our interest in the project. We have 6 trained and qualified sites officers 3 male and 3 female.


We have current insurance and will provide a copy of you would like it.

Kind regards

Clive

Managing Director  
Freeman&max PtyLtd

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Ginninderra Aboriginal Corporation <ginninderra.corp@gmail.com>  
To: Danielle Mitchell

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Fri 26/02/2021 4:33 PM

[registered interest](#)

Hi Danielle,

Thank you for your email.

Please register Ginninderra Aboriginal Corporation for the above mentioned project. We have several site officers with connections to the area, and as such would like to be involved in all aspects of the project.

All of our site officers have their white cards/insurances, and have extensive experience in surveys, excavations, sieving and recording of archaeological information.

We prefer to be contacted by email on [ginninderra.corp@gmail.com](mailto:ginninderra.corp@gmail.com). The postal address for Ginninderra AC is Po [box 3143 Grose Vale NSW 2753](#).

I myself will be the contact, and my mobile number is [0451016224](tel:0451016224).

Sorry it's a tad late, I've been home with my little one who was sick. Hoping we can still be included.

Please let me know if there is anything else you require.

Krystle :)

Kind regards,

Krystle Carroll-Elliott  
Ginninderra Aboriginal Corporation  
M: [0451016224](tel:0451016224)  
E: [ginninderra.corp@gmail.com](mailto:ginninderra.corp@gmail.com)

We acknowledge the Traditional Owners of Country throughout Australia and recognise their connection to land, water, and community. We pay our respects to them, their cultures, and to Elders past and present.

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 lilly carroll <didgengunawaiclan@yahoo.com.au>  
To: Danielle Mitchell

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Fri 26/02/2021 5:02 PM

[registered interest](#)

Hi Danielle

DNC would like to register an interest into John Palmer public school

Kind regards

Paul Boyd & Lilly Carroll  
Directors DNC  
0426823944

[Sent from Yahoo Mail for iPhone](#)

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Aaron Broad <djirrawidch@gmail.com>  
To: Danielle Mitchell


[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Fri 26/02/2021 5:57 PM

[registered interest](#)

Aaron Broad Minnamunnung would like to register an expression of interest for the John Palmer public school project. if you wish to speak to me regarding this project or discuss further talks pls contact me on the following private contact number on 0402526888  
thank u kindly have a good day Aaron Broad MINNAMUNNUNG




Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Kaarina Slater <Ngambaaculturalconnections@hotmail.com>  
To: Danielle Mitchell

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Sat 27/02/2021 12:39 AM

Hi Danielle  
Hope all is well.  
Ngambaa Cultural Connection would like to register an interest for the above project.  
Experienced indigenous site officer & current insurances.  
Cheers  
Kaarina Slater  
Manager  
0422 729 117

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Rodney Gunther <waawaar.awaa@gmail.com>  
To: Danielle Mitchell

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Tue 2/03/2021 11:13 AM

[registered interest](#)  
[Workers Insurance Certificate of Currency 2022 \(1\).pdf](#) 28 KB  
[Certificate of Currency.pdf](#) 10 KB

Hi Danielle,  
Please register Waawaar Awa Aboriginal Corporation for the proposed Aboriginal Cultural Heritage Assessment (ACHA) for the proposed development at John Palmer Public School, at Lot 1 DP1131340, 85 The Ponds Boulevard, The Ponds.  
Waawaar Awa Aboriginal Corporation is a local organisation situated in South Western Sydney.  
Waawaar Awa Aboriginal Corporation site officers are young and fit and have the skills, relevant experience to undertake any archaeological fieldwork.  
Waawaar Awa Aboriginal Corporation has the necessary certificates of currency (attached).  
Best form of contact for reports is by email and also can ring the mobile.  
Looking forward to working with you.  
regards  
Rodney Gunther  
0410 580 962

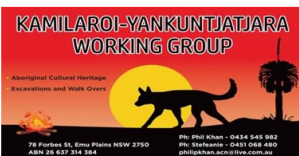
RE: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 philip khan <philipkhan.acn@live.com.au>  
To: Danielle Mitchell


[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Tue 2/03/2021 3:25 PM

[registered interest](#)  
[Public Liability Kamilaroi 2021 to 2022.pdf](#) 154 KB  
[ICARE workers comp. insurance Kamilaroi Yankuntjatjara Working Group 2021.pdf](#) 28 KB

Hi Danielle,  
Thank you for informing us that Tocomwall will be involved in an Aboriginal Cultural Heritage Assessment at John Palmer Public School, Lot 1 DP1131340, 85 The Ponds Blvd The Ponds &, that you are inviting Aboriginal organisations to register, if they wish to be involved in the community consultation process.  
As a senior Aboriginal person for the past 40yrs, I actively participate in the protection of the Aboriginal Cultural Heritage throughout the Sydney Basin, & particularly throughout Western Sydney, on behalf of Kamilaroi Yankuntjatjara Working Group I wish to provide to you my organisation's registration of interest.  
I wish to be involved & participate in all levels of consultation/project involvement. I wish to attend all meetings, participate in available field work & receive a copy of the report.  
I have attached a copy of Kamilaroi Yankuntjatjara Working group's Public Liability Insurance & Workers Compensation certificate.  
Our Rates - \$100 per hour, \$400 half day & \$800 full day (Exc. GST)  
Our RAPS have up to 15yrs Cultural Heritage experience in - field work which involves manual excavation (digging), sieving, identifying artefacts, setting up transits, setting up equipment, packing equipment, site surveys & attending meetings.  
Should you wish me to provide further information, please do not hesitate to contact me on 0434545982 or Stefanie on 0451068480.  
Kind Regards  
Phil Khan



Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

 Arika Jalomaki <yulayculturalservices@gmail.com>  
To: Danielle Mitchell; Info

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
Tue 2/03/2021 8:54 PM

Dear Danielle,  
Yulay Cultural service's would like to register our interest in the above project and be involved in all the aspects of the project.  
Kind regards,  
Arika Jalomaki  
0481 251 385



Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest



Goobah <goobahchts@gmail.com>  
To: Danielle Mitchell; Info

[← Reply](#) [↶ Reply All](#) [→ Forward](#) [⋮](#)  
Fri 5/03/2021 12:45 PM

**registered interest**

[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Please accept my registration of interest with the following project, John Palmer Public School, at Lot 1 DP1131340, 85 The Ponds Boulevard, The Ponds, within the Blacktown Local Government Area and wish to be kept informed on any further developments.

**DARUG CUSTODIAN**   
ABORIGINAL CORPORATION

DARUG CUSTODIAN  
ABORIGINAL  
CORPORATION

PO BOX 81 WINDSOR 2756  
PHONE: 0245775181 FAX: 0245775098  
MOBILE: 0414962766 Justine Coplin  
EMAIL: justinecoplin@optusnet.com.au

---

**Attention** Tocomwall

**Date:** 080321

**Subject:** John Palmer Public School, Lot 1 on DP1131340, The Ponds Boulevard, The Ponds

Dear Dani

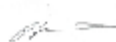
Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug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

The Ponds area is an area that our group has a vast knowledge of, we have worked and lived in for many years, this area is significant to the Darug people due to the connection of sites and the continued occupation. Our group has been involved in all previous assessments and works in this area as a traditional owner Darug group for the past 40 plus years.

Therefore we would like to register our interest for full consultation and involvement in the above project area.

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

Regards



Justine Coplin

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

James Eastwood <james.eastwood@y7mail.com>  
To: Danielle Mitchell

Reply Reply All Forward   
Fri 12/03/2021 10:51 AM

registered interest



Dear Dani

Thank you for your email invitation to register for **RE: John Palmer School , Lot DP1131340 The Ponds Boulevard Aboriginal Cultural Heritage Assessment**. Aragung Wishes to inform you of identification to register a interest towards the above mention assessment.

Kind regards

Aragung

Co/ Jamie Eastwood

On Friday, 26 February 2021, 02:28:58 pm AEDT, Danielle Mitchell <danielle.mitchell@pullyapang.com.au> wrote:

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds - Expression of Interest

Butucarbin Heritage <butuheritage@gmail.com>  
To: Danielle Mitchell

Reply Reply All Forward   
Fri 12/03/2021 5:41 PM

registered interest

Hi Danielle,

On behalf of Butucarbin, I would like to register for the project in relation to John Palmer PS.

Kind regards,

## Registered Aboriginal Stakeholder Details Sent to DLALC and NSW Heritage

John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds Aboriginal Cultural Heritage Assessment - List of registered parties

Danielle Mitchell  
To: Reception@deerubbin.org.au

Reply Reply All Forward   
Tue 23/03/2021 4:55 PM

Registered parties\_John Palmer PS\_LALC.pdf  
1 MB

To whom it may concern,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached a list of registered Aboriginal parties for the development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds.

Kind regards

**Dani Mitchell | Senior Archaeologist**

M +61 466 676 510

E [Danielle.mitchell@pullyapang.com.au](mailto:Danielle.mitchell@pullyapang.com.au) | Level 2, 2 Burbank Place, Norwest NSW 2153

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John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds Aboriginal Cultural Heritage Assessment - List of registered parties

Danielle Mitchell  
To: heritageinbox@environment.nsw.gov.au

Reply Reply All Forward   
Tue 23/03/2021 4:55 PM

Registered parties\_John Palmer PS\_Heritage.pdf  
1 MB

To whom it may concern,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached a list of registered Aboriginal parties for the development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds.

Kind regards

**Dani Mitchell | Senior Archaeologist**

M +61 466 676 510

E [Danielle.mitchell@pullyapang.com.au](mailto:Danielle.mitchell@pullyapang.com.au) | Level 2, 2 Burbank Place, Norwest NSW 2153

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## 19 Appendix 3 – Information Pack, Methodology and Review Correspondence

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### Information Pack



**Tocomwall Pty Ltd**

PO Box 76 Caringbah NSW 1495

Tel: 02 9542 7714 Fax: 02 9524 4146

Email: [info@tocomwall.com.au](mailto:info@tocomwall.com.au) [www.tocomwall.com.au](http://www.tocomwall.com.au)

ABN: 13 137 694 618

**23/04/2021**

Dear Knowledge Holder,

**RE: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds Aboriginal Cultural Heritage Assessment – Project Information**

Thank you for your registering your interest in this project. In this letter, you will be presented with the project information for the proposed development at Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. This information has been provided in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010).

If you have any queries regarding the project or the information in this letter, please don't hesitate to contact us.

Yours sincerely,

*D. Mitchell*

Dani Mitchell

Archaeologist  
0466 676 510



## Project information

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. The aim of this document is to provide registered Aboriginal parties with information about the proposed project and the scope of the Aboriginal archaeology and cultural heritage investigations and assessment.

SI NSW have requested Pedavoli Architects to prepare three options for the John Palmer Public School to deliver an increase in student accommodation, remove demountable buildings and upgrade facilities to a Core 35 school to accommodate 1000 to 1200 students (Pedavoli Architects 2020). Figure 3 shows the proposed development footprint.

The objectives defined in the masterplan for the site include upgrading the space of teaching accommodation and core facilities to (Pedavoli Architects 2020):

- Increase student enrolment capacity.
- Increase school capacity from current 18 Permanent Learning Spaces (PLS) to a minimum of 38 PLS including 3 new support units.
- Remove all (20) DLS (Demountable Learning Spaces)
- Allow for the design to be suitable for growth/extension if required for future enrolments.

Tocomwall Pty Ltd have been engaged by School Infrastructure Projects NSW to undertake an Aboriginal Cultural Heritage Assessment in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010*. Consultation with the Aboriginal community will follow the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. The purpose of the consultation will be to provide enough information for the assessment of Aboriginal cultural heritage values to complete the Aboriginal Cultural Heritage Assessment (ACHA). This will assist in the event an application for an AHIP is required, and will assist the Department of Planning, Industry and Environment (DPIE) in consideration and determination of the application.

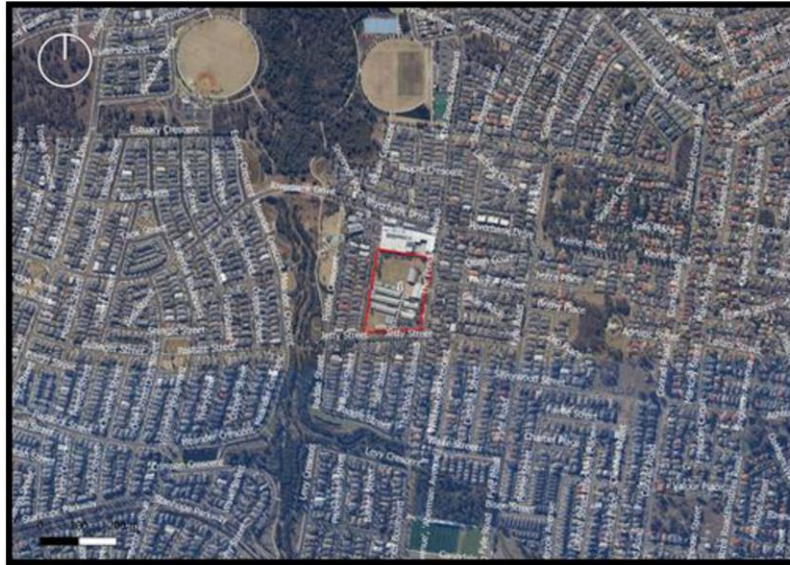


Figure 1: Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors.

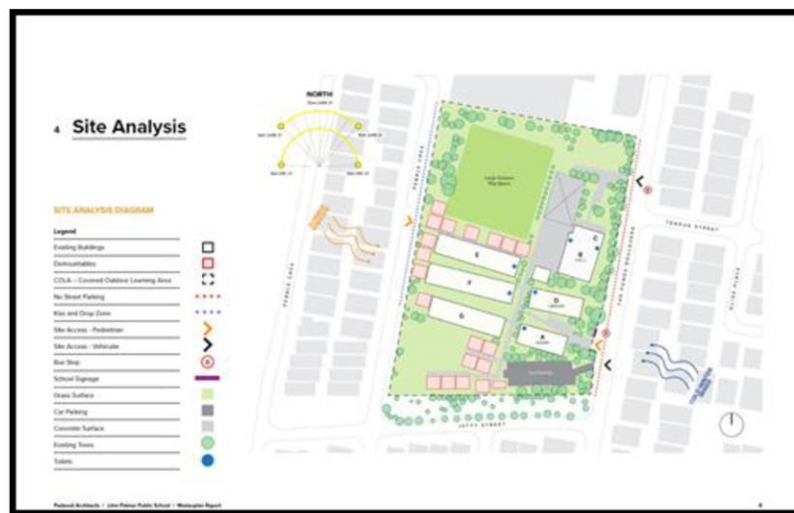


Figure 2: Existing site layout for John Palmer Public School. Source: Master Plan Report, Pedavoli Architects.



Figure 3: Plan showing the location of the proposed development in blue (Source: Master Plan Report 2020, Pedavoli Architects).



Figure 4: Proposed development option A (Source: Master Plan Report 2020, Pedavoli Architects).

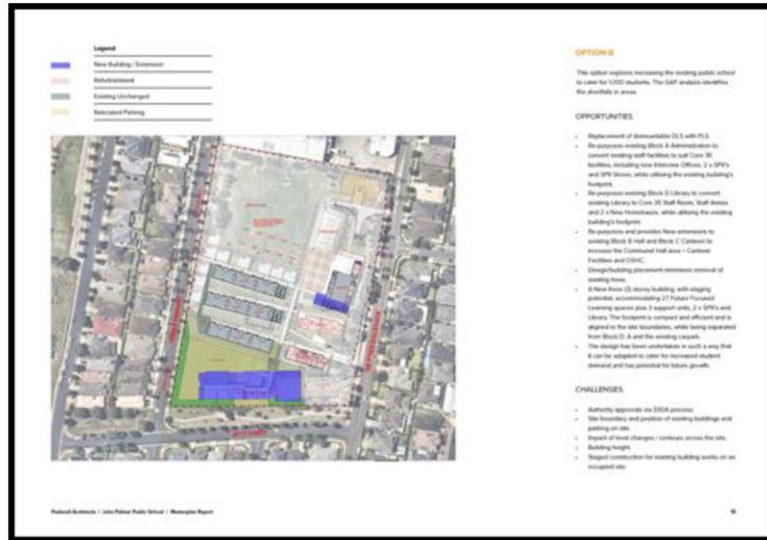


Figure 5: Proposed development option B (Source: Master Plan Report 2020, Pedavoli Architects).



Figure 6: Proposed development option C (Source: Master Plan Report 2020, Pedavoli Architects).

## Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

- Implement the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* with the objective of identifying and engaging Aboriginal knowledge holders for the study area.
- Review previous archaeological studies undertaken in the vicinity.
- Conduct an AHIMS search, large enough to allow adequate landscape interpretation and adequate understanding of the distribution of the sites within the landscape.
- Review the landscape context to help inform the predictive model.
- Summarise and discuss the local and regional character of Aboriginal land use and its material traces.
- Predict the nature and extent of archaeological evidence at the site.
- Undertake an archaeological survey and record the presence and extent of Aboriginal objects that are present in the study area.
- Involve the Aboriginal knowledge holders in the cultural heritage assessment process, including consultation to determine their opinions with respect to the project and its potential 'harm' to their cultural heritage and measures to protect their cultural heritage.
- Determine if there is a need to extend the investigation to undertake test excavations.
- Determine the nature and extent of the impacts of the proposed development upon the Aboriginal cultural heritage of the study area.
- Make recommendations for the protection of Aboriginal cultural heritage at the study area.



Figure 7: AHIMS search results

## Consultation with the Aboriginal community

Consultation allows the opportunity for the Aboriginal community to participate in the management of their cultural heritage by providing valuable information regarding cultural significance at or near to the project location.

The process also allows the opportunity for the Aboriginal community to express ideas and/or concerns regarding the projects impact on cultural heritage and future management of Aboriginal objects if needed.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements (DECCW 2010) which includes:

**4.1.2.** *Requesting the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the proposed study area. A letter was sent to the following:*

- Heritage NSW
- Deerubbin Local Aboriginal Land Council (LALC)
- Office of the Registrar, Aboriginal Land Rights Act 1983
- National Native Title Tribunal (NNTT)
- Native Title Services Corporation Limited (NTSCORP Limited)
- Blacktown Council

**4.1.3.** *Write to the people whose names were obtained in step 4.1.2, requesting a registration of interest to those who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project. Include an overview of the project, the name and contact details of the proponent and a statement of the purpose of community consultation.*

Registrations of interest closed **on March 12<sup>th</sup>, 2021**. A list of Aboriginal people or groups who registered an interest in the project has been compiled and forwarded to the Heritage NSW and Deerubbin Local Aboriginal Land Council by Tocomwall within 28 days of the close of registrations.

## Roles and responsibilities

Tocomwall Pty Ltd will manage the Aboriginal Cultural Heritage Assessment. The assessment will be undertaken and managed by Senior Archaeologists, William Moon 0419 399 230, and Danielle Mitchell 0466 676 510. Any enquires regarding the projected should be directed to either William or Danielle.

The roles and responsibilities outline below, are in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010):

### Registered Aboriginal parties

The interests and obligations of Aboriginal people relate to the protection of Aboriginal cultural heritage.

- Display a meaningful appreciation, understanding and respect for the belief system, spiritual connection and sense of belonging that Aboriginal people have to their land,

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- people and environment, which includes plants, animals, waterways, sacred sites and other places of cultural significance and importance.
- Uphold and respect the traditional rights, obligations and responsibilities of Aboriginal people who hold cultural knowledge in accordance with traditional lore and custom, particularly as these relate to the cultural business of men and women .
  - Encourage active participation of culturally experienced and appropriate Aboriginal people who hold cultural knowledge in the consultation process.
  - Encourage opportunities for the effective transfer of cultural knowledge from older to younger generations in accordance with traditional lore and custom through the consultation process
  - Have an awareness and understanding of how colonisation has impacted the Aboriginal people of Australia.
  - Have an understanding and respect for the lore and customs, cultural practices, responsibilities and obligations that Aboriginal people have toward the continued care and conservation of Aboriginal objects and places.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report, unless otherwise requested due to sensitivity.

#### **Proponents**

- Bring the registered Aboriginal parties or their nominated representatives together and be responsible for ensuring appropriate administration and management of the consultation process.
- Consider the cultural perspectives, views, knowledge and advice of the registered Aboriginal parties involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal object(s) and/or place(s).
- Provide evidence to DECCW of consultation by including information relevant to the cultural perspectives, views, knowledge and advice provided by the registered Aboriginal parties
- Accurately record and clearly articulate all consultation findings in the final cultural heritage assessment report.
- Provide copies of their cultural heritage assessment report to the registered Aboriginal parties who have been consulted.
- Submit an application to DECCW for an AHIP in a timely manner and with all required information.

#### **Field survey**

An Aboriginal field survey of the project area will be conducted in accordance with requirement 5 in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010*. The purpose of the survey is to record any material traces and evidence that are visible on the ground surface, exposed in sections or visible as features. The survey also helps to identify the level of disturbance to the area which will help determine the likelihood of material traces or evidence of Aboriginal land use being present below the ground surface.

Registered sites identified by an AHIMS search that are within or near the project area will be inspected to determine their current condition and the likelihood of the site being impacted by the proposed works. Any

Aboriginal objects, including those previously registered on AHIMS are to be recorded. New sites are to be recorded using the appropriate AHIMS Feature Recording Form.

## Reporting

A draft report will be prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010* and will include:

- A description of the development proposal, outlining activities that have the potential to harm Aboriginal objects.
- A summary of previous archaeological work to provide a context and baseline for known Aboriginal cultural heritage in the project area.
- A review of the landscape context to predict the ways in which the land may have been used by Aboriginal people in the past and the likeliness of material traces.
- A summary discussing the local and regional character of Aboriginal land use and material traces, based on information provided above.
- A predictive model of archaeological potential in the project area.
- A description on how the archaeological survey and test excavation (if relevant) was conducted and recorded.
- The results of the field survey and/or test excavation.
- Analysis and discussion of the results.
- The identification of archaeological values and significance reflecting best practice assessment processes as outlined in the Burra Charter.
- An impact assessment to evaluate the potential archaeological impacts of the project.
- Management and mitigation measures to look at options at managing the impacts.
- Recommendations for the conservation of archaeological values.

Registered Aboriginal parties will be provided with the draft report for comment and provided 28 days for review.

## Project schedule

Action	Date	Status	Notes
Commencement of Aboriginal Consultation	11/2/21	Complete	Request for names of Aboriginal people or groups who may hold cultural knowledge sent 11 <sup>th</sup> February 2021.
Expressions of interest and newspaper advertisement	26/2/21	Complete	Expression of interest sent to identified Aboriginal parties by email 26 February 2021; post 26 February 2021. Advertised in the Blacktown Advocate 25 February 2021.
Aboriginal Stakeholder Registration period	12/3/21	Complete	Registration period ended 12 <sup>th</sup> March 2021.
Send Project Package	21/4/21	Complete	
Send Proposed Methodology for the Aboriginal Cultural Heritage Assessment	TBC	Pending	

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Review of draft report	TBC	Pending	
Final report	TBC	Pending	

#### References

Department of Environment, Climate Change and Water. 2010a. *Code of practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010*. NSW Department of Environment, Climate Change and Water, Sydney NSW.

Department of Environment, Climate Change and Water. 2010b. *Aboriginal cultural heritage consultation requirements for proponents 2010*. NSW Department of Environment, Climate Change and Water, Sydney NSW.



## **Methodology**



**Tocomwall Pty Ltd**

PO Box 145 Miranda NSW 1490

Tel: 02 9542 7714 Fax: 02 9524 4146

E: [info@tocomwall.com.au](mailto:info@tocomwall.com.au)

[www.tocomwall.com.au](http://www.tocomwall.com.au)

ABN: 13 137 694 618

## **ABORIGINAL ARCHAEOLOGICAL ASSESSMENT METHODOLOGY**

### **Proposed Development at John Palmer Public School**

<b>Company</b>	Jacobs on behalf of School Infrastructure NSW
<b>Contact</b>	Nick Marcovich
<b>Date</b>	29/04/2021



Project Name	Proposed Development John Palmer Public School
Client Name	Nick Marcovich (Jacobs) on behalf of the proponent School Infrastructure NSW
Recipient	Registered Aboriginal Parties
Status	Final 1.0
Issue Date	29/04/2021
Prepared by	Will Moon
Approved by	Scott Franks



### **Executive Summary**

The proponent, School Infrastructure NSW is preparing a development application for the development for increased student accommodation and the removal of temporary demountable buildings at John Palmer Public School. The proposed development is located at The Ponds Boulevard, The Ponds, NSW 2769. Tocomwall Pty Ltd has been requested to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to support the development application. This document describes the proposed methodology for undertaking archaeological investigations at the site in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

## Contents

Table of figures.....	5
<b>1 Introduction .....</b>	<b>6</b>
1.1 Background and Scope.....	6
1.2 Authorship and Acknowledgements.....	6
1.3 Statutory Heritage Contexts and Controls.....	6
1.3.1 <i>National Parks and Wildlife Act 1974</i> .....	6
1.3.2 <i>Environmental Planning and Assessment Act 1979</i> .....	7
1.3.3 <i>Native Title Act 1993</i> .....	7
1.3.4 <i>Reporting Standards and Guidelines</i> .....	7
<b>2 Methodology.....</b>	<b>8</b>
3.1 Location and Proposed Development .....	12
3.2 Proposed works.....	13
3.3 The Environmental Context.....	16
3.3.1 <i>The Environment of the Cumberland Plain</i> .....	16
3.3.2 <i>Geology</i> .....	17
3.3.3 <i>Soil</i> .....	17
3.4 The Archaeological Context.....	18
3.4.1 <i>Previous Archaeological Assessments</i> .....	20
3.4.2 <i>AHIMS Search</i> .....	26
3.5 Historical Land Use .....	31
3.6 Site Disturbance.....	35
<b>4 Archaeological Survey.....</b>	<b>38</b>
<b>5 Predictive Model .....</b>	<b>40</b>
5.1 Stream Order, Topography and Artefact Concentrations .....	41
5.2 Economic Zones.....	42
5.3 Scarred Trees.....	42
5.4 Rock Shelters .....	42
5.5 Grinding Grooves .....	42
5.6 Stone Raw Material Quarries and Source Locations .....	42
5.7 Ceremonial Grounds .....	43
5.8 Predictive Model Summary.....	43
<b>6 Research Questions .....</b>	<b>43</b>
<b>7 Archaeological Investigation Methodology .....</b>	<b>43</b>
7.1 Determining the Archaeological Potential.....	43
7.2 The Need for Further Investigation.....	44
7.3 Cultural Values.....	44
<b>8 References .....</b>	<b>45</b>

**Table of figures**

Figure 1: ACHA Methodology ..... 11

Figure 2: Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors. .... 12

Figure 3: Existing site layout for John Palmer Public School. .... 13

Figure 4: Plan showing the location of the proposed development in blue (Source: Master Plan Report 2020, Pedavoli Architects). .... 14

Figure 5: Proposed development option A (Source: Master Plan Report 2020, Pedavoli Architects).. 14

Figure 6: Proposed development option B (Source: Master Plan Report 2020, Pedavoli Architects).. 15

Figure 7: Proposed development option C (Source: Master Plan Report 2020, Pedavoli Architects). 15

Figure 8: Geology Map for the John Palmer Public School. Rwa represents Dark-grey to black claystone-siltstone and fine sandstone-siltstone laminate (Clark and Jones 1991). .... 17

Figure 9: Soil landscape map showing location of the John Palmer Public School within the Blacktown Soils landscape (Bannerman and Hazelton 1990). .... 18

Figure 10: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. John Palmer Public School is shown in green at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government. 31

Figure 11: Application 22639 referred to from 23772 and 23787 showing the transfer of land from John Palmer through to the Pearce Family (Source Land Services NSW). .... 32

Figure 12: John Palmer, R.N. – portrait (Source Mitchell Library, State Library of New South Wales). .... 33

Figure 13: Early Parish map of Gidley showing the location of the John Palmer Public School on the original John Palmer Grant (Source NSW LRS HLRV Parish of Gidley). .... 34

Figure 14: 2005 Aerial image of the John Palmer Public School site. © Department of Customer Service, NSW Government. .... 35

Figure 15: Looking north east across the proposed development zone at the south west corner of the study area. .... 36

Figure 16: Looking east over the area of proposed development at the northeast corner of the study area. .... 36

Figure 17: Image showing borehole locations in the area of the development footprint (Douglas Partners 2020). .... 37

Figure 18: Hatched area showing where the archaeological survey was undertaken during the due diligence assessment 12th of August 2020. .... 39

Figure 19: Hatched area showing where the archaeological survey was undertaken on the 23<sup>rd</sup> of April 2021 covering the development footprint. .... 39

Figure 20: 1955 aerial image showing the location of the Second Ponds Creek relative to the study area. © Department of Customer Service, NSW Government. .... 41

## 1 Introduction

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### 1.1 Background and Scope

Tocomwall Pty Ltd have been engaged by School Infrastructure NSW (SINSW) to undertake an Aboriginal Cultural Heritage Assessment in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 at the proposed site of the new development at John Palmer Public School. This methodology has been prepared in accordance with the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, 2010.

### 1.2 Authorship and Acknowledgements

This methodology has been prepared by Will Moon MA Archaeology and Heritage Management, GCPJM, Dip PJM with the assistance of Dani Mitchell, BSc, Grad Dip Archaeology and Heritage Management.

### 1.3 Statutory Heritage Contexts and Controls

Two primary pieces of legislation provide automatic statutory protection for Aboriginal heritage and the requirements for its management in New South Wales.

These are:

- The *National Parks and Wildlife Act 1974* (NPW Act); and
- The *Environmental Planning and Assessment Act 1979*.

#### 1.3.1 *National Parks and Wildlife Act 1974*

The primary legislation for the protection of Aboriginal culture and heritage in NSW is the *NPW Act*. One of the key objectives stated in the *NPW Act* is:

*'..... the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to: (i) places, objects and features of significance to Aboriginal people.... [s.2A (1) (6)].'*

The *NPW Act* defines Aboriginal Heritage as comprising 'Aboriginal objects' and 'Aboriginal Places'. Aboriginal heritage is defined as:

- An object under the NPW Act is defined as 'any deposit, or object or material evidence relating to the Aboriginal habitation of the area' (Section 5 of the NPW Act); and
- An Aboriginal Place is defined as 'a place that is or was of special significance with respect to Aboriginal culture' (Section 84 of the NPW Act).

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declared Aboriginal Places by establishing offences of harm. Harm is defined as ‘..destroying, defacing or damaging an Aboriginal object or place, or moving an object from the land.’ There are fines associated with causing harm to an Aboriginal object. However, there are exemptions for causing harm, for example the preparation of an Aboriginal Heritage Impact Permit (AHIP).

The Department of Planning, Industry and Environment (DPIE) is the current government agency with responsibility for the protection and management of Aboriginal archaeological sites and cultural heritage values and the statutory administration of the NPW Act.

### **1.3.2 Environmental Planning and Assessment Act 1979**

The *Environmental Planning and Assessment Act 1979* (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW through *State Environmental Planning Policies* (SEPPs), *Regional Environmental Plans* (REPs) and *Local Environmental Plans* (LEPs).

The EPA Act also establishes the framework for Aboriginal heritage values to be formally assessed in land use planning and development consent processes. The requirements for the project are defined in the Planning Secretary’s Environmental Assessment requirements.

### **1.3.3 Native Title Act 1993**

The Native Title Act 1993 provides the legal framework to recognition and protection of native title. It includes the recognition of the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people. Under the Native Title Act, native title claimants can make an application to the Federal Court to have their native title recognised by Australian law.

As part of the consultation process for the project it was confirmed that there are no registered native title claimants for the study area.

### **1.3.4 Reporting Standards and Guidelines**

This report has been prepared in accordance with the following heritage recording, assessment and reporting guidelines and standards that are endorsed by the OEH:

- Australia ICOMOS. 2013. The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance. Australia ICOMOS Inc.<sup>1</sup>
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010a. Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. DECCW. Sydney.

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<sup>1</sup> The Burra Charter establishes nationally accepted principles for the conservation of places of cultural significance.

- NSW Department of Environment, Climate Change & Water. (DECCW) 2010b (September). Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. 2010c Aboriginal cultural heritage consultation requirements for proponents 2010.
- DECCW. 2011 Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.

#### 1.4 Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

- Implement the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 with the objective of identifying and engaging Aboriginal knowledge holders for the study area.
- Review previous archaeological studies undertaken in the vicinity.
- Review the landscape context to help inform the predictive model.
- Summarise and discuss the local and regional character of Aboriginal land use and its material traces.
- Predict the nature and extent of archaeological evidence at the site.
- Undertake an archaeological survey and record the presence and extent of Aboriginal objects that are present in the study area.
- Involve the Aboriginal knowledge holders in the cultural heritage assessment process, including consultation to determine their opinions with respect to the project and its potential 'harm' to their cultural heritage and measures to protect their cultural heritage.
- Determine if there is a need to extend the investigation to undertake test excavations.
- Determine the nature and extent of the impacts of the proposed development upon the Aboriginal cultural heritage of the study area.
- Make recommendations for the protection of Aboriginal cultural heritage at the study area.

## 2 Methodology

---

The following defines the proposed methodology for the Aboriginal Cultural Heritage Assessment (ACHA). The ACHA will be carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, Aboriginal cultural heritage consultation requirements for proponents 2010, the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 and Applying for an Aboriginal Heritage Impact Permit: Guide for applicants 2011. The methodology is depicted in Figure 1: ACHA Methodology. The Steps are described in more detail in Table 1.

Step	Method
1: Initiate Consultation Process	The consultation process is initiated in accordance with Aboriginal cultural heritage consultation requirements for proponents 2010.
2: Review previous archaeological work	Review previous archaeological work in accordance with the requirements of Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. The review of previous archaeological work is defined in 3.4.1.
3: Review the landscape context	The review of the landscape context as defined in sections 3.1 and complete in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
4: Discuss the local and regional character of Aboriginal land use and its material traces	The local and regional character of Aboriginal land use and its material traces is described in section 3.3.1. An Archaeological Report will also be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
5: Predict the nature and distribution of evidence	A predictive model is described in Section 5 and has been prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
6: Undertake an archaeological survey	An archaeological survey of the study area will be undertaken in January 2021 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
7: Decide if additional archaeological investigation is required?	The archaeological assessment and results will determine if it is appropriate to undertake further archaeological investigation at the study area.
8: Document findings and interpretation of results in an Archaeological Report	An archaeological report will be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. This report will be expanded upon following the outcomes of a test excavation program for the study area if this is a requirement.
9: Seek cultural information from Registered Aboriginal Parties	Information on the cultural information for the study area is sought during the methodology review and as per requirement 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010. Information gathered includes places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of

	<p>historic, social, spiritual and/or cultural significance. Information gathered will be used to further inform how the landscape was used, the social, cultural, aesthetic, historic and scientific values to enable an overall assessment of the significance of the study area and the associated values. Assessing values and significance will be undertaken as per section 2.4.2 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.</p>
<p>10: Determine if there will be harm to cultural heritage</p>	<p>Harm, or potential harm will be assessed as per section 2.5 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011. Assessing measures to avoid harm will be considered in accordance with sections 2.6 and 2.7 from the same guide. Registered Aboriginal knowledge holders will be consulted during this process as per the Aboriginal cultural heritage consultation requirements for proponents 2010 to help determine management options and mitigation measures.</p>
<p>11: Complete ACHAR</p>	<p>An Aboriginal Cultural Heritage Assessment Report will be prepared in accordance with section 3 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.</p>
<p>12: SSD SEARS Review</p>	<p>The final ACHAR is included in the final SEARS documentation submitted for review as part of the SSD approval process.</p>

**Table 1: ACHA Methodology**

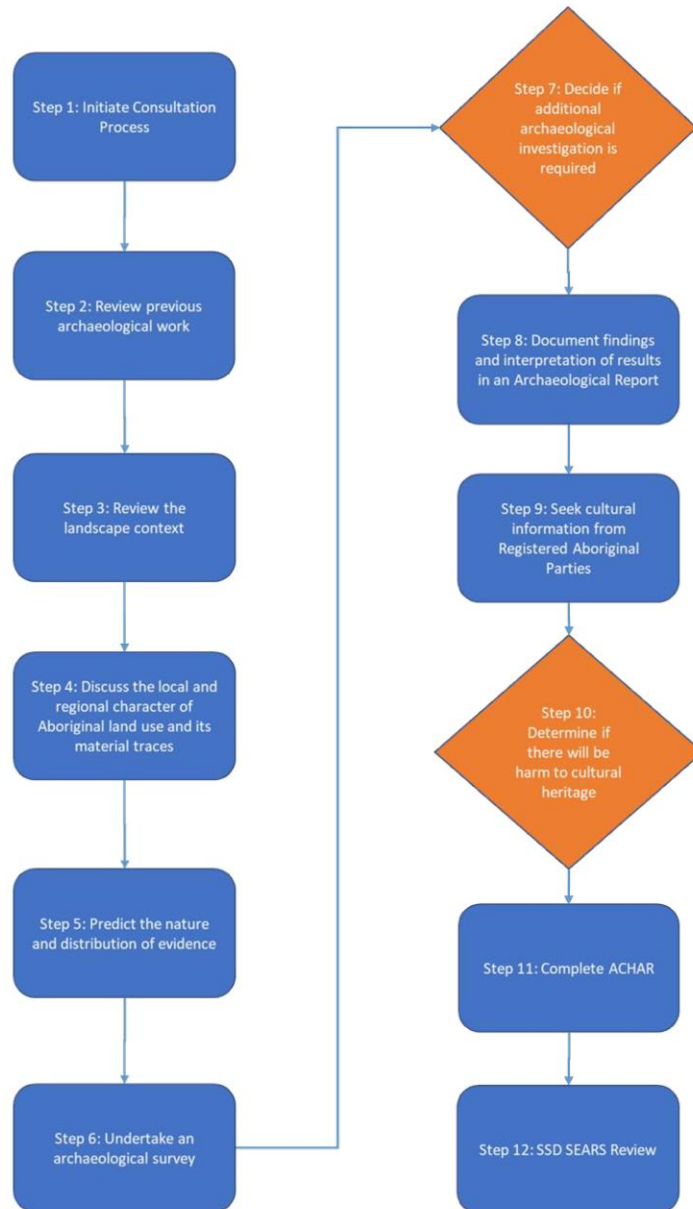
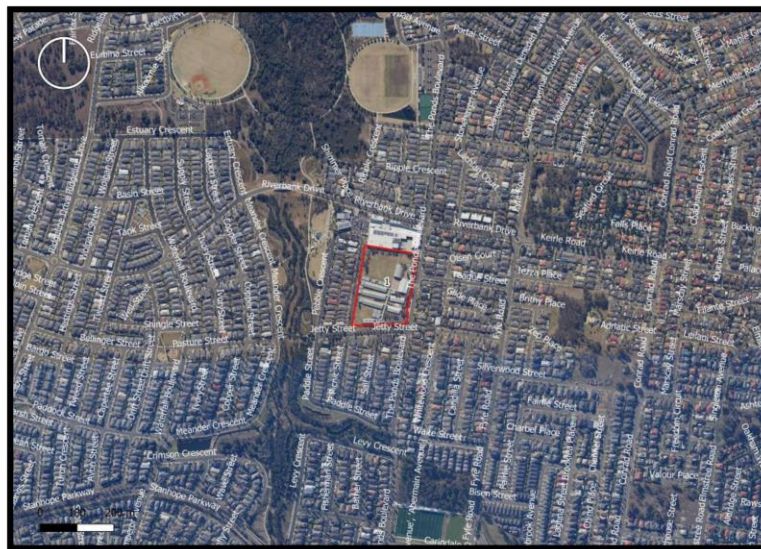


Figure 1: ACHA Methodology

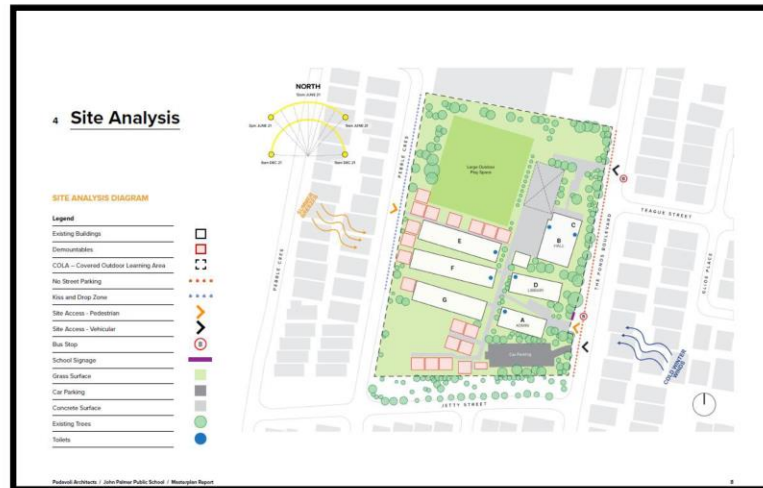
### 3 Description of the Study Area

#### 3.1 Location and Proposed Development

The study area is at John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Figure 2 shows an aerial image of the study area where the John Palmer Public School is located at The Ponds. The current design layout of the school is shown in Figure 3. The proposed development includes the design options shown in Figure 5, Figure 6 and Figure 7.



**Figure 2: Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors.**



**Figure 3: Existing site layout for John Palmer Public School.**

**Source: Master Plan Report, Pedavoli Architects.**

### 3.2 Proposed works

SI NSW have requested Pedavoli Architects to prepare three options for the John Palmer Public School to deliver an increase in student accommodation, remove demountable buildings and upgrade facilities to a Core 35 school to accommodate 1000 to 1200 students (Pedavoli Architects 2020). Figure 4 shows the proposed development footprint.

The objectives defined in the masterplan for the site include upgrading the space of teaching accommodation and core facilities to (Pedavoli Architects 2020):

- Increase student enrolment capacity
- Increase school capacity from current 18 Permanent Learning Spaces (PLS) to a minimum of 38 PLS including 3 new support units.
- Remove all (20) DLS (Demountable Learning Spaces)
- Allow for the design to be suitable for growth/extension if required for future enrolments.

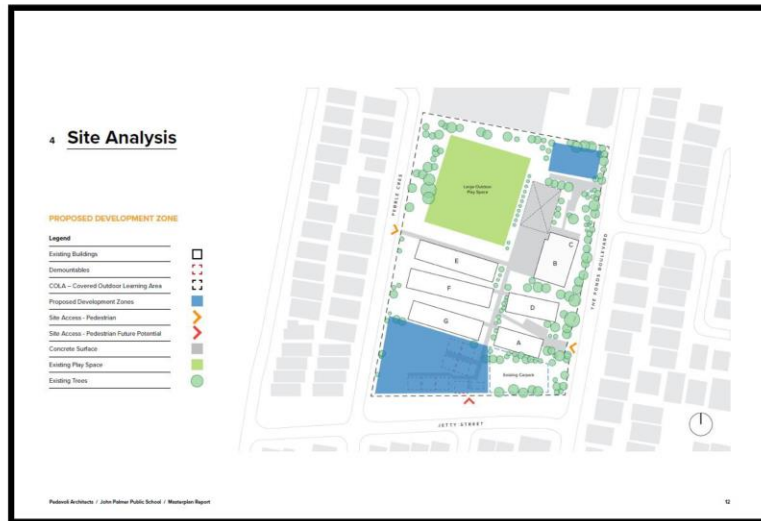


Figure 4: Plan showing the location of the proposed development in blue (Source: Master Plan Report 2020, Pedavoli Architects).



Figure 5: Proposed development option A (Source: Master Plan Report 2020, Pedavoli Architects).



Figure 6: Proposed development option B (Source: Master Plan Report 2020, Pedavoli Architects).

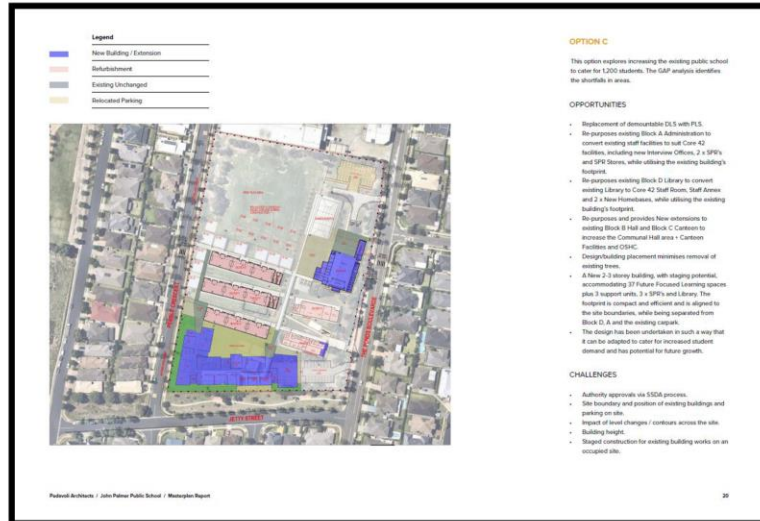


Figure 7: Proposed development option C (Source: Master Plan Report 2020, Pedavoli Architects).

### 3.3 The Environmental Context

#### 3.3.1 The Environment of the Cumberland Plain

The study area is located at The Ponds, an area of the Cumberland Plain. The landscape of the study and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, creek systems, flats, residual rises, simple slopes and crests. The surface geology is part of the Wianamatta Group forming part of the Middle-Triassic sequence (Jones and Clark 1991: 17; NSW Department of Mines 1961). Soil landscapes in the study area include Blacktown Residual Soils (Bannerman and Hazelton 1990).

The vegetation of the study area has been significantly modified by historic European land management practices, initially for grazing and for crop production and more recently associated with urban development. Spatial layers from OEH 2010 and based upon Tozer 2003 show remnant vegetation communities in the area consisting of the Shale Plains Woodland. This type of vegetation community is also described as Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest by the Australian Government Department of Environment, Water, Heritage and the Arts (2010) and is listed as a threatened ecological community.

The Department of Environment, Water, Heritage and the Arts (2010) list the following species that are included in the vegetation community:

Tree canopy species include *Eucalyptus moluccana* (grey box), *Eucalyptus fibrosa* (red ironbark, broad-leaved ironbark), *Eucalyptus tereticornis* (forest red gum), *Eucalyptus crebra* (narrow-leaved ironbark), *Eucalyptus eugenioides* (thin-leaved stringybark), and *Corymbia maculate* (spotted gum).

Small to medium sized trees include *Acacia decurrens* (black wattle, green wattle), *Exocarpos cupressiformis* (native cherry), *Acacia parramattensis* (Parramatta wattle), *Acacia implexa* (hickory wattle) and *Melaleuca decora* (paperbark).

Shrubs include *Acacia falcata* (sally), *Acacia implexa* (hickory wattle), *Breynia oblongifolia* (coffee bush), *Lissanthe strigose* (peach heath), *Rubus parvifolius* (native raspberry), *Dillwynia sieberi*, *Bursaria spinosa* (blackthorn), *Daviesia ulicifolia* (gorse bitter pea), *Dodonaea viscosa subsp. cuneate* (wedge-leaf hop-bush), *Indigofera australis* (native indigo).

Grasses and grass-like species include *Aristida ramosa* (purple wiregrass), *Themeda triandra* (kangaroo grass), *Dichelachne micrantha* (plumegrass), *Cymbopogon refractus* (barbed wire grass), *Microlaena stipoides subsp. stipoides* (weeping grass), *Lomandra filiformis subsp. filiformis* (wattle mat-rush), *Lomandra multiflora subsp. multiflora* (many-flowered mat-rush), *Cyperus gracilis* (slender sedge).

### 3.3.2 Geology

The study area is located within the Cumberland Plain. The landscape of the local and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, flats, residual rises, simple slopes and crests. The surface geology is part of the Wianamatta Group forming part of the Middle-Triassic sequence (Figure 6). The underlying geology of the study area is composed of the Ashfield Shales. Minchinbury Sandstones are present along the nearby Second Ponds Creek (Jones and Clark 1991).



**Figure 8: Geology Map for the John Palmer Public School. Rwa represents Dark-grey to black claystone-siltstone and fine sandstone-siltstone laminate (Clark and Jones 1991).**

### 3.3.3 Soil

Soils of the study area are part of the residual Blacktown soil landscape: these have formed in situ from the underlying shale geology. This landscape is characterised by shallow to moderately deep red, brown and yellow podzolic soils. Soil fertility and drainage are low. These soils are susceptible to erosion when the vegetation is not maintained (Bannerman and Hazelton 1990).



**Figure 9: Soil landscape map showing location of the John Palmer Public School within the Blacktown Soils landscape (Bannerman and Hazelton 1990).**

### 3.4 The Archaeological Context

Dating human colonisation of Australia is a primary pursuit of archaeologists. Their investigations can involve excavating rock shelters and open occupation sites to estimate the age of the lowest levels containing what are termed ‘cultural objects’ such as artefacts made or used by humans (see e.g. Hiscock 2008:27). There is now evidence of human colonisation of northern Australia 65,000 years BP (see e.g. Clarkson et al 2017). Bowdler (2010:182) posits that ‘people were on the western side of the Great Dividing Range by 40,000 years ago, and began to penetrate the western slopes of the eastern highlands not long after’. Bowdler suggests that ‘after the retreat of the glaciers, the east coast began to look like a more attractive proposition, luring travellers from the west to filter down its precipitous eastern cliffs and gullies to explore the newly emerging well-watered, resource-rich coasts and rivers of eastern Australia’.

The earliest presence of people in the Sydney Basin is uncertain but there is evidence for Pleistocene occupation of the region around 40,000 years ago. Archaeological excavations carried out at Parramatta by McDonald (2005) report dates as early as 30,000 years BP, providing some of the oldest dates for the Sydney Basin. Though limited details around the methodology used to collect the samples and obtain the dates has meant that the dating has not been subject to a sufficient level of scrutiny within the profession to enable confidence in the reported dates (Bowdler 2010). However, the most recent dates from the Parramatta

Sand Sheet indicates that this area was occupied from between 35-40,000 years BP (GML 2019).

In the western Cumberland Plain biogeographic region, in a rock shelter identified as Shaws Creek KII, near the Nepean River just north of Penrith, occupation dating of  $14,700 \pm 250$  BP has been obtained (Kohen et al 1984; Stockton 2009), possibly 20,000 years BP (Stockton 2009, 2019). At Cranebrook Terrace, human occupation has been dated at  $47,000 \pm 5,200$  BP (Stockton and Holland 1974; Nanson 1987 et al; Stockton and Nanson 2004). More recently, Williams et al's (2017:1) 'results lend increasing support for visitation of the Nepean River corridor by Aboriginal people as a part of the initial colonisation of Australia'. In 2019, Stockton stated that the Cranebrook Terrace dating 'should not be seen as surprising given evidence of human occupation extending back approximately 60,000 years in Australia' (Knox 2019:17).

Kohen's (1986a:295) early research of Aboriginal settlement of the western Cumberland Plain identified that material evidence of occupation can be 'found continuously across the landscape, with no environmental zone left unexploited'. He also found that most sites occurred within 100 metres of permanent water sources, on elevated terraces above water, and that major occupation sites would occur at the junction of different environment zones where there was an increase in plant based food resources.

The archaeological evidence for the majority of Aboriginal sites on the Cumberland Plain indicates that the area was intensively occupied from approximately 4,000 years BP (JMCHM 2007). Many researchers believe that these relatively 'young' dates are probably more a reflection of conditions of archaeological site preservation, rather than actual evidence of the presence or absence of an Aboriginal population prior to this time.

Our understanding of how and when Aboriginal people occupied and used the Sydney Basin landscape is largely based upon changes observed in the composition of stone tool assemblages. Detailed archaeological investigations of the Aboriginal settlement patterns of Sydney's Cumberland Plain can be traced back to the mid-1980s. This was a period marked by the rapid growth in residential and other forms of development across the area.

Recent intensive development activities have meant that the Cumberland Plain is one of the most intensely investigated archaeological regions in Australia. These Aboriginal archaeological investigations have identified over 4,000 sites across this region and reveal a rich and diverse record of past Aboriginal occupation on the Cumberland Plain. Summaries of these works are included in reports by, for example, Attenbrow (2010), JMCHM (1997), McDonald (2008) and Przywolnik (2007) in addition to the archaeological surveys cited above.

Key factors drawn from the research and our present understanding of the archaeology of the Cumberland Plain include:

- available radiocarbon determinations and optically stimulated luminescence dating indicate Aboriginal people have occupied the Cumberland Plain for potentially as long as 40,000 years

- Aboriginal settlement patterns on the Cumberland Plain have been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology being some of the key attributes dictating location of sites
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger more complex artefact assemblages associated with higher order streams
- artefact distributions across the Cumberland Plain do not form bounded 'sites' but rather cultural 'landscapes', and
- subsurface artefact distributions across the Cumberland Plain tend to vary significantly in relation to landform and stream order.

#### **3.4.1 Previous Archaeological Assessments**

Archaeological investigations have been conducted within the zone of the extensive AHIMS search carried out for the study area.

In 1989, Mary Dallas was commissioned by the Blacktown City Council to conduct an archaeological study of the land within the Parklea Release Area. During the investigation three distinct site types were identified, the first being archaeologically insignificant areas. The second site type were archaeologically sensitive areas which require further investigation and the third was an archaeologically significant area containing an open camp site. The study area is located on a well-documented environmental landscape. The area consists of undulating hills with ridge lines. Creeks and their associated tributaries drain into the low hills and empty into Cattal Creek. Second Ponds Creek and Caddies Creek are both sources of permanent water. The study area overlies the Bringelly and Ashfield Shales of the Wiannamatta Group. The Bringelly Shales are located on the ridge lines, separating the major creeks, while the Ashfield Shales occur along the creek lines. The soil profile in the study area is largely derived from the erosion of the shales. The soil is composed of clay loams, which historically would have supported eucalypts and sclerophyll. The study area has been largely modified into farms and residential areas. Furthermore, Second Ponds Creek has been exposed to erosions and destabilization from forest clearing. Previously, two archaeological investigations have been conducted in the Parklea Release Area both identifying camp sites, indicated by stone artefact scatters along exposed or eroded edges of Second Ponds Creek. Previous predictions of Aboriginal artefacts found in the area have indicated that sites can be found on any type of topographic landscape and will occur in a higher density towards water sources however, European settlement and major flooding has cause inconsistencies in the predicted distributions of artefacts. The archaeologically sensitive areas found in this study were identified as ridgetops or along creek lines. The archaeologically significant site displays continuous occupation of the area running along the creek line.

In 1993, Josephine McDonald conducted an archaeological survey of the Rouse Hill Infrastructure Project located along the Caddies and Second Ponds Creek in Rouse Hill. The study was the second survey commissioned by Rouse Hill Pty Ltd in stage one of the

developments. During the survey, six sites, six isolated finds and four potential deposits were identified. These are in addition to previously recorded sites in the area. Six of the sites were open sites, all containing artefacts and one with grinding grooves. The most common type of site found during this survey and previous surveys were open camp sites and grinding grooves with the least common including scarred trees, rock engravings and shelters with art. The artefacts found during the surveys generally include mudstone, silcrete and quartzite debitage.

In 1993, Elizabeth Rich was commissioned by Rouse Hill (Stage 1) Pty Ltd to conduct archaeological investigations of the site's PK/PC 1-5 in Parklea. Generally, the archaeological material found during the investigation was minimal however focused activity areas occurred in eight of the locations. The study area is located on the Cumberland Plain and forms the upper catchment of a gully draining into Caddies Creek. The study area overlies the Ashfield Shale with the hills to the west of the area composed of the Minchinbury sandstone and Bringelly Shale. Alluvial fills surrounding the area indicate episodes of infilling and gullying from low energy channels. The topography contains undulating hills with minimal erosion. Extensive modification after European settlement has resulted in native vegetation being cleared however some mature trees occurred. The sites PK/CD1+2 and PK/CD3-6 were identified as archaeologically significant and occur towards Caddies Creek. Furthermore, the site at Second Ponds Creek occurs 1.5km west. The sites are associated with semi-permanent to permanent water sources. Investigations of stone artefacts found indicate that all stone artefacts were imported with the predominant material being silcrete. The eight locations that contained artefacts were located within 50m of water sources or former drainage lines.

In 1993, Brayshaw McDonald Pty Ltd conducted an archaeological investigation of a potential archaeological deposit (PAD 21) at Parklea NSW. They were commissioned by Rouse Hill (Stage 1) Pty Ltd as part of an ongoing investigation linked to the Rouse Hill Infrastructure Project. Investigations uncovered a low density of archaeological material over most of the study area with major concentrations in one location. The major concentration is located on alluvial flats and the material suggests knapping was the primary activity. The study area is located on the Cumberland Plain with four major creek lines within the vicinity. It overlies the Ashfield Shale with several alluvial deposits forming along the creek lines. The topography consists of flood plains surrounding gentle hill slopes with swamp areas forming between. Historically, the vegetation consisted of eucalypts as well as other native trees adapted to the clay soils derived from the shales. At the time of the study the area had been largely cleared of vegetation however the ground remains undisturbed. The variations and densities of the archaeological materials indicates that different groups have entered the location throughout time for various reasons. Most of the artefacts found came from alluvial areas in the upper sections of the soil profile. The artefacts were predominantly silcrete with small amounts of quartz and mudstone.

In 1993, Brayshaw McDonald Pty Ltd undertook an archaeological survey in the proposed development area of the Rouse Hill Infrastructure Project (RHIP) Stage 1. The survey was



commissioned by Rouse Hill Joint Venture Pty Ltd. During the survey, 38 sites were identified with 15 being potential archaeological deposits and three isolated finds. The survey area is located on the Cumberland Plain with four major creek lines running through the area. The creek lines are Cattai Creek, Smalls Creek, Caddies Creek and Second Ponds Creek. The topography consists of undulating hills, becoming steeper towards the northern end. The study area overlies the Hawkesbury Sandstone towards the northern boundaries and the Bringelly Shale subgroup at the southern end. A majority of Caddies Creek and sections of Second Ponds Creek overlie the Ashfield Shale. The site also overlies and is surrounded by extensive alluvial activity. The soil profile is largely derived from the shales and consists of clay underlying a silty texture. In the northern sections, the soil profile is sandy and sourced from the Hawkesbury bedrock. Several sources of raw material are within 5km and consist of sandstone, siltstone and silcrete outcropping. Historically, the study area would have hosted complex woodlands and forests of native species adapted to the clay soils. Currently, the vegetation consists of introduced species surrounding the creek lines. There are 209 registered sites within 5km of the study area. The most common sites are open sites, shelters with deposits and shelters with art. The least common include rock engravings and scarred trees. Predictions based on previous studies in the area state that sites will most likely be associated with creek lines and ridgetops, consisting of low-density surface scatters made predominantly of fractured or heat shattered silcrete debitage. In the Hawkesbury sandstone areas, decorated shelters, rock engravings, grinding grooves, middens and scarred trees will be more common. During the survey, most of the sites were open sites, shelters with art and deposits and grinding grooves. The sites were generally consistent with the predictive models however, there was significantly more grinding grooves in the area than originally expected, most likely due to the proximity of the Hawkesbury Sandstone. As well as Aboriginal archaeology some European heritage was identified. These consisted of marked graves, quarrying, various constructions and evidence of the battle of Vinegar Hill.

In 1998, Jo McDonald and Mary Casey were commissioned by Gutteridge Haskins & Davey Pty Ltd to undertake an archaeological survey of Stage 2 of the Rouse Hill Infrastructure Works. During the survey, 17 archaeological sites (including potential archaeological deposits) were located. A significant potential archaeological deposit (RH/CD12 and PADs X, Y and 25) is located along the Kellyville Park Sewer carrier. Some European archaeology was also identified, including tree plantings, bridges and gates. The study area is located on the Cumberland Plain and contains the Smalls, Caddies and Second Ponds creek lines. The area is heavily modified however the investigation is mainly focused on the undisturbed edges of the creek lines. Towards the northern end of the study area around Cattai Creek, Smalls and Caddies Creek, the bedrock is predominantly Hawkesbury Sandstone. A majority of Caddies Creek and some of Second Ponds Creek overlie the Ashfield Shale subgroup. Towards the south, the bedrock is predominantly the Bringelly Shale subgroup. The soil profile consists of coarse sands in the northern regions and silty or clay layers overlying the shales. Several outcrops of sandstone, siltstone and silcrete surround the area with the main sources being within 5km. The topography consists of undulating hills, becoming steeper towards the northern end. Historically, the study area would have hosted complex woodlands and

forests of native species adapted to the clay soils. At the time of the study the vegetation consisted of introduced species surrounding the creek lines. Predictive modelling indicates the size and density of the archaeological features depends on the proximity to sources of permanent water. Based on the predictive models it is likely that archaeological evidence will be minimal in first order creeks. Archaeological material will still be sparse in second order creeks but with more focus and third order creeks will display frequent occupation with highly concentrated activity. Theoretically, the major creek lines such as Second Ponds and Caddies Creeks which are fourth order streams, will have complex and focused evidence of occupation. As well as the order of streams, the junctions between creek lines, sources of raw material, bedrock and proximity of ridgetops and drainage lines are likely to influence the density of material. Based on previous studies and recordings, the most likely site expected in this area are open artefact scatters, shelters and grinding grooves along Smalls and Caddies Creeks.

In 2002, Jo McDonald Cultural Heritage Management Pty Ltd conducted an archaeological excavation in Kellyville. The excavation was commissioned by Mepstead and Associates and involves site RH/SC5. The site under investigation is a potential archaeological deposit that was located north of the Gum Nut Close and Smalls Creek junction. It was identified as PAD12 in an investigation in 1993 and renamed. Investigation into the site has revealed significant results. In total, 1099 artefacts were recovered from the site. The artefacts indicate distinct phases of occupation. The more recent assemblages typically occurred close to the surface, on the lower slopes towards creek edges. The earlier assemblages were generally in deeper layers of coarse sand, downslope towards a convex dome from the Hawkesbury Sandstone. Investigations into the site indicate that preserved assemblages can be found in shallow deposits in valleys at the shale and sandstone interfaces (e.g at Smalls Creek). Investigations have also indicated that the Hawkesbury Sandstone outcrops create well stratified structures which may retain evidence of human occupation. Furthermore, if sediment sequences are thin or mixed, assemblages will be difficult to detect. The study area is located on the Cumberland Plain at the interface between the Ashfield Shale subgroup and the Hawkesbury Sandstone. The soil profile in the area depends on the bedrock and is generally clay or silt soils towards the shale and coarser sands over the Hawkesbury sandstone. There are major creek lines running through the area. The site is located to the left of Smalls creek, a second order stream. There are several water holes surrounding Smalls Creek incised into the sandstone outcropping. These have grinding grooves and are permanent water sources unlike Smalls Creek. At the time of the study, the study area had been modified in the past for agriculture and then for residential areas. The vegetation currently consists of native species such as eucalypts and banksias but is infested with introduced species and weeds. Predictive modelling indicates that areas with major creek lines such as Second Ponds and Caddies creek (fourth order), junctions and raw material sources are the most likely to contain substantial archaeological materials. Furthermore, areas with sandstone overhangs can indicate art, shelters and evidence of sharpening tools. This investigation demonstrates that silicified tuff is the predominant material found in assemblages and the sandstone platform was a focus of occupation. Generally, silcrete is the

most common material but in this investigation only made up 14% of the total number of artefacts found.

In 2002, Jo McDonald Heritage Management Pty Ltd was commissioned by Landcom to conduct a reassessment of land in the Second ponds Creek catchment. In previous surveys of the area, six sites and five potential archaeological deposits were identified. The study area is located on the Cumberland Plain in an undulating plain overlying the Wianamatta group. The study area contains a ridgeline between Eastern and Second Ponds Creeks. Previous studies have developed predictive models using the geological formations and order of streams as they largely contribute to cultural variations. Second Ponds Creek is a first order tributary at its entry into the study area and forms a second order tributary further downstream. There are several ponds surrounding the creek line with more permanent sources of water. Raw materials such as silcrete, mudstone and silicified tuff can be found surrounding the study area. Historically, the site hosted complex woodlands associated with the clay soils derived from the Wianamatta Shales. More recently at the time of the study, the study area was cleared for agriculture, but hosts introduced species and weeds. In the hillslopes, various native species remain, and the creek lines contain flora associated with swamps. Five sites were identified during the survey, several with associated potential archaeological deposits. There were also several isolated artefacts identified in the highly eroded areas where surface visibility was increased. The study area has been assessed as ranging from low to high archaeological potential depending on the zone.

In 2002, Jo McDonald and Mary Casey conducted a survey commissioned by Rouse Hill Infrastructure Consortium in a development area near Second Points Creek. During the investigation, 22 archaeological sites, isolated finds and potential deposits were located. A sandstone bridge, weir and a dam in the development area are also considered valuable to the investigation. The development area is located on the Cumberland Plain and overlies the Hawkesbury Sandstone, Ashfield Shale and Bringelly Shale subgroups. The areas underlain by the shale subgroups have produced hillslopes, terraces and alluvium landscapes. There are several nearby raw material sources for stone artefacts. Historically, the study area contained forests and woodland associated with clay soils derived from shales. At the time of the study much of the study area has been cleared with severe soil disturbance however some areas remain intact. Predictive modelling in the investigation suggest that higher densities of artefacts will be found near shale hillslopes, ridges and first order tributaries. The sites identified in this investigation and previous investigations remain generally consistent with this trend.

In 2003 Biosis Research undertook an archaeological assessment of the site of the proposed school at Glenwood. The predictive model for the site predicted that there was a high likelihood of Aboriginal objects being present at the site and that due to the extensive vegetation cover subsurface investigations were recommended. Two artefacts and a potential scarred tree were identified during the site survey. The recommendations for the site included fencing of the scarred tree, application to impact permits for both of the isolated artefacts, and a program of archaeological testing.



In 2004 Biosis Research undertook the archaeological test excavation program that they had previously recommended during the investigation undertaken in 2003, including a salvage and monitoring program on the Glenwood School site, that they had previously assessed in 2003. Under a consent permit a series of 80 test pits were excavated, and a number of grader scrapes were undertaken from which 116 artefacts were recovered. 98% of the archaeological resource was found in a sub-surface context.

In 2006, Stedinger Associates was commissioned by EDAW Australia Pty Ltd to conduct an Aboriginal site survey and assessment of Waite Reserve CR710 in Acacia Gardens in Blacktown. During the survey one isolated artefact and a potential archaeological deposit was identified. The isolated artefact was a flake made of mudstone found at surface level. The PAD was moderately disturbed and at an elevated area. The study area is located on the Cumberland Plain primarily underlain by the Wianamatta Shales. Some areas of the geology are susceptible to erosion which has contributed to undulating hills, tertiary terraces and alluvial flats. The clay soils in the area are derived from the shales and historically would have supported open eucalypt woodlands. European settlement has resulted in much of the area being cleared and repurposed for agriculture. At the time of the study vegetation consisted of a mix of various introduced and native species. Several sites had been recorded in the 2km vicinity of the development area consisting mainly of open campsites, isolated finds and potential archaeological deposits.

In 2012, Godden Mackay Logan Heritage Consultants and Jo McDonald Cultural Heritage Management undertook an archaeological excavation of Aboriginal site 45-5-2653 within Lot 2 and Lot 4 Windsor Road, Kellyville. The excavation was carried out on a lower slope adjacent to a third order stream. The excavation revealed a low density of artefacts. Backing was the most frequent type of modification that had been applied to artefacts. Backed artefacts comprised approximately four percent of the total assemblage. The significance of the site was assessed as being of low to moderate scientific significance. The deposit did not exhibit chronological stratification.

The assemblage was compared with other nearby assemblages from Second Ponds Creek to determine if changes in stream order, from second to fourth order streams influenced changes in the nature and complexity of the assemblage. The assemblage did not display the expected changes in correspondence to the stream order change. Other factors apart from the proximity to water influenced how the site was used and the corresponding makeup of the assemblage. The distance decay model was also applied. This considered changes in the artefact characteristics relative to rationing, as distance to the known raw material source of silcrete increased. Comparisons of the study area with other sites with varying distances of the known raw material source gave results that did not provide consistent support for the model (Godden Mackay Logan Heritage Consultants and Jo McDonald Cultural Heritage Management 2013:60-67).

### 3.4.2 AHIMS Search

A search of the AHIMS database records for the area within approximately 2 km radius of the study area identified 77 recorded sites. The sites are shown in Table 2 and Figure 10.

Site ID	Site name	Context	Site features	Site types
45-5-2028	RH/SP11;Parklea;	Open site	Artefact	Open Camp Site
45-5-2006	RH/SP13;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2023	ISF10;Parklea;	Open site	Artefact	Isolated Find
45-5-2025	ISF12;Parklea;	Open site	Artefact	Isolated Find
45-5-2417	IF-2;Conrad Rd;	Open site	Artefact	Isolated Find
45-5-2805	RH/SP15	Open site	Artefact	
45-5-2754	T4	Open site	Artefact	
45-5-2755	T3	Open site	Artefact	
45-5-2756	T1	Open site	Artefact	
45-5-2757	T2	Open site	Artefact	
45-5-2872	RH/SP21 (formerly PAD34)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2873	RH/SP22 (formerly PAD38)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2874	RH/SP20 (formerly PAD40)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2913	Conrad Road PAD1	Open site	Potential Archaeological Deposit (PAD)	
45-5-2890	RH/CR1	Open site	Artefact	
45-5-2977	RH/SP 20	Open site	Artefact	
45-5-3355	SCR/UPG1	Open site	Artefact : 1	
45-5-3356	SCR/UPG2	Open site	Artefact : 10, Potential Archaeological Deposit (PAD)	
45-5-3392	Pole 45 and Compound	Open site	Potential Archaeological Deposit (PAD) , Artefact	
45-5-2005	RH/SP14;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-3930	RH/A20P 15	Open site	Artefact : 1	
45-5-3931	RH/A20P 16	Open site	Artefact : 1	
45-5-3932	RH/A20P 17	Open site	Artefact : 5	
45-5-3933	RH/A20P 18	Open site	Artefact : 7	

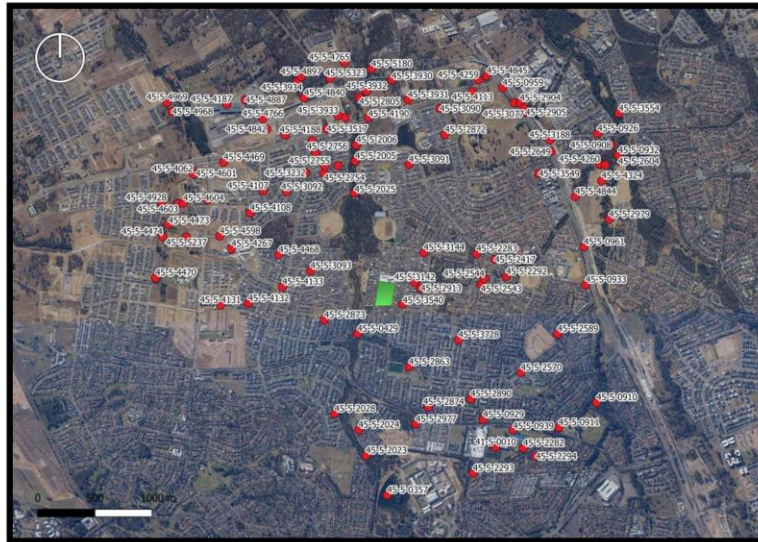
45-5-3934	RH/A20P 19	Open site	Artefact : 1	
45-5-4062	TR2 (Riverstone)	Open site	Artefact	
45-5-5237	Alex Avenue 6 (AA6)	Open site	Artefact	
45-5-2570	RH/SG1	Open site	Artefact	Open Camp Site
45-5-2543	IF 1	Open site	Artefact	Isolated Find
45-5-2544	IF 2	Open site	Artefact	Isolated Find
45-5-2545	1F1	Open site	Artefact	Isolated Find
45-5-2546	1F2	Open site	Artefact	Isolated Find
45-5-2294	PK/PC2 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0357	QH 1 Quakers Hill RH/SP10 ( PAD29 and ISF 10)	Open site	Artefact	Open Camp Site
45-5-0908	RH/CD 6 Rouse Hill	Open site	Grinding Groove	Axe Grinding Groove
45-5-0910	PK/CD 1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0911	PK/CD 2 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0926	RH/CD_10	Open site	Artefact	Open Camp Site
45-5-0929	PK/PC 5;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-0932	RH/CD12 (PAD24);Rouse Hill; duplicate of 45-5-2604	Open site	Artefact	Open Camp Site
45-5-0933	RH/CD9	Open site	Artefact	Open Camp Site
45-5-0939	PK/PC 4;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2282	PK/PC3;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2283	bc3;Rouse Hill;RH/CR 1;	Open site	Modified Tree (Carved or Scarred)	Scarred Tree
45-5-2292	RH/OC1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-2293	PK/PC1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0959	OWR 4 (Rouse Hill)	Open site	Artefact	Open Camp Site
45-5-0960	OWR 5 (Rouse Hill)	Open site	Artefact	Open Camp Site
45-5-0961	OWR 6;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-0429	Second Ponds Creek HC 7400 Quakers Hill RH/SP12	Open site	Artefact	Open Camp Site

45-5-2979	PAD 1 Windsor Road	Open site	Potential Archaeological Deposit (PAD)	
45-5-3144	Precinct 1B PAD	Open site	Potential Archaeological Deposit (PAD)	
45-5-3090	SPC-PAD33	Open site	Potential Archaeological Deposit (PAD)	
45-5-3091	SPC-PAD35	Open site	Potential Archaeological Deposit (PAD)	
45-5-3092	SPC-PAD36	Open site	Potential Archaeological Deposit (PAD) , Artefact : 16	
45-5-3093	SPC-PAD37	Open site	Potential Archaeological Deposit (PAD)	
45-5-3094	SPC-PAD39	Open site	Potential Archaeological Deposit (PAD)	
45-5-3142	Lot 45 Fyfe Rd	Open site	Artefact	
45-5-3188	Mungerie Park Open Artefact Scatter and associated PAD	Open site	Artefact : 7	
45-5-2024	ISF11;Parklea;	Open site	Artefact	Isolated Find
45-5-3517	Pole 45 and Compound. (DUPLICATE 45-5-3392)	Open site	Artefact	
45-5-3540	Lot 45 Fyfe Rd.	Open site	Artefact : 8	
45-5-3554	MWO2 (Riverstone)	Open site	Artefact : 2	
45-5-3549	W1 (Kellyville)	Open site	Artefact : 1	
45-5-3728	MPIP 5B	Open site	Artefact : 3	
45-5-4187	28 Tallawong Road	Open site	Artefact : 1	
45-5-4267	The Ponds PAD1	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact	
45-5-4188	59 Schofields Road	Open site	Artefact : 6	
45-5-4134	87 Schofields Road AS	Open site	Artefact : 6	
45-5-4259	NWRL PAD11	Open site	Potential Archaeological Deposit (PAD) : 1	
45-5-4260	NWRL PAD10	Open site	Potential Archaeological Deposit (PAD) : 1	

45-5-4112	69 Schofields Road (SCR/UPG3+PAD)	Open site	Artefact : 2	
45-5-4113	ISF SCR/UPG2	Open site	Artefact : 1, Potential Archaeological Deposit (PAD)	
45-5-4107	AA AS 3	Open site	Artefact : 2	
45-5-4108	AA AS 4	Open site	Artefact : 11	
45-5-4190	87 Schofields Road AS 1	Open site	Artefact : 1, Potential Archaeological Deposit (PAD) : 1	
45-5-4131	RAA 16	Open site	Artefact : 14	
45-5-4132	RAA 17	Open site	Artefact : 1	
45-5-4133	RAA 18	Open site	Artefact : 1	
45-5-4565	Hambledon Road PAD + AS	Open site	Artefact , Potential Archaeological Deposit (PAD)	
45-5-4566	Hambledon Road IF	Open site	Artefact	
45-5-4598	Alex Avenue 5 (AA5)	Open site	Artefact	
45-5-4601	Alex Avenue 1 (AA1)	Open site	Artefact	
45-5-4602	Alex Avenue 2 (AA2)	Open site	Artefact	
45-5-4603	Alex Avenue 3 (AA3)	Open site	Artefact	
45-5-4604	Alex Avenue 4 (AA4)	Open site	Artefact	
45-5-5180	PAD41	Open site	Artefact	
45-5-4968	Gordon Road Artefact Scatter (GR AS) 01	Open site	Artefact	
45-5-4969	Gordon Road Isolated Find 01 (GR ISO 01)	Open site	Artefact	
45-5-2589	IF1 Conrad Rd	Open site	Artefact	
45-5-2649	Windsor Road 1	Open site	Artefact : 1	
45-5-2604	RH/CD12 - Duplicate of 45-5-0932	Open site	Aboriginal Resource and Gathering	
45-5-2904	PAD 2	Open site	Potential Archaeological Deposit (PAD)	
45-5-2905	PAD 3	Open site	Potential Archaeological Deposit (PAD)	
45-5-2863	PAD 43 with ISF	Open site	Artefact	
45-5-3077	MTW	Open site	Artefact	
41-5-0010	PK/PC6	Open site	Artefact : 13	
45-5-3232	T5	Open site	Artefact	

45-5-4468	RAA13	Open site	Artefact	
45-5-4469	RAA14	Open site	Artefact	
45-5-4470	RAA15	Open site	Artefact	
45-5-4473	RAA22	Open site	Artefact	
45-5-4474	RAA23	Open site	Artefact , Potential Archaeological Deposit (PAD)	
45-5-4324	Caddies Creek 1	Open site	Artefact : 1	
45-5-4325	Caddies Creek 2	Open site	Artefact : 1	
45-5-4840	RH/A20P PAD 5	Open site	Potential Archaeological Deposit (PAD)	
45-5-4842	65 Schofields Road	Open site	Artefact	
45-5-4844	NWRL PAD 10	Open site	Potential Archaeological Deposit (PAD)	
45-5-4845	NWRL PAD 11	Open site	Potential Archaeological Deposit (PAD)	
45-5-4765	56 Cudgeong Road, Rouse Hill	Open site	Artefact : 1	
45-5-4897	59 - C R - A S	Open site	Artefact : 6	
45-5-4766	65 Schofields Road IF	Open site	Artefact	
45-5-4928	54 Schofields Road	Open site	Artefact : 1, Potential Archaeological Deposit (PAD) : 1	
45-5-4887	Riverstone Isolated Artefact 6	Open site	Artefact	
45-5-4777	44 Cudgegong Road, Rouse Hill	Open site	Artefact : 1	
45-5-4898	59-CR-AS	Open site	Artefact : 1	
45-5-5323	44-56 Cudgegong Rd Artefact Burial	Open site	Artefact	

**Table 2: List of site records obtained from AHIMS database from a 2 km search radius.**



**Figure 10: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. John Palmer Public School is shown in green at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.**

### 3.5 Historical Land Use

The land on which the John Palmer Public School is located was the traditional lands of the people of the Darug language group and was probably the traditional lands of the Bediagal Clan (Attenbrow 2002:23-24). With European occupation and colonisation of the land came the displacement of people from their traditional lands, and the introduction of land clearing and farming practices that had never been previously used on the continent. Land grants in the area that is known today as The Ponds began to occur during 1818 (Thorp et al. 1993:11). The land where John Palmer Public School is located was first granted to John Palmer as a 1500acre grant on the 13<sup>th</sup> of January 1818 by Governor Macquarie. This was Portion 12 of the Parish of Gidley, originally the district of Bathurst, and was name Hambledon (Steven 1967, Blacktown City Libraries 2018). Figure 13 shows the location of the John Palmer Public School within the John Palmer grant and Hambledon.

John Palmer was born in England in 1760. He became a naval officer and arrived in Australia as a purser with the First Fleet in 1788. He was responsible for maintaining track of the ship supplies on the Sirius (Vine 2016). Figure 12 shows a portrait of John Palmer.

Palmer was eventually forced to mortgage Hambledon to his brother in law, Robert Campbell. Figure 11 shows the transfer of the land from John Palmer through to the Pearce family and the Intercontinental Investment and Building Company (Source Land Services NSW:





Figure 12: John Palmer, R.N. – portrait (Source Mitchell Library, State Library of New South Wales).





Figure 14: 2005 Aerial image of the John Palmer Public School site. © Department of Customer Service, NSW Government.

### 3.6 Site Disturbance

A visual inspection of the John Palmer Public School was carried out on the 12<sup>th</sup> of August 2020. All of the locations within the proposed development footprint were inspected by archaeologists William Moon and Danielle Mitchell. There is evidence that the study area and development footprint have been subjected to land clearing and some degree of modification associated with the installation of the temporary buildings and the associated services to these buildings, and the original school construction and associated shaping of the school grounds. There is also a sewer main that traverses the western side of the subject area, Figure 15 and Figure 16 shows views across the location of the proposed development where soils will be disturbed.

A review of the geotechnical investigation undertaken by Douglas and Partners (2020) has shown that tests throughout the site found that soils were composed of fill. Refer to Figure 17 which shows the bore hole locations for the investigation within the development footprint. The results from every bore indicate that fill is present down to medium to high plasticity clay.



Figure 15: Looking north east across the proposed development zone at the south west corner of the study area.



Figure 16: Looking east over the area of proposed development at the northeast corner of the study area.

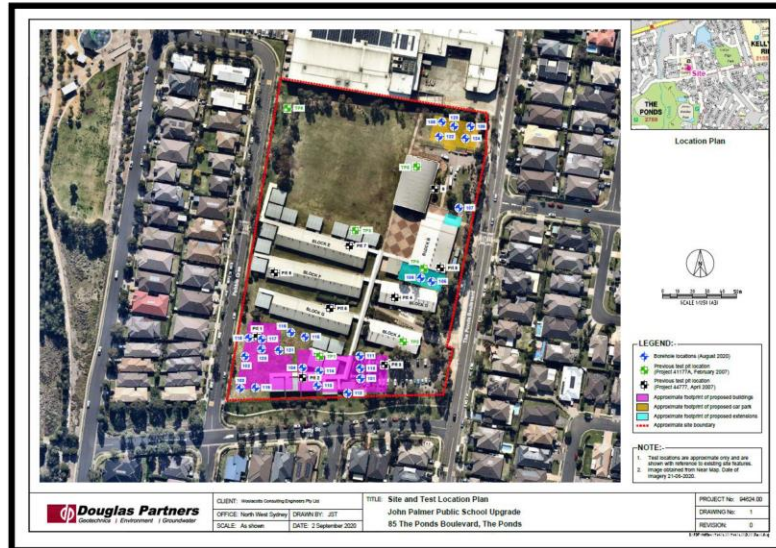


Figure 17: Image showing borehole locations in the area of the development footprint (Douglas Partners 2020).

Based upon the geotechnical investigation results and the visual inspection of the site it is concluded that there are no surviving soil profiles on the site that would have the potential to contain archaeological deposit. When considering the soil disturbance categories used by the National Committee on Soil and Terrain as shown in Table 3, the majority of the study area would fall into the 8<sup>th</sup> category as being highly disturbed due to urban development impacts. The majority of the proposed development footprint would be considered as disturbed land in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010*.

	SITE DISTURBANCE CATEGORY
0	No effective disturbance; natural
1	No effective disturbance other than grazing by hoofed animals
2	Limited clearing (e.g. selective logging)
3	Extensive clearing (e.g. poisoning, ringbarking)
4	Complete clearing; pasture, native or improved, but never cultivated
5	Complete clearing; pasture, native or improved, cultivated at some stage

6	Cultivation; rainfed
7	Cultivation; irrigated, past or present
8	Highly disturbed (e.g. quarrying, road works, mining, landfill, urban)

**Table 3: Categories of Soil Disturbance (National Committee on Soil and Terrain 2009).**

#### **4 Archaeological Survey**

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The study area has been subjected to two archaeological surveys, one undertaken by Tocomwall archaeologists Will Moon and Dani Mitchell on 12th of August 2020 as a due diligence assessment carried out for School Infrastructure NSW, and another carried out on the 23rd of April 2021 for School Infrastructure NSW as a requirement of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. Two registered Aboriginal knowledge holders, Rodney Gunther from Waawaar Awaara Aboriginal Corporation and Joeleen Smith from Didge Ngunawal Clan Aboriginal Corporation were engaged to participate in the archaeological survey. Survey coverage is shown in Figure 18 and Figure 19.



Figure 18: Hatched area showing where the archaeological survey was undertaken during the due diligence assessment 12th of August 2020.



Figure 19: Hatched area showing where the archaeological survey was undertaken on the 23<sup>rd</sup> of April 2021 covering the development footprint.

The archaeological survey involved undertaking an inspection of the John Palmer Public School grounds and the location of the proposed development. The inspection sought to identify any Aboriginal objects and to assess the site to determine the degree soil surface modification. An inspection was carried out of exposures on the ground to determine if any Aboriginal objects were present. There were no Aboriginal objects, sites, PAD or places identified during the survey. A photographic record of the site and conditions was created during the visit. Table 4 shows examples of soil exposures inspected during the site survey. The location of the development footprint was visually assessed and considered unlikely to include extant soil profiles that have the potential to include cultural bearing deposits. A review of the geotechnical investigations undertaken at the site validated this interpretation (Douglas and Partners 2020).



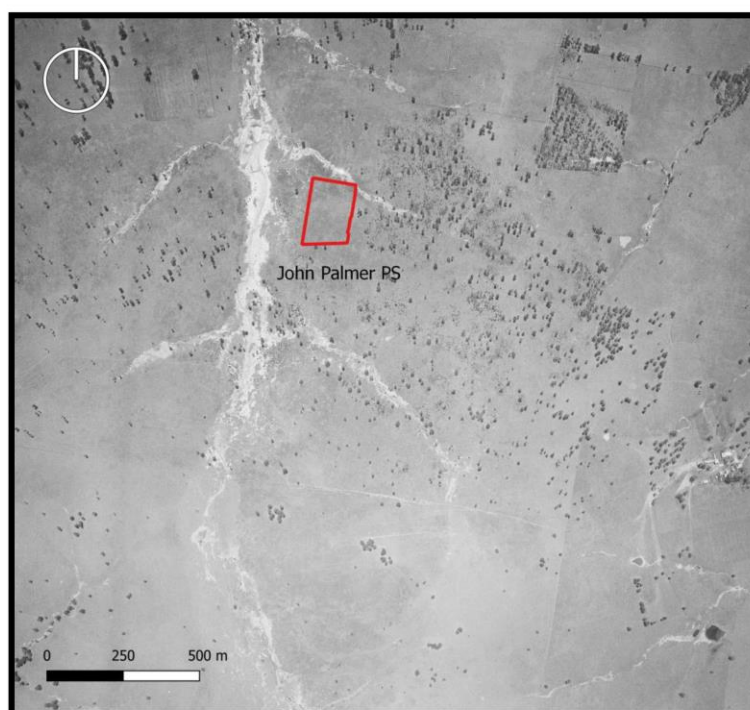
**Table 4: Examples of soil exposures inspected during the site survey**

## 5 Predictive Model

The assessment of the archaeological potential of the site is based upon the assessment of the landscape features, assessment of the environment aspects of the site including potential resource areas (Owen and Cowie 2017), the degree of the disturbance of the landscape, the stream order model (White and MacDonald 2010), and the review of the AHIMS site data and previous studies undertaken within the locality.

### 5.1 Stream Order, Topography and Artefact Concentrations

The study area is located on the eastern side of Second Ponds Creek. Figure 20 shows the cleared landscape in 1950 where the drainage channel of Second Ponds Creek can be seen. At this point the stream is best described as a second order stream as per the Strahler stream order. Erosion channels are visible on the very gently inclined land that has been cleared of most of the vegetation.



**Figure 20: 1955 aerial image showing the location of the Second Ponds Creek relative to the study area. © Department of Customer Service, NSW Government.**

Research of the results of systematic test excavations undertaken in the Rouse Hill area of the Cumberland Plain by White and MacDonald (2010) found that the highest density of artefact concentrations correlated with higher order streams. Highest densities were found associated with terraces and lower slope zones within 50 to 100 metres of 2<sup>nd</sup> and 4<sup>th</sup> order streams. They also found that landscapes associated with first order streams had very low artefact counts. A review of the archaeological studies undertaken in the surrounding area within a 2km radius of the study area suggests that this pattern remains true for the study area.

Based upon stream order and topography of the study area, and the results of previous studies undertaken in the locality, it is predicted that artefacts will be present as a low to medium density distribution in surviving subsurface soil profiles.

## 5.2 Economic Zones

A review of the spatial data for the study area shows that there is a geological change approximately 200 metres to the west of the study area where Minchinbury Sandstones are present along the creek line which then transition to the Ashfield shales (Jones and Clark 1991). There is no evidence of a change in soil type associated with the geological transition. A review of the surviving remnant vegetation communities in the area does not suggest that the change in geology along the creek line has changed the predominant Shale Plains Woodlands in the area. There is no evidence of changes in the soil, topography, vegetation or climatic conditions that would create ecotones or economic zones (Owen and Cowie 2017).

## 5.3 Scarred Trees

There is potential for scarred trees to be present on the Cumberland Plains. As can be seen in Figure 20, in 1955 when this aerial image was taken there were no trees remaining within the study area.

## 5.4 Rock Shelters

There are no rock shelters in this part of the Cumberland Plain which is dominated by the Wianamatta Group Ashfield Shale. There are no exposed sandstones in the area that would enable the formation of suitable shelters.

## 5.5 Grinding Grooves

On the Cumberland Plains, grinding grooves are normally present on sandstone exposures, often along creek lines and where water is present. An analysis of the study area indicates that the geology within the study area is dominated by the Ashfield shales (Wianamatta Group shales). There is not exposed sandstone within the development footprint.

## 5.6 Stone Raw Material Quarries and Source Locations

There are no known raw material sources within the study area. An analysis of the study area indicates that the geology is dominated by the Ashfield shales (Wianamatta Group shales) which is not a suitable raw material for stone artefacts. There are known raw material sources on the Cumberland Plain, including the nearby Second Ponds Creek (McDonald 1998:6). Plumpton Ridge is also a known silcrete source that is approximately 8km from the study area.

### 5.7 Ceremonial Grounds

There are no known ceremonial grounds at the site. The majority of the landscape surface at the site has been subject to modification for development and/or from earlier land clearing. There is unlikely to be visible remains of ceremonial structures (e.g. Bora Rings) at the site.

### 5.8 Predictive Model Summary

Based upon the landscape topography, proximity to water, geology, environment, site disturbance, previous studies from the broader Cumberland Plain, and studies within locality, the prediction for the site is that it was likely to have been used for open campsites and it is predicted that medium density artefact concentrations and Aboriginal objects would be present in surviving subsurface soil profiles. The archaeological survey and the results of geotechnical investigations indicate that there are no surviving subsurface soil profiles or sediments.

## 6 Research Questions

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Research questions that may be applied to the study area and the development footprint include:

- Can the information shared by the Aboriginal knowledge holders and traditional owners contribute to our understanding of the cultural values of the study area and its importance to Aboriginal people both past and present?
- Do the results of the archaeological investigations align with the predictive model?
- If the results do not align with the predictive model, how can this difference inform us about the how people used the landscape and resources in this part of the Cumberland Plain?
- How can the site contribute to our cultural understanding of the place?

## 7 Archaeological Investigation Methodology

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The Aboriginal cultural heritage assessment of the study area will be undertaken in accordance with the Code of Practice for the Investigation of Aboriginal Objects in New South Wales (Code of Practice; DECCW 2010b). The site survey/inspection has followed the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).

### 7.1 Determining the Archaeological Potential

In order to determine the archaeological potential of the site it is necessary to determine if there are any surviving soils that may contain cultural material. To determine whether any intact soils or sediments survive within the development footprint the assessment has

considered the observations made during the site inspection and survey, a review of the bore logs data from the geotechnical investigations undertaken within the development footprint, and a review of the elevation and LiDAR data available for the study area that show the extent of surface modification from the original surface profile. The review of this information has concluded that there are no surviving soils or sediments with the potential to include Aboriginal objects. It is understood that historical land clearing, farming, and surface levelling associated with the school construction and preparation of the school grounds, has significantly disturbed the soils.

## 7.2 The Need for Further Investigation

The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) requires that *'archaeological test excavation will be necessary when it can be demonstrated that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area'*. The site survey and inspection, and the desktop assessment has concluded that the subject area has been significantly disturbed. Soils and sediments with the potential to retain culturally bearing deposit and Aboriginal objects have been replaced with fill. It is not possible to demonstrate that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area. Aboriginal objects are considered to have a low probability of being present. The recommendation is that no physical investigation be undertaken within the development footprint as the original context and soil profile has been lost.

## 7.3 Cultural Values

The Aboriginal Cultural Heritage Assessment and investigation will proceed based upon the cultural values held by the registered Aboriginal knowledge holders for the study area. Registered Aboriginal knowledge holders are invited to share their cultural knowledge and values for the study area for incorporation into the Aboriginal Cultural Heritage Assessment in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* including section 4.3.3(b) where the proponent seeks cultural information from registered Aboriginal parties to identify:

- a) *whether there are any Aboriginal objects of cultural value to Aboriginal people in the area of the proposed project.*
- b) *whether there are any places of cultural value to Aboriginal people in the area of the proposed project (whether they are Aboriginal places declared under s.84 of the NPW Act or not). This will include places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance.*

Sensitive information will be managed in accordance with sections 4.3.4 and 4.3.5 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*.

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## Methodology Review Correspondence



Kaarina Slater <Ngambaaculturalconnections@hotmail.com>  
To: Danielle Mitchell, Will Moon

You forwarded this message on 21/05/2021 10:19 AM.

On behalf of Ngamba Cultural connections I've have read and agree with the above Methodology for the project.

I have ancestral & Knowledge of Country to the project area.

Experienced Indigenous Site Officer

Current Insurances

Kaarina Slater  
0422 728 117  
NCC

Get Outlook for ICS

From: Danielle Mitchell <danielle.mitchell@puliypang.com.au>

Sent: Tuesday, May 11, 2021 10:54:23 AM

To: Will Moon <william@tocomwall.com.au>

Subject: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds – Methodology

Dear Knowledge Holder,

**RE: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds Aboriginal Cultural Heritage Assessment – Project Methodology**

In this letter, you will be presented with the project methodology and archaeological assessment for the proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. This information has been provided in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010).

In accordance with the consultation requirements (2010), you have the opportunity to review and provide feedback on culturally appropriate information to the research methodology, relating to places of social, spiritual and cultural value, and potential places/areas of historic, social, spiritual and/or cultural significance.

The review should identify any protocols that you wish to be adopted into the information gathering process and assessment methodology and any matters such as issues/areas of cultural significance that might affect, inform or refine the assessment methodology.

Please provide your feedback in writing no later than **8<sup>th</sup> June 2021**.

Kind regards

Dani Mitchell

Reply Reply All Forward

Thu 20/05/2021 2:28 PM

Re: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds – Methodology



Philip Khan <philipkhan.acn@live.com.au>  
To: Danielle Mitchell

You forwarded this message on 24/05/2021 11:38 AM.

Dear Danielle,

Thank you for your methodology for John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. KYWG hold cultural knowledge of the whole of Sydney area for over fifty years, we hold a deep spiritual connection to mother earth. We aim the look after her and conserve our land and cultural sites. These sacred sites are highly significant to us Aboriginal people. Aboriginal places, sacred sites, burials, art and objects are being destroyed all over Sydney, it is in our best interest the save these places and treat them with respect.

Aboriginal people pass on their knowledge through generation-to-generation, through word of mouth and story. Aboriginal people followed a system of lore and have a kinship way of life; there is men's and woman's business. This way of life was about the land and spiritual connection to the land knowing how to find resources and surviving living a nomadic life style, having an understanding for the land and the wildlife around them.

Fire played a big part in the nomadic life style as the flora needs to be burnt to rejuvenate, this was known by the Aboriginal people and was carried out seasonally. The Aboriginal people moved around seasonally and knew the land very well, in fact they could read the land navigating them around, like they used the skies to navigate around and to understand the weather from reading the skies. We Aboriginal people hold a connection to the skies and many of our dreaming stories are told through the stars and constellations along with the land and wildlife.

The water ways are of high significant to our people, as they provide a source of fresh water and natural resources. We use water ways for birthing, bathing, stone tool manufacturing and many other activities, without water we would not be here. Aboriginal people would perform ceremonies and dance in hope of rain or water to be flowing regularly. Water ways are used to guide us, marking tribal boundaries, but was shared with all owned by none.

In the Aboriginal culture each clan has a totem this was our spirit animal or plant, our totem is the dingo for instance and we must take care of our sacred totem. It was given to us by the lora and we have to follow this kinship. We must not eat our totem this is a way Aboriginal people achieved conservation. We continue to have this deep connection to the flora and fauna, and we continue to care for our mother earth.

We Aboriginal people have a beautiful continuing culture, we practice dance, song, ceremonies and sacred men's and women's business. The study area is of high significant to our people it holds a large amount of our history, our cultural heritage. We as the first people of this land have not been heard for too long, something must change.

Interpretation of the study area is the next step to a better future an educated future, we now need to promote and highlight Aboriginal culture and heritage as it has not been achieved in the past to its full potential. This can be done in many ways even 3D imagery of the sites that have been identified and or going to be impacted. If this project goes ahead more of our sites will be destroyed, it is key to protect and preserve them it is our lora the first peoples lora. These sites are so important to us Aboriginal people it holds our history. Other interpretation ideas are native gardens, art work, digital displays and design within in the development.

We Aboriginal people have a spiritual connection to the areas to the land and this needs to be recognised in the interpretation. We are one of the oldest continuing cultures in the world, now that's impressive we must be doing something right. It is important to educate the wider community about our culture and our past history before and after colonisation and assimilation. It is important to acknowledge the wars or battles between the Aboriginal people and the European people and how that has affected us today. We need to recognise all the achievements Aboriginal people have made after colonisation as we continue to thrive and succeed as the minority.

The study area is highly significant to us Aboriginal people, we hold a deep connection to the land, the sky, and the waterways. The study area is located in an area where there are water ways such as creeks and drainage area. This is important to us as daily activities would have taken place in and around the study area, the creeks would have been utilized for resources and fresh water.

"The recommendation is that no physical investigation be undertaken within the development footprint as the original context and soil profile has been lost" we do not believe or agree with this recommendation as there are known sites within the surrounding area. Your report shows that there are 77 recorded sites within a 2k radius of the study area, this suggest there is room for Aboriginal finds within in the study area despite the highly disturbed soils. It has been proven time and time again that yes out of context but artefacts are recovered in these highly disturbed areas. This is our last chance to investigate the study area before it is completely lost, we recommend further investigation on this project in the form of test excavation, with Aboriginal people's full involvement.

Kind Regards

Kadibulla Khan

Reply Reply All Forward

Mon 24/05/2021 11:35 AM

FW: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds – Methodology

Will Moon  
To: philipkhan@live.com.au  
Cc: Scott Franks

Reply Reply All Forward Tue 25/05/2021 11:48 AM

Dear Kadibulla

Thankyou for your response to the proposed methodology for the Aboriginal Cultural Heritage Assessment being undertaken for the proposed development to upgrade John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd, The Ponds. Tocomwall have been requested to undertake an Aboriginal Cultural Heritage assessment in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEI, 2010). Tocomwall have undertaken the relevant background research and conducted an archaeological survey of the site. We have considered the results of the survey and research and concluded that the soils and sediments at the site are significantly disturbed. The land is considered to fall under the definition described within the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010 as 'land is disturbed if it has been the subject of human activity that has changed the land's surface, being changes that remain clear and observable'. In addition to the observable changes, geotechnical investigations undertaken across the development footprint have concluded that fill exists down to the sterile clay layer on the site. As a result the subject area does not meet the requirements of the Due Diligence Code of Practice to go to step 5, where further archaeological investigation is required. Additionally, the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW, clause 3.1 Archaeological Test Excavation includes the requirement, 'Archaeological test excavation will be necessary when (regardless of whether or not there are objects present on the ground surface) it can be demonstrated through Requirements 1, 2, 3, 4, and 5 that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area, and the area cannot be substantially avoided by the proposed activity'. Due to the amount of disturbance to the soils and sediments that has occurred at the subject area and within the development footprint, and the unknown origin of the fill material, Tocomwall has concluded that it is unlikely that 'sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area'.

Tocomwall is constrained by our contractual obligations to comply with the relevant codes of practice for archaeological assessment and investigations. Therefore in this instance we are not able to make recommendations for a test excavation which would be contrary to the results of our investigation and would not be in compliance with the codes of practice. Your comments will be passed onto the proponent for their consideration and opportunity for further comment.

Regards

Will Moon

Archaeologist  
Tocomwall Pty Ltd  
m: 0419399230  
e: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)



RE: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds – Methodology

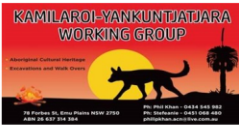
Philip Khan <[philipkhan.acn@live.com.au](mailto:philipkhan.acn@live.com.au)>  
To: Will Moon  
You replied to this message on 18/06/2021 3:26 PM

Reply Reply All Forward Tue 25/05/2021 5:48 PM

Hi Will,

Thankyou for your response.

Kind Regards  
Kadibulla Khan



From: Will Moon <[william@tocomwall.com.au](mailto:william@tocomwall.com.au)>  
Sent: Monday, 31 May 2021 3:45 PM  
To: Kraefft, Marcus <[Marcus.Kraefft@jacobs.com](mailto:Marcus.Kraefft@jacobs.com)>  
Cc: Matthew Wood <[matthew.wood7@det.nsw.edu.au](mailto:matthew.wood7@det.nsw.edu.au)>; Katy Johnson <[Katy.Johnson3@det.nsw.edu.au](mailto:Katy.Johnson3@det.nsw.edu.au)>; Scott Franks <[scott@tocomwall.com.au](mailto:scott@tocomwall.com.au)>  
Subject: Feedback from the JPPS ACHA Methodology for comment

[External Email] This email was sent from outside the NSW Department of Education. Be cautious, particularly with links and attachments.

Hi Marcus

I have received some feedback from the draft ACHA methodology that was sent out to the registered Aboriginal stakeholders for the John Palmer Public School Aboriginal Cultural Heritage Assessment. I am required to include this correspondence in the final report and also seek any further comment from the proponent (SI NSW) if they wish to provide any. Do you have any additional comments to add? If you want any clarification on the attached correspondence, don't hesitate to call me. Thanks

Regards

Will Moon

Archaeologist  
Tocomwall Pty Ltd  
m: 0419399230  
e: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)



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From: Katy Johnson <[Katy.Johnson3@det.nsw.edu.au](mailto:Katy.Johnson3@det.nsw.edu.au)>  
Sent: Tuesday, 1 June 2021 10:08 AM  
To: Will Moon <[william@tocomwall.com.au](mailto:william@tocomwall.com.au)>  
Cc: Matthew Wood <[matthew.wood7@det.nsw.edu.au](mailto:matthew.wood7@det.nsw.edu.au)>; Scott Franks <[scott@tocomwall.com.au](mailto:scott@tocomwall.com.au)>; Kraefft, Marcus <[Marcus.Kraefft@jacobs.com](mailto:Marcus.Kraefft@jacobs.com)>; Hart, Sukkwan <[Sukkwan.Hart@jacobs.com](mailto:Sukkwan.Hart@jacobs.com)>  
Subject: RE: Feedback from the JPPS ACHA Methodology for comment

Hi Will

I'd like to understand what the stakeholder is proposing and whether it is feasible to comply with this request. Also to understand why their view differs from Tocomwall?

Regards, Katy

Katy Johnson  
Project Director | Infrastructure Delivery  
0455 245 236 | [katy.johnson3@det.nsw.edu.au](mailto:katy.johnson3@det.nsw.edu.au) | [schoolinfrastructure.nsw.gov.au](http://schoolinfrastructure.nsw.gov.au)

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I acknowledge the homelands of all Aboriginal people and pay my respect to Country.

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**From:** Will Moon  
**Sent:** Tuesday, 1 June 2021 10:45 AM  
**To:** Katy Johnson <Katy.Johnson3@det.nsw.edu.au>  
**Cc:** Mathew Wood <mathew.wood3@det.nsw.edu.au>; Scott Franks <scott@tocomwall.com.au>; Kraefft, Marcus <Marcus.Kraefft@jacobs.com>; Hart, Sukkwan <Sukkwan.Hart@jacobs.com>  
**Subject:** RE: Feedback from the JPPS ACHA Methodology for comment

Hi Katy

My interpretation of the email from Kadibulla Khan on the 24<sup>th</sup> of May is that it describes why these places are important to the Aboriginal people, and based upon this importance, they believe that a test excavation program should be undertaken to recover artefacts regardless of the soils having been disturbed. Tocomwall normally would not recommend undertaking a test excavation program in an area that is shown to consist of fill and is significantly disturbed because the original context of the site has been lost. Even in the event that an artefact was uncovered the origin of the artefact would be unknown and being out of context it would have no scientific or educational value. Tocomwall is adhering to the codes of practice which guide whether or not a test excavation should be undertaken. The stakeholder does not agree with this approach and would like test excavations to be undertaken. It is feasible to undertake a test excavation program if this is what SINSW would like in order to satisfy the stakeholder request. We would need to revise the ACHA methodology to include undertaking a series of test pits across the development footprint. This would be a variation to contract so we would need to prepare a quotation for the works and discuss the timing of the proposed activity in the context of the day to day functioning of the school.

Regards

Will Moon

Archaeologist  
 Tocomwall Pty Ltd  
 m: 0419399230  
 e: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)



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RE: Feedback from the JPPS ACHA Methodology for comment

Will Moon  
 To: Katy Johnson  
 Cc: Mathew Wood; Scott Franks; Kraefft, Marcus; Hart, Sukkwan

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
 Fri 18/06/2021 2:50 PM

Hi All

I haven't received any further response to the email below or the email requesting further comment. In order to keep the study progressing the following is a suggested approach. We understand from the feedback provided from the registered Aboriginal party that the values are expressed in a general sense for the area rather than specific to a site or object. Given that our understanding of the soils within the subject area are disturbed and are unlikely to retain any cultural deposits, the recommendation is that the expressed cultural values are integrated and incorporated into the Connection with Country process, as far as it is practical, and the registered Aboriginal party be consulted as part of this process. Please let me know if you would like to progress in this manner and we will reflect this recommendation in the report and correspondence back to the RAP. Thankyou

Regards

Will Moon

Archaeologist  
 Tocomwall Pty Ltd  
 m: 0419399230  
 e: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)



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RE: Feedback from the JPPS ACHA Methodology for comment

Katy Johnson <Katy.Johnson3@det.nsw.edu.au>  
 To: Will Moon  
 Cc: Mathew Wood; Scott Franks; Kraefft, Marcus; Hart, Sukkwan  
 You replied to this message on 18/06/2021 2:57 PM.

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
 Fri 18/06/2021 2:54 PM

Apologies Will. Please proceed as recommended.

Regards, Katy

**Katy Johnson**  
 Project Director | Infrastructure Delivery  
 0455 245 236 | [katy.johnson3@det.nsw.edu.au](mailto:katy.johnson3@det.nsw.edu.au) | [schoolinfrastructure.nsw.gov.au](http://schoolinfrastructure.nsw.gov.au)

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I acknowledge the homelands of all Aboriginal people and pay my respect to Country.  
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RE: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds – Methodology

Will Moon  
 To: philip.khan  
 Cc: Scott Franks

[Reply](#) [Reply All](#) [Forward](#) [...](#)  
 Fri 18/06/2021 3:26 PM

Dear Kadibulla

Since my last email we have reviewed and discussed your feedback from the 24<sup>th</sup> of May with the proponent, SINSW. Taking into consideration your values which are expressed as all encompassing values for the area, rather than values specific to a site or object, and taking into consideration that the site is in a disturbed context, we are recommending that as part of the Connection with Country process that the registered Aboriginal parties, including yourself, will be consulted to determine how these values may be integrated and incorporated into the design and construction process for the school. I hope that this process will go some way towards showing the value and respect for Aboriginal culture at the site.

Regards

Will Moon

Archaeologist  
 Tocomwall Pty Ltd  
 m: 0419399230  
 e: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)



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Methodology Review Response from RAP	Archaeologists Response	Project Recommendation
<p>Dear Danielle,</p> <p>Thank you for your methodology for John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. . KYWG hold cultural knowledge of the whole of Sydney area for over fifty years, we hold a deep spiritual connection to mother earth. We aim the look after her and conserve our land and cultural sites. These sacred sites are highly significant to us Aboriginal people. Aboriginal places, sacred sites, burials, art and objects are being destroyed all over Sydney, it is in our best interest the save these places and treat them with respect.</p> <p>Aboriginal people pass on their knowledge through generation-to-generation, through word of mouth and story. Aboriginal people followed a system of lore and have a kinship way of life; there is men’s and woman’s business. This way of life was about the land and spiritual connection to the land knowing how to find resources and surviving living a nomadic life style, having an understanding for the land and the wildlife around them.</p> <p>Fire played a big part in the nomadic life style as the flora needs to be burnt to rejuvenate, this was known by the Aboriginal people and was carried out seasonally. The Aboriginal people moved around seasonally and knew the land very well, in fact they could read the land navigating them around, like they used the skies to navigate around and to understand the weather from</p>	<p>Dear Kadibulla</p> <p>Thankyou for your response to the proposed methodology for the Aboriginal Cultural Heritage Assessment being undertaken for the proposed development to upgrade John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd, The Ponds.</p> <p>Tocomwall have been requested to undertake an Aboriginal Cultural Heritage assessment in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010).</p> <p>Tocomwall have undertaken the relevant background research and conducted an archaeological survey of the site. We have considered the results of the survey and research and concluded that the soils and sediments at the site are significantly disturbed. The land is considered to fall under the definition described within the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South</p>	<p>We understand from the feedback provided from the registered Aboriginal party that the values are expressed in a general sense for the area rather than specific to a site or object. Given that our understanding of the soils within the subject area are disturbed and are unlikely to retain any cultural deposits, the recommendation is that the expressed cultural values are integrated and incorporated into the Connection with Country process, as far as it is practical, and the registered Aboriginal party be consulted as part of this process.</p> <p>Dear Kadibulla</p> <p>Since my last email we have reviewed and discussed your feedback from the 24th of May with the proponent, SINSW. Taking into consideration your values which are expressed as all encompassing values for the area, rather than values specific to a site or object, and taking into consideration that the site</p>

<p>reading the skies. We Aboriginal people hold a connection to the skies and many of our dreaming stories are told through the stars and constellations along with the land and wildlife.</p> <p>The water ways are of high significant to our people, as they provide a source of fresh water and natural resources. We use water ways for birthing, bathing, stone tool manufacturing and many other activities, without water we would not be here. Aboriginal people would perform ceremonies and dance in hope of rain or water to be flowing regularly. Water ways are used to guide us, marking tribal boundaries, but was shared with all owned by none.</p> <p>In the Aboriginal culture each clan has a totem this was our spirit animal or plant, our totem is the dingo for instance and we must take care of our sacred totem. It was given to us by the lora and we have to follow this kingship. We must not eat our totem this is a way Aboriginal people achieved conservation. We continue to have this deep connection to the flora and fauna, and we continue to care for our mother earth.</p> <p>We Aboriginal people have a beautiful continuing culture, we practice dance, song, ceremonies and sacred men's and women's business. The study area is of high significant to our people it holds a large amount of our history, our cultural heritage. We as the first people of this land have not been heard for too long, something must change.</p> <p>Interpretation of the study area is the next step to a better future an educated future, we now need to promote and</p>	<p>Wales 2010 as 'land is disturbed if it has been the subject of human activity that has changed the land's surface, being changes that remain clear and observable'. In addition to the observable changes, geotechnical investigations undertaken across the development footprint have concluded that fill exists down to the sterile clay layer on the site. As a result the subject area does not meet the requirements of the Due Diligence Code of Practice to go to step 5, where further archaeological investigation is required. Additionally, the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW, clause 3.1 Archaeological Test Excavation includes the requirement, 'Archaeological test excavation will be necessary when (regardless of whether or not there are objects present on the ground surface) it can be demonstrated through Requirements 1, 2, 3, 4, and 5 that sub-surface Aboriginal objects with</p>	<p>is in a disturbed context, we are recommending that as part of the Connection with Country process that the registered Aboriginal parties, including yourself, will be consulted to determine how these values may be integrated and incorporated into the design and construction process for the school. I hope that this process will go some way towards showing the value and respect for Aboriginal culture at the site.</p> <p>Regards Will Moon</p>
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<p>highlight Aboriginal culture and heritage as it has not been achieved in the past to its full potential. This can be done in many ways even 3D imagery of the sites that have been identified and or going to be impacted. If this project goes ahead more of our sites will be destroyed, it is key to protect and preserve them it is our lora the first peoples lora. These sites are so important to us Aboriginal people it holds our history. Other interpretation ideas are native gardens, art work, digital displays and design withing in the development.</p> <p>We Aboriginal people have a spiritual connection to the areas to the land and this needs to be recognised in the interpretation. We are one of the oldest continuing cultures in the world, now that's impressive we must be doing something right. It is important to educate the wider community about our culture and our past history before and after colonisation and assimilation. It is important to acknowledge the wars or battles between the Aboriginal people and the European people and how that has affected us today. We need to recognise all the achievements Aboriginal people have made after colonisation as we continue to thrive and succeed as the minority.</p> <p>The study area is highly significant to us Aboriginal people, we hold a deep connection to the land, the sky, and the waterways. The study area is located in an area where there are water ways such as creeks and drainage area. This is important to us as daily activates would have taken place in and around the</p>	<p>potential conservation value have a high probability of being present in an area, and the area cannot be substantially avoided by the proposed activity'. Due to the amount of disturbance to the soils and sediments that has occurred at the subject area and within the development footprint, and the unknown origin of the fill material, Tocomwall has concluded that it is unlikely that 'sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area'.</p> <p>Tocomwall is constrained by our contractual obligations to comply with the relevant codes of practice for archaeological assessment and investigations. Therefore in this instance we are not able to make recommendations for a test excavation which would be contrary to the results of our investigation and would not be in compliance with the codes of practice. Your comments will be passed onto the</p>	
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<p>study area, the creeks would have been utilized for resources and fresh water.</p> <p>“The recommendation is that no physical investigation be undertaken within the development footprint as the original context and soil profile has been lost” we do not believe or agree with this recommendation as there are known sits withing the surrounding area. Your report shows that there are 77 recorded sites within a 2k radius of the study area, this suggest there is room for Aboriginal finds with in the study area despite the highly disturbed soils. It has been proven time and time again that yes out of context but artefacts are recovered in these highly disturbed areas. This is our last chance to investigate the study area before it is completely lost, we recommend further investigation on this project in the form of test excavation, with Aboriginal people’s full involvement.</p> <p>Kind Regards</p> <p>Kadibulla Khan</p>	<p>proponent for their consideration and opportunity for further comment.</p> <p>Regards</p> <p>Will Moon</p>	
---	---	--

**Table summarising the above correspondence**



## 20 Appendix 4 – Archaeological Report

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**Tocomwall Pty Ltd**

PO Box 145 Miranda NSW 1490

Tel: 02 9542 7714 Fax: 02 9524 4146

E: [info@tocomwall.com.au](mailto:info@tocomwall.com.au)

[www.tocomwall.com.au](http://www.tocomwall.com.au)

ABN: 13 137 694 618

## **ABORIGINAL ARCHAEOLOGICAL REPORT**

### **Proposed Development at John Palmer Public School**

<b>Company</b>	Jacobs on behalf of School Infrastructure NSW
<b>Contact</b>	Nick Marcovich
<b>Date</b>	3/08/2021



Project Name	Proposed Development John Palmer Public School
Client Name	Nick Marcovich (Jacobs) on behalf of the proponent School Infrastructure NSW
Recipient	Jacobs and SINSW
Status	Final 1.0
Issue Date	03/08/2021
Prepared by	Will Moon
Approved by	Scott Franks



### **Executive Summary**

The proponent, School Infrastructure NSW is preparing a development application for the development for increased student accommodation and the removal of temporary demountable buildings at John Palmer Public School. The proposed development is located at The Ponds Boulevard, The Ponds, NSW 2769. Tocomwall Pty Ltd has been requested to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to support the development application. This document describes the archaeological report for undertaking archaeological investigations at the site in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

The study area has been subjected to two archaeological surveys, one undertaken by Tocomwall archaeologists Will Moon and Dani Mitchell on 12th of August 2020 as a due diligence assessment carried out for School Infrastructure NSW, and another carried out on the 23rd of April 2021 for School Infrastructure NSW as a requirement of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. Two registered Aboriginal knowledge holders, Rodney Gunther from Waawaar Awaaa Aboriginal Corporation and Joeleen Smith from Didge Ngunawal Clan Aboriginal Corporation were engaged to participate in the archaeological survey. There were no Aboriginal objects, sites or potential archaeological deposits (PAD) identified during either survey. The site survey and the results of geotechnical investigations indicate that the soils of the subject area are now comprised of fill and topsoil and the original soils that were potentially culturally bearing are likely to have been lost.

## Contents

Table of figures.....	5
<b>1 Introduction .....</b>	<b>6</b>
1.1 Background and Scope.....	6
1.2 Authorship and Acknowledgements.....	6
1.3 Statutory Heritage Contexts and Controls.....	6
1.3.1 <i>National Parks and Wildlife Act 1974</i> .....	6
1.3.2 <i>Environmental Planning and Assessment Act 1979</i> .....	7
1.3.3 <i>Native Title Act 1993</i> .....	7
1.3.4 <i>Reporting Standards and Guidelines</i> .....	7
<b>2 Methodology.....</b>	<b>8</b>
3.1 Location and Proposed Development .....	12
3.2 Scope and Objectives of the Proposed Development.....	13
3.3 Preferred Master Plan Option.....	14
3.4 The Environmental Context.....	18
3.4.1 <i>The Environment of the Cumberland Plain</i> .....	18
3.4.2 <i>Geology</i> .....	19
3.4.3 <i>Soil</i> .....	19
3.5 The Archaeological Context.....	20
3.5.1 <i>Previous Archaeological Assessments</i> .....	22
3.5.2 <i>AHIMS Search</i> .....	28
3.6 Historical Land Use .....	33
3.7 Site Disturbance.....	37
<b>4 Predictive Model .....</b>	<b>40</b>
4.1 Stream Order, Topography and Artefact Concentrations .....	40
4.2 Economic Zones.....	42
4.3 Scarred Trees.....	42
4.4 Rock Shelters .....	42
4.5 Grinding Grooves .....	42
4.6 Stone Raw Material Quarries and Source Locations .....	42
4.7 Ceremonial Grounds.....	42
4.8 Predictive Model Summary.....	43
<b>5 Research Questions .....</b>	<b>43</b>
<b>6 Archaeological Survey.....</b>	<b>43</b>
6.1 Aim of the Site Survey and Inspection.....	43
6.2 Survey Strategy.....	44
6.2.1 <i>Pedestrian Survey</i> .....	44

<b>7</b>	<b>Analysis and Discussion .....</b>	<b>47</b>
<b>8</b>	<b>Scientific Values and Significance Assessment .....</b>	<b>47</b>
<b>9</b>	<b>Impact Assessment .....</b>	<b>47</b>
<b>10</b>	<b>Management and mitigation measures .....</b>	<b>48</b>
<b>11</b>	<b>Recommendations .....</b>	<b>48</b>
<b>12</b>	<b>References .....</b>	<b>49</b>

**Table of figures**

Figure 1: ACHA Methodology .....	11
Figure 2: Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors. ....	12
Figure 3: Existing site layout for John Palmer Public School.....	13
Figure 4: Site layout for option 6A from the Masterplan (Phase 2 Concept Design PTW 2021). ....	15
Figure 4: Section view (Phase 2 Concept Design PTW 2021). ....	16
Figure 5: Three-dimensional perspective of option 6A (Phase 2 Concept Design PTW 2021). ....	17
Figure 8: Geology Map for the John Palmer Public School. Rwa represents Dark-grey to black claystone-siltstone and fine sandstone-siltstone laminate (Clark and Jones 1991). ....	19
Figure 9: Soil landscape map showing location of the John Palmer Public School within the Blacktown Soils landscape (Bannerman and Hazelton 1990). ....	20
Figure 10: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. John Palmer Public School is shown in green at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government. ....	33
Figure 11: Application 22639 referred to from 23772 and 23787 showing the transfer of land from John Palmer through to the Pearce Family (Source Land Services NSW). ....	34
Figure 12: John Palmer, R.N. – portrait (Source Mitchell Library, State Library of New South Wales). ....	35
Figure 13: Early Parish map of Gidley showing the location of the John Palmer Public School on the original John Palmer Grant (Source NSW LRS HLRV Parish of Gidley). ....	36
Figure 14: 2005 Aerial image of the John Palmer Public School site. © Department of Customer Service, NSW Government. ....	37
Figure 15: Looking north-east across the proposed development zone at the south west corner of the study area.....	38
Figure 16: Looking east over the area of proposed development at the northeast corner of the study area. ....	38
Figure 17: Image showing borehole locations in the area of the development footprint (Douglas Partners 2020). ....	39
Figure 18: 1955 aerial image showing the location of the Second Ponds Creek relative to the study area. © Department of Customer Service, NSW Government. ....	41
Figure 19: Hatched area showing where the archaeological survey was undertaken during the due diligence assessment 12th of August 2020. Aerial image © NSW Department Finance, Services and Innovation. ....	45
Figure 20: Hatched area showing where the archaeological survey was undertaken on the 23 <sup>rd</sup> of April 2021 covering the development footprint. Aerial image © NSW Department Finance, Services and Innovation.....	46

## 1 Introduction

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### 1.1 Background and Scope

Tocomwall Pty Ltd have been engaged by School Infrastructure NSW (SINSW) to undertake an Aboriginal Cultural Heritage Assessment in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 at the proposed site of the new development at John Palmer Public School. This methodology has been prepared in accordance with the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, 2010.

### 1.2 Authorship and Acknowledgements

This report has been prepared by Will Moon MA Archaeology and Heritage Management, GCPJM, Dip PJM.

### 1.3 Statutory Heritage Contexts and Controls

Two primary pieces of legislation provide automatic statutory protection for Aboriginal heritage and the requirements for its management in New South Wales.

These are:

- The *National Parks and Wildlife Act 1974* (NPW Act); and
- The *Environmental Planning and Assessment Act 1979*.

#### 1.3.1 National Parks and Wildlife Act 1974

The primary legislation for the protection of Aboriginal culture and heritage in NSW is the *NPW Act*. One of the key objectives stated in the *NPW Act* is:

*'..... the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to: (i) places, objects and features of significance to Aboriginal people.... [s.2A (1) (6)].'*

The *NPW Act* defines Aboriginal Heritage as comprising 'Aboriginal objects' and 'Aboriginal Places'. Aboriginal heritage is defined as:

- An object under the *NPW Act* is defined as 'any deposit, or object or material evidence relating to the Aboriginal habitation of the area' (Section 5 of the *NPW Act*); and
- An Aboriginal Place is defined as 'a place that is or was of special significance with respect to Aboriginal culture' (Section 84 of the *NPW Act*).

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declared Aboriginal Places by establishing offences of harm. Harm is defined as ‘..destroying, defacing or damaging an Aboriginal object or place, or moving an object from the land.’ There are fines associated with causing harm to an Aboriginal object. However, there are exemptions for causing harm, for example the preparation of an Aboriginal Heritage Impact Permit (AHIP).

The Department of Planning, Industry and Environment (DPIE) is the current government agency with responsibility for the protection and management of Aboriginal archaeological sites and cultural heritage values and the statutory administration of the NPW Act.

### **1.3.2 Environmental Planning and Assessment Act 1979**

The *Environmental Planning and Assessment Act 1979* (EPA Act) establishes the statutory planning framework for environmental and land use planning in NSW through *State Environmental Planning Policies* (SEPPs), *Regional Environmental Plans* (REPs) and *Local Environmental Plans* (LEPs).

The EPA Act also establishes the framework for Aboriginal heritage values to be formally assessed in land use planning and development consent processes. The requirements for the project are defined in the Planning Secretary’s Environmental Assessment requirements.

### **1.3.3 Native Title Act 1993**

The Native Title Act 1993 provides the legal framework to recognition and protection of native title. It includes the recognition of the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people. Under the Native Title Act, native title claimants can make an application to the Federal Court to have their native title recognised by Australian law.

As part of the consultation process for the project it was confirmed that there are no registered native title claimants for the study area.

### **1.3.4 Reporting Standards and Guidelines**

This report has been prepared in accordance with the following heritage recording, assessment and reporting guidelines and standards that are endorsed by the OEH:

- Australia ICOMOS. 2013. The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance. Australia ICOMOS Inc.<sup>1</sup>
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010a. Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. DECCW. Sydney.

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<sup>1</sup> The Burra Charter establishes nationally accepted principles for the conservation of places of cultural significance.

- NSW Department of Environment, Climate Change & Water. (DECCW) 2010b (September). Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. 2010c Aboriginal cultural heritage consultation requirements for proponents 2010.
- DECCW. 2011 Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.

#### 1.4 Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

- Implement the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 with the objective of identifying and engaging Aboriginal knowledge holders for the study area.
- Review previous archaeological studies undertaken in the vicinity.
- Review the landscape context to help inform the predictive model.
- Summarise and discuss the local and regional character of Aboriginal land use and its material traces.
- Predict the nature and extent of archaeological evidence at the site.
- Undertake an archaeological survey and record the presence and extent of Aboriginal objects that are present in the study area.
- Involve the Aboriginal knowledge holders in the cultural heritage assessment process, including consultation to determine their opinions with respect to the project and its potential 'harm' to their cultural heritage and measures to protect their cultural heritage.
- Determine if there is a need to extend the investigation to undertake test excavations.
- Determine the nature and extent of the impacts of the proposed development upon the Aboriginal cultural heritage of the study area.
- Make recommendations for the protection of Aboriginal cultural heritage at the study area.

## 2 Methodology

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The following defines the proposed methodology for the Aboriginal Cultural Heritage Assessment (ACHA). The ACHA will be carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, Aboriginal cultural heritage consultation requirements for proponents 2010, the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 and Applying for an Aboriginal Heritage Impact Permit: Guide for applicants 2011. The methodology is depicted in Figure 1: ACHA Methodology. The Steps are described in more detail in Table 1.

Step	Method
1: Initiate Consultation Process	The consultation process is initiated in accordance with Aboriginal cultural heritage consultation requirements for proponents 2010.
2: Review previous archaeological work	Review previous archaeological work in accordance with the requirements of Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. The review of previous archaeological work is defined in 3.5.1.
3: Review the landscape context	The review of the landscape context as defined in sections 3.1 and complete in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
4: Discuss the local and regional character of Aboriginal land use and its material traces	The local and regional character of Aboriginal land use and its material traces is described in section 3.4.1. An Archaeological Report will also be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
5: Predict the nature and distribution of evidence	A predictive model is described in Section 4 and has been prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
6: Undertake an archaeological survey	An archaeological survey of the study area will be undertaken in January 2021 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
7: Decide if additional archaeological investigation is required?	The archaeological assessment and results will determine if it is appropriate to undertake further archaeological investigation at the study area.
8: Document findings and interpretation of results in an Archaeological Report	An archaeological report will be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. This report will be expanded upon following the outcomes of a test excavation program for the study area if this is a requirement.
9: Seek cultural information from Registered Aboriginal Parties	Information on the cultural information for the study area is sought during the methodology review and as per requirement 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010. Information gathered includes places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of

	<p>historic, social, spiritual and/or cultural significance. Information gathered will be used to further inform how the landscape was used, the social, cultural, aesthetic, historic and scientific values to enable an overall assessment of the significance of the study area and the associated values. Assessing values and significance will be undertaken as per section 2.4.2 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.</p>
<p>10: Determine if there will be harm to cultural heritage</p>	<p>Harm, or potential harm will be assessed as per section 2.5 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011. Assessing measures to avoid harm will be considered in accordance with sections 2.6 and 2.7 from the same guide. Registered Aboriginal knowledge holders will be consulted during this process as per the Aboriginal cultural heritage consultation requirements for proponents 2010 to help determine management options and mitigation measures.</p>
<p>11: Complete ACHAR</p>	<p>An Aboriginal Cultural Heritage Assessment Report will be prepared in accordance with section 3 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.</p>
<p>12: SSD SEARS Review</p>	<p>The final ACHAR is included in the final SEARS documentation submitted for review as part of the SSD approval process.</p>

**Table 1: ACHA Methodology**

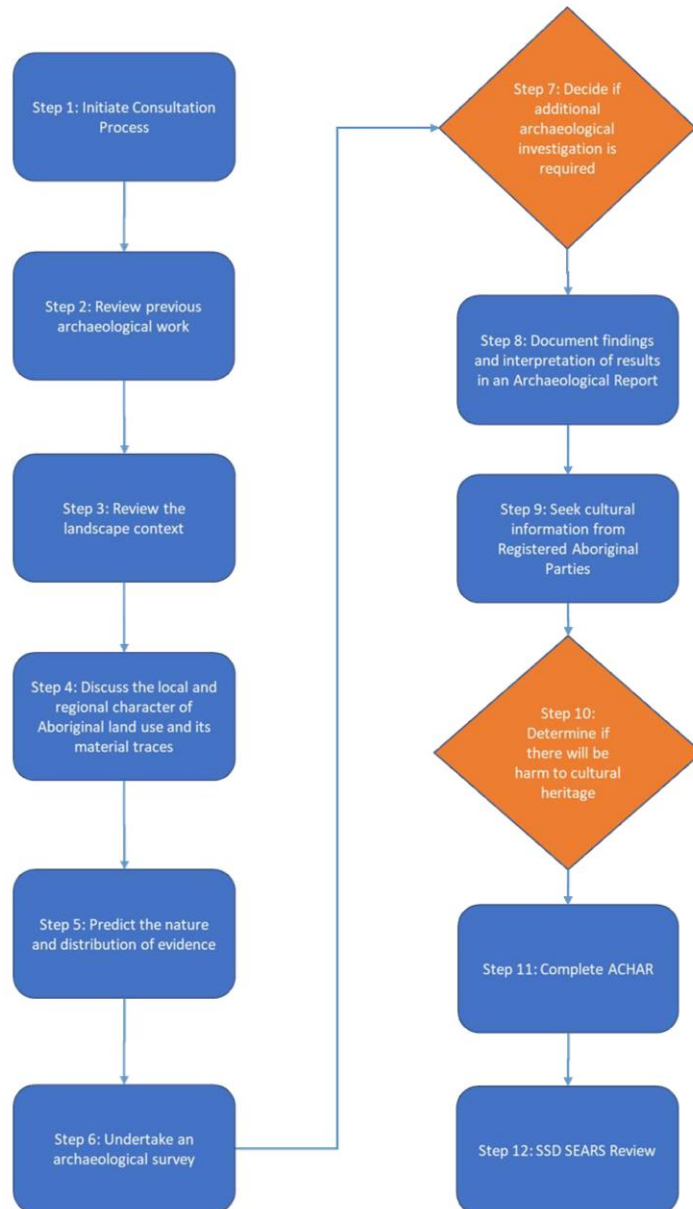


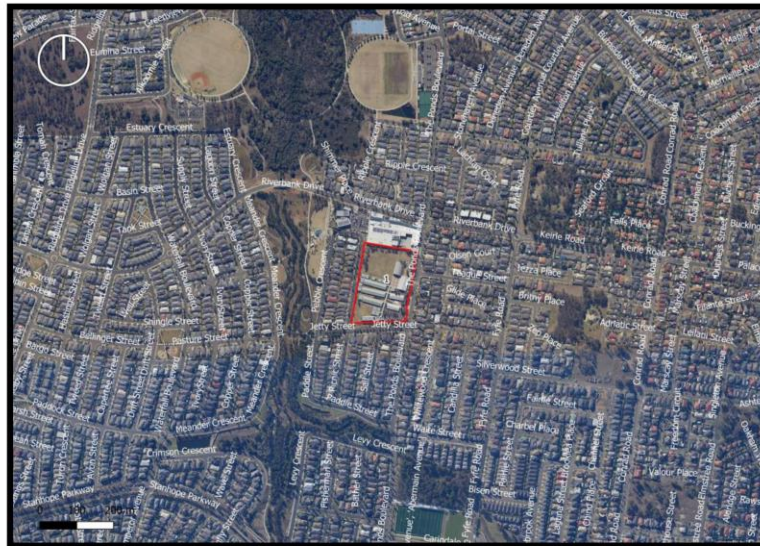
Figure 1: ACHA Methodology

### 3 Description of the Study Area

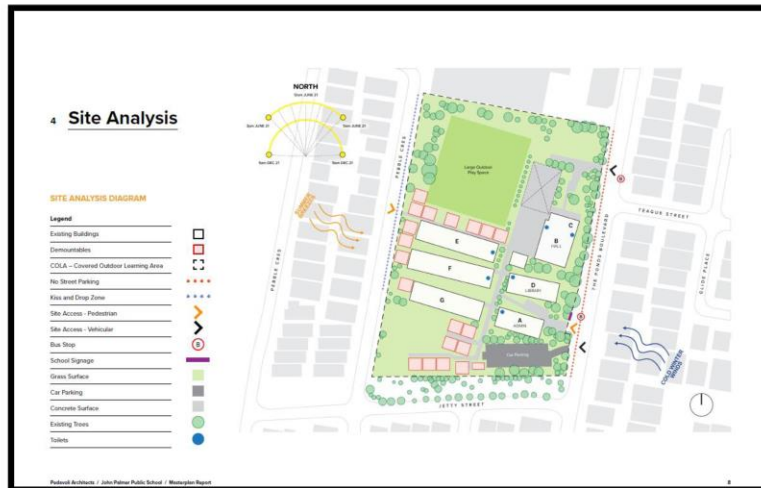
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#### 3.1 Location and Proposed Development

The study area is at John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Figure 2 shows an aerial image of the study area where the John Palmer Public School is located at The Ponds. The existing layout of the school is shown in Figure 3. The proposed development includes the preferred design option shown in Figure 4, Figure 5 and Figure 6.



**Figure 2: Shows the study area, John Palmer Public School, The Ponds Boulevard, The Ponds, NSW 2769. Source Six Maps © Department Finance, Services and Innovation, NSW Government and Open Street Map Contributors.**



**Figure 3: Existing site layout for John Palmer Public School.**

**Source: Master Plan Report, Pedavoli Architects.**

### 3.2 Scope and Objectives of the Proposed Development

The John Palmer Public School is a member of The Ponds Learning Community with a current student population of 917 students. The proposed upgrade will provide facilities for 1012 students (approximately 100 new students):

- 28 new teaching spaces to create a total of 34 permanent teaching spaces
- one new support unit
- removal of all 20 demountable teaching spaces
- core facilities expansion to core 35:

administration facilities from 172m<sup>2</sup> to 205 m<sup>2</sup>

library from 290m<sup>2</sup> to 378m<sup>2</sup>

hall from 360m<sup>2</sup> to 330m<sup>2</sup>

staff facilities from 93m<sup>2</sup> to 145m<sup>2</sup>

student and staff amenities as required by the NCC

OOSHC 63m<sup>2</sup>

COLA from 210m<sup>2</sup> to 330m<sup>2</sup> (PTW 2021).



### 3.3 Preferred Master Plan Option

The preferred Master Plan option for the development is described in the PTW Phase 2 Concept Design (PTW 2021) as follows –

‘The Final Business Case of October 2020 outlines that in Phase 1, four masterplan options progressed to design and masterplanning for detailed consideration and costing, of which Option D was selected as the preferred option and recommended for funding.

On commencement of Phase 2, PTW was advised that the new building should meet the new SINSW DfMA requirements. Consultation with the SINSW Project Director for Phase 2 onwards, the EFSG representative and the JPPS Principal in April 2021 led to a revised masterplan Option 6A which was developed based on Option D Core 35 targets. This masterplan locates the building in the north east of the site in order to accommodate the DfMA planning grid and the educational objectives set out in the Educational Rationale.

Option 6A:

- replace the existing 20 TLS with permanent learning spaces (PLS)
- add 8 new fit-for-purpose (FFP) learning spaces
- add 2 special programs rooms
- a Core 35 school (including core facilities such as the community hall and library)
- provide an additional support learning space to meet support student demand
- preserve the main playground areas in the northwestern and southwestern corners of the site.

Option 6A was endorsed by SINSW on 9 May 2021.’



Figure 4: Site layout for option 6A from the Masterplan (Phase 2 Concept Design PTW 2021).

15

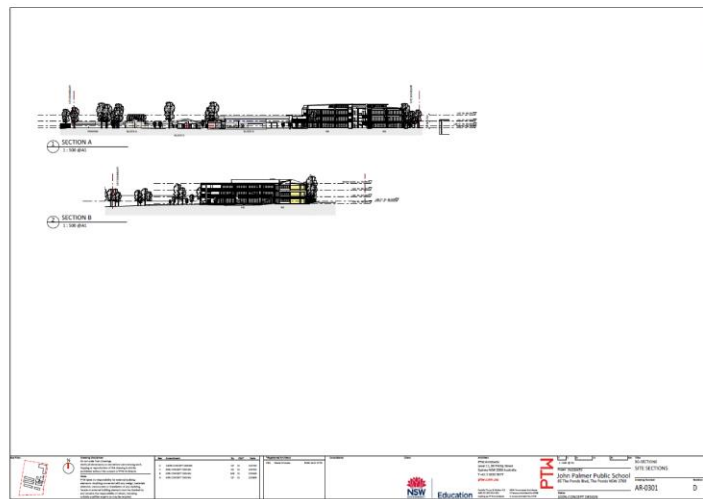


Figure 5: Section view (Phase 2 Concept Design PTW 2021).

16



Figure 6: Three-dimensional perspective of option 6A (Phase 2 Concept Design PTW 2021).

### 3.4 The Environmental Context

#### 3.4.1 The Environment of the Cumberland Plain

The study area is located at The Ponds, an area of the Cumberland Plain. The landscape of the study and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, creek systems, flats, residual rises, simple slopes and crests. The surface geology is part of the Wianamatta Group forming part of the Middle-Triassic sequence (Jones and Clark 1991: 17; NSW Department of Mines 1961). Soil landscapes in the study area include Blacktown Residual Soils (Bannerman and Hazelton 1990).

The vegetation of the study area has been significantly modified by historic European land management practices, initially for grazing and for crop production and more recently associated with urban development. Spatial layers from OEH 2010 and based upon Tozer 2003 show remnant vegetation communities in the area consisting of the Shale Plains Woodland. This type of vegetation community is also described as Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest by the Australian Government Department of Environment, Water, Heritage and the Arts (2010) and is listed as a threatened ecological community.

The Department of Environment, Water, Heritage and the Arts (2010) list the following species that are included in the vegetation community:

Tree canopy species include *Eucalyptus moluccana* (grey box), *Eucalyptus fibrosa* (red ironbark, broad-leaved ironbark), *Eucalyptus tereticornis* (forest red gum), *Eucalyptus crebra* (narrow-leaved ironbark), *Eucalyptus eugenioides* (thin-leaved stringybark), and *Corymbia maculate* (spotted gum).

Small to medium sized trees include *Acacia decurrens* (black wattle, green wattle), *Exocarpos cupressiformis* (native cherry), *Acacia parramattensis* (Parramatta wattle), *Acacia implexa* (hickory wattle) and *Melaleuca decora* (paperbark).

Shrubs include *Acacia falcata* (sally), *Acacia implexa* (hickory wattle), *Breynia oblongifolia* (coffee bush), *Lissanthe strigose* (peach heath), *Rubus parvifolius* (native raspberry), *Dillwynia sieberi*, *Bursaria spinosa* (blackthorn), *Daviesia ulicifolia* (gorse bitter pea), *Dodonaea viscosa subsp. cuneate* (wedge-leaf hop-bush), *Indigofera australis* (native indigo).

Grasses and grass-like species include *Aristida ramosa* (purple wiregrass), *Themeda triandra* (kangaroo grass), *Dichelachne micrantha* (plumegrass), *Cymbopogon refractus* (barbed wire grass), *Microlaena stipoides subsp. stipoides* (weeping grass), *Lomandra filiformis subsp. filiformis* (wattle mat-rush), *Lomandra multiflora subsp. multiflora* (many-flowered mat-rush), *Cyperus gracilis* (slender sedge).

### 3.4.2 Geology

The study area is located within the Cumberland Plain. The landscape of the local and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, flats, residual rises, simple slopes and crests. The surface geology is part of the Wianamatta Group forming part of the Middle-Triassic sequence (Figure 6). The underlying geology of the study area is composed of the Ashfield Shales. Minchinbury Sandstones are present along the nearby Second Ponds Creek (Jones and Clark 1991).



**Figure 7: Geology Map for the John Palmer Public School. Rwa represents Dark-grey to black claystone-siltstone and fine sandstone-siltstone laminate (Clark and Jones 1991).**

### 3.4.3 Soil

Soils of the study area are part of the residual Blacktown soil landscape: these have formed in situ from the underlying shale geology. This landscape is characterised by shallow to moderately deep red, brown and yellow podzolic soils. Soil fertility and drainage are low. These soils are susceptible to erosion when the vegetation is not maintained (Bannerman and Hazelton 1990).



**Figure 8: Soil landscape map showing location of the John Palmer Public School within the Blacktown Soils landscape (Bannerman and Hazelton 1990).**

### 3.5 The Archaeological Context

Dating human colonisation of Australia is a primary pursuit of archaeologists. Their investigations can involve excavating rock shelters and open occupation sites to estimate the age of the lowest levels containing what are termed ‘cultural objects’ such as artefacts made or used by humans (see e.g. Hiscock 2008:27). There is now evidence of human colonisation of northern Australia 65,000 years BP (see e.g. Clarkson et al 2017). Bowdler (2010:182) posits that ‘people were on the western side of the Great Dividing Range by 40,000 years ago, and began to penetrate the western slopes of the eastern highlands not long after’. Bowdler suggests that ‘after the retreat of the glaciers, the east coast began to look like a more attractive proposition, luring travellers from the west to filter down its precipitous eastern cliffs and gullies to explore the newly emerging well-watered, resource-rich coasts and rivers of eastern Australia’.

The earliest presence of people in the Sydney Basin is uncertain but there is evidence for Pleistocene occupation of the region around 40,000 years ago. Archaeological excavations carried out at Parramatta by McDonald (2005) report dates as early as 30,000 years BP, providing some of the oldest dates for the Sydney Basin. Though limited details around the methodology used to collect the samples and obtain the dates has meant that the dating has not been subject to a sufficient level of scrutiny within the profession to enable confidence in the reported dates (Bowdler 2010). However, the most recent dates from the Parramatta

Sand Sheet indicates that this area was occupied from between 35-40,000 years BP (GML 2019).

In the western Cumberland Plain biogeographic region, in a rock shelter identified as Shaws Creek KII, near the Nepean River just north of Penrith, occupation dating of  $14,700 \pm 250$  BP has been obtained (Kohen et al 1984; Stockton 2009), possibly 20,000 years BP (Stockton 2009, 2019). At Cranebrook Terrace, human occupation has been dated at  $47,000 \pm 5,200$  BP (Stockton and Holland 1974; Nanson 1987 et al; Stockton and Nanson 2004). More recently, Williams et al's (2017:1) 'results lend increasing support for visitation of the Nepean River corridor by Aboriginal people as a part of the initial colonisation of Australia'. In 2019, Stockton stated that the Cranebrook Terrace dating 'should not be seen as surprising given evidence of human occupation extending back approximately 60,000 years in Australia' (Knox 2019:17).

Kohen's (1986a:295) early research of Aboriginal settlement of the western Cumberland Plain identified that material evidence of occupation can be 'found continuously across the landscape, with no environmental zone left unexploited'. He also found that most sites occurred within 100 metres of permanent water sources, on elevated terraces above water, and that major occupation sites would occur at the junction of different environment zones where there was an increase in plant based food resources.

The archaeological evidence for the majority of Aboriginal sites on the Cumberland Plain indicates that the area was intensively occupied from approximately 4,000 years BP (JMCHM 2007). Many researchers believe that these relatively 'young' dates are probably more a reflection of conditions of archaeological site preservation, rather than actual evidence of the presence or absence of an Aboriginal population prior to this time.

Our understanding of how and when Aboriginal people occupied and used the Sydney Basin landscape is largely based upon changes observed in the composition of stone tool assemblages. Detailed archaeological investigations of the Aboriginal settlement patterns of Sydney's Cumberland Plain can be traced back to the mid-1980s. This was a period marked by the rapid growth in residential and other forms of development across the area.

Recent intensive development activities have meant that the Cumberland Plain is one of the most intensely investigated archaeological regions in Australia. These Aboriginal archaeological investigations have identified over 4,000 sites across this region and reveal a rich and diverse record of past Aboriginal occupation on the Cumberland Plain. Summaries of these works are included in reports by, for example, Attenbrow (2010), JMCHM (1997), McDonald (2008) and Przywolnik (2007) in addition to the archaeological surveys cited above.

Key factors drawn from the research and our present understanding of the archaeology of the Cumberland Plain include:

- available radiocarbon determinations and optically stimulated luminescence dating indicate Aboriginal people have occupied the Cumberland Plain for potentially as long as 40,000 years

- Aboriginal settlement patterns on the Cumberland Plain have been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology being some of the key attributes dictating location of sites
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger more complex artefact assemblages associated with higher order streams
- artefact distributions across the Cumberland Plain do not form bounded 'sites' but rather cultural 'landscapes', and
- subsurface artefact distributions across the Cumberland Plain tend to vary significantly in relation to landform and stream order.

### 3.5.1 Previous Archaeological Assessments

Archaeological investigations have been conducted within the zone of the extensive AHIMS search carried out for the study area.

In 1989, Mary Dallas was commissioned by the Blacktown City Council to conduct an archaeological study of the land within the Parklea Release Area. During the investigation three distinct site types were identified, the first being archaeologically insignificant areas. The second site type were archaeologically sensitive areas which require further investigation and the third was an archaeologically significant area containing an open camp site. The study area is located on a well-documented environmental landscape. The area consists of undulating hills with ridge lines. Creeks and their associated tributaries drain into the low hills and empty into Cattal Creek. Second Ponds Creek and Caddies Creek are both sources of permanent water. The study area overlies the Bringelly and Ashfield Shales of the Wiannamatta Group. The Bringelly Shales are located on the ridge lines, separating the major creeks, while the Ashfield Shales occur along the creek lines. The soil profile in the study area is largely derived from the erosion of the shales. The soil is composed of clay loams, which historically would have supported eucalypts and sclerophyll. The study area has been largely modified into farms and residential areas. Furthermore, Second Ponds Creek has been exposed to erosions and destabilization from forest clearing. Previously, two archaeological investigations have been conducted in the Parklea Release Area both identifying camp sites, indicated by stone artefact scatters along exposed or eroded edges of Second Ponds Creek. Previous predictions of Aboriginal artefacts found in the area have indicated that sites can be found on any type of topographic landscape and will occur in a higher density towards water sources however, European settlement and major flooding has cause inconsistencies in the predicted distributions of artefacts. The archaeologically sensitive areas found in this study were identified as ridgetops or along creek lines. The archaeologically significant site displays continuous occupation of the area running along the creek line.

In 1993, Josephine McDonald conducted an archaeological survey of the Rouse Hill Infrastructure Project located along the Caddies and Second Ponds Creek in Rouse Hill. The study was the second survey commissioned by Rouse Hill Pty Ltd in stage one of the

developments. During the survey, six sites, six isolated finds and four potential deposits were identified. These are in addition to previously recorded sites in the area. Six of the sites were open sites, all containing artefacts and one with grinding grooves. The most common type of site found during this survey and previous surveys were open camp sites and grinding grooves with the least common including scarred trees, rock engravings and shelters with art. The artefacts found during the surveys generally include mudstone, silcrete and quartzite debitage.

In 1993, Elizabeth Rich was commissioned by Rouse Hill (Stage 1) Pty Ltd to conduct archaeological investigations of the site's PK/PC 1-5 in Parklea. Generally, the archaeological material found during the investigation was minimal however focused activity areas occurred in eight of the locations. The study area is located on the Cumberland Plain and forms the upper catchment of a gully draining into Caddies Creek. The study area overlies the Ashfield Shale with the hills to the west of the area composed of the Minchinbury sandstone and Bringelly Shale. Alluvial fills surrounding the area indicate episodes of infilling and gullying from low energy channels. The topography contains undulating hills with minimal erosion. Extensive modification after European settlement has resulted in native vegetation being cleared however some mature trees occurred. The sites PK/CD1+2 and PK/CD3-6 were identified as archaeologically significant and occur towards Caddies Creek. Furthermore, the site at Second Ponds Creek occurs 1.5km west. The sites are associated with semi-permanent to permanent water sources. Investigations of stone artefacts found indicate that all stone artefacts were imported with the predominant material being silcrete. The eight locations that contained artefacts were located within 50m of water sources or former drainage lines.

In 1993, Brayshaw McDonald Pty Ltd conducted an archaeological investigation of a potential archaeological deposit (PAD 21) at Parklea NSW. They were commissioned by Rouse Hill (Stage 1) Pty Ltd as part of an ongoing investigation linked to the Rouse Hill Infrastructure Project. Investigations uncovered a low density of archaeological material over most of the study area with major concentrations in one location. The major concentration is located on alluvial flats and the material suggests knapping was the primary activity. The study area is located on the Cumberland Plain with four major creek lines within the vicinity. It overlies the Ashfield Shale with several alluvial deposits forming along the creek lines. The topography consists of flood plains surrounding gentle hill slopes with swamp areas forming between. Historically, the vegetation consisted of eucalypts as well as other native trees adapted to the clay soils derived from the shales. At the time of the study the area had been largely cleared of vegetation however the ground remains undisturbed. The variations and densities of the archaeological materials indicates that different groups have entered the location throughout time for various reasons. Most of the artefacts found came from alluvial areas in the upper sections of the soil profile. The artefacts were predominantly silcrete with small amounts of quartz and mudstone.

In 1993, Brayshaw McDonald Pty Ltd undertook an archaeological survey in the proposed development area of the Rouse Hill Infrastructure Project (RHIP) Stage 1. The survey was

commissioned by Rouse Hill Joint Venture Pty Ltd. During the survey, 38 sites were identified with 15 being potential archaeological deposits and three isolated finds. The survey area is located on the Cumberland Plain with four major creek lines running through the area. The creek lines are Cattai Creek, Smalls Creek, Caddies Creek and Second Ponds Creek. The topography consists of undulating hills, becoming steeper towards the northern end. The study area overlies the Hawkesbury Sandstone towards the northern boundaries and the Bringelly Shale subgroup at the southern end. A majority of Caddies Creek and sections of Second Ponds Creek overlie the Ashfield Shale. The site also overlies and is surrounded by extensive alluvial activity. The soil profile is largely derived from the shales and consists of clay underlying a silty texture. In the northern sections, the soil profile is sandy and sourced from the Hawkesbury bedrock. Several sources of raw material are within 5km and consist of sandstone, siltstone and silcrete outcropping. Historically, the study area would have hosted complex woodlands and forests of native species adapted to the clay soils. Currently, the vegetation consists of introduced species surrounding the creek lines. There are 209 registered sites within 5km of the study area. The most common sites are open sites, shelters with deposits and shelters with art. The least common include rock engravings and scarred trees. Predictions based on previous studies in the area state that sites will most likely be associated with creek lines and ridgetops, consisting of low-density surface scatters made predominantly of fractured or heat shattered silcrete debitage. In the Hawkesbury sandstone areas, decorated shelters, rock engravings, grinding grooves, middens and scarred trees will be more common. During the survey, most of the sites were open sites, shelters with art and deposits and grinding grooves. The sites were generally consistent with the predictive models however, there was significantly more grinding grooves in the area than originally expected, most likely due to the proximity of the Hawkesbury Sandstone. As well as Aboriginal archaeology some European heritage was identified. These consisted of marked graves, quarrying, various constructions and evidence of the battle of Vinegar Hill.

In 1998, Jo McDonald and Mary Casey were commissioned by Gutteridge Haskins & Davey Pty Ltd to undertake an archaeological survey of Stage 2 of the Rouse Hill Infrastructure Works. During the survey, 17 archaeological sites (including potential archaeological deposits) were located. A significant potential archaeological deposit (RH/CD12 and PADs X, Y and 25) is located along the Kellyville Park Sewer carrier. Some European archaeology was also identified, including tree plantings, bridges and gates. The study area is located on the Cumberland Plain and contains the Smalls, Caddies and Second Ponds creek lines. The area is heavily modified however the investigation is mainly focused on the undisturbed edges of the creek lines. Towards the northern end of the study area around Cattai Creek, Smalls and Caddies Creek, the bedrock is predominantly Hawkesbury Sandstone. A majority of Caddies Creek and some of Second Ponds Creek overlie the Ashfield Shale subgroup. Towards the south, the bedrock is predominantly the Bringelly Shale subgroup. The soil profile consists of coarse sands in the northern regions and silty or clay layers overlying the shales. Several outcrops of sandstone, siltstone and silcrete surround the area with the main sources being within 5km. The topography consists of undulating hills, becoming steeper towards the northern end. Historically, the study area would have hosted complex woodlands and

forests of native species adapted to the clay soils. At the time of the study the vegetation consisted of introduced species surrounding the creek lines. Predictive modelling indicates the size and density of the archaeological features depends on the proximity to sources of permanent water. Based on the predictive models it is likely that archaeological evidence will be minimal in first order creeks. Archaeological material will still be sparse in second order creeks but with more focus and third order creeks will display frequent occupation with highly concentrated activity. Theoretically, the major creek lines such as Second Ponds and Caddies Creeks which are fourth order streams, will have complex and focused evidence of occupation. As well as the order of streams, the junctions between creek lines, sources of raw material, bedrock and proximity of ridgetops and drainage lines are likely to influence the density of material. Based on previous studies and recordings, the most likely site expected in this area are open artefact scatters, shelters and grinding grooves along Smalls and Caddies Creeks.

In 2002, Jo McDonald Cultural Heritage Management Pty Ltd conducted an archaeological excavation in Kellyville. The excavation was commissioned by Mepstead and Associates and involves site RH/SC5. The site under investigation is a potential archaeological deposit that was located north of the Gum Nut Close and Smalls Creek junction. It was identified as PAD12 in an investigation in 1993 and renamed. Investigation into the site has revealed significant results. In total, 1099 artefacts were recovered from the site. The artefacts indicate distinct phases of occupation. The more recent assemblages typically occurred close to the surface, on the lower slopes towards creek edges. The earlier assemblages were generally in deeper layers of coarse sand, downslope towards a convex dome from the Hawkesbury Sandstone. Investigations into the site indicate that preserved assemblages can be found in shallow deposits in valleys at the shale and sandstone interfaces (e.g at Smalls Creek). Investigations have also indicated that the Hawkesbury Sandstone outcrops create well stratified structures which may retain evidence of human occupation. Furthermore, if sediment sequences are thin or mixed, assemblages will be difficult to detect. The study area is located on the Cumberland Plain at the interface between the Ashfield Shale subgroup and the Hawkesbury Sandstone. The soil profile in the area depends on the bedrock and is generally clay or silt soils towards the shale and coarser sands over the Hawkesbury sandstone. There are major creek lines running through the area. The site is located to the left of Smalls creek, a second order stream. There are several water holes surrounding Smalls Creek incised into the sandstone outcropping. These have grinding grooves and are permanent water sources unlike Smalls Creek. At the time of the study, the study area had been modified in the past for agriculture and then for residential areas. The vegetation currently consists of native species such as eucalypts and banksias but is infested with introduced species and weeds. Predictive modelling indicates that areas with major creek lines such as Second Ponds and Caddies creek (fourth order), junctions and raw material sources are the most likely to contain substantial archaeological materials. Furthermore, areas with sandstone overhangs can indicate art, shelters and evidence of sharpening tools. This investigation demonstrates that silicified tuff is the predominant material found in assemblages and the sandstone platform was a focus of occupation. Generally, silcrete is the

most common material but in this investigation only made up 14% of the total number of artefacts found.

In 2002, Jo McDonald Heritage Management Pty Ltd was commissioned by Landcom to conduct a reassessment of land in the Second ponds Creek catchment. In previous surveys of the area, six sites and five potential archaeological deposits were identified. The study area is located on the Cumberland Plain in an undulating plain overlying the Wianamatta group. The study area contains a ridgeline between Eastern and Second Ponds Creeks. Previous studies have developed predictive models using the geological formations and order of streams as they largely contribute to cultural variations. Second Ponds Creek is a first order tributary at its entry into the study area and forms a second order tributary further downstream. There are several ponds surrounding the creek line with more permanent sources of water. Raw materials such as silcrete, mudstone and silicified tuff can be found surrounding the study area. Historically, the site hosted complex woodlands associated with the clay soils derived from the Wianamatta Shales. More recently at the time of the study, the study area was cleared for agriculture, but hosts introduced species and weeds. In the hillslopes, various native species remain, and the creek lines contain flora associated with swamps. Five sites were identified during the survey, several with associated potential archaeological deposits. There were also several isolated artefacts identified in the highly eroded areas where surface visibility was increased. The study area has been assessed as ranging from low to high archaeological potential depending on the zone.

In 2002, Jo McDonald and Mary Casey conducted a survey commissioned by Rouse Hill Infrastructure Consortium in a development area near Second Points Creek. During the investigation, 22 archaeological sites, isolated finds and potential deposits were located. A sandstone bridge, weir and a dam in the development area are also considered valuable to the investigation. The development area is located on the Cumberland Plain and overlies the Hawkesbury Sandstone, Ashfield Shale and Bringelly Shale subgroups. The areas underlain by the shale subgroups have produced hillslopes, terraces and alluvium landscapes. There are several nearby raw material sources for stone artefacts. Historically, the study area contained forests and woodland associated with clay soils derived from shales. At the time of the study much of the study area has been cleared with severe soil disturbance however some areas remain intact. Predictive modelling in the investigation suggest that higher densities of artefacts will be found near shale hillslopes, ridges and first order tributaries. The sites identified in this investigation and previous investigations remain generally consistent with this trend.

In 2003 Biosis Research undertook an archaeological assessment of the site of the proposed school at Glenwood. The predictive model for the site predicted that there was a high likelihood of Aboriginal objects being present at the site and that due to the extensive vegetation cover subsurface investigations were recommended. Two artefacts and a potential scarred tree were identified during the site survey. The recommendations for the site included fencing of the scarred tree, application to impact permits for both of the isolated artefacts, and a program of archaeological testing.



In 2004 Biosis Research undertook the archaeological test excavation program that they had previously recommended during the investigation undertaken in 2003, including a salvage and monitoring program on the Glenwood School site, that they had previously assessed in 2003. Under a consent permit a series of 80 test pits were excavated, and a number of grader scrapes were undertaken from which 116 artefacts were recovered. 98% of the archaeological resource was found in a sub-surface context.

In 2006, Stedinger Associates was commissioned by EDAW Australia Pty Ltd to conduct an Aboriginal site survey and assessment of Waite Reserve CR710 in Acacia Gardens in Blacktown. During the survey one isolated artefact and a potential archaeological deposit was identified. The isolated artefact was a flake made of mudstone found at surface level. The PAD was moderately disturbed and at an elevated area. The study area is located on the Cumberland Plain primarily underlain by the Wianamatta Shales. Some areas of the geology are susceptible to erosion which has contributed to undulating hills, tertiary terraces and alluvial flats. The clay soils in the area are derived from the shales and historically would have supported open eucalypt woodlands. European settlement has resulted in much of the area being cleared and repurposed for agriculture. At the time of the study vegetation consisted of a mix of various introduced and native species. Several sites had been recorded in the 2km vicinity of the development area consisting mainly of open campsites, isolated finds and potential archaeological deposits.

In 2012, Godden Mackay Logan Heritage Consultants and Jo McDonald Cultural Heritage Management undertook an archaeological excavation of Aboriginal site 45-5-2653 within Lot 2 and Lot 4 Windsor Road, Kellyville. The excavation was carried out on a lower slope adjacent to a third order stream. The excavation revealed a low density of artefacts. Backing was the most frequent type of modification that had been applied to artefacts. Backed artefacts comprised approximately four percent of the total assemblage. The significance of the site was assessed as being of low to moderate scientific significance. The deposit did not exhibit chronological stratification.

The assemblage was compared with other nearby assemblages from Second Ponds Creek to determine if changes in stream order, from second to fourth order streams influenced changes in the nature and complexity of the assemblage. The assemblage did not display the expected changes in correspondence to the stream order change. Other factors apart from the proximity to water influenced how the site was used and the corresponding makeup of the assemblage. The distance decay model was also applied. This considered changes in the artefact characteristics relative to rationing, as distance to the known raw material source of silcrete increased. Comparisons of the study area with other sites with varying distances of the known raw material source gave results that did not provide consistent support for the model (Godden Mackay Logan Heritage Consultants and Jo McDonald Cultural Heritage Management 2013:60-67).

### 3.5.2 AHIMS Search

A search of the AHIMS database records for the area within approximately 2 km radius of the study area identified 77 recorded sites. The sites are shown in Table 2 and Figure 9.

Site ID	Site name	Context	Site features	Site types
45-5-2028	RH/SP11;Parklea;	Open site	Artefact	Open Camp Site
45-5-2006	RH/SP13;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2023	ISF10;Parklea;	Open site	Artefact	Isolated Find
45-5-2025	ISF12;Parklea;	Open site	Artefact	Isolated Find
45-5-2417	IF-2;Conrad Rd;	Open site	Artefact	Isolated Find
45-5-2805	RH/SP15	Open site	Artefact	
45-5-2754	T4	Open site	Artefact	
45-5-2755	T3	Open site	Artefact	
45-5-2756	T1	Open site	Artefact	
45-5-2757	T2	Open site	Artefact	
45-5-2872	RH/SP21 (formerly PAD34)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2873	RH/SP22 (formerly PAD38)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2874	RH/SP20 (formerly PAD40)	Open site	Potential Archaeological Deposit (PAD)	
45-5-2913	Conrad Road PAD1	Open site	Potential Archaeological Deposit (PAD)	
45-5-2890	RH/CR1	Open site	Artefact	
45-5-2977	RH/SP 20	Open site	Artefact	
45-5-3355	SCR/UPG1	Open site	Artefact : 1	
45-5-3356	SCR/UPG2	Open site	Artefact : 10, Potential Archaeological Deposit (PAD)	
45-5-3392	Pole 45 and Compound	Open site	Potential Archaeological Deposit (PAD) , Artefact	
45-5-2005	RH/SP14;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-3930	RH/A20P 15	Open site	Artefact : 1	
45-5-3931	RH/A20P 16	Open site	Artefact : 1	
45-5-3932	RH/A20P 17	Open site	Artefact : 5	
45-5-3933	RH/A20P 18	Open site	Artefact : 7	

45-5-3934	RH/A20P 19	Open site	Artefact : 1	
45-5-4062	TR2 (Riverstone)	Open site	Artefact	
45-5-5237	Alex Avenue 6 (AA6)	Open site	Artefact	
45-5-2570	RH/SG1	Open site	Artefact	Open Camp Site
45-5-2543	IF 1	Open site	Artefact	Isolated Find
45-5-2544	IF 2	Open site	Artefact	Isolated Find
45-5-2545	1F1	Open site	Artefact	Isolated Find
45-5-2546	1F2	Open site	Artefact	Isolated Find
45-5-2294	PK/PC2 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0357	QH 1 Quakers Hill RH/SP10 ( PAD29 and ISF 10)	Open site	Artefact	Open Camp Site
45-5-0908	RH/CD 6 Rouse Hill	Open site	Grinding Groove	Axe Grinding Groove
45-5-0910	PK/CD 1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0911	PK/CD 2 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0926	RH/CD_10	Open site	Artefact	Open Camp Site
45-5-0929	PK/PC 5;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-0932	RH/CD12 (PAD24);Rouse Hill; duplicate of 45-5-2604	Open site	Artefact	Open Camp Site
45-5-0933	RH/CD9	Open site	Artefact	Open Camp Site
45-5-0939	PK/PC 4;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2282	PK/PC3;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-2283	bc3;Rouse Hill;RH/CR 1;	Open site	Modified Tree (Carved or Scarred)	Scarred Tree
45-5-2292	RH/OC1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-2293	PK/PC1 Rouse Hill	Open site	Artefact	Open Camp Site
45-5-0959	OWR 4 (Rouse Hill)	Open site	Artefact	Open Camp Site
45-5-0960	OWR 5 (Rouse Hill)	Open site	Artefact	Open Camp Site
45-5-0961	OWR 6;Rouse Hill;	Open site	Artefact	Open Camp Site
45-5-0429	Second Ponds Creek HC 7400 Quakers Hill RH/SP12	Open site	Artefact	Open Camp Site

45-5-2979	PAD 1 Windsor Road	Open site	Potential Archaeological Deposit (PAD)	
45-5-3144	Precinct 1B PAD	Open site	Potential Archaeological Deposit (PAD)	
45-5-3090	SPC-PAD33	Open site	Potential Archaeological Deposit (PAD)	
45-5-3091	SPC-PAD35	Open site	Potential Archaeological Deposit (PAD)	
45-5-3092	SPC-PAD36	Open site	Potential Archaeological Deposit (PAD) , Artefact : 16	
45-5-3093	SPC-PAD37	Open site	Potential Archaeological Deposit (PAD)	
45-5-3094	SPC-PAD39	Open site	Potential Archaeological Deposit (PAD)	
45-5-3142	Lot 45 Fyfe Rd	Open site	Artefact	
45-5-3188	Mungerie Park Open Artefact Scatter and associated PAD	Open site	Artefact : 7	
45-5-2024	ISF11;Parklea;	Open site	Artefact	Isolated Find
45-5-3517	Pole 45 and Compound. (DUPLICATE 45-5-3392)	Open site	Artefact	
45-5-3540	Lot 45 Fyfe Rd.	Open site	Artefact : 8	
45-5-3554	MWO2 (Riverstone)	Open site	Artefact : 2	
45-5-3549	W1 (Kellyville)	Open site	Artefact : 1	
45-5-3728	MPIP 5B	Open site	Artefact : 3	
45-5-4187	28 Tallawong Road	Open site	Artefact : 1	
45-5-4267	The Ponds PAD1	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact	
45-5-4188	59 Schofields Road	Open site	Artefact : 6	
45-5-4134	87 Schofields Road AS	Open site	Artefact : 6	
45-5-4259	NWRL PAD11	Open site	Potential Archaeological Deposit (PAD) : 1	
45-5-4260	NWRL PAD10	Open site	Potential Archaeological Deposit (PAD) : 1	

45-5-4112	69 Schofields Road (SCR/UPG3+PAD)	Open site	Artefact : 2	
45-5-4113	ISF SCR/UPG2	Open site	Artefact : 1, Potential Archaeological Deposit (PAD)	
45-5-4107	AA AS 3	Open site	Artefact : 2	
45-5-4108	AA AS 4	Open site	Artefact : 11	
45-5-4190	87 Schofields Road AS 1	Open site	Artefact : 1, Potential Archaeological Deposit (PAD) :	
45-5-4131	RAA 16	Open site	Artefact : 14	
45-5-4132	RAA 17	Open site	Artefact : 1	
45-5-4133	RAA 18	Open site	Artefact : 1	
45-5-4565	Hambledon Road PAD + AS	Open site	Artefact , Potential Archaeological Deposit (PAD)	
45-5-4566	Hambledon Road IF	Open site	Artefact	
45-5-4598	Alex Avenue 5 (AA5)	Open site	Artefact	
45-5-4601	Alex Avenue 1 (AA1)	Open site	Artefact	
45-5-4602	Alex Avenue 2 (AA2)	Open site	Artefact	
45-5-4603	Alex Avenue 3 (AA3)	Open site	Artefact	
45-5-4604	Alex Avenue 4 (AA4)	Open site	Artefact	
45-5-5180	PAD41	Open site	Artefact	
45-5-4968	Gordon Road Artefact Scatter (GR AS) 01	Open site	Artefact	
45-5-4969	Gordon Road Isolated Find 01 (GR ISO 01)	Open site	Artefact	
45-5-2589	IF1 Conrad Rd	Open site	Artefact	
45-5-2649	Windsor Road 1	Open site	Artefact : 1	
45-5-2604	RH/CD12 - Duplicate of 45-5-0932	Open site	Aboriginal Resource and Gathering	
45-5-2904	PAD 2	Open site	Potential Archaeological Deposit (PAD)	
45-5-2905	PAD 3	Open site	Potential Archaeological Deposit (PAD)	
45-5-2863	PAD 43 with ISF	Open site	Artefact	
45-5-3077	MTW	Open site	Artefact	
41-5-0010	PK/PC6	Open site	Artefact : 13	
45-5-3232	T5	Open site	Artefact	

45-5-4468	RAA13	Open site	Artefact	
45-5-4469	RAA14	Open site	Artefact	
45-5-4470	RAA15	Open site	Artefact	
45-5-4473	RAA22	Open site	Artefact	
45-5-4474	RAA23	Open site	Artefact , Potential Archaeological Deposit (PAD)	
45-5-4324	Caddies Creek 1	Open site	Artefact : 1	
45-5-4325	Caddies Creek 2	Open site	Artefact : 1	
45-5-4840	RH/A20P PAD 5	Open site	Potential Archaeological Deposit (PAD)	
45-5-4842	65 Schofields Road	Open site	Artefact	
45-5-4844	NWRL PAD 10	Open site	Potential Archaeological Deposit (PAD)	
45-5-4845	NWRL PAD 11	Open site	Potential Archaeological Deposit (PAD)	
45-5-4765	56 Cudgeong Road, Rouse Hill	Open site	Artefact : 1	
45-5-4897	59 - C R - A S	Open site	Artefact : 6	
45-5-4766	65 Schofields Road IF	Open site	Artefact	
45-5-4928	54 Schofields Road	Open site	Artefact : 1, Potential Archaeological Deposit (PAD) : 1	
45-5-4887	Riverstone Isolated Artefact 6	Open site	Artefact	
45-5-4777	44 Cudgegong Road, Rouse Hill	Open site	Artefact : 1	
45-5-4898	59-CR-AS	Open site	Artefact : 1	
45-5-5323	44-56 Cudgegong Rd Artefact Burial	Open site	Artefact	

**Table 2: List of site records obtained from AHIMS database from a 2 km search radius.**



**Figure 9: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. John Palmer Public School is shown in green at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.**

### 3.6 Historical Land Use

The land on which the John Palmer Public School is located was the traditional lands of the people of the Darug language group and was probably the traditional lands of the Bediagal Clan (Attenbrow 2002:23-24). With European occupation and colonisation of the land came the displacement of people from their traditional lands, and the introduction of land clearing and farming practices that had never been previously used on the continent. Land grants in the area that is known today as The Ponds began to occur during 1818 (Thorp et al. 1993:11). The land where John Palmer Public School is located was first granted to John Palmer as a 1500acre grant on the 13<sup>th</sup> of January 1818 by Governor Macquarie. This was Portion 12 of the Parish of Gidley, originally the district of Bathurst, and was name Hambleton (Steven 1967, Blacktown City Libraries 2018). Figure 12 shows the location of the John Palmer Public School within the John Palmer grant and Hambleton.

John Palmer was born in England in 1760. He became a naval officer and arrived in Australia as a purser with the First Fleet in 1788. He was responsible for maintaining track of the ship supplies on the Sirius (Vine 2016). Figure 11 shows a portrait of John Palmer.

Palmer was eventually forced to mortgage Hambleton to his brother in law, Robert Campbell. Figure 10 shows the transfer of the land from John Palmer through to the Pearce family and the Intercontinental Investment and Building Company (Source Land Services NSW:

Applications 22639, 23772 and 23787). The land was used by the Pearces and the Intercontinental Investment and Building Company for grazing. The land remained as unimproved grazing land until 2005 (Blacktown City Libraries 2018).

SEARCH PAPER.

APPLICATION No. 22 639.

As to 589 ac. 2.00 part of 1500<sup>ac.</sup> granted to John Palmer  
 shire of Blacktown, Parish of Gidley,  
 County of Cumberland.

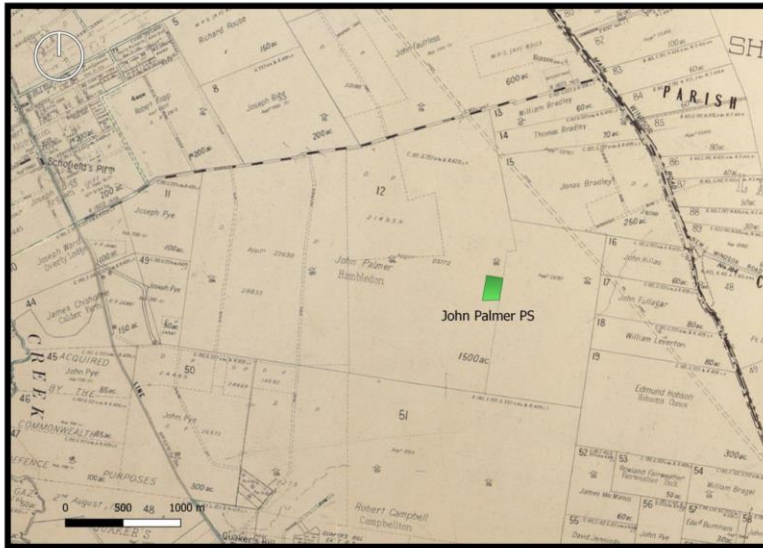
part of 1500<sup>ac.</sup> granted to John Palmer 13 Jan'y 1818.  
 P. R.  
 Plan 2.

Against	From	To
John Palmer	13 Jan'y 1818	Conce 155 <sup>ac.</sup> 41
John Palmer (Dance)	" "	" " "
John Palmer (Dance)	1 Nov. 1839	" " "
John Palmer (Dance)	" "	" " "
Robert Campbell (Dance)	31 March 1828.	" " "
John Campbell (Dance)	" "	Conce 559 <sup>ac.</sup> 20
John Campbell (Dance)	" "	" " "
Robert Campbell (Dance)	" "	" " "
George Campbell (Dance)	" "	" " "
Arthur Campbell (Dance)	" "	" " "
Charles Campbell (Dance)	" "	" " "
George Thomas Palmer	1 Nov. 1839.	Conce 128 <sup>ac.</sup> 39
Samuel North.	" "	" 155 <sup>ac.</sup> 41.
Francis Reddick.	" "	" " "
Richard Edwards	1 Jan'y 1855.	" 691 <sup>ac.</sup> 84
James Duncan (Whitaker)	27 Feb'y 1858.	Conce 692 <sup>ac.</sup> 84
John Leffert (" 458-73)	17 June 1861.	" 790 <sup>ac.</sup> 84
Elleanor Jane Edwards	6 June 1862.	Conce 691 <sup>ac.</sup> 84
Arthur Right	" "	" 749 <sup>ac.</sup> 137
Robert Pearce	1 Jan'y 1863	" " "
Euphemia Jane Pearce	1 Jan'y 1870	Partly 558 <sup>ac.</sup> 1062
George Woodrow Pearce	1 Nov. 1914	Conce 315 <sup>ac.</sup> 1062
Euphemia Jane Pearce.	" "	" " "
John Henry Pearce.	" "	Partly " "
Woodrow Pearce.	" "	Conce " "
Albert Charles Hilder Pearce.	" "	" " "
Intercontinental Investment Land and Building Company Limited	1 Jan'y 1920	present.

Figure 10: Application 22639 referred to from 23772 and 23787 showing the transfer of land from John Palmer through to the Pearce Family (Source Land Services NSW).



Figure 11: John Palmer, R.N. – portrait (Source Mitchell Library, State Library of New South Wales).



**Figure 12: Early Parish map of Gidley showing the location of the John Palmer Public School on the original John Palmer Grant (Source NSW LRS HLRV Parish of Gidley).**

Historical research for the study area does not indicate that there were any early buildings, dwellings or other structures on the site of the John Palmer Public School. Early aerial images of the site from 1938, 1946, 1955, 1961 and 1991 show the study area as being cleared of vegetation (see Figure 17). There is no evidence of furrows or cultivation in these images, confirming its use was primarily for grazing. In 2005 the land use remains unchanged except for vehicle tracks. Figure 13 shows the development of the nearby land progressing towards the study area in 2005.



**Figure 13: 2005 Aerial image of the John Palmer Public School site. © Department of Customer Service, NSW Government.**

### 3.7 Site Disturbance

A visual inspection of the John Palmer Public School was carried out on the 12<sup>th</sup> of August 2020. All of the locations within the proposed development footprint were inspected by archaeologists William Moon and Danielle Mitchell. There is evidence that the study area and development footprint have been subjected to land clearing and some degree of modification associated with the installation of the temporary buildings and the associated services to these buildings, and the original school construction and associated shaping of the school grounds. There is also a sewer main that traverses the western side of the subject area, Figure 14 and Figure 15 shows views across the location of the proposed development where soils will be disturbed.

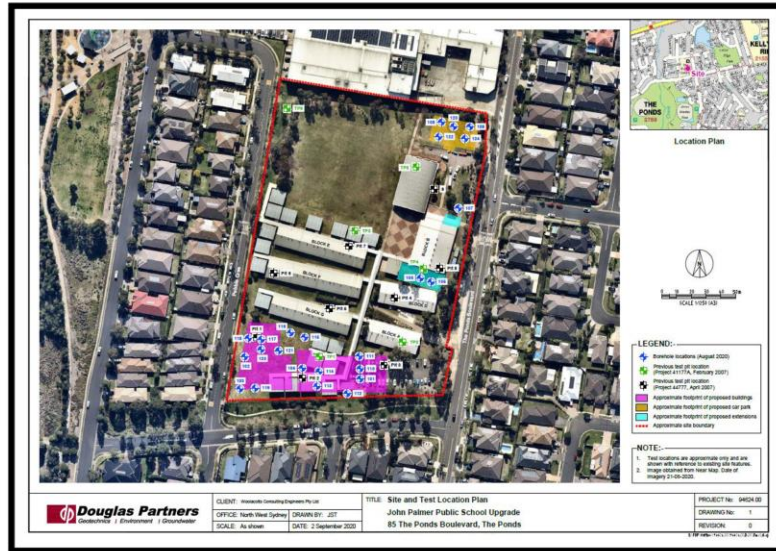
A review of the geotechnical investigation undertaken by Douglas and Partners (2020) has shown that tests throughout the site found that soils were composed of fill. Refer to Figure 16 which shows the bore hole locations for the investigation within the development footprint. The results from every bore indicate that fill is present down to medium to high plasticity clay.



Figure 14: Looking north-east across the proposed development zone at the south west corner of the study area.



Figure 15: Looking east over the area of proposed development at the northeast corner of the study area.



**Figure 16: Image showing borehole locations in the area of the development footprint (Douglas Partners 2020).**

Based upon the geotechnical investigation results and the visual inspection of the site it is concluded that there are no surviving soil profiles or sediments on the site that would have the potential to contain archaeological deposit. When considering the soil disturbance categories used by the National Committee on Soil and Terrain as shown in Table 3, the majority of the study area would fall into the 8<sup>th</sup> category as being highly disturbed due to urban development impacts. The majority of the proposed development footprint would be considered as disturbed land in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010*.

	SITE DISTURBANCE CATEGORY
0	No effective disturbance; natural
1	No effective disturbance other than grazing by hoofed animals
2	Limited clearing (e.g. selective logging)
3	Extensive clearing (e.g. poisoning, ringbarking)
4	Complete clearing; pasture, native or improved, but never cultivated
5	Complete clearing; pasture, native or improved, cultivated at some stage

6	Cultivation; rainfed
7	Cultivation; irrigated, past or present
8	Highly disturbed (e.g. quarrying, road works, mining, landfill, urban)

**Table 3: Categories of Soil Disturbance (National Committee on Soil and Terrain 2009).**

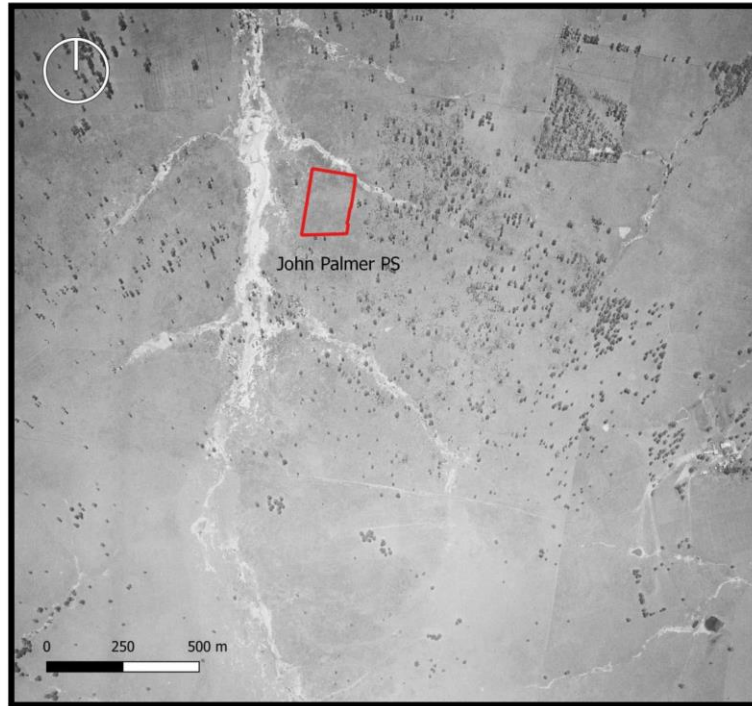
## 4 Predictive Model

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The assessment of the archaeological potential of the site is based upon the assessment of the landscape features, assessment of the environment aspects of the site including potential resource areas (Owen and Cowie 2017), the degree of the disturbance of the landscape, the stream order model (White and MacDonald 2010), and the review of the AHIMS site data and previous studies undertaken within the locality.

### 4.1 Stream Order, Topography and Artefact Concentrations

The study area is located on the eastern side of Second Ponds Creek. Figure 17 shows the cleared landscape in 1950 where the drainage channel of Second Ponds Creek can be seen. At this point the stream is best described as a second order stream as per the Strahler stream order. Erosion channels are visible on the very gently inclined land that has been cleared of most of the vegetation.



**Figure 17: 1955 aerial image showing the location of the Second Ponds Creek relative to the study area. © Department of Customer Service, NSW Government.**

Research of the results of systematic test excavations undertaken in the Rouse Hill area of the Cumberland Plain by White and MacDonald (2010) found that the highest density of artefact concentrations correlated with higher order streams. Highest densities were found associated with terraces and lower slope zones within 50 to 100 metres of 2<sup>nd</sup> and 4<sup>th</sup> order streams. They also found that landscapes associated with first order streams had very low artefact counts. A review of the archaeological studies undertaken in the surrounding area within a 2km radius of the study area suggests that this pattern remains true for the study area.

Based upon stream order and topography of the study area, and the results of previous studies undertaken in the locality, it is predicted that artefacts will be present as a low to medium density distribution in surviving subsurface soil profiles.

#### 4.2 Economic Zones

A review of the spatial data for the study area shows that there is a geological change approximately 200 metres to the west of the study area where Minchinbury Sandstones are present along the creek line which then transition to the Ashfield shales (Jones and Clark 1991). There is no evidence of a change in soil type associated with the geological transition. A review of the surviving remnant vegetation communities in the area does not suggest that the change in geology along the creek line has changed the predominant Shale Plains Woodlands in the area. There is no evidence of changes in the soil, topography, vegetation or climatic conditions that would create ecotones or economic zones (Owen and Cowie 2017).

#### 4.3 Scarred Trees

There is potential for scarred trees to be present on the Cumberland Plains. As can be seen in Figure 17, in 1955 when this aerial image was taken there were no trees remaining within the study area.

#### 4.4 Rock Shelters

There are no rock shelters in this part of the Cumberland Plain which is dominated by the Wianamatta Group Ashfield Shale. There are no exposed sandstones in the area that would enable the formation of suitable shelters.

#### 4.5 Grinding Grooves

On the Cumberland Plains, grinding grooves are normally present on sandstone exposures, often along creek lines and where water is present. An analysis of the study area indicates that the geology within the study area is dominated by the Ashfield shales (Wianamatta Group shales). There is not exposed sandstone within the development footprint.

#### 4.6 Stone Raw Material Quarries and Source Locations

There are no known raw material sources within the study area. An analysis of the study area indicates that the geology is dominated by the Ashfield shales (Wianamatta Group shales) which is not a suitable raw material for stone artefacts. There are known raw material sources on the Cumberland Plain, including the nearby Second Ponds Creek (McDonald 1998:6). Plumpton Ridge is also a known silcrete source that is approximately 8km from the study area.

#### 4.7 Ceremonial Grounds

There are no known ceremonial grounds at the site. The majority of the landscape surface at the site has been subject to modification for development and/or from earlier land clearing. There is unlikely to be visible remains of ceremonial structures (e.g. Bora Rings) at the site.

#### 4.8 Predictive Model Summary

Based upon the landscape topography, proximity to water, geology, environment, site disturbance, previous studies from the broader Cumberland Plain, and studies within locality, the prediction for the site is that it was likely to have been used for open campsites and it is predicted that medium density artefact concentrations and Aboriginal objects would be present in surviving subsurface soil profiles. The archaeological survey and the results of geotechnical investigations indicate that there are no surviving subsurface soil profiles or sediments.

### 5 Research Questions

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Research questions that may be applied to the study area and the development footprint include:

- Can the information shared by the Aboriginal knowledge holders and traditional owners contribute to our understanding of the cultural values of the study area and its importance to Aboriginal people both past and present?
- Do the results of the archaeological investigations align with the predictive model?
- If the results do not align with the predictive model, how can this difference inform us about the how people used the landscape and resources in this part of the Cumberland Plain?
- How can the site contribute to our cultural understanding of the place?

### 6 Archaeological Survey

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The Aboriginal cultural heritage assessment of the study area was undertaken in accordance with the Code of Practice for the Investigation of Aboriginal Objects in New South Wales (Code of Practice; DECCW 2010b). The site survey/inspection follows the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).

#### 6.1 Aim of the Site Survey and Inspection

The objective of the site survey and inspection is to:

- Assess the surface of the development footprint to understand the likely extent of modification from the original surface profile, and to use this understanding to contribute to determining the likelihood of surviving soil profiles with the study area, and the archaeological potential.
- Photograph the condition of the study area and the observations relating to the assessment.
- Identify any Aboriginal objects present at the site.



## 6.2 Survey Strategy

The archaeological survey strategy was to inspect 100% of proposed development footprint.

### 6.2.1 Pedestrian Survey

The study area has been subjected to two pedestrian archaeological surveys, one undertaken by Tocomwall archaeologists Will Moon and Dani Mitchell on 12th of August 2020 as a due diligence assessment carried out for School Infrastructure NSW, and another carried out on the 23rd of April 2021 for School Infrastructure NSW as a requirement of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. Two registered Aboriginal knowledge holders, Rodney Gunther from Waawaar Awaara Aboriginal Corporation and Joeleen Smith from Didge Ngunawal Clan Aboriginal Corporation were engaged to participate in the archaeological survey. Survey coverage is shown in Figure 18 and Figure 19. The aims of the survey were to:

- Complete the survey in accordance with the requirements of Sections 2.2, 2.4, 2.5, 2.6, and 2.7 in the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).
- Determine if there are any significant landforms within the study area that indicate the likely presence of Aboriginal objects.
- Identify any Aboriginal objects present on the surface of the study area.
- Determine if any landforms of the survey area are likely to retain extant soil profiles that may contain Aboriginal objects and if there is a need to undertake archaeological test excavation.

Each person conducting the survey was spaced approximately 2 to 3 metres apart. 100% of the development footprint was surveyed.

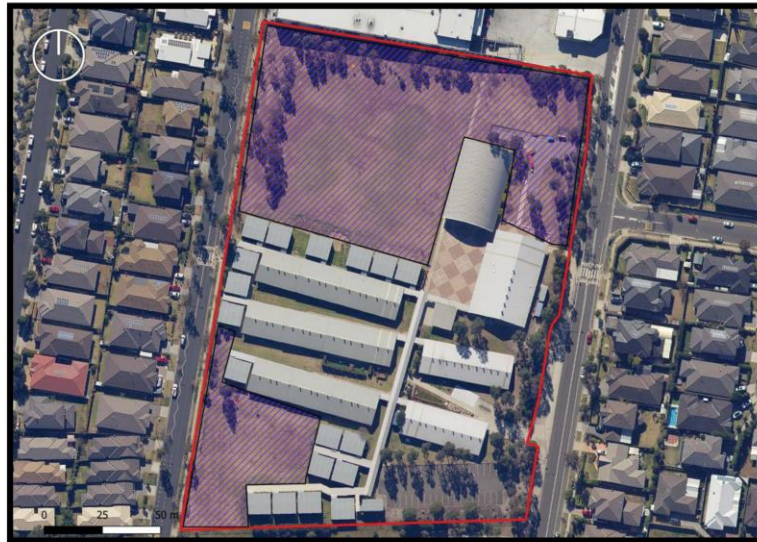
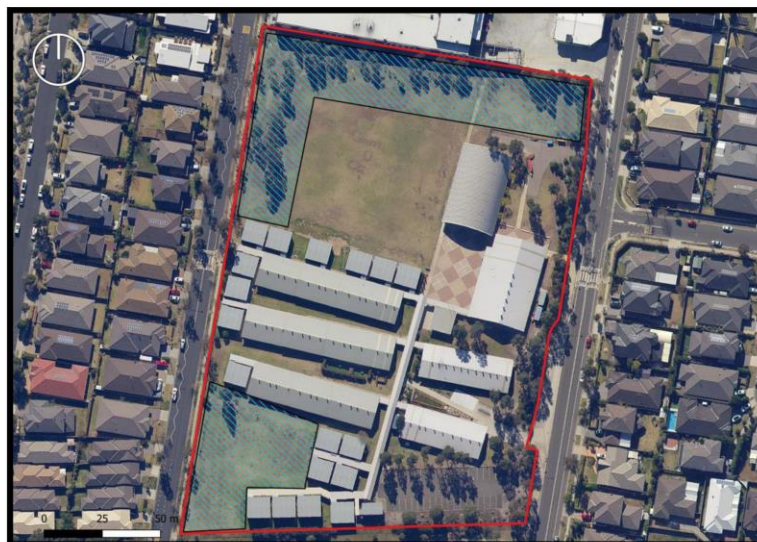


Figure 18: Hatched area showing where the archaeological survey was undertaken during the due diligence assessment 12th of August 2020. Aerial image © NSW Department Finance, Services and Innovation.



**Figure 19: Hatched area showing where the archaeological survey was undertaken on the 23<sup>rd</sup> of April 2021 covering the development footprint. Aerial image © NSW Department Finance, Services and Innovation.**

A photographic record of the site and conditions was created during the visit. Table 4 shows examples of soil exposures inspected during the site survey. The location of the development footprint was visually assessed and considered unlikely to include extant soil profiles that have the potential to include cultural bearing deposits. A review of the geotechnical investigations undertaken at the site validated this interpretation (Douglas and Partners 2020).



**Table 4: Examples of soil exposures inspected during the site survey**

### 6.3 Survey Results

The effective survey coverage is described in Table 5: Survey coverage. The school grounds are covered in grass and there is very little exposed ground. No Aboriginal objects were identified during the survey. It was observed that the ground within the proposed development footprint has been disturbed. In addition to the early historical impacts upon the study area from land clearing and agriculture, there is evidence of the grounds having been graded to obtain the required contour of the playing grounds. There is evidence of fill contamination

throughout the exposed soils. There were no Aboriginal objects or PAD identified during the archaeological survey of the study area.

Survey Unit	Landform	Survey Unit Area m <sup>2</sup>	Visibility	Exposure	Effective coverage area (sq m) (= survey unit area x visibility % x exposure %)	Effective coverage % (= effective coverage area/survey unit area x 100)
1 (August 2020)	Lower Slope (modified)	12739	10%	10%	127.39	1%
2 (April 2021)	Lower Slope (modified)	6935	10%	10%	69.35	1%

**Table 5: Survey coverage**

## 7 Analysis and Discussion

Borehole log data from the geotechnical investigations undertaken within the development footprint have confirmed that the topsoil consists of a mix of fill, and topsoil down to the sterile medium to high plasticity clays. The original soils profiles at the site are now considered to have been lost. The study area is considered to have low to nil archaeological potential. There are no results to interpret within an archaeological framework to enable the construction of Aboriginal settlement history within the subject area.

## 8 Scientific Values and Significance Assessment

There are no Aboriginal objects, sites or PAD recorded within the study area. There were no Aboriginal objects or PAD identified during the archaeological survey of the study area. The original soil profiles at the subject area are now considered destroyed and it is unlikely that any cultural objects survive. There are no known scientific values or archaeological significance for the study area.

## 9 Impact Assessment

There are no Aboriginal objects, sites or PAD recorded within the study area. The original A horizon soil profiles have been destroyed. There is low to nil archaeological potential within the

study area. It is considered that the proposed development will have negligible impact upon Aboriginal objects.

## 10 Management and mitigation measures

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The finding of the Aboriginal archaeological assessment is that there is low to nil archaeological potential within the study area and no management or mitigation measures are considered necessary.

## 11 Recommendations

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No Aboriginal archaeological sites, objects, PAD or Places were located within the proposed development footprint. The proposed works are considered unlikely to harm Aboriginal objects, sites or PADs and no Aboriginal Places were identified within the subject lands. The study area therefore has no Aboriginal heritage constraints. Due to historical disturbance of the soils at the location, the site of the proposed works is considered to have low to nil archaeological potential to retain any archaeological sites, objects, or PAD.

The following recommendations are provided on the basis of the recognition of the legal requirements and automatic statutory protection provided to Aboriginal 'objects' and 'places' under the terms of the National Parks and Wildlife Act of 1974 (as amended), and as outlined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010).

The recommendations are:

- On the basis of the archaeological assessment undertaken, it is recommended that there are no Aboriginal cultural heritage constraints for the proposed development;
- If any unanticipated Aboriginal archaeological objects, sites or PAD are identified during the construction program within impact footprints, works should cease immediately, and notify Heritage NSW;
- If there is a design change to the development footprint, the new development footprint should be assessed for potential archaeological objects, sites or PAD;
- If any human remains are identified during the earthworks within the impact footprints works should cease immediately and the Police and NSW Heritage should be contacted.

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## 21 Appendix 5 – AHIMS Searches

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2028	RH/SP11;Parklea;	AGD	56	305900	6267100	Open site	Valid	Artefact :-	Open Camp Site	3768,98144,98281
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1900,2366,2726	
45-5-2006	RH/SP13;Rouse Hill;	AGD	56	306090	6269450	Open site	Partially Destroyed	Artefact :-	Open Camp Site	3768,98144,98281
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1733,1946,2366,2697,2769,2902,3275,3276	3768,98281
45-5-2023	ISF10;Parklea;	AGD	56	306175	6266735	Open site	Valid	Artefact :-	Isolated Find	3768,98281
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-2025	ISF12;Parklea;	AGD	56	306075	6269030	Open site	Valid	Artefact :-	Isolated Find	3768,98281
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-2417	IF-2;Conrad Rd;	AGD	56	307300	6268450	Open site	Valid	Artefact :-	Isolated Find	98281
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	979	
45-5-2805	RH/SP15	GDA	56	306220	6270059	Open site	Partially Destroyed	Artefact :-		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-2754	T4	AGD	56	305807	6269201	Open site	Valid	Artefact :-		98049
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	2528	
45-5-2755	T3	AGD	56	305814	6269266	Open site	Valid	Artefact :-		98049
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	2528	
45-5-2756	T1	AGD	56	305702	6269488	Open site	Valid	Artefact :-		98049
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	2528	
45-5-2757	T2	AGD	56	305732	6269383	Open site	Valid	Artefact :-		98049,102378
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	2528	
45-5-2872	RH/SP21 (formerly PAD34)	AGD	56	306865	6269540	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) :-		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1733,1946,2366,3421	
45-5-2873	RH/SP22 (formerly PAD38)	AGD	56	305810	6267920	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1733,1946,2366	
45-5-2874	RH/SP20 (formerly PAD40)	AGD	56	306720	6267160	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1733,2366	
45-5-2913	Conrad Road PAD1	AGD	56	306653	6268200	Open site	Valid	Potential Archaeological Deposit (PAD) :-		

Report generated by AHIMS Web Service on 10/08/2020 for William Moon for the following area at Datum :GDA, Zone : 56, Eastings : 304450 - 308450, Northings : 6266335 - 6270335 with a Buffer of 50 meters. Additional Info : Due Diligence and Archaeological Assessment. Number of Aboriginal sites and Aboriginal objects found is 117  
This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2890	RH/CR1	AGD	56	307090	6267230	Open site	Valid	Artefact :-		1855
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-2977	RH/SP 20	AGD	56	306610	6267010	Open site	Destroyed	Artefact :-		1787
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1946,2053	
45-5-3355	SCR/UPG1	GDA	56	306095	6269881	Open site	Destroyed	Artefact : 1		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-3356	SCR/UPG2	GDA	56	304893	6269163	Open site	Partially Destroyed	Artefact : 10, Potential Archaeological Deposit (PAD) :-		103710
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	3504,3637,3877,4142,4603	
45-5-3392	Pole 45 and Compound	GDA	56	306034	6269461	Open site	Destroyed	Potential Archaeological Deposit (PAD) :-, Artefact :-		102377
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	2875	
45-5-2005	RH/SP14;Rouse Hill;	AGD	56	306080	6269310	Open site	Valid	Artefact :-	Open Camp Site	3768,98144,98281
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1900,2366,3275	
45-5-3930	RH/A20P 15	GDA	56	306503	6270212	Open site	Destroyed	Artefact : 1		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-3931	RH/A20P 16	GDA	56	306646	6270037	Open site	Destroyed	Artefact : 1		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-3932	RH/A20P 17	GDA	56	306284	6270113	Open site	Valid	Artefact : 5		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-3933	RH/A20P 18	GDA	56	306036	6269898	Open site	Destroyed	Artefact : 7		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-3934	RH/A20P 19	GDA	56	305676	6270195	Open site	Valid	Artefact : 1		103781
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	4106	
45-5-4062	TR2 (Riverstone)	GDA	56	304766	6269389	Open site	Destroyed	Artefact :-		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>		
45-5-5237	Alex Avenue 6 (AA6)	GDA	56	304708	6268839	Open site	Valid	Artefact :-		
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	4603	
45-5-2570	RH/SG1	AGD	56	307530	6267460	Open site	Valid	Artefact :-	Open Camp Site	97858
	<b>Contact</b>									
	<b>Recorders</b>							<b>Permits</b>	1693	

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2543	IF 1	AGD	56	307180	6268230	Open site	Valid	Artefact :-	Isolated Find	
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw							
45-5-2544	IF 2	AGD	56	307210	6268280	Open site	Valid	Artefact :-	Isolated Find	
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw							
45-5-2545	1F1	AGD	56	307180	6268230	Open site	Valid	Artefact :-	Isolated Find	
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw							
45-5-2546	1F2	AGD	56	307210	6268280	Open site	Valid	Artefact :-	Isolated Find	
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw							
45-5-2294	PK/PC2 Rouse Hill	AGD	56	307660	6266730	Open site	Valid	Artefact :-	Open Camp Site	2544
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw							
45-5-0357	QH 1 Quakers Hill RH/SP10 ( PAD29 and ISF 10)	AGD	56	306360	6266390	Open site	Valid	Artefact :-	Open Camp Site	599,601,630 260,1018,9814 4,98281
	<b>Contact</b>	<b>Recorders</b>	Mary Dallas Consulting Archaeologists (MDCA)							
45-5-0908	RH/CD 6 Rouse Hill	AGD	56	308320	6269450	Open site	Valid	Grinding Groove :-	Axe Grinding Groove	2499,98281
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald							
45-5-0910	PK/CD 1 Rouse Hill	AGD	56	308190	6267200	Open site	Valid	Artefact :-	Open Camp Site	2499,98281
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald							
45-5-0911	PK/CD 2 Rouse Hill	AGD	56	307860	6266980	Open site	Valid	Artefact :-	Open Camp Site	2499,97526,98 281
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald							
45-5-0926	RH/CD_10	AGD	56	308200	6269550	Open site	Valid	Artefact :-	Open Camp Site	3696,102576
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald							
45-5-0929	PK/PC 5;Rouse Hill;	AGD	56	307200	6267050	Open site	Valid	Artefact :-	Open Camp Site	2654,98281
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald							
45-5-0932	RH/CD12 (PAD24);Rouse Hill; duplicate of 45-5-2604	AGD	56	308380	6269360	Open site	Valid	Artefact :-	Open Camp Site	
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald,Elizabeth Rich							
45-5-0933	RH/CD9	GDA	56	308200	6268420	Open site	Partially Destroyed	Artefact :-	Open Camp Site	98281
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald,Kelleher Nightingale Consulting Pty Ltd, Miss.Kristen Taylor							
45-5-0939	PK/PC 4;Rouse Hill;	AGD	56	307460	6266960	Open site	Valid	Artefact :-	Open Camp Site	2654
	<b>Contact</b>	<b>Recorders</b>	Doctor.Jo McDonald							
45-5-2282	PK/PC3;Rouse Hill;	AGD	56	307550	6266800	Open site	Valid	Artefact :-	Open Camp Site	1567,98281
	<b>Contact</b>	<b>Recorders</b>	Mary Dallas Consulting Archaeologists (MDCA), Doctor.Jo McDonald							
45-5-2283	bc3;Rouse Hill;RH/CR 1;	AGD	56	307140	6268500	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	1567,98281

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2292	RH/OC1 Rouse Hill	AGD	56	307400	6268300	Open site	Valid	Artefact :-	Open Camp Site	2544,98281
	<b>Contact</b>	<b>Recorders</b>	Mary Dallas Consulting Archaeologists (MDCA), Doctor.Jo McDonald							
45-5-2293	PK/PC1 Rouse Hill	AGD	56	307110	6266580	Open site	Valid	Artefact :-	Open Camp Site	1032,1693 2544,98281
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw							
45-5-0959	OWR 4 (Rouse Hill)	AGD	56	307370	6269950	Open site	Valid	Artefact :-	Open Camp Site	630 97463,98281
	<b>Contact</b>	<b>Recorders</b>	Ms.Tessa Corkill							
45-5-0960	OWR 5 (Rouse Hill)	AGD	56	307470	6269820	Open site	Valid	Artefact :-	Open Camp Site	97463
	<b>Contact</b>	<b>Recorders</b>	Ms.Tessa Corkill							
45-5-0961	OWR 6;Rouse Hill;	AGD	56	308080	6268560	Open site	Valid	Artefact :-	Open Camp Site	
	<b>Contact</b>	<b>Recorders</b>	Ms.Tessa Corkill							
45-5-0429	Second Ponds Creek HC 7400 Quakers Hill RH/SP12	AGD	56	306100	6267800	Open site	Valid	Artefact :-	Open Camp Site	521,823,1018,1 567,98144,982 81
	<b>Contact</b>	<b>Recorders</b>	Unknown Author,P Mackay							
45-5-2979	PAD 1 Windsor Road	AGD	56	308300	6268800	Open site	Valid	Potential Archaeological Deposit (PAD) :-		112,1733,1946,2053,2366,2726,2905,3091
	<b>Contact</b>	<b>Recorders</b>	AECOM Australia Pty Ltd - Sydney							
45-5-3144	Precinct 1B PAD	AGD	56	306680	6268510	Open site	Valid	Potential Archaeological Deposit (PAD) :-		1963,2195
	<b>Contact</b>	<b>Recorders</b>	Jo McDonald Cultural Heritage Management see GML							
45-5-3090	SPC-PAD33	AGD	56	306820	6269770	Open site	Valid	Potential Archaeological Deposit (PAD) :-		2374 102377
	<b>Contact</b>	<b>Recorders</b>	Jo McDonald Cultural Heritage Management see GML							
45-5-3091	SPC-PAD35	AGD	56	306550	6269280	Open site	Valid	Potential Archaeological Deposit (PAD) :-		2366
	<b>Contact</b>	<b>Recorders</b>	Jo McDonald Cultural Heritage Management see GML							
45-5-3092	SPC-PAD36	AGD	56	305480	6269040	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) :-		2366
	<b>Contact</b>	<b>Recorders</b>	Jo McDonald Cultural Heritage Management see GML,Ms.Scana Trehy							
45-5-3093	SPC-PAD37	AGD	56	305690	6268350	Open site	Valid	Potential Archaeological Deposit (PAD) :-		2366,3499

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-3094	SPC-PAD39	AGD	56	305810	6267920	Open site	Valid	Potential Archaeological Deposit (PAD) :-	Permits 2366	
	<b>Contact</b>	<b>Recorders</b>	jo McDonald Cultural Heritage Management see GML							
45-5-3142	Lot 45 Fyfe Rd	AGD	56	306600	6268250	Open site	Valid	Artefact :-	Permits 2372,3108	99634
	<b>Contact</b>	<b>Recorders</b>	jo McDonald Cultural Heritage Management see GML							
45-5-3188	Mungerie Park Open Artefact Scatter and associated PAD	GDA	56	307887	6269685	Open site	Destroyed	Artefact : 7	Permits 2426	
	<b>Contact</b>	<b>Recorders</b>	Austral Archaeology Pty Ltd,Kelleher Nightingale Consulting Pty Ltd, Miss.Kristen T S Scanlon							
45-5-2024	ISF11;Parklea;	AGD	56	306110	6266960	Open site	Valid	Artefact :-	Permits 3768,98281	
	<b>Contact</b>	<b>Recorders</b>	Helen Brayshaw, Doctor.Jo McDonald							
45-5-3517	Pole 45 and Compound. (DUPLICATE 45-5-3392)	GDA	56	305935	6269785	Open site	Destroyed	Artefact :-	Permits 101067	
	<b>Contact</b>	<b>Recorders</b>	Ms.Lisa Campbell,Jim Wheeler,Ms.Vanessa Hardy							
45-5-3540	Lot 45 Fyfe Rd.	GDA	56	306600	6268250	Open site	Valid	Artefact : 8	Permits 99596	
	<b>Contact</b>	<b>Recorders</b>	jo McDonald Cultural Heritage Management see GML							
45-5-3554	MWO2 (Riverstone)	GDA	56	308489	6269918	Open site	Valid	Artefact : 2	Permits 101064	
	<b>Contact</b>	<b>Recorders</b>	jo McDonald Cultural Heritage Management see GML							
45-5-3549	W1 (Kellyville)	GDA	56	307790	6269393	Open site	Valid	Artefact : 1	Permits 97463	
	<b>Contact</b>	<b>Recorders</b>	Michael Therin							
45-5-3728	MPIP 5B	GDA	56	307087	6267938	Open site	Valid	Artefact : 3	Permits 3681	
	<b>Contact</b>	<b>Recorders</b>	Kelleher Nightingale Consulting Pty Ltd							
45-5-4187	28 Tallawong Road	GDA	56	305061	6269998	Open site	Destroyed	Artefact : 1	Permits 103781	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills,Kelleher Nightingale Consulting Pty Lt							
45-5-4267	The Ponds PAD1	GDA	56	305102	6268735	Open site	Valid	Potential Archaeological Deposit (PAD) : 1, Artefact :-	Permits 3616	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills,Mr.Josh Madden							
45-5-4188	59 Schofields Road	GDA	56	305570	6269730	Open site	Destroyed	Artefact : 6	Permits 103781	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills,Kelleher Nightingale Consulting Pty Lt							
45-5-4134	87 Schofields Road AS	GDA	56	306299	6269881	Open site	Valid	Artefact : 6	Permits 3556	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills,Mr.Lyndon Patterson							
45-5-4259	NWRL PAD11	GDA	56	307263	6270210	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) : 1	Permits	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills,Doctor.Darran Jordan,AECOM Australi							

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Page 5 of 9

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-4260	NWRL PAD10	GDA	56	308324	6269473	Open site	Valid	Potential Archaeological Deposit (PAD) : 1	Permits 3948	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills							
45-5-4112	69 Schofields Road (SCR/ UPG3+PAD)	GDA	56	305570	6269730	Open site	Destroyed	Artefact : 2	Permits 3556	
	<b>Contact</b>	<b>Recorders</b>	jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti							
45-5-4113	ISF SCR/UPG2	GDA	56	307210	6270111	Open site	Valid	Artefact : 1, Potential Archaeological Deposit (PAD) :-	Permits 3518	
	<b>Contact</b>	<b>Recorders</b>	jo McDonald Cultural Heritage Management see GML,GML Heritage Pty Ltd + Conte							
45-5-4107	AA AS 3	GDA	56	305379	6269241	Open site	Partially Destroyed	Artefact : 2	Permits 3499	
	<b>Contact</b>	<b>Recorders</b>	Ms.Fiona Leslie							
45-5-4108	AA AS 4	GDA	56	305265	6269048	Open site	Partially Destroyed	Artefact : 11	Permits 3499	
	<b>Contact</b>	<b>Recorders</b>	Ms.Fiona Leslie							
45-5-4190	87 Schofields Road AS 1	GDA	56	306299	6269881	Open site	Valid	Artefact : 1, Potential Archaeological Deposit (PAD) : 1	Permits	
	<b>Contact</b>	<b>Recorders</b>	GML Heritage Pty Ltd + Context - Surry Hills							
45-5-4131	RAA 16	GDA	56	305006	6268242	Open site	Partially Destroyed	Artefact : 14	Permits 3499	
	<b>Contact</b>	<b>Recorders</b>	AECOM Australia Pty Ltd - Sydney							
45-5-4132	RAA 17	GDA	56	305249	6268257	Open site	Partially Destroyed	Artefact : 1	Permits 3499	
	<b>Contact</b>	<b>Recorders</b>	AECOM Australia Pty Ltd - Sydney							
45-5-4133	RAA 18	GDA	56	305548	6268402	Open site	Partially Destroyed	Artefact : 1	Permits 3499	
	<b>Contact</b>	<b>Recorders</b>	AECOM Australia Pty Ltd - Sydney							
45-5-4565	Hambledon Road PAD + AS	GDA	56	304632	6269132	Open site	Valid	Artefact :- Potential Archaeological Deposit (PAD) :-	Permits 4603	
	<b>Contact</b>	<b>Recorders</b>	Doctor.Tim Owen							
45-5-4566	Hambledon Road IF	GDA	56	304893	6269163	Open site	Valid	Artefact :-	Permits 3877	
	<b>Contact</b>	<b>Recorders</b>	Doctor.Tim Owen							
45-5-4598	Alex Avenue 5 (AA5)	GDA	56	304999	6268846	Open site	Destroyed	Artefact :-	Permits 3972	
	<b>Contact</b>	<b>Recorders</b>	Artefact - Cultural Heritage Management - Pyrmont,Artefact - Cultural Heritage Ma							
45-5-4601	Alex Avenue 1 (AA1)	GDA	56	304790	6269395	Open site	Valid	Artefact :-	Permits 103761	
	<b>Contact</b>	<b>Recorders</b>	Artefact - Cultural Heritage Management - Pyrmont,Ms.Alyce Howard							

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Page 6 of 9

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-4602	Alex Avenue 2 (AA2)	GDA	56	304766	6269389	Open site	Valid	Artefact : -		103761
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4603	Alex Avenue 3 (AA3)	GDA	56	304637	6269130	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4603
45-5-4604	Alex Avenue 4 (AA4)	GDA	56	304680	6269134	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4603
45-5-5180	PAD41	GDA	56	306326	6270307	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4968	Gordon Road Artefact Scatter (GR AS) 01	GDA	56	304583	6269935	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4311
45-5-4969	Gordon Road Isolated Find 01 (GR ISO 01)	GDA	56	304539	6270015	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4311
45-5-2589	IFI Conrad Rd	AGD	56	307850	6267800	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-2649	Windsor Road 1	AGD	56	307790	6269393	Open site	Valid	Artefact : 1		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	1318
45-5-2604	RH/CD12 - Duplicate of 45-5-0932	GDA	56	308485	6269549	Open site	Valid	Aboriginal Resource and Gathering : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	3948
45-5-2904	PAD 2	AGD	56	307521	6269818	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	1840,1853
45-5-2905	PAD 3	AGD	56	307568	6269737	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	1840,1853
45-5-2863	PAD 43 with ISF	AGD	56	306550	6267510	Open site	Valid	Artefact : -		98144
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-3077	MTW	AGD	56	307556	6269771	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	2309
41-5-0010	PK/PC6	GDA	56	307413	6267000	Open site	Valid	Artefact : 13		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-3232	T5	AGD	56	305646	6269207	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	2528
45-5-4468	RAA13	GDA	56	305515	6268682	Open site	Valid	Artefact : -		

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45-5-4469	RAA14	GDA	56	305034	6269491	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4470	RAA15	GDA	56	304438	6268481	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4473	RAA22	GDA	56	304551	6268948	Open site	Valid	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4603
45-5-4474	RAA23	GDA	56	304500	6268840	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4603
45-5-4324	Caddies Creek 1	GDA	56	308340	6269329	Open site	Valid	Artefact : 1		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	3948
45-5-4325	Caddies Creek 2	GDA	56	308371	6269469	Open site	Valid	Artefact : 1		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4840	RH/A20P PAD 5	GDA	56	305738	6270054	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4842	65 Schofields Road	GDA	56	305410	6269781	Open site	Destroyed	Artefact : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4844	NWRL PAD 10	GDA	56	308109	6269191	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4845	NWRL PAD 11	GDA	56	307335	6270246	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) : -		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	
45-5-4765	56 Cudgeong Road, Rouse Hill	GDA	56	306091	6270364	Open site	Destroyed	Artefact : 1		103491,10378 1,103836,1043 66
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4473
45-5-4897	59 - C R - A S	GDA	56	305711	6270239	Open site	Valid	Artefact : 6		
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	4106
45-5-4766	65 Schofields Road IF	GDA	56	305376	6269871	Open site	Destroyed	Artefact : -		103781
	<b>Contact</b>	<b>Recorders</b>							<b>Permits</b>	

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45-5-4928	54 Schofields Road	GDA	56	304490	6269137	Open site	Partially Destroyed	Artefact : 1, Potential Archaeological Deposit (PAD) : 1		103761
	<b>Contact</b>							<b>Permits</b>	4286	
45-5-4887	Riverstone Isolated Artefact 6	GDA	56	305223	6270037	Open site	Valid	Artefact : -		
	<b>Contact</b>							<b>Permits</b>	4074	
45-5-4777	44 Cudgong Road, Rouse Hill	GDA	56	306091	6270364	Open site	Destroyed	Artefact : 1		104366
	<b>Contact</b>							<b>Permits</b>	4473	
45-5-4898	59-CR-AS	GDA	56	305711	6270239	Open site	Valid	Artefact : 1		
	<b>Contact</b>							<b>Permits</b>		
45-5-5323	44-56 Cudgong Rd Artefact Burial	GDA	56	305967	6270225	Open site	Valid	Artefact : -		
	<b>Contact</b>							<b>Permits</b>		

Report generated by AHIMS Web Service on 10/08/2020 for William Moon for the following area at Datum :GDA, Zone : 56, Eastings : 304450 - 308450, Northings : 6266335 - 6270335 with a Buffer of 50 meters. Additional Info : Due Diligence and Archaeological Assessment. Number of Aboriginal sites and Aboriginal objects found is 117  
This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.



**AHIMS Web Services (AWS)  
Search Result**

Your Ref/PO Number : JPPS

Client Service ID : 610639

Tocomwall Pty Ltd

Date: 04 August 2021

P O Box 145

Miranda New South Wales 1490

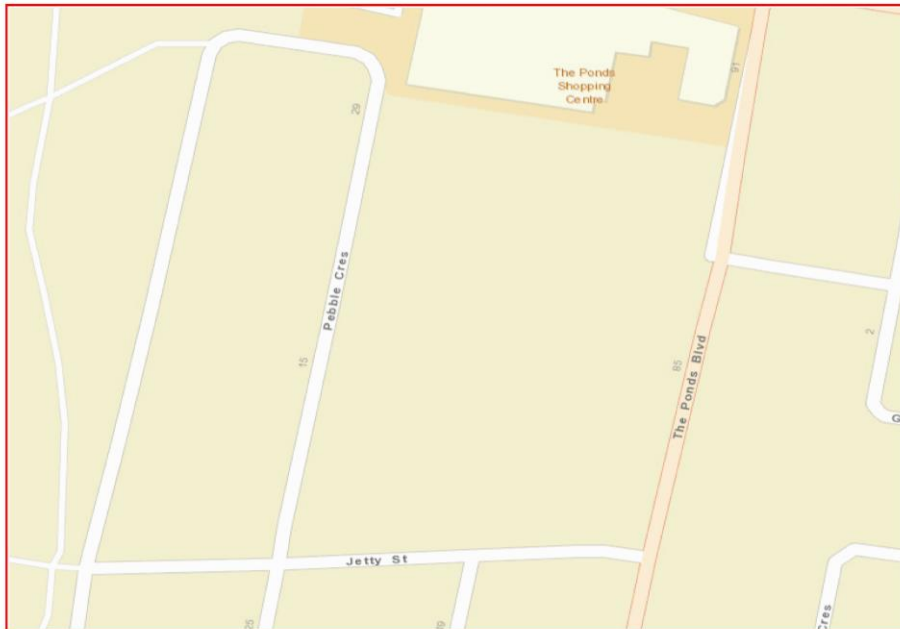
Attention: William Moon

Email: william@tocomwall.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 306302.0 - 306540.0, Northings : 6268187.0 - 6268485.0 with a Buffer of 0 meters, conducted by William Moon on 04 August 2021.**

**The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.**



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](https://www.legislation.nsw.gov.au/gazette) (<https://www.legislation.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

## 22 Appendix 6 – ACHAR Review Correspondence

### Request for review

**From:** Will Moon <[william@tocomwall.com.au](mailto:william@tocomwall.com.au)>  
**Sent:** Friday, 6 August 2021 10:41 AM  
**To:** Will Moon <[william@tocomwall.com.au](mailto:william@tocomwall.com.au)>  
**Cc:** Scott Franks <[scott@tocomwall.com.au](mailto:scott@tocomwall.com.au)>; Paul Harvey <[paul@tocomwall.com.au](mailto:paul@tocomwall.com.au)>  
**Subject:** John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds [Aboriginal Cultural Heritage Assessment – Final Review]

Dear Knowledge Holder,

**RE: John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds Aboriginal Cultural Heritage Assessment – Final Review**

Please find attached the link to the final draft of the Aboriginal Cultural Heritage Assessment Report (ACHAR) for the proposed development at John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. This information has been provided in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW 2010).

In accordance with the consultation requirements (2010), you have the opportunity to review and provide feedback on the final draft of the ACHAR.

Please provide your feedback in writing no later than 3<sup>rd</sup> of September 2021.

[https://tocomwall-my.sharepoint.com/:f/g/personal/william\\_tocomwall\\_com\\_au/Epk8H1LqFFIMkxSb1SH0WtwBn4VWTrL8GpQkzgx3tlytQ?e=o5QYI8](https://tocomwall-my.sharepoint.com/:f/g/personal/william_tocomwall_com_au/Epk8H1LqFFIMkxSb1SH0WtwBn4VWTrL8GpQkzgx3tlytQ?e=o5QYI8)

Regards

Will Moon

Archaeologist  
 Tocomwall Pty Ltd  
 m: 0419399230  
 e: [william@tocomwall.com.au](mailto:william@tocomwall.com.au)  
[www.tocomwall.com.au](http://www.tocomwall.com.au)







### Review Responses

Re: John Palmerthank you for your ACHA for John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. Here at KYWG we hold Public School, Lot 1 DP 113134...



Philip Khan <[philipkhan.acn@live.com.au](mailto:philipkhan.acn@live.com.au)>  
 To: Will Moon

 Reply
  Reply All
  Forward
 

 You forwarded this message on 18/08/2021 9:18 AM.

Wed 18/08/2021 9:14 AM

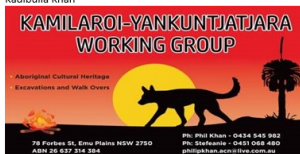
Dear Will,

Thank you for your ACHA for John Palmer Public School, Lot 1 DP 1131340, 85 The Ponds Blvd The Ponds. Here at KYWG we hold over 50 years of cultural knowledge, our aspiration is to conserve our cultural heritage and our aim is to pass on cultural knowledge. Aboriginal people have walked this land for tens of thousands of years and continue to do so. We follow the water ways as they provide resource, we hold a deep connection with mother earth, and we are guided by the skies. Aboriginal people would camp, hunt, gather, practice lore and followed customs across mother earth, we protect our sacred sites such as men's and woman's sites. Is there interpretation plan in place, some ways to achieve interpretation is through art, native gardens, digital display, app etc.

We believe the whole study area is highly significant to us Aboriginal people and for this reason we agree to your recommendations, and we support your ACHA, we look forward to working with you on the project.

Kind Regards

Kadibulla Khan



**From:** Will Moon <[william@tocomwall.com.au](mailto:william@tocomwall.com.au)>