



Aboriginal Cultural Heritage Assessment Report

Community Facility and Centre of Excellence
Kellyville Park
8 Memorial Avenue
Kellyville

The Hills Shire LGA



February 2022

Report prepared for the Parramatta National Rugby
League Club

Project Summary

The Parramatta National Rugby League Club proposes to undertake works to redevelop facilities within Kellyville Park at 8 Memorial Avenue, Kellyville. Coast History and Heritage [Coast] has prepared this Aboriginal Cultural Heritage Assessment Report (ACHAR) to accompany a State Significant Development Application for the proposal, under Part 4 (Division 4.7) of the *Environmental Planning and Assessment Act 1979*. Our ACHAR contains an Aboriginal archaeological assessment in accordance with the Heritage NSW *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, and documents Aboriginal community consultation in accordance with the National Parks and Wildlife Regulation 2019.

The study area for the present report comprises the footprint of the proposed works within Kellyville Park (Lot 60 in DP 10702 and Lot 1 in DP 167535), although Kellyville Park as a whole has been considered to provide context.

Aboriginal heritage values

There are no previously recorded Aboriginal archaeological sites within the study area, and none were identified during our assessment. The study area has been substantially impacted by historical development, and does not have any potential to contain intact or extensive Aboriginal archaeological remains.

Proposed development and potential Aboriginal heritage impact

The proposed works involve the construction of two new buildings, a grandstand, a carpark, and a spectator's mound. They are unlikely to result in Aboriginal heritage impact, and we do not believe that any further Aboriginal heritage investigations are necessary in relation to the proposal. However as Aboriginal objects remain protected by the *National Parks and Wildlife Act 1974*, we have recommended an 'unexpected finds protocol' as a precaution during construction.

Recommendations

We recommend that:

1. No further Aboriginal archaeological assessment or investigation is required prior to commencement of the proposed development, and the works may proceed with caution.
2. If any Aboriginal objects or bones suspected of being human are identified during construction, site workers must:
 - a. Not further disturb or move these remains.
 - b. Immediately cease all work at the location.
 - c. In the case of suspected human remains only, notify NSW Police. In the case of Aboriginal objects, notify the Heritage NSW Environment Line on 131 555 as soon as practicable and provide available details of the objects or remains and their location. Deerubbin Local Aboriginal Land Council should also be notified to assist in the determination of appropriate management for the objects or remains.

- d. Not recommence any work at the location unless authorised in writing by Heritage NSW.
3. A copy of this report should be forwarded to the Registered Aboriginal Parties and to:

The Registrar
Aboriginal Heritage Information Management System
Heritage NSW
Locked Bag 5020
Parramatta NSW 2220

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1 Introduction to the project

The Parramatta National Rugby League Club (PNRL) proposes to undertake works to upgrade facilities within Kellyville Park, at 8 Memorial Avenue, Kellyville. The proposal is to be assessed as a State Significant Development (SSD-24452965) under Part 4 (Division 4.7) of the *Environmental Planning and Assessment Act 1979*. The Department of Planning, Industry and Environment has released the Planning Secretary's Environmental Assessment Requirement (SEARs) for the project¹, and these require an Aboriginal Cultural Heritage Assessment Report to be prepared to inform the Environmental Impact Statement (EIS) in accordance with current guidelines², including Aboriginal community consultation requirements.³ To meet the requirements for the EIS, Mostyn Copper on behalf of the Parramatta National Rugby League Club, has engaged us to complete these investigations.

Our Aboriginal Cultural Heritage Assessment Report contains an Aboriginal archaeological assessment in accordance with the Heritage NSW *Code of Practice for Archaeological Objects in New South Wales* ('the Code')⁴, and documents Aboriginal community consultation in accordance with the National Parks and Wildlife Regulation 2019 ('the Regulation'). It details known and potential Aboriginal heritage ('objects') within the study area and contains Aboriginal heritage management recommendations in relation to the current proposal. A separate Statement of Heritage Impact has been prepared by Coast for the proposal, to examine potential impacts on non-Aboriginal heritage values.⁵

1.1 What the report contains

The report contains:

- a description of the study area, the proposal and the background to our study (**Section 1**)
- an assessment of Aboriginal cultural values (**Section 2** and **Appendix 1**)
- an overview of the environmental, archaeological and historical information we considered (**Section 3** and **Appendix 2**)
- a description of the field inspection we completed (**Section 4**)
- our assessment of the Aboriginal heritage values of the study area (**Section 5**)
- our assessment of the possible Aboriginal heritage impacts from the proposal (**Section 6**)
- our recommendations (**Section 7**)
- the references used in our report (**Section 8**).

¹ SSD-24452965, SEARs, issued 18/8/21, Requirement 12.

² Office of Environment and Heritage (OEH) 2011; Department of Environment, Climate Change and Water (DECCW) 2010c.

³ *National Parks and Wildlife Regulation 2009* (s80C), as detailed in DECCW 2010b.

⁴ DECCW 2010

⁵ Coast History and Heritage 2022

1.2 Who contributed to the report

Authorship and acknowledgements

The report was written by Rebecca Bryant (Archaeologist). It was reviewed by Fenella Atkinson (Senior Heritage Advisor). Coast would like to acknowledge the assistance of Sally Lynch and Matt Nilan (Mostyn Copper), and discussions with and advice from Steve Randall (Deerubbin Local Aboriginal Land Council) and Justine Coplin (Darug Custodian Aboriginal Corporation). The information contributed by the Registered Aboriginal Parties is acknowledged with thanks.

1.3 What we are assessing

The property and proposal

The study area comprises the location of the proposed works within Kellyville Park, which is located on Memorial Avenue and Stone Mason Drive, in the Hills Shire Local Government Area (**Figure 2** and **Figure 3**). The Park comprises the lots described as Lot 60 DP 10702, Lot 1 DP167535, Lot 123 DP1113073, Lot 1002 DP 1132811 and Lot 10 DP258947. The proposed works extend across parts of the first two of these lots. In total, the park is about 1.46 hectares in size. It is in the Parish of Castle Hill, County of Cumberland, and is within the boundaries of the Deerubbin Local Aboriginal Land Council and in the Metropolitan Sydney Region of Heritage NSW, Department of Premier and Cabinet. It is situated just to the west of Windsor Road, within Kellyville, and about 40 kilometres northwest of the Sydney Central Business District.

PNRL proposes to construct a Community Facility and Centre of Excellence. With reference to **Figure 4**, the proposed development includes the following components:

- 1. Community Facility, including grandstand; change rooms and amenities; first aid / medical room, gymnasium, café / kiosk, and function room.
- 2. Centre of Excellence, including a gymnasium; medical and rehabilitation facilities; pools; areas for lectures, meetings, education, and study; administration offices; and a change room and amenities.
- 4. Car parking (40 spaces), to operate in conjunction with the existing car parking
- 5. Landscaping
- 7. Rainwater tanks
- 9. Spectator mound
- 11. Proposed refuse area
- 12. Meeting place and landscaping

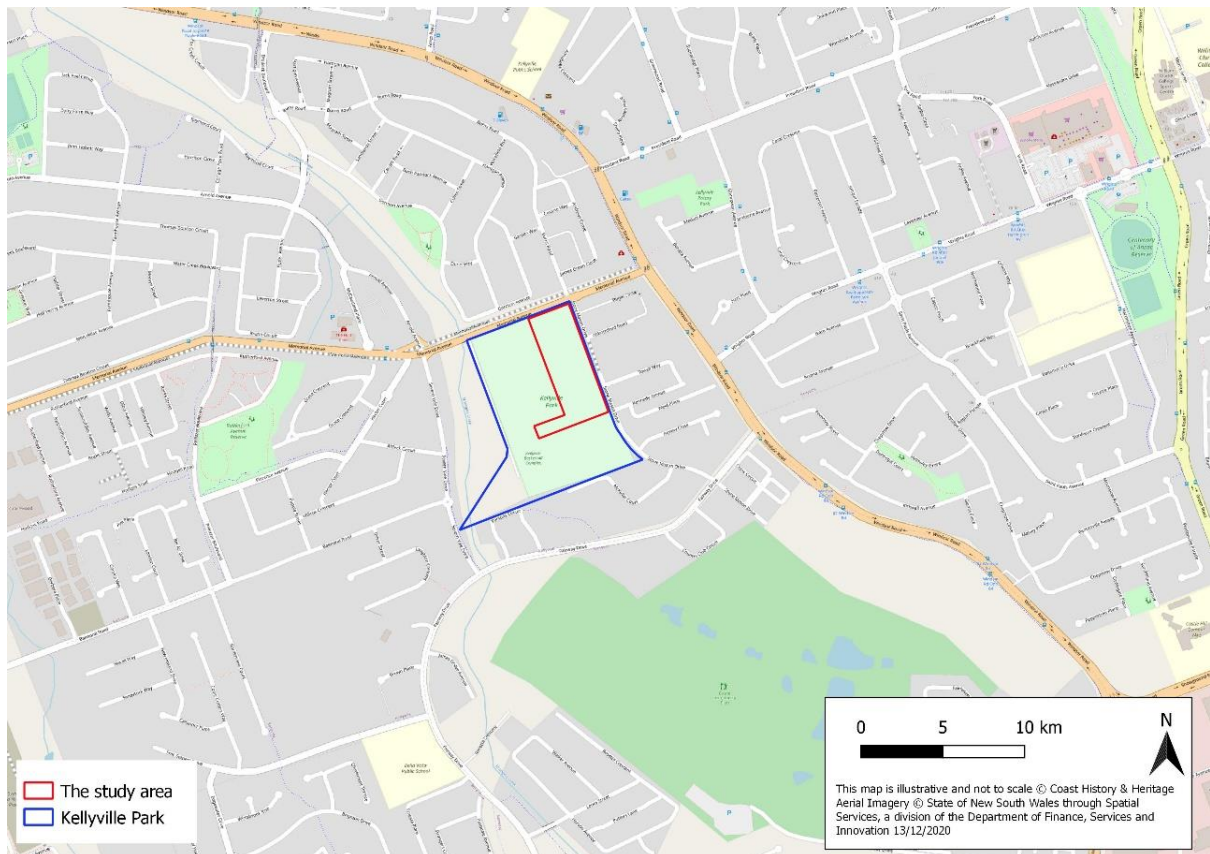


Figure 1. The study area and Kellyville Park in relation to topographical mapping



Figure 2. The study area in relation to Kellyville Park

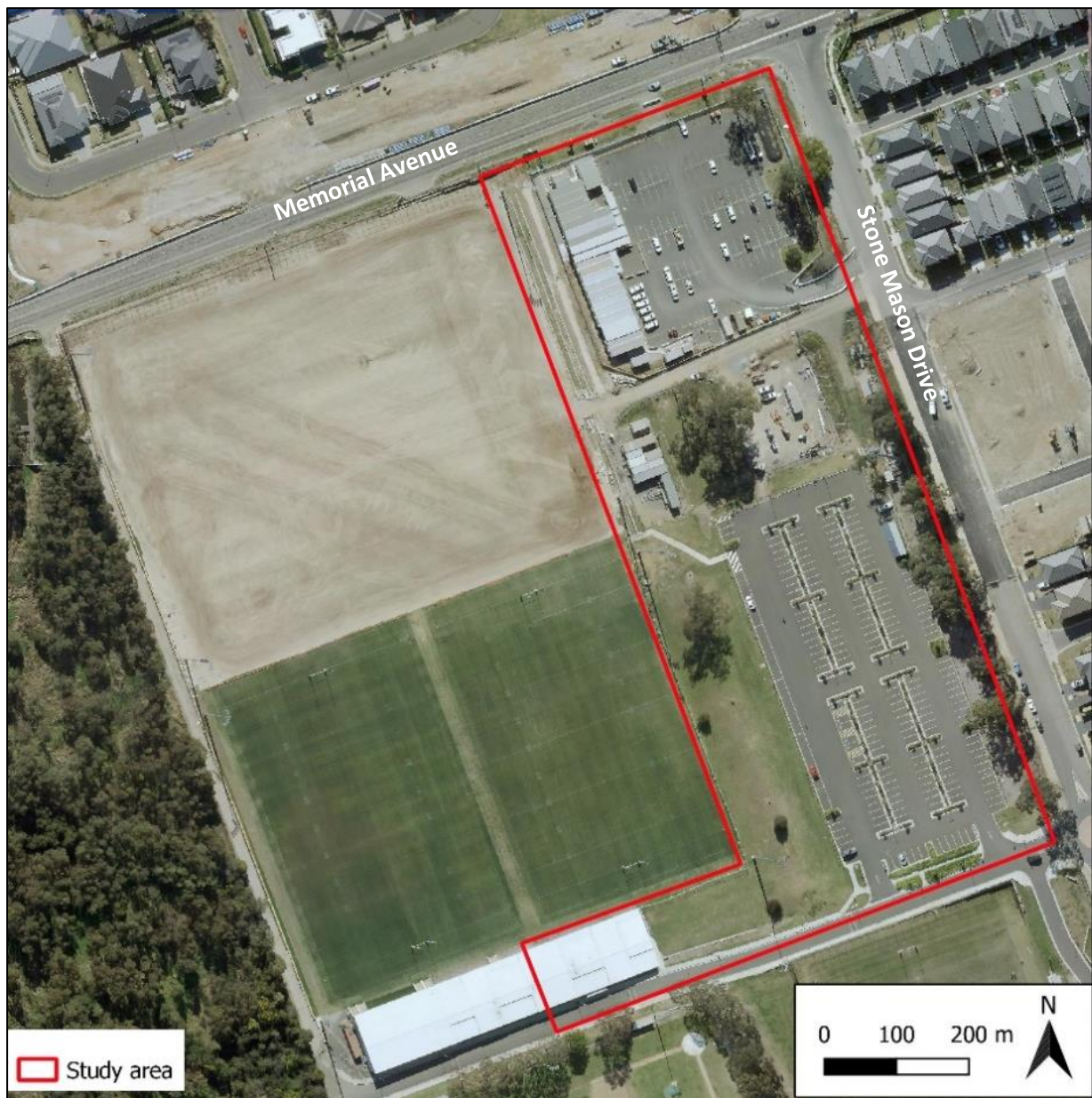


Figure 3. The study area

Source: NSW MetroMap 2020 (marked up)

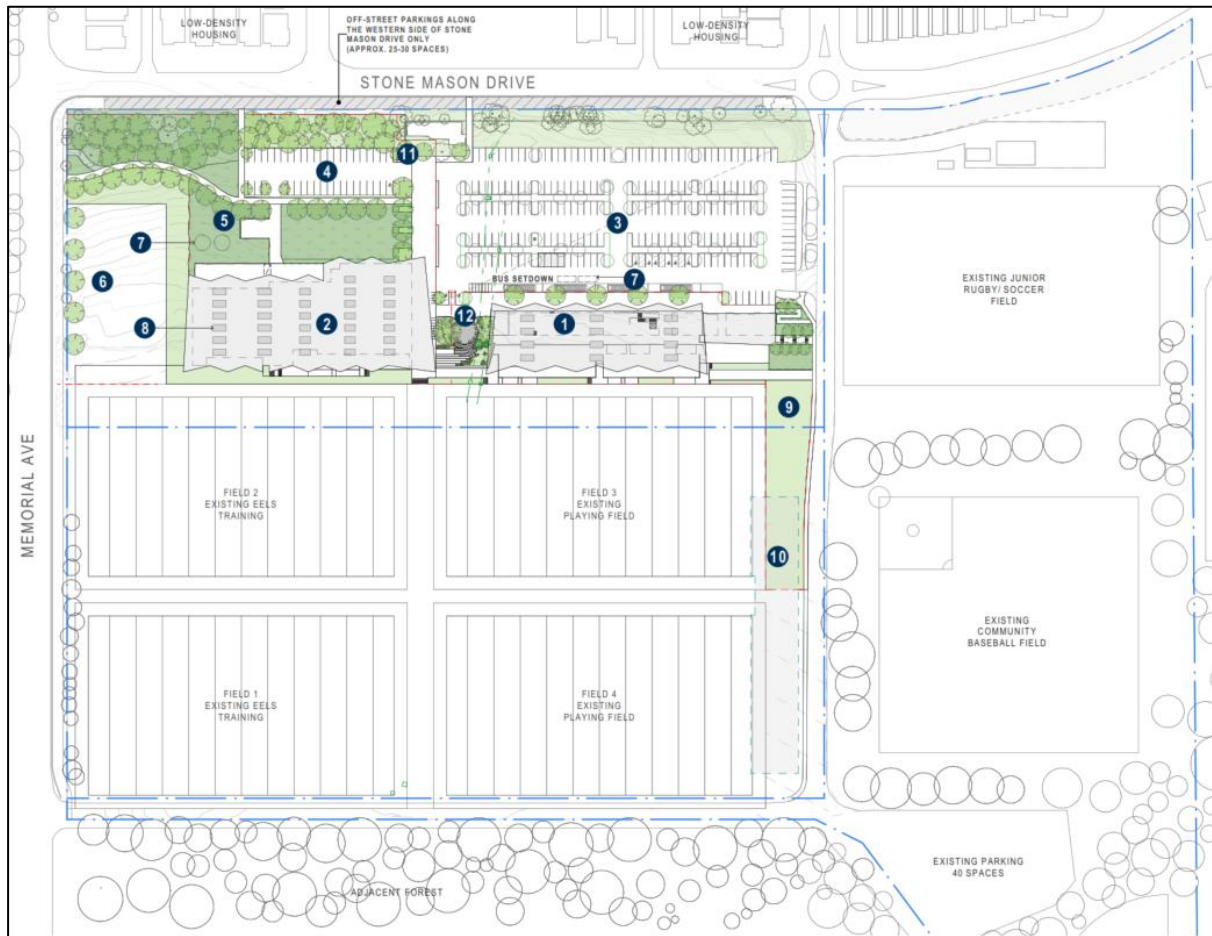


Figure 4. The study area and proposed works

Source: HB Arch. 24/03/2022. Kellyville Park PNRL Eels – Centre of Excellence & Community Facility: New Site Works Plan.

1.4 What we have considered

Legislative and policy requirements

This report has been prepared to assess the potential Aboriginal heritage impacts of the proposal, in consultation with Registered Aboriginal Parties, in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*,⁶ the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*,⁷ and the *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974*.⁸ We have met these requirements by producing an Aboriginal Cultural Heritage Assessment Report which also documents Aboriginal community consultation in accordance with Clause 60 of the National Parks and Wildlife Regulation 2019.

In preparing this report and its recommendations, we are guided by the legal protections provided to Aboriginal heritage under the *National Parks and Wildlife Act 1974* (the 'NPW Act'). The NPW Act is administered by Heritage NSW, Department of Premier and Cabinet, and gives statutory protection to all Aboriginal 'objects' and 'places' in New South Wales. The NPW Act defines 'objects' as *'any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains'* and defines an Aboriginal place as one which *'in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture.'*⁹ Aboriginal objects are also commonly referred to as Aboriginal sites (e.g. campsites, scarred trees, rock engravings). There are no Aboriginal places registered within or near the current study area, so the protections given to these are not further considered.

Under the NPW Act there are offences for 'harm' to Aboriginal objects either knowingly (s86(1)) or unknowingly (s86(2)). *Harm* is defined in s5(1) of the NPW Act to mean any act or omission that:

- (a) destroys, defaces or damages the object or place, or*
 - (b) in relation to an object—moves the object from the land on which it had been situated, or*
 - (c) is specified by the regulations, or*
 - (d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c);*
- but does not include any act or omission that:*
- (e) desecrates the object or place, or*
 - (f) is trivial or negligible, or*
 - (g) is excluded from this definition by the regulations.*

⁶ OEH 2011.

⁷ DECCW 2010.

⁸ DECCW 2010.

⁹ NPW Act Section 5(1) and Section 84 respectively,

There are defences and exemptions to the offence of 'harm', which include damage caused by 'low impact activities' (s87(4)) such as routine farm maintenance. It is also a defence to unknowingly harm if you undertook a Due Diligence assessment that meets Heritage NSW standards and concluded that the proposed activity would not result in harm.¹⁰ It is also not an offence to investigate Aboriginal objects through archaeological test excavations, but only if the methods used are strictly in accordance with the Code of Practice.

The most common way that harm to Aboriginal objects takes place is under the legal sanction of an Aboriginal Heritage Impact Permit ('AHIP') under s90 of the NPW Act. AHIPs can also be issued to enable archaeological test excavations that cannot be undertaken under the Code of Practice. AHIPs are issued by the Chief Executive of Heritage NSW based on a valid application and an accompanying Aboriginal Cultural Heritage Assessment Report. However, as the current proposal is being assessed as a State Significant Development, AHIPs are not required to enable investigation or harm to Aboriginal objects, once the approval has been issued. However, all of the same investigations and considerations that would be undertaken in relation to an AHIP must be undertaken, including preparation of the same kind of Aboriginal Cultural Heritage Assessment Report.

The Aboriginal Cultural Heritage Assessment Report prepared for both State Significant Development proposals and AHIP applications must document Aboriginal community consultation in accordance with the Regulation. This involves seeking registrations of interest in the project from Aboriginal people who hold cultural knowledge relevant to the application through public notices and by contacting people identified through notices to Local Aboriginal Land Councils and government agencies who deal with Aboriginal communities in the area. People or organisations can register as 'Registered Aboriginal Parties' which provides them with a right to review and comment on project information and draft reporting, and to provide advice on Aboriginal cultural and historical significance.

The *Environmental Planning and Assessment Act 1979* (the 'EP&A Act') sets out the way the NPW Act protection for Aboriginal heritage is considered in relation to proposed developments. There are three main parts of the EP&A Act which outline how Aboriginal cultural heritage is to be considered. Part 3 governs the preparation of planning instruments such as Local Environmental Plans, Part 4 relates to development assessment and consent and Part 5 considers infrastructure and environmental impact assessment. Parts 4 and 5 are of most relevance to this project because they concern the process of obtaining development consent and the documentation required to support development applications. Under Part 4 (Division 4.7), projects can be deemed to be of State Significance. In these cases, the DPIE takes over the role of the determining authority.

There are also other state and federal laws which sometimes apply to Aboriginal heritage assessment, but they do not apply to this study and are not considered here.

¹⁰ DECCW 2010. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* or an equivalent standard.

2 Assessing Aboriginal cultural values

Aboriginal cultural assessment

In this section we outline the Aboriginal community consultation that has taken place in order to assess the Aboriginal cultural significance of the study area and any Aboriginal objects within it. This has been undertaken in accordance with Clause 60 of the National Parks and Wildlife Regulation 2019. Each step in the consultation is described in order, starting with determining Registered Aboriginal Parties, and the information provided to, and received from, them.

2.1 Who we spoke with

Registered Aboriginal Parties

Public and direct notices were placed in order to identify ‘Registered Aboriginal Parties’ to the project as required by the Regulation. In addition, we recognise the statutory responsibilities of Local Aboriginal Land Councils ‘to promote the protection of Aboriginal culture and the heritage of Aboriginal persons’ within their boundaries,¹¹ as well as those of Registered Native Title Claimants and Registered Aboriginal Owners.¹² For these reasons the Deerubbin Local Aboriginal Land Council was informed that they would automatically be listed as a Registered Aboriginal Party unless they chose to opt out.

2.1.1 Who we notified

We sent direct notifications about the project on 11 August 2021 to the agencies listed in **Table 1** and asked them to provide us with the contact details of any Aboriginal people they were aware of who may hold cultural knowledge relevant to the study area and any Aboriginal objects or places within it by 26 August 2021 (see **Appendix 1A**). Their responses are shown in **Appendix 1B** and summarised in **Table 1**. On 23 and 24 August 2021, we then sent notices to all of the Aboriginal people and organisations identified by those agencies and requested a response by 7 September 2021. The list of who was sent these notices, and who responded is shown in **Table 2**, and the responses are also in **Appendix 1C**.

We placed a public notice in the *Daily Telegraph* newspaper on 12 August 2021 calling for registrations of interest from Aboriginal people with cultural knowledge relevant to the project (see **Appendix 1A**). A deadline of 26 August 2021 was provided for responses.

¹¹ *Aboriginal Land Rights Act 1983*, s52(1)(m).

¹² *Aboriginal Land Rights Act 1983*, Division 3.

Table 1. Direct agency notices

Agency Contacted	Notice	Response and who they Asked us to Contact
Greater Sydney Local Land Services	11/8/21	Responded on 11/8/21 and advised that Heritage NSW be contacted to seek their advice on all-inclusive contact lists and organisations who 'speak for Country' and that may assist with our investigation.
National Native Title Tribunal	11/8/21	Responded on 12/8/21 in relation to Native Title Determination Applications, Determinations of Native Title, and Indigenous Land Use Agreements within the entire Hills Shire Local Government Area (LGA). The search on the tribunal databases concluded there were no relevant entries in relation to the above.
Heritage NSW within the Department of Premier and Cabinet	11/8/21	Responded on 23/8/21 providing a list of 'known Aboriginal parties for the Hills Local Government Area that we consider likely to have an interest in the proposal...'. Those stakeholders with an expressed interest in the Hills LGA are: A1 Indigenous Services, Amanda Hickey Cultural Services, Aragung Aboriginal Cultural Heritage Site Assessments, B.H. Heritage Consultants (Norma and Ralph Hampton), Barking Owl Aboriginal Corporation, Barraby Cultural Services, Biamanga, Butucarbin Aboriginal Corporation, Callendulla, Corroboree Aboriginal Corporation, Darug Aboriginal Land Care, Darug Aboriginal Cultural Heritage Assessments, Darug Boorooberrongal Elders Aboriginal Corporation, Darug Custodian Aboriginal Corporation, Deerubbin Local Aboriginal Land Council, Dharug, Dhiniwan Culture and Heritage Pty Ltd, DJMD Consultancy, Darug Land Observations, Didge Ngunuwal Clan, Eric Keidge, Gilay Consultants, Gininderra Aboriginal Corporation, Goodradigbee Cultural and Heritage Aboriginal Corporation, Gulaga, Kamilaroi Yankuntjatjara Working Group, Mura, Murramarang, Ngambaa Cultural Connections, Pemulwuy CHTS, Thauaira, Thoorga Nura, Tocomwall, Waawaar Awaa, Wailwan Aboriginal Group, Walgalu Wori Woilywa, Wurrumay Pty Ltd, , Yurrandaali Cultural Services, Yulay Cultural Services,
Office of the Registrar, <i>Aboriginal Land Rights Act 1983</i>	11/8/21	No response received
The Hills Shire Council	11/8/21	Responded on 18/8/21 and advised to contact the Deerubbin Local Aboriginal Land Council.
NTS Corp	11/8/21	No response received
Deerubbin LALC	11/8/21	No response received

Table 2. Direct notices and responses

Person/Organisation Contacted	Date Contacted	Response Deadline	Response Received?	Seeking Registration
A1 Indigenous Services	23/8/21	7/9/21	23/8/21	Yes
Amanda Hickey	23/8/21	7/9/21		
Aragung Aboriginal Cultural Heritage Site Assessments	23/8/21	7/9/21	8/9/21	Yes
Baraby Cultural Services	23/8/21	7/9/21		

Person/Organisation Contacted	Date Contacted	Response Deadline	Response Received?	Seeking Registration
Barking Owl Aboriginal Corporation	23/8/21	7/9/21		
B and H Consultants (Nola and Ralph Hampton)	23/8/21	7/9/21		
Biamanga	23/8/21	7/9/21		
Butucarbin Aboriginal Corporation	23/8/21	7/9/21	7/9/21	Yes
Callendulla	23/8/21	7/9/21		
Corroboree	23/8/21	7/9/21	24/8/21	Yes
Darug Aboriginal Land Care	23/8/21	7/9/21		
Darug Aboriginal Cultural Heritage Assessments	23/8/21	7/9/21		
Darug Boorooberongal Elders Aboriginal Corporation	23/8/21	7/9/21		
Darug Custodian Aboriginal Corporation	23/8/21	7/9/21	1/9/21	Yes
Deerubbin Local Aboriginal Land Council	23/8/21	7/9/21		Yes
Dharug	23/8/21	7/9/21		
Dhiniwan Culture and Heritage Pty Ltd	23/8/21	7/9/21		
DJMD	23/8/21	7/9/21		
Darug Land Observations	23/8/21	7/9/21		
Didge Ngunuwal Clan	23/8/21	7/9/21		
Eric Keidge	23/8/21	7/9/21		
Gininderra Aboriginal Corporation	23/8/21	7/9/21		
Gilay Consultants	23/8/21	7/9/21		
Goodradigbee Cultural and Heritage Aboriginal Corporation	23/8/21	7/9/21		
Gulaga	23/8/21	7/9/21		
Kamilaroi Yankuntjatjara Working Group	23/8/21	7/9/21	24/8/21	Yes
Mura Indigenous Corporation	23/8/21	7/9/21		
Murramarang	23/8/21	7/9/21		
Ngambaa Cultural Connections	23/8/21	7/9/21		
Pemulwuy Cultural Heritage and Technical Services	23/8/21	7/9/21		
Thauaira	23/8/21	7/9/21		
Thoorga Nura	23/8/21	7/9/21	24/8/21	Yes
Tocomwall	23/8/21	7/9/21	14/9/21	Yes
Waawaar Awaa Aboriginal Corporation	23/8/21	7/9/21	26/8/21	Yes
Wailwan Aboriginal Group	23/8/21	7/9/21	31/8/21	Yes
Walgalu	23/8/21	7/9/21		
Wori Woilywa	23/8/21	7/9/21	1/9/21	Yes
Wurrumay Pty Ltd	23/8/21	7/9/21		
Yulay Cultural Services	23/8/21	7/9/21		

Person/Organisation Contacted	Date Contacted	Response Deadline	Response Received?	Seeking Registration
Yurrandaali Cultural Services	23/8/21	7/9/21		

2.1.2 Who registered an interest

The process resulted in the identification of a total of 13 Registered Aboriginal Parties, comprising those who responded to the direct notice and one who had contacted us directly (see **Table 3**). The list of Registered Aboriginal Parties was provided to Heritage NSW and the Deerubbin LALC on 27 September 2021 as per the Regulation.

Table 3. Registered Aboriginal Parties for this project

Registered Aboriginal Party
Deerubbin Local Aboriginal Land Council
A1 Indigenous Services
Aragung Aboriginal Cultural Site Assessments
Butucarbin Aboriginal Corporation
Corroboree Aboriginal Corporation
Darug Custodian Aboriginal Corporation
Kamilaroi Yankuntjatjara Working Group
Thoorga Nura
Tocomwall
Waawaar Awaa Aboriginal Corporation
Wailwan Aboriginal Group
Woka Aboriginal Corporation
Wori Woilywa

2.2 What we were told

Comments from Registered Aboriginal Parties

As part of the consultation process, the Registered Aboriginal Parties were invited to comment on two main occasions: on distribution of project information and the proposed assessment methodology, and on completion of the draft report. In addition, Deerubbin Local Aboriginal Land Council and Darug Custodian Aboriginal Corporation provided assessment reports after the site survey, and some of the RAPs provided information in their registration of interest in the project. These comments are outlined below.

2.2.1 Responses to the project information and proposed methodology

We sent a document containing project information and our proposed assessment methodology to all Registered Aboriginal Parties on 8th September with a deadline of 7th October 2021 for responses (see **Appendix 1D**). We invited all Registered Aboriginal Parties to provide us with information or views about:

- any places or objects of cultural value to Aboriginal people which may be relevant to the current proposal;
- appropriate management for any Aboriginal objects that may be collected/retrieved from the study area should the proposed development be approved; and
- any other Aboriginal cultural or historical knowledge which is relevant to the Aboriginal cultural assessment of the study area in relation to the current proposal.

All Registered Aboriginal Parties were also asked to identify any information that may be of a sensitive nature so that appropriate protocols could be developed for assessing and discussing it, however no information provided was identified as sensitive in this way.

The full responses we received are contained in **Appendix 1E** and are summarised in **Table 4**, along with any relevant comments made during registration.

Table 4. Summary of information provided by Registered Aboriginal Parties

Registered Aboriginal Party	Summary and Discussion
A1 Indigenous Services	The group reviewed the document and supports the information and methodology.
Woka Aboriginal Corporation	The group reviewed the document and supports the methodology.

2.2.2 Comments on the draft report

This draft report was sent out to all Registered Aboriginal Parties on 11 October 2021. We asked for any comments or information to be provided to us by 8 November 2021, so that it could be considered in the final report. The comments provided have been included in **Appendix 1F** and are summarised in **Table 5** below. These include reports provided by Deerubbin LALC and DCAC.

Table 5. Comments received on the draft report

Registered Aboriginal Party	Date	Summary and Discussion
A1 Indigenous Services		
Aragung Aboriginal Cultural Heritage Site Assessments		
Butucarbin Aboriginal Corporation		
Corroboree Aboriginal Corporation		

Registered Aboriginal Party	Date	Summary and Discussion
Darug Custodian Aboriginal Corporation	7/10/21	The group highlighted the cultural and historical connections Darug people have to the Kellyville area. They have worked and lived in the area for many years and have been involved as traditional owners in previous cultural assessments for over forty-five years. They noted that a section of the study area that may not have been as impacted as the rest of the study area now has a car park and site sheds on it.
Deerubbin Local Aboriginal Land Council	15/9/21	Deerubbin Local Aboriginal Land Council commented that the land had been cleared, levelled and landscaped from past land use. They noted that no Aboriginal cultural materials in the form of stone artefacts were found during their assessment, and they have no objection to the proposed development.
Kamilaroi Yankuntjatjara Working Group	5/11/21 & 8/11/21	The group asked if archaeological testing has been considered, as artefacts may still be present in a disturbed context. The group and Coast discussed the historical impacts and the results of the survey observations in more detail. It was agreed that testing would not be warranted in this occasion. However, the group would like monitoring to be considered in case artefacts have been mixed-in with the redeposited soil and clay. The group also highlighted the profound spiritual connection Aboriginal people have to the land and that the tangible and in tangible sites are of equal importance to them. The group noted the site is close to Strangers Creek which has been severely damaged through rechannelling and pollution. It is their recommendation that it be cleaned up and revegetated with plants and trees native to the area. They emphasised that the importance of the Traditional Owners of the land be recognised, and the wider community be made aware of the cultural importance that the land has for Aboriginal people. They suggested this could be achieved through a variety of media such as building and landscape design, art work, digital displays, native gardens and interpretation signs.
Thoorga		
Tocomwall		
Waawaar Awaa Aboriginal Corporation		
Wailwan Aboriginal Group		
Woka Aboriginal Corporation		
Wori Woilywa		

2.3 Aboriginal cultural values in relation to this project

We have asked the Registered Aboriginal Parties to provide any information which they believe is relevant to determine Aboriginal cultural values relevant to this study, whether in relation to particular Aboriginal objects (artefacts) or the history of the area more generally. Comments include the following issues relating to Aboriginal heritage management more broadly and to the significance of the locality of the study area more specifically:

- Members of the local Darug community have visited, worked and lived in the Kellyville area . They have been involved in Aboriginal cultural heritage management and archaeology for many years. It is one of the ways in which they maintain their connection to country and fulfil their responsibilities towards conservation of their heritage.
- Although tangible evidence, such as stone artefacts and wooden tools may longer be visible due to historical impacts, it is important to recognise that the natural resources that would have been available along Strangers Creek and the wider area would have encouraged camping and social connections. Aboriginal people have a strong spiritual connection to the land that is not often fully appreciated by the wider community. It is suggested this could be communicated through a variety of media such as building and landscape design, art work, digital displays, native gardens and interpretation signs.
- There are concerns with the consultation process outlined in the *Aboriginal cultural heritage consultation requirements for proponents 2010*,¹³ and the difficulties that this process presents for Aboriginal people and organisations with connections to country and community.

These statements indicate that the area was, and still is, important to Aboriginal people, and particularly those with ancestral and historical connections to the locality. It is important to ensure that Aboriginal people are involved with any works that relate to the management of their heritage, to ensure that all aspects of its significance are addressed, and to allow them to fulfil their responsibilities for heritage conservation as part of a broader caring for country.

In relation to the proposed works more specifically, concern was expressed about the earthworks by one of the RAPs, and the potential for these works to impact buried Aboriginal archaeological sites. They queried if archaeological test excavation would be undertaken in order to investigate this potential. We clarified the high level of historical disturbance, and the low Aboriginal archaeological potential within the specific study area. With this understanding, the RAP group was comfortable recommending monitoring of earthworks, and public interpretation of the Aboriginal cultural heritage of the area.

This information has been considered in the assessment of the proposal and the recommended management strategy.

¹³ DECCW 2010b

3 Information we have considered

Environmental, archaeological and historical context

3.1 Environmental context

Geology, soils and hydrology

If we want to understand how Aboriginal people may have used the local area in the past, and what traces of that use might still physically remain on and below the ground surface, we need to understand the local environment and how it has changed over time. The study area is within land that had been used initially for agricultural purposes for many years, then as sporting fields with paved carparks. This has resulted in extensive modifications to the landscape. The environmental data can help us to understand how the area looked before this, and how Aboriginal people may have used the landscape.

We certainly need to consider the earliest historical records of how the area looked, but we need to be careful not to project this picture too far back into the past, because we know that substantial changes have taken place to the local environment over the past two centuries. These will have affected how Aboriginal people used the area at different times.

The Ashfield Shale bedrock lies underneath the study area, which has decomposed into a capping layer of clay. Soils across the study area are formed from the weathering of this clay. The majority of the study area is located on the Luddenham soil landscape, except for a small section along the southern boundary which is on the Blacktown soil landscape.¹⁴ In contexts like this an intact Luddenham soil profile can consist of up to 50cm of brown loamy sand A1 (topsoil) and more than 100cm of A2 brown sandy clay, on mottled grey plastic clay, and an intact Blacktown soil profile can consist of up to 30cm of friable brownish black loam A1 (topsoil) horizon and 10-30cm of brown loam A2 horizon, on clay subsoil. This is important because we know from similar contexts around Sydney that archaeological remains of past Aboriginal use are likely to be restricted to the original A1 topsoil horizon (and A2 horizon by downward movement). These soils are also vulnerable to erosion and historical impact.

The topography of the Luddenham soil landscape is characterised by low rolling to steep low hills and narrow ridges (**Figure 5**). The native vegetation would have consisted of open-forest (dry sclerophyll forest), with tree species including grey box and spotted gum, broad-leaved and narrow-leaved iron bark and woollybutt. The Blacktown soil landscape would have shared similar characteristics with the Luddenham soil landscape including gently undulating rises and the native vegetation of the dry sclerophyll forest. This has been extensively cleared and there is no original vegetation left across the landscape. However, there is native vegetation within Kellyville Park that is either regrowth or intentional planting.

¹⁴ Bannerman and Hazelton 1990



Figure 5. The study area in relation to soil landscapes, contour lines and watercourses

3.2 Historical context

Non-Aboriginal land use and impacts

In this section we consider the non-Aboriginal uses of the study area and their potential impacts on Aboriginal archaeological remains. The archaeological potential of these landscape features may be affected by processes of disturbance that have occurred as a result of natural process, or of historical occupation and development. The effects of natural processes, such as erosion, have been mentioned above. To assess disturbance that may have resulted from historical occupation, we reviewed historical images and other documentary sources.

The study area comprises sections of Portions 73 and 74 of the Parish of Castle Hill, which were granted in 1802 (**Figure 6**). No specific developments are known to have been undertaken within the study area in this period, but it was managed as part of a larger pastoral and agricultural estate through to the early twentieth century and, is likely to have been cleared of vegetation.

In 1920, the land between the study area and Strangers Creek, to the west, was sold to Baulkham Hills Shire Council, to be used as a park. The remainder was sold and subdivided in the 1920s. In the following period, the study area was developed as a small rural/residential lot. A house was built on

the eastern boundary, an orchard was planted in the north, and the remainder of the lot appears to have been used for market gardening (**Figure 7**).

In 1973, the lot was sold to Baulkham Hills Shire Council. By 1975, the orchard had been removed, and the ploughed areas were no longer apparent. However, the entrance driveway remained, leading to a group of structures on the eastern boundary; probably the 1920s house and outbuildings. There was also a small dam on the western boundary, probably remaining from the earlier period of occupation.

By 1978, two tennis courts had been built on the western boundary, just to the north of the dam. By 1986 a large building (an indoor soccer hall) had been constructed to the north of the tennis courts, and paving for the basketball courts may have been laid. Much of the remainder of the northern part of the Lot was used for carparking but was not paved (**Figure 8**). One cricket pitch is evident in the southern part of Lot 60, and two in the neighbouring lot. The 1986 image shows that the carpark to the north and west of the building had been paved with asphalt.

By 1991, the original group of buildings on the eastern boundary of Lot 60 had been removed, and a new house had been constructed in the north-western corner. The carparking area had also been expanded. Photographs from 1998 to 2005 show a similar layout. Between 2005-2007 Strangers Creek, to the west of the study area, was channelised. Since 2016, the indoor soccer hall and the house have been demolished. Very recently, in the last year or two, a large carpark has been built, adjacent to Stone Mason Drive.

In summary, development of the study area in the historical period has included clearing of all original vegetation. It has been used as pasture and for cultivation, and there has been construction of a house, tennis courts, indoor soccer courts, car parks and playing fields. These works would likely have resulted in the removal of most or all original topsoil and would have impacted on any surface and subsurface artefact deposits.



Figure 6. The study area in relation to an 1884 plan, showing the original portions

Source: NSW Spatial Services, Historical Land Records Viewer, Vol. 698 Fol. 195



Figure 7. The approximate location of the study area in relation to a 1947 aerial photograph

Source: NSW Spatial Services, Historical imagery



Figure 8. The approximate location of the study area in relation to a 1986 aerial photograph

Source: NSW Spatial Services, Historical Imagery

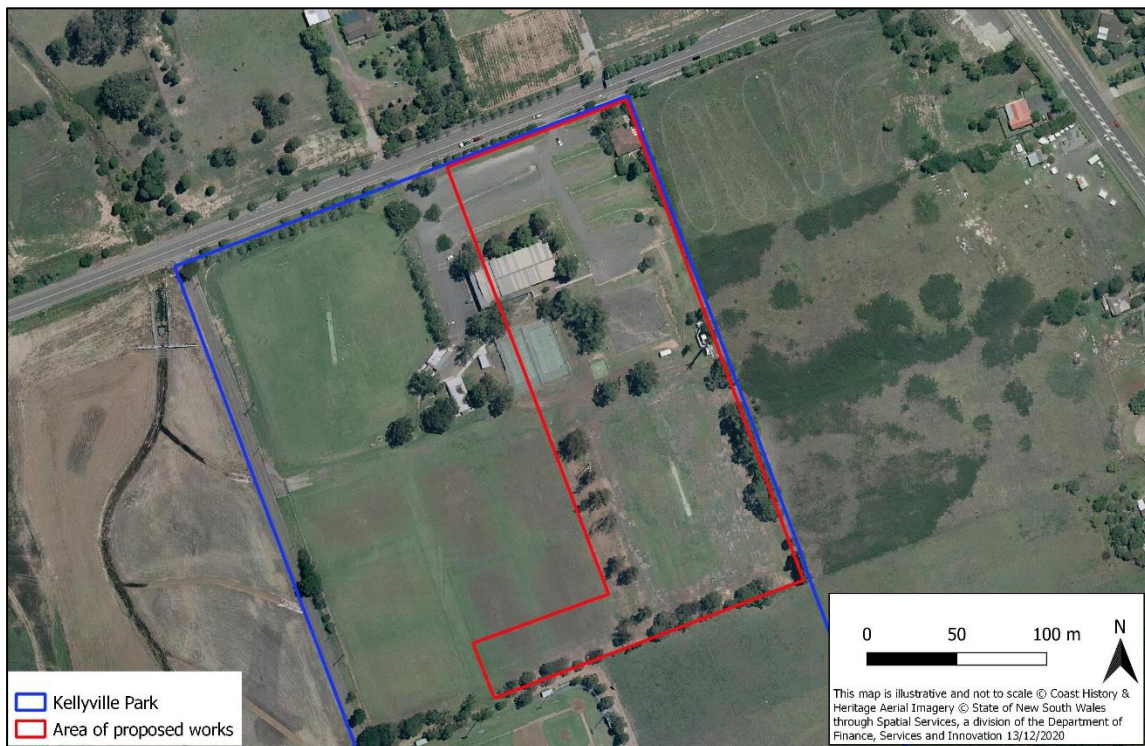


Figure 9. The approximate location of the study area in relation to a 2007 aerial photograph

Source: NSW Spatial Services (marked up)

3.3 Heritage registers and sites

For this assessment we checked the main Aboriginal heritage database for New South Wales, the Heritage NSW Aboriginal Heritage Information Management System ('the AHIMS Register'). We searched the AHIMS Register over a 5 x 5km area centred on the study area (see **Appendix 2**).¹⁵ There are 96 sites within the search area (**Figure 10**).

Sites can be recorded as a particular site type (open or closed), with one or more of a set of twenty-two site features specified by AHIMS. Ninety-two of the sites are recorded as open, which relates to the low occurrence of outcropping sandstone bedrock in the search area. The remaining four sites are closed sites, which have been recorded as rockshelters. However only two appear to be in areas that have been mapped as sandstone. The majority of the recorded site features are 'artefact', which is usually used to refer to an isolated artefact or artefact scatter found on the ground surface (**Table 6**). Mapping of the sites in the search area suggests that there is some association between site location and watercourses, which may indicate a preference for these locations in past Aboriginal occupation. However, in several instances, site locations are associated instead with particular developments, such as residential housing and associated services, demonstrating the influence of study patterns in the known archaeology of the region.

A review of the mapping and the site cards indicates that no registered sites recorded in the AHIMS database fall within the boundaries of Kellyville Park. The site cards were reviewed for sites within 1 km of the study area, and in similar contexts (**Table 7** and **Figure 11**). These records indicate that the sites are focussed on the raised ground or terraces on either side of tributaries that flow into Strangers Creek to the north and south of the study area, and along Elizabeth Macarthur Creek at the western end of Memorial Avenue. The sites comprise collections of artefacts, predominantly silcrete, which have been recorded on the ground surface and archaeological excavations. The potential for the presence of subsurface archaeological deposits has also been confirmed in some places that have undergone archaeological excavation, in locations that appear to have been subject to relatively low levels of disturbance.

As well as the AHIMS Register, we also searched some other heritage registers to see if any other sites or places of Aboriginal cultural or historical significance had been recorded. The Australian Heritage Database and the NSW State Heritage Inventory (incorporating the NSW State Heritage Register) were searched on 28 September 2021 for the suburb of Kellyville. None of the listings refer to Aboriginal heritage values.

Table 6. Summary of site features in the AHIMS Register search results

Site feature	Number	Percentage
Artefact	75	85%
Potential archaeological deposit	19	18%

¹⁵ AHIMS Search ID 614332 on 17/08/2021 within co-ordinates E308337-E313337, N6264216-N6269216 (GDA94 / MGA Zone 56).

Grinding Groove	7	6%
Art (pigment or engraving)	3	2%
Aboriginal Resource and Gathering	3	3%
	107	100%

Table 7. AHIMS sites within approximately 1km of the study area and at the western end of Memorial Avenue

AHIMS No.	Site name	Site type	Site features	Description
45-5-2652	PAD33	Open	Artefact, Potential archaeological deposit	A potential archaeological deposit (PAD) identified on both sides of Strangers Creek, around 100m north of Memorial Drive. The PAD comprises three areas which are considered to have good potential based on the slightly elevated, flat areas beside the creek and low past disturbance. A section of the PAD was subsequently investigated through archaeological test excavation and two stone artefacts were retrieved.
45-5-3487	MA4 (Riverstone)	Open	Artefact	Four artefacts were found within a 3m x 4m area in a highly disturbed context on a track.
45-5-3539	Kellyville 2 (K2)	Open	Artefact	An isolated artefact located on the mid-hillslope on the eastern side of Windsor Road. It was found in a disturbed context, on an erosion scour on a graded track. There was no ground surface visibility in the immediate surrounding area due to thick grass and lantana.
45-5-3579	Kellyville 2 (K2)	Open	Artefact	A surface artefact scatter, comprising three stone artefacts, located within a 20m x 30m area on a hill slope. The area was considered grossly disturbed through trail-bike activity, sheet-wash, and erosion.
45-5-3844	MA1 (Riverstone)	Open	Artefact	One artefact found in a disturbed context in driveway gravel in a property on Memorial Avenue. It was suggested that the artefact may have been brought with the gravel fill material.
45-5-3845	MA2 (Riverstone)	Open	Artefact	Four artefacts were found in a 2m x 2m area in a moderately disturbed area on a track on a property on Memorial Drive. It is within a stand of Cumberland Plain Woodland.
45-5-3846	MA3 (Riverstone)	Open	Artefact	Three artefacts were found within a 2m x 5m area in a moderately disturbed context on a track. It is within a stand of rare Cumberland Plain Woodland.
45-5-3954	Fairway Drive IF1	Open	Artefact	One artefact was found on exposed ground in a disturbed context on sloping ground.

AHIMS No.	Site name	Site type	Site features	Description
45-5-4775	31-33 Fairway Drive Kellyville	Open	Artefact	Three artefacts were retrieved during archaeological excavation of twenty test pits near a tributary that runs parallel to Strangers Creek, located 150 to the east. Two of the artefacts were located on the surface and the other in a test pit. The soils were found to be uniformly and entirely disturbed from past ploughing, gardening, building and landscaping. The site was considered not to retain any archaeological potential to contain intact deposits.
45-5-4905	Fairway Drive AFT 2	Open	Artefact,	Twenty-seven artefacts were retrieved from four test squares during archaeological excavation in a relatively intact soil deposit on the eastern side of a tributary that feeds into Strangers Creek approximately 200m to the north of the study area
45-5-4906	Fairway Drive AFT 1	Open	Artefact,	Eleven artefacts were identified within one test square during archaeological excavations on the western side of a tributary that feeds into Strangers Creek approximately 200m to the north of the study area.

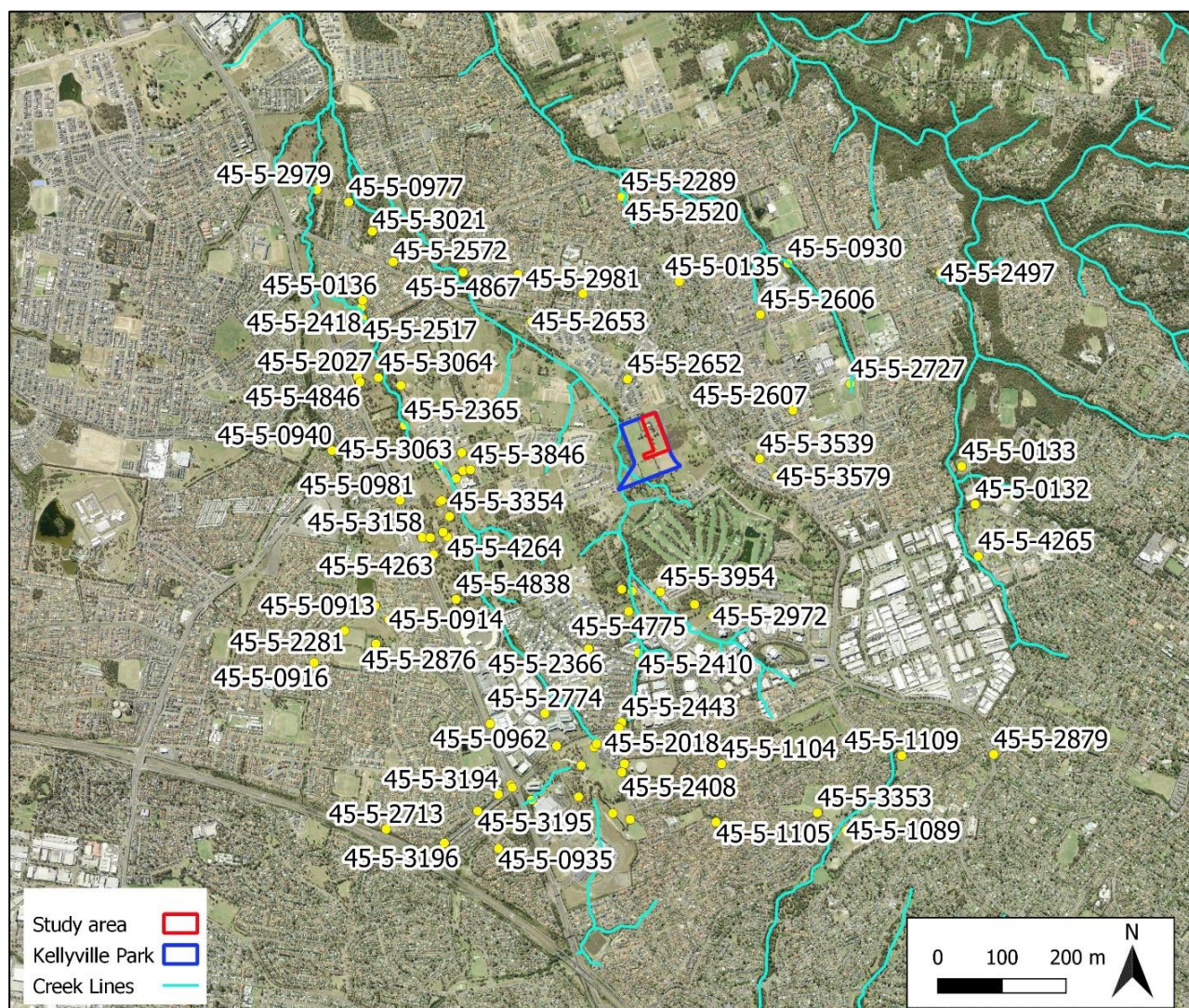


Figure 10. An overview of the AHIMS search results within a 5x5km area centred on the study area

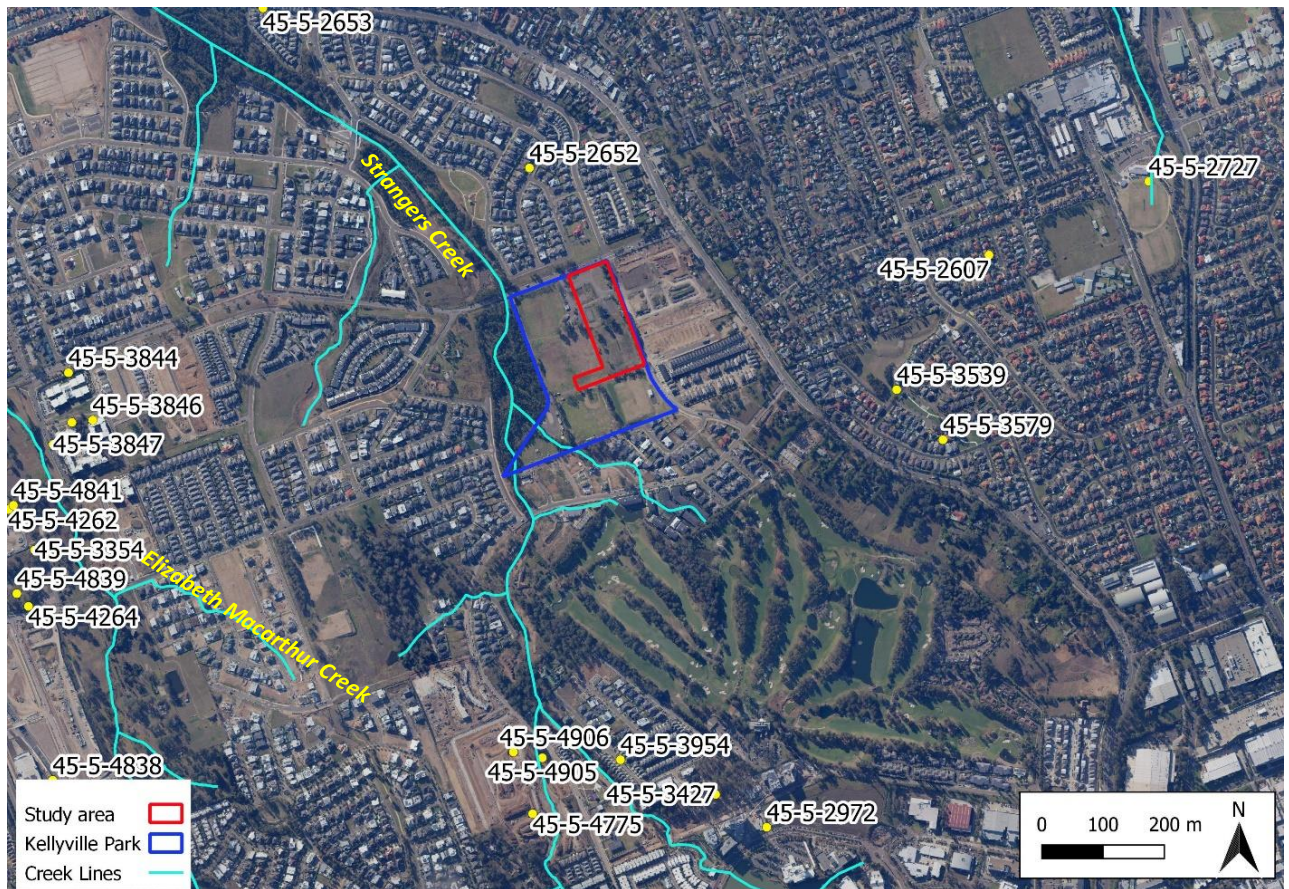


Figure 11. Detail of the results of the AHIMS search

3.4 Previous investigations

3.4.1 Archaeology of the Cumberland Plain

The study area is located on the Cumberland Plain, a shallow basin that fans out northwest, west and southwest from Parramatta and Liverpool across low hills and alluvial creek flats to the Hawkesbury-Nepean River at the base of the Blue Mountains. It extends north to Windsor and south to Thirlmere. It is relatively flat compared to the geologically uplifted mountains and plateaux that surround it, and contrasts also to the incised river valleys and bays east towards the coast.

The underlying geology of the Cumberland Plain is the Wianamatta shales which were formed from compressed fine-grained rock sediments deposited by an ancient river millions of years ago. The shales slowly eroded over a long period of time to form a relatively flat landscape with soft rolling hills and shallow fine sandy soils. The soils vary in depth and colour, depending on the landscape, but the top layer is generally quite shallow, although there are deep sand bodies along some of the rivers and tributaries. This varied geology has a bearing on the types of material culture that Aboriginal people created in the past as well as how (or if) they have survived as archaeological remains. In general, the interpretation of archaeological sites on the Cumberland Plain has them divided broadly into two categories; stratified sites in deep sand deposits located along rivers and the confluences of major creeks, and surface and unstratified sites in shallow topsoils on the plain.

The material culture of the Aboriginal people of the Cumberland Plain included diverse raw materials and foods. Archaeological evidence would have included scars on trees from the removal of bark for shields, containers and other purposes; and the human remains of the people themselves. In the surrounding areas, where sandstone outcrops were present, people engraved and painted images, and sharpened axes and other stone implements on rock platforms. But the vast majority of the archaeological evidence of the Cumberland Plain comprises flaked stone artefacts. This is because areas of outcropping sandstone are not present, and organic materials have decomposed in the acidic soils. Even though only a narrow range of evidence has survived, this can still tell us a great deal about how Aboriginal people used the Plain at different times in the past.

Earliest occupation and changing climate (Pleistocene 36,000 – 8,000 years ago)

The climate has varied throughout the period of Aboriginal occupation of Australia. The period from 30,000 years to 18,000 years ago is characterised the Last Glacial Maximum (LGM), when sea levels were up to 130 m lower than they are now, the temperatures were 6° to 10°C cooler and the Sydney coast line was up to 20km further east. Rainforests and tall open forests contracted, woodlands became more extensive and water watercourses dried up. After the peak of the LGM around 21,000 years ago the climate began to warm, the icesheets melted, and sea-levels rose pushing back the shoreline and flooding the once dry levels. This continued up until about 7,000 years ago when they reached their current level. During these past climates people would have had to adjust to their changing environment to ensure access to food and water. This may have happened through shifting settlement patterns, changes in social alliances, technological adaptations and resources provisioning.

The earliest dated Aboriginal occupation on the Cumberland Plain comes from sites in deep sand deposits along the Hawkesbury-Nepean and Parramatta Rivers. An excavation in 2012 demonstrated that the Pitt Town area along the Hawkesbury River was occupied continuously from the Pleistocene at 36,000 years ago until the early Holocene around 8,000 years ago. The site does not appear to have been used again until approximately 3,000 years ago.¹⁶ The nearby area of Windsor also experienced early occupation at 27,000 years ago and had periods where occupation is not documented, before being reoccupied around the time of European settlement. Additionally, dates taken from an artefact -bearing sand body in Parramatta in 2007 established that Aboriginal people were living in this area by 30,000 years ago.¹⁷

Williams and others have proposed that these early occupation areas identified along the Hawkesbury-Nepean and Parramatta Rivers could have acted as climatic safe havens ('refugia') during periods of fluctuating climates when low sea levels were experienced, and food and freshwater resources were scarcer.¹⁸ They suggested that settlements may have been constrained to the major river corridors where a continuous supply of fresh water was available from meltwater flowing down from the Blue Mountains. However recent research undertaken by White (2017) suggests that this picture of the pattern of early Pleistocene occupation may result at least partly

¹⁶ Williams et al. 2012

¹⁷ Mitchell 2008

¹⁸ Williams et al. 2014

from the difficulty of absolute dating of sites in shallow soils on the Cumberland Plain. White's results suggest that early occupation was more widespread than had previously been thought.

Holocene (8,000 years ago – present)

The majority of sites on the Cumberland Plain have been dated to mid-to-late Holocene (7,000 years ago – present). This period is characterised by a shift of preference in the type of stone material being sourced, and a change in tool technology. There is a decrease in the use of tuff and an increase in silcrete. The dominant tools in this period are collectively referred to as backed artefacts. Use wear and residue analysis from sites in areas bordering the Plain indicate they were used for a range of functions, including incising and/or drilling, scraping and cutting tools, bone-working, wood-working, and non-woody plant processing and spear tips. The use of backed artefacts appears to have decreased or stopped a few hundred years before European occupation, and there is no documented evidence in early historical accounts of the use of these tools. Bipolar work, the splitting of pebbles resting on another rock, also increases in the last 1,600 -1,400 years.

The first evidence for stone-ground implements such as hatchets appears at approximately 4,000 years ago. European settlers observed ground-edge hatchets were an integral part of daily life for Aboriginal people and recorded them as being used for woodworking, cutting footholds in trees to access food sources such as possums and honey, and removing bark to make canoes.¹⁹ They also noted that stones for making hatchets were collected by Aboriginal people from the Nepean River gravels near Richmond-Hill. Recent research undertaken on ground implements from the Central Coast has found that, like backed artefacts, ground tools were not restricted to one function. Hatchets, for example, were also used as anvils for grinding seeds and nuts and splitting stone pebbles for tool use. Some ground implements also have charcoal and greasy residue along the sides, indicative of the preparation of animal skin to be used as cloaks or coverings.²⁰ Provenancing studies have demonstrated that cobbles used to make hatchets were sourced from the Nepean River at Yarramundi Crossing.²¹ Basalt was also sourced from Popran Creek and Kulnurra on the Central Coast. These results suggest that trading networks and social connections extended within and beyond the Cumberland Plain.

From the earliest occupation of the Cumberland Plain there has been a change over time in the use of certain stone materials and tool technology. These changes may reflect reorganisation of social structures and exchange systems, a reaction to changing climates that would have impacted access to resources, such as animals, plants and water. Or they could reflect technical innovations and practices that may have spread from other areas or developed locally.

Artefact distribution on open sites

As the archaeology of the Cumberland Plain is dominated by surface and subsurface deposits of stone artefacts, the presence of archaeological sites is not easy to discern. In addition, the presence of subsurface artefacts is not reliably indicated by surface artefacts; research in the Rouse Hill area

¹⁹ Attenbrow 2010

²⁰ Attenbrow et al. 2019

²¹ Attenbrow et al. 2017

found that the ratio of surface to excavated artefacts could be as high as 1:25. An integral part of archaeological investigation is therefore the use of predictive models which aim to better understand the nature and distribution of evidence of previous Aboriginal land use. By analysing the known distribution of artefacts and other evidence of Aboriginal visitation or habitation, it may be possible to identify areas that may hold archaeological potential.

A form of Stream Order Model has commonly been used since the late twentieth century, to predict which types of watercourse and landforms tend to contain the most stone artefacts. In the geographic concept of 'Stream Order', the beginning of a water course is referred to as a 1st order stream, two 1st order streams join to form a larger 2nd order stream, two 2nd order streams join to create a 3rd order stream and so on. The model as adapted by archaeologists outlines a perceived correlation between the distribution and density of archaeological evidence (stone artefacts) and the permanent of available freshwater. A published version of the model, based on the results of archaeological excavations undertaken across the Rouse Hill area, concluded the highest artefact densities occurred on terraces (former floodplains) and lower slopes associated with 4th and 2nd order streams, and especially in the area 50–100m from 4th order streams.²² The model was tested against the results of an extensive excavation program in the North West Growth Area, and the additional data was used to refine the model.²³ It was found that the highest artefact densities were found near 3rd order streams and creek terraces rather than on 4th order streams as detailed in the earlier version of the model.

Although the Stream Order Model does have some predictive value in the north-west Cumberland Plain, it appears to be less useful in the south-west. The results of an archaeological excavation program at Oran Park found there was no evidence of greater densities of archaeological material associated with higher order watercourses.²⁴ Instead it appeared that archaeological deposits were relatively low density with occasional clusters in locations within 300m of reliable water, regardless of stream order. Analysis of the results of a project in East Leppington has been used to suggest that the Stream Order Model can be used across the Cumberland Plain, in combination with other predictive models that incorporate social and economic theories, which may offer a more nuanced picture of inter and intra site activity.²⁵ At a broad scale the results indicated an overlap of economic resources and watercourses with most archaeological evidence located within several hundred metres of watercourses (as earlier studies have suggested). At a finer scale, modelling could help with understanding of how natural resources were used within an occupation area, where and how specific activities were organised, and whether occupation was a one-off event or was repeated over the years.

Historical Aboriginal settlement

It is now well understood that Aboriginal people continued to live across the Cumberland Plain long after the arrival of Europeans. After initial decades of colonial expansion, cross-cultural interaction

²² White and McDonald 2010

²³ AHMS 2015

²⁴ ENSR/AECOM 2009

²⁵ Owen and Cowie 2017

and fierce conflict, the surviving Aboriginal people lived in a number of locations across the plain, often in association with large European landholdings.²⁶ Most armed conflict had ended by the 1820s on the Cumberland Plain, and the surviving Aboriginal people tried to make a life for themselves on their traditional Country, as it was steadily dissected into cleared farmland. Often they formed relationships with local European residents, and lived on large farms across the plain. However the specific area of the subject land does not appear to have been used as a major historical campsite, ceremonial area, mission or reserve, or have more recent historical associations according to recent research.

The potential archaeological traces of these historical Aboriginal connections have rarely been considered, so there are as yet few generalisations that can be made that could predict the specific location and type of archaeological traces in different parts of the Plain. The best mode of research is detailed local historical research to understand the changing nature of both Aboriginal and European interactions throughout the nineteenth century in any particular locality, within the broader historical context known from other parts of Sydney.²⁷

3.4.2 Heritage assessments

Over the last 20 years, several archaeological investigations have been undertaken by consultancies prior to proposed development in Kellyville and the surrounding area. Following are summaries of available studies that have covered all or part of Kellyville Park or land in the immediate vicinity (**Figure 12**).

Balmoral Road Release Project

The whole of the current study area was included in an assessment of Aboriginal heritage values undertaken prior to sewage infrastructure works for the Rouse Hill Infrastructure Project (Stage 3) in the Balmoral Road Area.²⁸ The investigation included a survey within Kellyville and identified three areas with potential archaeological deposit (PAD) which was registered as one site (PAD33, AHIMS #45-5-2652) on Strangers Creek, approximately 150m east of the current study area. Two of the areas of PAD were on the eastern side of the creek, and one was on the western side. Although the PAD areas were largely confined to the floodplain, they were considered to have good potential based on the slightly elevated topography. To assist in future assessment of potential archaeological sites a sensitivity map was produced based primarily on landscape formation and historical land use. This divided the Balmoral Road Area into three zones of archaeological potential: high, moderate and low. The current study area is in an area considered to have low archaeological potential, based on severe disturbance to the soil.

²⁶ Karskens 2009

²⁷ Irish 2017

²⁸ JMCHM 2002

Gorman Avenue, Kellyville

An Aboriginal cultural heritage assessment was undertaken within properties on Gorman Avenue, Kellyville prior to residential subdivision.²⁹ The area contains part of the site PAD 33, AHIMS #45-5-2652 and is approximately 150m to the northeast of the current study area. The site had been identified during the earlier study summarised above. An archaeological test exaction was undertaken to determine whether Aboriginal archaeological remains were present in the area. Two stone artefacts were retrieved from the excavation of an area of 80m x 40m. The artefacts were found in a test pit close to the creek in what was considered to be an original soil profile. The area on higher ground was found to contain a disturbed soil profile.

Memorial Avenue, Kellyville

Part of the northern and eastern portions of the current study area were included in an Aboriginal heritage assessment undertaken along Memorial Avenue, Kellyville, prior to road upgrade works.³⁰ The assessment involved a two-kilometre survey along Memorial Avenue, between old Windsor Road at the western end and Windsor Road at the eastern end, to relocate previously recorded Aboriginal archaeological sites and identify any unrecorded ones. The investigation identified seven previously recorded sites, comprising isolated artefacts, small artefact scatters, and areas of PAD. Five of these were found to have been destroyed, and the other two and been partially impacted. No additional sites were recorded, and the area was assessed as having high levels of disturbance and low archaeological potential.

²⁹ MDCA 2012

³⁰ Artefact 2014



Figure 12. The locations of previous archaeological investigations in proximity to the study area

3.5 What may remain within the study area

Having considered past archaeological recordings, Aboriginal community knowledge, and the natural environment and historical use of the study area, we can make some predictions about what kinds of Aboriginal heritage sites may be present within the study area. The whole of the study area has previously been subject to some level of archaeological investigation, although fieldwork has been restricted to survey rather than excavation.

There are no registered sites within the current study area. Based on our understanding of the historical disturbance and what we know from the surrounding area, the most likely traces of past Aboriginal life which might survive within the property are stone artefacts representing former campsites. These are unlikely to be intact given historical impacts to the study area. Scarred trees may be found where mature trees of sufficient age have survived, however it seems unlikely for these to be present due to the complete clearance of original vegetation and historical disturbance within the area of proposed development. Previous archaeological assessment of the broader area, including the study area, found that there is low archaeological potential due to the high level of land-use disturbance. Our review of the available documentary evidence tends to support that assessment.

4 What we have observed

Site survey

The results of the documentary research indicate that there are no known sites within the study area. However, there is one in close proximity to the study area, and some potential for the presence of additional sites. An archaeological survey of the study area was therefore undertaken. The method and results are outlined in this section.

4.1 Survey methods

The survey was undertaken in fine weather on 3 September 2021 by Fenella Atkinson and Rebecca Bryant (Coast), Steve Randall (Deerubbin LALC) and Justine Coplin (Darug Custodian Aboriginal Corporation).

The survey was undertaken on foot and covered the whole of the study area. It was focussed on the location of the proposed works, areas of exposed ground, and areas where mature native trees may have been present. The aim was to identify and record possible sites and assess the archaeological potential of the study area. Survey observations were recorded using written notes and photographs. We also recorded a GPS track log of where we went.

The identification and recording of sites are based on the specific information required for the AHIMS database, and on guidelines for particular site types. In relation to scarred trees, determining whether scars have a cultural or natural origin can be difficult but is evaluated based on attribute guides and knowledge of the specific land use history of the area in question.³¹ Stone artefacts can represent the remains of former Aboriginal living spaces, or the casual or accidental discard of individual artefacts. Though arbitrary, it is common practice to define 'open campsites' as being two or more artefacts within 50m of one another, unless they are obviously not related. Single artefacts more than 50m from other artefacts are typically recorded as 'isolated finds', unless we can see that they are somehow related to artefacts further away than this.

This information is recorded about any artefacts we find on our inspections:

- How big the artefact is – its maximum length, width and thickness.
- What it was made from - raw materials such as silcrete, tuff, quartzite and quartz.
- The type of artefact - flakes, blades, cores, flaked pieces etc.
- Any other information about its context or perhaps evidence of use such as retouching etc.

As well as recording the archaeological evidence we can see, we also think about whether there is any potential for evidence to survive beneath the surface. This can be determined by thinking about the type of landform, what we know of how Aboriginal people used these types of landforms, the archaeological evidence we can see, and the level of disturbance that is either observed during the inspection or known from historical records. If we think an area might have subsurface

³¹ Irish 2004, Long 2005.

archaeological evidence, it is identified as an area of Potential Archaeological Deposit. These areas may not be associated with any surface evidence such as stone artefacts

4.2 Survey observations

The area inspected included the study area, as well as a section of Strangers Creek that was accessible through a car park at the west end of Kennedy Avenue (**Figure 13**). It was surveyed and is described below as one survey unit because of the small size, and because the landform and use is relatively consistent across the whole area.

The study area comprises a number of level ground surfaces that have been cut into a moderately-steep hill that slopes down from the east to the west. The southern portion contains a paved car park that is bordered by a relatively steep embankment on the eastern side that was covered in dense leaf litter and a scattering of eucalypt trees less than 50 years old (**Figure 14**). Exposed areas were inspected and were found to include redeposited clay and shale with small pieces of natural gravel mixed with introduced road gravel (**Figure 15**). The L-shaped area within the far southern end of the study area is bordered by an embankment that slopes north to the playing fields. A paved pathway with flood lights for the field runs parallel to it, and there is a demountable building at the western end (**Figure 16**).

The northern portion has a concrete-paved carpark that is currently being used as a site compound, and a concrete-paved area containing the former netball court that is being used to store work vehicles (**Figure 17**). There is a small stand of eucalypt trees within this area. Although they were not part of the original vegetation they were checked for cultural markings and the ground was inspected for artefacts. There is also a communication tower on the eastern boundary. The western boundary of the study area contains a sandstone retaining wall that borders the playing fields at the northern end, and a turfed embankment that borders them at the southern section (**Figure 18**). This area was inspected and found to contain redeposited and eroding shale and clay, along with introduced material (**Figure 19**). A section of Strangers Creek near the western end of the demountable building (outside the study area) was inspected and found to contain a stormwater drain. It was congested with introduced weeds and fill (**Figure 20**).



Figure 13. The survey and the area of proposed works



Figure 14. The carpark and eastern embankment, looking north-west



Figure 15. Exposed ground on the eastern embankment showing redeposited clay and shale and pieces of road gravel, looking east



Figure 16. The southern boundary of the study area showing services along the pathway and building in the background, looking west



Figure 17. Northern end of the study area showing work-site compounds, carpark and eucalypt trees, looking west



Figure 18. Western boundary of study area showing sandstone retaining wall, looking north



Figure 19. Redeposited clay and shale in northern section of study area, looking south



Figure 20. Strangers Creek, showing weeds and stormwater drain, looking north

4.3 Survey coverage

It is a requirement of the *Code of Practice* to assess the effective survey coverage according to the formula shown in **Table 8**. These tables are based on summaries of ground visibility and exposure observed during the survey. Visibility is taken to refer to the ground surface that can be seen, while exposure is taken to refer to that part of the visible ground where artefacts or archaeological deposits may be visible. In general, effective coverage was limited by the presence of vegetation, leaf litter and mulch; fill, buildings and hard surfaces

The limited effective coverage might suggest that we do not have sufficient information to extrapolate and assess archaeological potential. However, these calculations place undue emphasis on the current observable 'surface' as an indicator of archaeological potential, and overlooks the value of observations of erosional processes, soil type and nature, and historical disturbance. In this study in particular, these are essential factors, as all of the observed land has been highly impacted by construction of the car parks, landscaping, building and sub surface services.

Table 8. Summary table of effective archaeological survey coverage

Landform	Area (m ²)	Visibility	Exposure	Effective Coverage Area (m ²)	Effective Coverage
Mid Slope	32,626	34%	21%	2,329	7%

4.4 Survey results

The site survey confirmed the whole of the study area has been substantially disturbed by the removal of all original vegetation and previous earthworks that have cut into the natural slope of the land to create large level terraces. The areas in the northern and southern portions of the study area containing the existing carparks and site compounds, along with water, communication and electrical services, have undergone deep excavation and levelling. These works appear to have removed all the original topsoil: this was evident in the exposures in the southern and northern areas that revealed clay and natural shale bedrock. Although none of the native trees present were part of the original landscape they were inspected for cultural modification, and none were found. All accessible areas of exposure were inspected, and no artefacts were found. It is unlikely any areas of undisturbed archaeological deposit are present.

5 Our assessment

5.1 *What is (or may be) present within the study area*

Based on our background research and field survey, we are able to assess the likelihood for archaeological remains to be present. There are no previously recorded Aboriginal archaeological sites within the study area, and none were identified during our survey. There are no trees within the study area of sufficient age to contain scars of potential Aboriginal cultural origin. The potential for the presence of intact or extensive sub-surface archaeological deposits is low. The study area sits in an area that has been subjected to historical impacts since the 1800s, and to substantial earthworks since the 1970s. During the survey, we found no evidence of exposed undisturbed natural ground.

5.2 *The significance of Aboriginal heritage in the study area*

Significance assessment

The management of a heritage place is based on an understanding of the values of that place. Heritage NSW specifies that heritage significance should be assessed according to four criteria, social or cultural, historic, scientific (archaeological), and aesthetic.³² These are based on the five criteria outlined in the Burra Charter; aesthetic, historic, scientific, social and spiritual.³³ These criteria are defined in **(Table 9)**. In relation specifically to archaeological sites, aspects such as rarity and representativeness and the integrity (sometimes referred to as the intactness of the site) must be considered. The scientific significance, or research potential, of such sites is often assessed in relation to three questions:³⁴

- Can the site contribute knowledge that no other resource can?
- Can the site contribute knowledge that no other site can?
- Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

There are no known Aboriginal archaeological remains within the study area and the potential for the presence of such remains is low. The study area is therefore considered not to be of scientific significance.

With respect to the social and spiritual significance for the Aboriginal community, we have asked all Registered Aboriginal Parties to let us know of any items or areas of Aboriginal heritage significance within the study area, or other cultural or historical knowledge which they felt was relevant to the assessment of the proposal. As we have discussed in **Section 2.3**, no one has yet identified any

³² OEH 2011: 7

³³ Australia ICOMOS 2013

³⁴ Bickford and Sullivan 1984

specific Aboriginal cultural connections or significance relating to the study area except as part of a broader area with which they identify historically or culturally.

Table 9. Significance criteria considered in the assessment of the study area

Criterion	Definition
Aesthetic	Refers to the sensory and perceptual experience of a place—that is, how we respond to visual and non-visual aspects such as sounds, smells and other factors having a strong impact on human thoughts, feelings and attitudes. Aesthetic qualities may include the concept of beauty and formal aesthetic ideals. Expressions of aesthetics are culturally influenced
Historic	Is intended to encompass all aspects of history—for example, the history of aesthetics, art and architecture, science, spirituality and society. It therefore often underlies other values. A place may have historic value because it has influenced, or has been influenced by, an historic event, phase, movement or activity, person or group of people. It may be the site of an important event. For any place the significance will be greater where the evidence of the association or event survives at the place, or where the setting is 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 such change or absence of evidence.
Scientific	Refers to the information content of a place and its ability to reveal more about an aspect of the past through examination or investigation of the place, including the use of archaeological techniques. The relative scientific value of a place is likely to depend on the importance of the information or data involved, on its rarity, quality or representativeness, and its potential to contribute further important information about the place itself or a type or class of place or to address important research questions. To establish potential, it may be necessary to carry out some form of testing or sampling. For example, in the case of an archaeological site, this could be established by a test excavation.
Social	Refers to the associations that a place has for a particular community or cultural group and the social or cultural meanings that it holds for them
Spiritual	Refers to the intangible values and meanings embodied in or evoked by a place which give it importance in the spiritual identity, or the traditional knowledge, art and practices of a cultural group. Spiritual value may also be reflected in the intensity of aesthetic and emotional responses or community associations, and be expressed through cultural practices and related places. The qualities of the place may inspire a strong and/or spontaneous emotional or metaphysical response in people, expanding their understanding of their place, purpose and obligations in the world, particularly in relation to the spiritual realm. The term spiritual value was recognised as a separate value in the Burra Charter, 1999. It is still included in the definition of social value in the Commonwealth and most state jurisdictions. Spiritual values may be interdependent on the social values and physical properties of a place.

6 How Aboriginal heritage could be managed

6.1 *What are the proposed works?*

PNRL proposes to construct a Community Facility and Centre of Excellence at Kellyville Park. The proposed works are shown in **Figure 21** and include the following components:

- 1. Community Facility, including grandstand; change rooms and amenities; first aid / medical room, gymnasium, café / kiosk, and function room.
- 2. Centre of Excellence, including a gymnasium; medical and rehabilitation facilities; pools; areas for lectures, meetings, education, and study; administration offices; and a change room and amenities.
- 4. Car parking (40 spaces), to operate in conjunction with the existing car parking
- 5. Landscaping
- 7. Rainwater tanks
- 9. Spectator mound
- 11. Proposed refuse area
- 12. Meeting place and landscaping

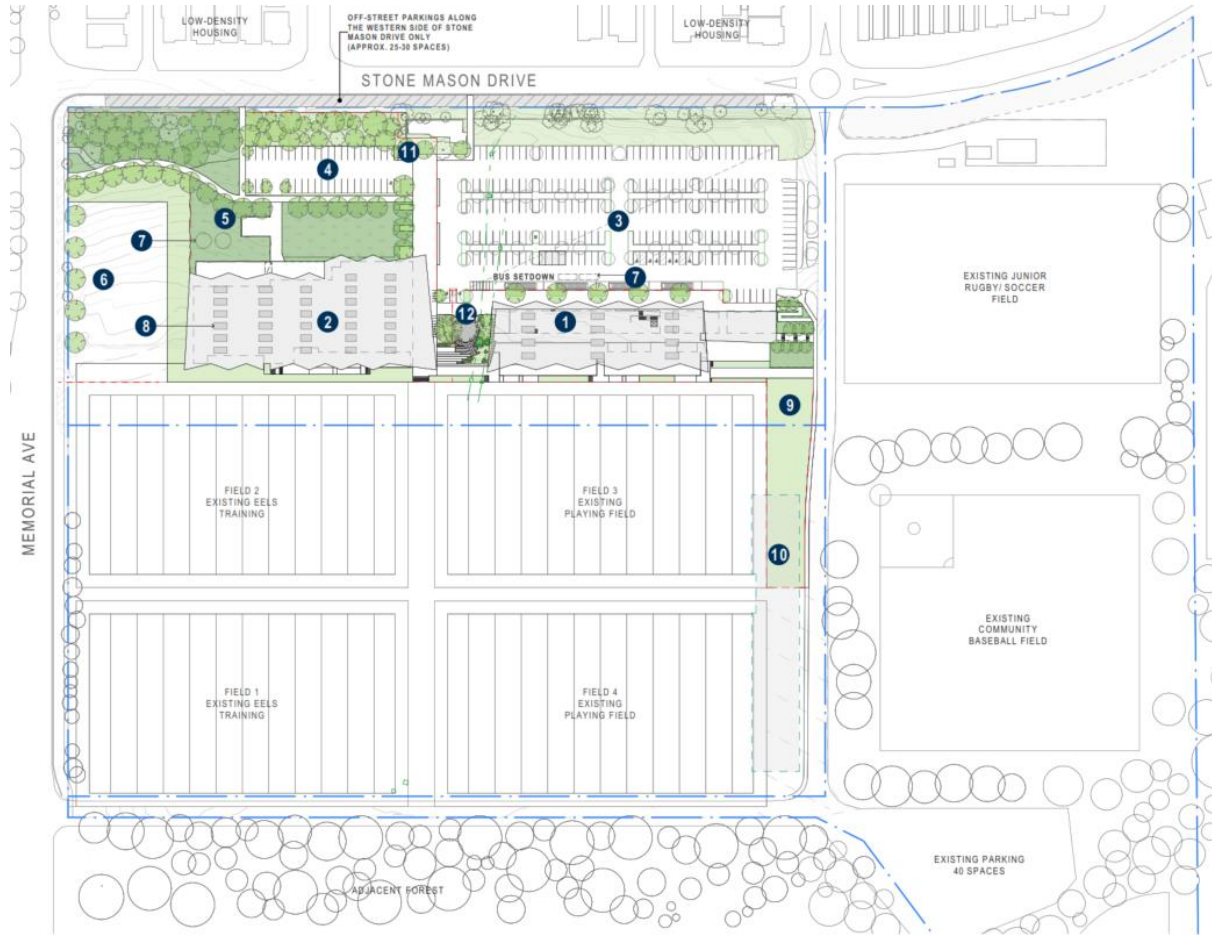


Figure 21. Plan of the proposed works

Source: HB Arch. 24/03/2022. Kellyville Park PNRL Eels – Centre of Excellence & Community Facility: New Site Works Plan.

6.2 What impacts are possible to Aboriginal heritage from this proposal?

The study area has been comprehensively impacted by historical activities and there are no surviving original topsoil (A) horizons within the areas proposed for development. There are no known sites within the study area and the comprehensive removal of this topsoil layer through past impacts means that there is no likelihood for intact archaeological remains to be present.

The present report has found that the proposed development within Lot 60 in DP 10702 and Lot 1 in DP 167535 (see **Figure 21**) will have no impact on any known or potential archaeological remains. Therefore no further actions are required in relation to Aboriginal heritage. However, as all Aboriginal sites ('objects') are protected under the *National Parks and Wildlife Act 1974*, the following unexpected finds protocol has been provided in the study recommendations which should form part of the approval conditions for all works associated with the current proposal.

For these reasons, we do not think that there are any requirements for further Aboriginal heritage investigations in relation to the proposal. However, as all Aboriginal sites ('objects') are protected under the *National Parks and Wildlife Act 1974*, we have listed procedures to be followed during construction to ensure that any unexpected finds are appropriately managed.

7 Our recommendations

We have based our recommendations on:

- the research and conclusions of our assessment as outlined in this report
- the views expressed by the Registered Aboriginal Parties to this project as documented in **Section 2** and **Appendix 1**
- the legal protections provided to Aboriginal 'objects' and 'places' under s.86 of the *National Parks and Wildlife Act 1974*
- current policy and regulatory requirements relating to the assessment of Aboriginal heritage, and in particular the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* and the National Parks and Wildlife Regulation 2019.

The following recommendations are made:

We recommend that:

1. No further Aboriginal archaeological assessment or investigation is required prior to commencement of the proposed development, and the works may proceed with caution.
2. If any Aboriginal objects or bones suspected of being human are identified during construction, site workers must:
 - a. Not further disturb or move these remains.
 - b. Immediately cease all work at the location.
 - c. In the case of suspected human remains only, notify NSW Police. In the case of Aboriginal objects, notify the Heritage NSW Environment Line on 131 555 as soon as practicable and provide available details of the objects or remains and their location. Deerubbin Local Aboriginal Land Council should also be notified to assist in the determination of appropriate management for the objects or remains.
 - d. Not recommence any work at the location unless authorised in writing by Heritage NSW.
3. A copy of this report should be forwarded to the Registered Aboriginal Parties and to:

The Registrar
Aboriginal Heritage Information Management System
Heritage NSW
Locked Bag 5020
Parramatta NSW 2220

8 References

- AAJV. 2017. 'Hawkesbury Region Sand Bodies Study'. Report to NSW Road and Maritime Services.
- AHMS. 2015. 'Water Related Infrastructure for the NW Growth Centre First and Second Release Precincts: Aboriginal Excavation Report. Report to Lend Lease/Sydney Water.
- Attenbrow, Val. 2010. *Sydney's Aboriginal Past. Investigating the Archaeological and Historical Records*. Sydney: UNSW Press.
- Attenbrow, V., Corkill, T., Pogson, J., Sutherland, L. and Grave, P. 2017. 'Non-destructive provenancing of ground-edged mafic artefacts: a Holocene case study from the Sydney Basin, Australia. *Journal of Field Archaeology*
- Attenbrow, V. and N. Kononenko. 2019. 'Microscopic revelations: the forms and multiple uses of ground-edged artefacts of the New South Wales Central Coast, Australia'. Technical Reports of the Australian Museum.
- Artefact 2014. 'Memorial Avenue, Kellyville PACHCI Stage 2: Aboriginal Archaeological Report'. Report to Roads and Maritime Services.
- Bannerman, S.M., and P.A. Hazelton. 1990. *Soil Landscapes of the Penrith 1:100,000 Sheet*. Sydney: Soil Conservation Service of NSW.
- Bickford, A and S Sullivan 1984, 'Assessing the Research Significance of Historic Sites', in Sullivan S and S Bowdler (eds), *Site Surveys and Significance Assessment in Australian Archaeology* (Proceedings of the 1981 Springwood Conference on Australian Prehistory), Department of Prehistory, Research School of Pacific Studies, The Australian National University, Canberra pp 23–24.
- Benson, D. & Howell, J. 1995. *Taken for Granted: The Bushland of Sydney and Its Suburbs*. Sydney: Kangaroo Press in association with the Royal Botanic Gardens.
- Coast History & Heritage. 2022 'Statement of Heritage Impact: Centre of Excellence and Sports Hub Kellyville Park, 8 Memorial Avenue Kellyville. Report to Parramatta National Rugby League Club.
- Department of Environment Climate Change and Water (DECCW) 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*.
- Department of Environment Climate Change and Water (DECCW) 2010. *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks & Wildlife Act 1974*.
- Department of Environment Climate Change and Water (DECCW) 2010. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*.
- Douglas, P. 1993. 'Archaeological Investigation OWR2 and OWR3 (NPWS #45-5-362, 45-5-363) at Rouse Hill: Test Excavation Report.' Report to Rouse Hill (Stage 1). AHIMS No.2658.

- ENSR/AECOM 2009 'Report on Phase 2 Archaeological Excavation Oran Park Precinct & Turner Road Precinct South West Sydney'. Report to Landcom, Dart West Developments Pty Ltd and Paytner Dixon Golf Pty Ltd.
- Gapps, S. 2018. *The Sydney Wars. Conflict in the early colony 1788-1817*. Sydney: NewSouth Publishing.
- Irish, P. 2004. "When is a scar a scar. Evaluating scarred and marked trees at Sydney Olympic Park", *Australian Archaeology* 59:59-61.
- Irish, P. 2017. *Hidden In Plain View: The Aboriginal people of coastal Sydney*. Sydney, NewSouth Publishing
- JMCHM. 2002. 'Rouse Hill Infrastructure Project (Stage 3), Development Areas 14 and 15, Balmoral Road Area, Indigenous and European Heritage Issues.' Report to RHIC. AHIMS No. 98053.
- Karskens, G. 2009. *The Colony. A history of early Sydney*. Sydney: Allen & Unwin.
- Long, A. 2005. *Aboriginal scarred trees in New South Wales. A Field Manual*. Sydney: Department of Environment and Conservation.
- Marquis-Kyle, P. and M. Walker. 2004. *The Illustrated Burra Charter: Good Practice for Heritage Places*. Australia ICOMOS, Victoria.
- Mitchell, P.B. 2008. 'Nature and Distribution of Parramatta Terrace Sand'. Report to Parramatta City Council.
- Office of Environment & Heritage (OEH) 2011. *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*.
- Owen, T. and Cowie, D. 2017. 'Four predictive models to describe Aboriginal lithic artefact site patterning on the Cumberland Plain'. *Journal of the Australian Association of Consulting Archaeologists* 5: 1-13.
- White, B. and McDonald, J. 2010. 'Lithic artefact distribution in the Rouse Hill Development Area, Cumberland Plain, New South Wales. *Australian Archaeology* 70: 29-38
- Williams, A., Mitchell, P., Wright, R. and Toms, P. 2012 'A terminal Pleistocene open site on the Hawkesbury River, Pitt Town, New South Wales'. *Australian Archaeology* 74: 85-97.
- Williams, A., Atkinson, A., Lau, M. and Toms, P. 2014 'A glacial cryptic refuge in south-east Australia: human occupation and mobility from 36 000 years ago in the Sydney Basin, New South Wales', *Journal of Quaternary Science* 29 (8): 735-748.

Appendix 1A

Public and Direct Notice Examples

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- Animals 6 months and older must be registered
- All advertising for selling and giving away animals must include an identification numbers from 1st July 2019. This can be a microchip number, a breeder identification number or a rehoming organisation number
- Ensure ownership has been transferred once a new home has been found for the animal

 More information can be found here for transferring ownership [www.olg.nsw.gov.au/pet-ownership](#)

If you don't use an identification number, or you falsify a number, you could be issued with an on-the-spot fine or face court, where a maximum penalty of \$5,500 applies.

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Notices

Public Notices

Registration of Interest Aboriginal Cultural Heritage Assessment

Parramatta National Rugby League Club [PO Box 317, Kellyville NSW 2155] are undertaking an Aboriginal Cultural Heritage Assessment for a proposed development within Lot 60 in DP 10702 and Lot 1 in DP 167535, 8 Memorial Avenue, Kellyville NSW. The Assessment will inform a State Significant Development application under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979* and is required to include Aboriginal community consultation in accordance with the Office of Environment and Heritage 2010 *Aboriginal cultural heritage consultation requirements for proponents*. Registrations of interest are sought from Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects at this location. This will assist in the assessment of the proposals by the NSW Department of Planning, Industry and Environment (DPIE) and Heritage NSW.

Registrations must be received in writing by 26/8/2021, include a postal address and contact details and be sent to project consultants Coast History & Heritage at P.O. Box A74, Arncliffe, NSW 2205. [admin@coasthistory.com.au](#) or fax (02) 8311 1478. For enquiries call 1800 450 995. Details of Registered Aboriginal Parties will be forwarded to Heritage NSW and the Deerubbin LALC unless explicitly requested.



TELSTRA PLANS TO UPGRADE AN EXISTING MOBILE BASE STATION AT: 130A QUARRY RD RYDE NSW 2112

1. The removal of three (3) panel antennas and installation of three (3) new panel antennas (each no more than 2.8m) to support 3G, 4G and 5G technologies; on a new mount on the existing building. The installation of a new shroud; and ancillary equipment including Remote Radio Units and other auxiliary works.

Telstra regards the proposed installation as a Low-impact Facility under the *Telecommunications (Low-impact Facilities) Determination 2018* ("The Determination") based on the description above.

In accordance with Section 7 of C564:2020 Mobile Phone Base Station Deployment Code, we invite you to provide feedback about the proposal. Further information and/or comments should be directed to: Service Steam on behalf of Telstra, (02) 9087 3106, [planning.nsw@servicestream.com.au](#) and at [www.rfnsa.com.au/2112015](#).

 The closing date for comments is the **26th of August 2021**.

Written submissions should be sent to: Service Stream, PO Box 1053 North Sydney NSW 2059

Legal Notices

LOST POLICY

AMP intends after 10 days to either issue a special policy in place of or satisfy claims or requests that would result in the termination of the following Policy declared LOST or DESTROYED. D312276173 Michael Blewitt
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Death & Funeral Summary

BARRETT, GODDARD,
Mark Gerard Nancy Anne

This summary is a complimentary service. All care is taken to endeavour to include all names from the notices appearing today, however there are circumstances when this is beyond our control and some names may be omitted. Please read all advertisements within the Death and Funeral Notices columns for comprehensive list. Wherever possible we endeavour to place Death and Funeral notices into "family order". There are circumstances when this is beyond our control.

Tributes

Deaths

BARRETT, Mark Gerard

17 Sep 1952

06 Aug 2021

Father of Christopher, Luke and Rebecca and loving grandfather. Previously of Penrith, passed at 68 with his family by his side. Privately Cremated.

GODDARD, Nancy Anne
August 8, 2021
Late of Chester Hill

Loving wife of Alan. Cherished mother & mother-in-law of Brenda, Bruce & Carolyn, Karen & Glenn. Doting grandmother of Dalton, Brodie and Lucy.

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Privately cremated

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21.03.1980 - 12.08.2014

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11 August 2021

Aboriginal Heritage Planning Officer
Heritage NSW
Department of Premier and Cabinet
Level 2, 10 Valentine Avenue
Parramatta NSW 2150

Dear Sir/Madam,

**RE: Notification of Aboriginal People in relation to Aboriginal cultural heritage assessment
at the Kellyville Park Community Facility and Centre of Excellence, Kellyville, NSW**

Proponent: Parramatta National Rugby League Club [PO Box 317, Kellyville NSW 2155]

Parramatta National Rugby League Club are undertaking an Aboriginal Cultural Heritage Assessment for a proposed development within 8 Memorial Avenue, Kellyville (Lot 60 in DP 10702 and Lot 1 in DP 167535). The Assessment will inform a State Significant Development application under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979*. Coast History & Heritage has been engaged by the proponent to undertake Aboriginal community consultation in accordance with the *National Parks and Wildlife Regulation 2019*.

We are seeking registrations of interest from Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects at this location. This will assist us in preparing the Aboriginal Cultural Heritage Assessment. It will also assist in the assessment of the proposal by the NSW Department of Planning, Industry and Environment (DPIE) and Heritage NSW.

We are contacting you, as per S60(2a) of the *National Parks and Wildlife Regulation 2019*, to seek the names and current contact details of any Aboriginal people of whom you are aware may hold cultural knowledge relevant to determining the significance of Aboriginal objects at this location, so that we can notify them directly about the proposal. Please forward us the details of any such Aboriginal people in writing before 26 August 2021 to:

(Post) PO Box A74 Arncliffe NSW 2205
(Fax) 02 8311 1478
(Email) admin@coasthistory.com.au

Please ensure that you provide us with current postal addresses and contact names. Any enquiries should be directed to our office on 1800 450 995.

Yours sincerely,

Rebecca Bryant
Archaeologist
E: rebecca@coasthistory.com.au
W: www.coasthistory.com.au

Appendix 1B

Agency Responses to Direct Notices



Overlap Analysis

Disclaimer

This information product has been created to assist in understanding the spatial characteristics and relationships of this native title matter and is intended as a guide only. Spatial data used has been sourced from the relevant custodians in each jurisdiction, and/or the Tribunal, and is referenced to the GDA2020 datum.

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

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

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

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

Please note:

- Calculated areas may not be the same as the legal area of a parcel.
- Where shown, NNTT Tenure Class for a non freehold parcel refers to a tenure grouping derived for the purposes of the Tribunal, and does not necessarily represent the jurisdictional tenure type.
- Overlap results are returned only for the currently active jurisdiction.
- Where shown, overlap results are returned for 'current' future act notices. These are notices within six months of the notification date, notices subject to a current future act application or state deed and those notices where the right to negotiate applies and are within five years of the notification date.
- Where shown, overlap results are returned for Future Act Objections that are currently active, or that have been subject to an NNTT determination.

Selected Feature from Local Government Area

Name	The Hills Shire
Full Name	The Hills Shire Council
Selection Area (sq km)	386.203

Selected Feature



Reporting overlapping features in New South Wales

Schedule of Native Title Determination Applications

No overlap found

Register of Native Title Claims

No overlap found

Native Title Determinations

Tribunal No	Name	Federal Court No	Determination Type	Related NTDA	Area (sq km)	Overlap Area (sq km)	% Region Overlapped
NND2020/004	Deerubbin Local Aboriginal Land	NSD2067/2019	In effect - Finalised	NN2019/006	0.1803	0.1803	0.05%

Native Title Determination Outcomes

Tribunal No	Name	Federal Court No	Determination Type	Outcome	Area (sq km)	Overlap Area (sq km)	% Region Overlapped
NND2020/004	Deerubbin Local Aboriginal Land Council	NSD2067/2019	In effect - Finalised	Native title does not exist	0.1803	0.1803	0.05%

* Note: Outcomes identified as "Native title extinguished" are generally outside the determination area. Refer to the determination document for more information.

Native Title Outcomes



Red hachure indicates conditional determination area

Indigenous Land Use Agreements

No overlap found

RATSIB Areas

Name	Organisation	Area (sq km)	Overlap Area (sq km)	% Region Overlapped
New South Wales	NTSCORP Limited	1,719,931.7807	386.2026	100.00%

Local Government Areas

Name	Full Name	Area (sq km)	Overlap Area (sq km)	% Region Overlapped
The Hills Shire	The Hills Shire Council	386.2026	386.2026	100.00%

Reference: DOC21/691171-1

Rebecca Bryant
Archaeologist,
Coast Heritage & History
PO Box A74
Arncliffe NSW 2205
E: rebecca@coasthistory.com.au

RE: Request for information on Aboriginal stakeholders for an Aboriginal cultural heritage assessment for proposed “Kellyville Park Community Facility and Centre of Excellence, Kellyville, NSW”

Dear Rebecca,

Thank you for your letter of 11 August 2021 about Aboriginal cultural heritage consultation for the proposed “Kellyville Park Community Facility and Centre of Excellence, Kellyville, NSW”, within the Hills local government area. I appreciate the opportunity to provide input.

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

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

- Ensure that consultation is fair, equitable and transparent. If the Aboriginal parties express concern or are opposed to parts of or the entire project, we expect that evidence will be provided to demonstrate the efforts made to find common ground between the

opponents and the proponent.

If you have any questions about this advice, please do not hesitate to contact me via paul.houston@environment.nsw.gov.au or 02 68835361.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Houston', with a stylized flourish at the end.

Paul Houston
Aboriginal Heritage Planning Officer
Aboriginal Cultural Heritage Regulation - Northern
Heritage NSW
Department of Premier and Cabinet
23 August 2021

Rebecca Bryant

From: LLS Admin GreaterSydney Mailbox <admin.greatersydney@lls.nsw.gov.au>
Sent: Wednesday, 11 August 2021 3:31 PM
To: Rebecca Bryant
Subject: Re: Notification of Aboriginal People – Kellyville (The Hills Shire LGA) NSW

Dear Ms Bryant

Thank you for your recent letter seeking assistance to identify Aboriginal stakeholder organisations and persons who may hold an interest in Country at the project area designated in your correspondence.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services (formerly as Catchment Management Authorities) has been listed in Section 4.1.3.(g) of the Aboriginal Cultural Heritage Consultation requirements for proponents 2010, to support Part 6, of the NSW National Parks and Wildlife Act 1974 as a source of information to obtain the 'names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places'.

GS LLS understands and respects the significant role and values that tangible and intangible Aboriginal Cultural Heritage holds for First Nations/Aboriginal people with Country. GS LLS also partners with many First Nations communities on Caring for Country projects that aim to protect and enhance those tangible and intangible values in Country including Aboriginal Cultural Heritage. GS LLS considers Aboriginal Cultural Heritage matters in relation to its role in land management and considers cultural heritage issues in the context of Natural Resource Management.

However, GS LLS feels that it is not a primary source of contact for First Nations (Aboriginal) communities or persons that may inform or provide comment on development or planning issues.

GS LLS strongly recommends you contact Heritage NSW to seek their advice on all-inclusive contact lists of persons and organisations who 'speak for Country' and that may assist with your investigation.

Regards

Customer Service Team

Greater Sydney Local Land Services

Level 4, 2 - 6 Station St Penrith | PO Box 4515, Westfield Penrith NSW 2750

T: 02 4724 2100

E: admin.greatersydney@lls.nsw.gov.au | **W:** www.greatersydney.lls.nsw.gov.au

You can also get in touch with us is through our [online enquiry form](#)

Greater Sydney Local Land Services acknowledges we operate in and deliver services throughout Country of First Nations people in the Greater Sydney Region.

We recognise and respect Elders and cultural knowledge holders, past and present, while acknowledging the unique and diverse enduring cultures and histories of all First Nations people.

Always was and always will be Aboriginal land.



From: Rebecca Bryant <rebecca@coasthistory.com.au>

Sent: Wednesday, 11 August 2021 2:48 PM

To: LLS Admin GreaterSydney Mailbox <admin.greatersydney@lls.nsw.gov.au>



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

3 Columbia Court, Norwest NSW 2153

PO Box 7064, Norwest 2153

ABN 25 034 494 656 | DX 9966 Norwest

18 August 2021

Rebecca Bryant
Coast History and Heritage
PO Box A74
ARNCLIFFE NSW 2205

Via email: admin@coasthistory.com.au

Our Ref: FP18

Dear Ms Bryant,

Request for Aboriginal Stakeholder Contact

Thank you for contacting The Hills Shire Council regarding contact details for interested Aboriginal community groups for land 8 Memorial Avenue, Kellyville (Lot 60 DP 10702 and Lot 1 DP 167535). The subject site is within the Deerubbin Local Aboriginal Land Council.

Their contact details are as follows:

Office location:	Level 1, 295 High Street, Penrith
Postal address:	PO Box 40, Penrith NSW 2751
Email:	KCavanagh@deerubbin.org.au
Office Phone:	02 4724 5600
Fax:	02 4722 9713

Aside from this, Council does not have a register of any individuals who have an interest in these lands.

Yours faithfully

Gideon Tam
TOWN PLANNER

Appendix 1C

Registrations of Interest

Rebecca Bryant

From: Daniel chalker <woriwoilywa@gmail.com>
Sent: Wednesday, 1 September 2021 10:54 AM
To: Rebecca Bryant
Subject: RE: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

To whom it may concern

We would like to acknowledge the land owners as the first nation's families of the country. We would like to acknowledge and pay thanks to mother earth for providing for us, Father for looking over us and the sprites for helping guide us. Also we pay our respects to the old the young and the new.

We thank you for your invitation to register for the Aboriginal Cultural Heritage Assessment at 8 Memorial Avenue, Kellyville NSW. We would like to be involved in the consultation process and are also able to provide field workers if required.

Thank you again and please feel free to contact me if you require anything further.

Kind Regards

Daniel Chalker

Wori Woilywa

ABN: 40218677675

261 Mockingbird Road,

PHEASANTS NEST 2574 NSW

M: 0409006216 Daniel

woriwoilywa@gmail.com

From: [Rebecca Bryant](#)
Sent: Monday, 23 August 2021 4:51 PM
To: [Daniel chalker](#)
Cc: [Coast History and Heritage](#)
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

Dear Daniel,

Please see attached a notification in relation to an Aboriginal cultural heritage assessment that is being undertaken at 8 Memorial Avenue, Kellyville NSW. If you wish to be a Registered Aboriginal Party for this project, please contact our office in writing by **Tuesday 7 September 2021**.

Warm Regards,

Rebecca Bryant

From: Steven Johnson <wokacorp@yahoo.com>
Sent: Tuesday, 24 August 2021 7:42 PM
To: Rebecca Bryant
Subject: Re: Registration for 8 Memorial Avenue, Kellyville NSW

Woka Aboriginal Corporation
Preservation of Culture & Heritage
Mob: 0406991221
Email: wokacorp@yahoo.com

Attention: Rebecca

Re: Expressing Interest - 8 Memorial Avenue, Kellyville NSW

Please accept our registration of Woka Aboriginal Corporation for full process on this project. We are all aboriginal people. We are all experienced Aboriginal Cultural Heritage Site Officers. We have worked with the National Parks & Wildlife, WaterNSW, RMS/TFNSW on numerous projects. We have our history & stories passed down to us by our Elders. We have assisted in surveys, salvage & consulting with archaeologists over a vast number of years. We are experienced in the field of identifying artefacts, Including our learned history and knowledge passed down. We appreciate the opportunity to be part of protecting and preserving our Aboriginal heritage. We are very proud of our heritage and culture passed to us by our Ancestors. We are therefore pleased with being a part of this research and to provide our experience and knowledge.

Our organisation has the current Public liability insurance and is WHS compliant, with all member's holding white cards and required PPE.

All our members are extremely experienced in the identification of Aboriginal artefacts and have worked with numerous Archeologists in field surveys, including test and salvage excavations on fieldwork. We are very passionate about our ancestral land and our conservation of our history matters the upmost to us. We hold strong links to our ancestors, our culture and our heritage. We are motivated to share our history with our current generation and future generations to pass down to our Mob.

Please note we do not want our details forwarded to LALC, please do not release our correspondence. Please register Woka Aboriginal Corporations name for this project. Please feel free to contact me if you have any questions.

Sincerely
Steve
Aboriginal Heritage Custodian
Mob: 0406991221
Email: wokacorp@yahoo.com

Rebecca Bryant

From: Thoorga Thoorga <thoorganura@gmail.com>
Sent: Tuesday, 24 August 2021 3:24 PM
To: Rebecca Bryant
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

Good afternoon Rebecca,

I wish to register Thoorganura's interest in this project please.
If you require any further information please do not hesitate to contact me.

On Mon, 23 Aug 2021 at 4:39 pm, Rebecca Bryant <rebecca@coasthistory.com.au> wrote:

Dear Mr Carriage,

Please see attached a notification in relation to an Aboriginal cultural heritage assessment that is being undertaken at [8 Memorial Avenue, Kellyville NSW](#). If you wish to be a Registered Aboriginal Party for this project, please contact our office in writing by **Tuesday 7 September 2021**.

Warm Regards,

Rebecca Bryant

Archaeologist



P: 1800 450 995 / **M:** 0405 236 821

E: rebecca@coasthistory.com.au

W: www.coasthistory.com.au

[Suite 9 & 10, 136 Marrickville Rd, Marrickville](#)

PO Box A74, Arncliffe NSW 2205

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Yarma Walaawarnie

Yours Truly

**John Carriage
Chief Executive Officer
THOORGA NURA.**

Address:

**50B Hilltop Crescent,
Surfbeach, 2536, NSW**

**Email: thoorganura@gmail.com
Mobile: 0401641299**

THOORGA observes, respects, recognises and acknowledges the 13 ANCESTRESSES of the MURRIN NATION namely; DHARUG, GUNDUNGURRA, THARAWAL, EORA, ELOUERA, WANDANDIAN, NGUNAWAL, WALGALU, NGARIGO, WALBUNJA, DJIRINGANJ, THAUAIRA and BIDAWAL as the rightful and truthful APICAL ANCESTORS of all the People's and Descendants of all the Territory and Lands from the Hawkesbury River in the North, the Western Escarpment of the Great Dividing Range to the West, the entrance of the Snowy River to the South and the Tasman Sea to the East.

NOTICE – This email is solely for the named addressee and is to be treated with the utmost of email in confidence and confidentiality. You should only read, disclose, transmit, copy, distribute, act in reliance on or commercialise the contents if you are authorised to do so. If you are not the intended recipient of this email, please notify the sender by email immediately and then destroy any copy of this message and any attachments. Except where otherwise specifically stated, views expressed in this email are those of the individual sender. THOORGA does not guarantee that this communication is free of errors, virus, interception or interference.

Rebecca Bryant

From: Philip khan <philipkhan.acn@live.com.au>
Sent: Tuesday, 24 August 2021 4:31 PM
To: Rebecca Bryant
Subject: RE: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW
Attachments: Public Liability Kamilaroi 2021 to 2022.pdf; ICARE workers comp. insurance Kamilaroi Yankuntjatjara Working Group 2021.pdf

Hi Rebecca,

Thank you for informing us that **Coast History & Heritage** will be involved in an Aboriginal Cultural Heritage Assessment at **8 Memorial Avenue, Kellyville NSW** & that you are inviting Aboriginal organisations to register, if they wish too be involved in the community consultation process.

As a senior Aboriginal person for the past 50yrs, 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.

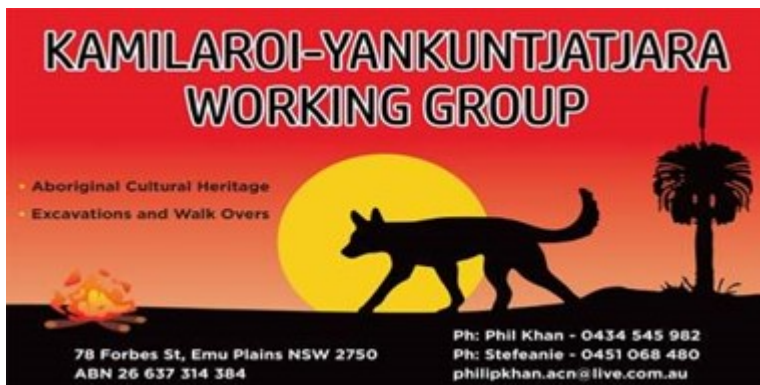
I have attached a copy of Kamilaroi Yankuntjatjara Working group's Public Liability Insurance & Workers Compensation certificate.

Our Rates - [REDACTED]

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 Stefeanie on 0451068480.

Kind Regards
Phil Khan



Sent from [Mail](#) for Windows 10

Rebecca Bryant

From: Phillip Boney <Waarlan12@outlook.com>
Sent: Tuesday, 31 August 2021 4:52 PM
To: Rebecca Bryant
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

Hi Bec,

My family is safe and well. I hope you and your family are safe and well also Bec.

Yes, Bec I would like to be consulted on this project as well as any other involvement in this project. Hopefully to the point where I am working with you guys on this project. And as the project goes on the more information that comes out maybe there will be more cultural knowledge that can potentially be shared. Thank you.

With regards, Phil Boney
Wailwan Aboriginal Group

From: Rebecca Bryant <rebecca@coasthistory.com.au>
Sent: Sunday, 22 August 2021 11:35 PM
To: Phillip Boney <Waarlan12@outlook.com>
Cc: Coast History and Heritage <admin@coasthistory.com.au>
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

Dear Phil,

Hope you and your family are well in these challenging times.

Please see attached a notification in relation to an Aboriginal cultural heritage assessment that is being undertaken at 8 Memorial Avenue, Kellyville NSW. If you wish to be a Registered Aboriginal Party for this project, please contact our office in writing by **Tuesday 7 September 2021**.

Warm Regards,

Rebecca Bryant

Archaeologist



P: 1800 450 995 / M: 0405 236 821

E: rebecca@coasthistory.com.au

W: www.coasthistory.com.au

Suite 9 & 10, 136 Marrickville Rd, Marrickville

PO Box A74, Arncliffe NSW 2205

Rebecca Bryant

From: James Eastwood <james.eastwood@y7mail.com>
Sent: Wednesday, 8 September 2021 9:23 AM
To: Rebecca Bryant
Subject: Registration



Dear Rebecca hope this email find you and your family well
Thank you for your recent invitation to register for Aboriginal community consultation in regards to
Aboriginal Cultural Heritage Assessment for kellyville park community and Centre of Excellence
Kellyville NSW
Aragung Aboriginal Cultural Heritage Assessments are glad to accept your invitation and would like
to register for consultation toward this project.

warm regards
Aragung
CO / Jamie Eastwood

Rebecca Bryant

From: Butucarbin Heritage <butuheritage@gmail.com>
Sent: Tuesday, 7 September 2021 11:39 PM
To: Rebecca Bryant
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

Dear Rebecca,
On behalf of Butucarbin, I would like to register for this project.

Kind regards,
Jenny

On Mon, Aug 23, 2021 at 4:30 PM Rebecca Bryant <rebecca@coasthistory.com.au> wrote:

Dear Ms Beale,

Please see attached a notification in relation to an Aboriginal cultural heritage assessment that is being undertaken at 8 Memorial Avenue, Kellyville NSW. If you wish to be a Registered Aboriginal Party for this project, please contact our office in writing by **Tuesday 7 September 2021**.

Warm Regards,

Rebecca Bryant

Archaeologist



P: 1800 450 995 / **M:** 0405 236 821

E: rebecca@coasthistory.com.au

W: www.coasthistory.com.au

Suite 9 & 10, 136 Marrickville Rd, Marrickville

PO Box A74, Arncliffe NSW 2205

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Rebecca Bryant

From: Rodney Gunther <waawaar.awaa@gmail.com>
Sent: Thursday, 26 August 2021 6:28 PM
To: Rebecca Bryant
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW
Attachments: Certificate of Currency.pdf; Workers Insurance Certificate of Currency 2022 (1).pdf

Hi Rebecca,

Please register Waawaar Awaa Aboriginal Corporation for the Aboriginal Cultural Heritage Assessment at 8 Memorial Avenue, Kellyville NSW.

Relevant insurances are attached for future reference.

regards

Rodney Gunther
0410 580 96

On Mon, Aug 23, 2021 at 4:50 PM Rebecca Bryant <rebecca@coasthistory.com.au> wrote:

Dear Barry and Rodney,

Please see attached a notification in relation to an Aboriginal cultural heritage assessment that is being undertaken at 8 Memorial Avenue, Kellyville NSW. If you wish to be a Registered Aboriginal Party for this project, please contact our office in writing by **Tuesday 7 September 2021**.

Warm Regards,

Rebecca Bryant

Archaeologist



P: 1800 450 995 / M: 0405 236 821

E: rebecca@coasthistory.com.au

W: www.coasthistory.com.au

Suite 9 & 10, 136 Marrickville Rd, Marrickville

Rebecca Bryant

From: Carolyn .H <cazadirect@live.com>
Sent: Monday, 23 August 2021 5:01 PM
To: Rebecca Bryant; Coast History and Heritage
Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW
Attachments: A1.PL2022.pdf; A1.WC2022.pdf



INDIGENOUS SERVICES PTY LTD

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

Hi,
Thank you for your email, I would like to register in being involved in all levels of consultation for this project.
Including, Meetings, Reports, Sharing Cultural Information, and available Field Work.

I am a traditional custodian with over 20 years experience in helping preserve Aboriginal cultural heritage on projects.

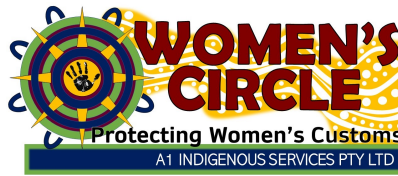
I hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and values that exist in the project area.

I have attached A1 Indigenous Services Insurances.

We would like the Proponent to consider including A1's, Kawalkan youth and the Women's Circle Employees for all future field work.



The Kawalkan Youth Program is a designed program created to employ young indigenous youths between the ages of (18-29) years of age.



The Women's Circle was created with the need to always have Experienced Indigenous Women present in all field work.

To aim for not only gender equality in the workplace but, to help identify and protect any women's sacred places.

OUR MISSION

Building strength in aboriginal families, communities, and services.

It is our mission to commit to an innovative approach to a better future for indigenous employment.

Giving our people the opportunity to gain employment in a culturally sensitive work environment also giving them the opportunity to work on country and continue the tradition of protecting and passing down

Cultural knowledge from one generation to the next – continuing the importance of keeping culture.

Please feel free to contact me on details supplied

Kind Regards,
Carolyn Hickey
Managing Director

From: Rebecca Bryant <rebecca@coasthistory.com.au>

Sent: Monday, 23 August 2021 4:06 PM

To: Caza X <cazadirect@live.com>

Cc: Coast History and Heritage <admin@coasthistory.com.au>

Subject: Re: Notification for Aboriginal heritage project at 8 Memorial Avenue, Kellyville NSW

Dear Carolyn,

Please see attached a notification in relation to an Aboriginal cultural heritage assessment that is being undertaken at 8 Memorial Avenue, Kellyville NSW. If you wish to be a Registered Aboriginal Party for this project, please contact our office in writing by **Tuesday 7 September 2021**.

Warm Regards,

Rebecca Bryant

Archaeologist



Corroboree Aboriginal Corporation

Registration received 24 August 2021

Details omitted on request

Tocomwall

Registration received 14 September 2021

Details omitted on request

Appendix 1D

Information and Methodology Document

8 September 2021

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

**RE: Aboriginal Cultural Heritage Assessment Information and Methodology
for Kellyville Park Community Facility and Centre of Excellence, Kellyville, NSW**

Thank you for expressing your interest in this project. We have recorded your organisation as a 'Registered Aboriginal Party' to the project and are now providing you with further information in accordance with section 60 (5), (6) & (7) of the National Parks and Wildlife Regulation 2019. Specifically, this letter contains:

- a description of the proposed development that is currently being considered for Kellyville Park
- a consideration of the types of potential impacts that this may have on Aboriginal objects and places
- the methodology we propose to use to complete an Aboriginal cultural heritage assessment of the proposed works, and
- potential management options for identified and potential Aboriginal objects.

The letter also invites you to provide any knowledge or information about the cultural significance of Aboriginal objects or places which you believe should be considered in relation to the proposed works. We also welcome your comments on the proposed methodology. As outlined in this letter, any comments you provide will be considered in the Aboriginal cultural heritage assessment report for the proposal, and will be used to assist the Department of Planning, Industry and Environment (DPIE) in their assessment of the proposal.

If you wish to provide us with any comments, please send them to us in writing (or contact us if this is not possible), by **7 October 2021** at one of the following:

(Email) admin@coasthistory.com.au

(Post) PO Box A74 Arncliffe NSW 2205

(Phone) 1800 450 995

(Fax) 02 8311 1478

We note that in accordance with current Heritage NSW guidelines¹, any proposal you may wish to submit for engagement in fieldwork is a commercial matter which the proponent will consider separately from the comment and consultation we are currently undertaking.

1 What we are assessing

The property and proposal

We are assessing part of Kellyville Park, which is located at 8 Memorial Avenue, Kellyville (see **Figure 1** and **Figure 2**).

The Parramatta National Rugby League (NRL) Club proposes to construct new facilities in the park, in summary:

- Centre of Excellence. A building that includes, offices, meeting rooms, open-plan work stations, kitchen, storage, media room, social area, café, retail store, plant room, utilities, storage rooms, and a gym.
- Spectator Grandstand.
- Community Facility. A building behind the grandstand, with facilities including multi-purpose room, kitchen, café, bar, kiosk, media, coaches and administration rooms, toilet block.
- Carpark.
- Landscaping.
- Possible Spectator Mound

The proposal will be assessed as a State Significant Development application under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979*. The DPIE has released the Secretary's Environmental Assessment Requirements (SEARs) for the project, and these require an Aboriginal Cultural Heritage Assessment Report to be prepared in accordance with current guidelines², and which meets Aboriginal community consultation requirements.³

Coast History & Heritage has been engaged by the Parramatta NRL Club to undertake this Aboriginal Cultural Heritage Assessment Report and Aboriginal community consultation.

¹ As outlined in Section 3.4 (page 9) of the *Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks & Wildlife Act 1974* (DECCW 2010).

² SEARS 18/8/21 for SSD-24452965.OEH 2011. *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*; DECCW 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*.

³ National Parks and Wildlife Regulation 2019 (s60), as detailed in DECCW 2010 *Aboriginal heritage consultation requirements for proponents 2010. Part 6 National Parks & Wildlife Act 1974*.

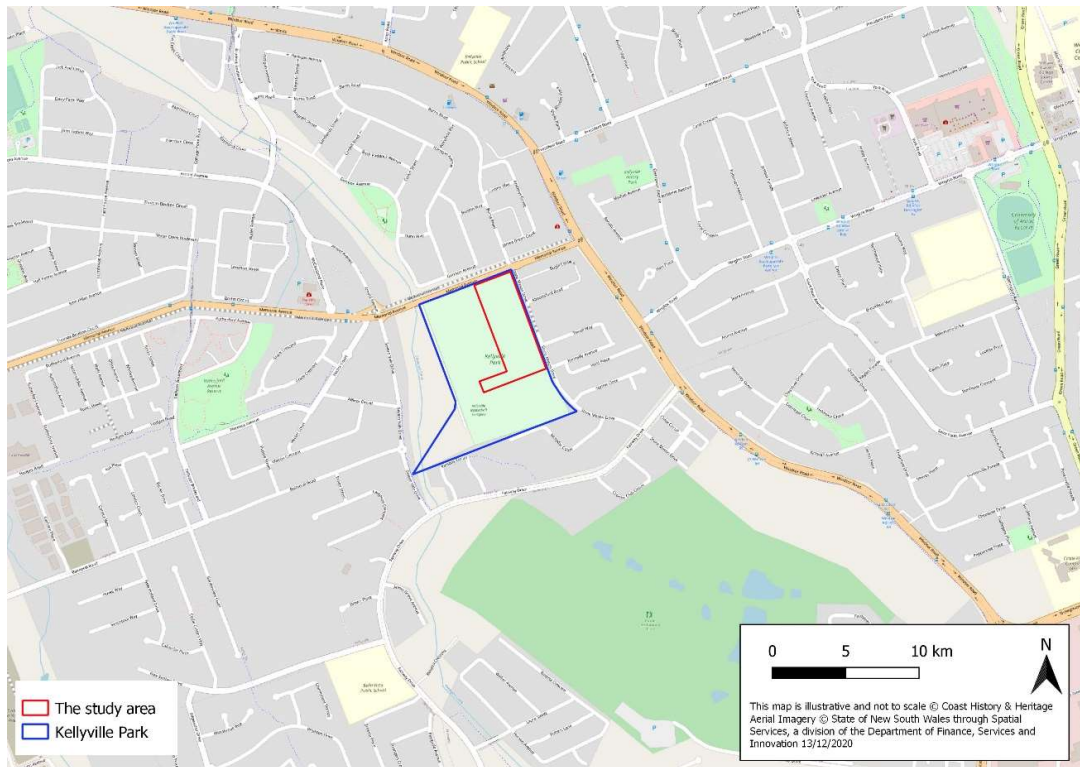


Figure 1. The study area (red), Kellyville Park (blue) in relation to topographical mapping.



Figure 2. The study area (red) in relation to Kellyville Park (blue).



Barry and Rodney Gunther

Figure 3. The study area (red outline) and area of proposed works (pink dotted line).

[Source: MetroMap 16 August 2021]

The topography in the location of the study area consists of gently undulating rises within the Luddenham and Blacktown Soil Landscapes (**Figure 4**). The upper part of the soil profile within these landscapes (the A Horizon), can be up to 50cm in depth. Strangers Creek runs parallel to the western side of the study area and flows in a northeast direction, where it joins Caddies Creek approximately 3km downstream.

The Aboriginal heritage of the of the whole study area has been previously assessed in a Rouse Hill infrastructure project⁴, and partially assessed for road upgrade works along Memorial Drive, Kellyville⁵. Our review of these reports, and a search of the AHIMS database, shows that there are no

⁴ JMCHM 2002. 'Rouse Hill Infrastructure Project (Stage 3), Balmoral Road Release Area Indigenous and European Heritage Issues. Report to RHI. AHIMS No. 98053.

⁵ Artefact 2014. 'Memorial Avenue, Kellyville, PACHCI Stage 2 Aboriginal Archaeological Report.' Report to Roads and Maritime Services.

previously recorded Aboriginal archaeological sites or areas of potential archaeological deposit (PAD) within Kellyville Park. However, there is one previously recorded site in close proximity, to the north of the study area (**Figure 5**):

- AHIMS #45-5-2562 (PAD33). Potential archaeological deposits were identified on both sides of Strangers Creek, around 100m north of Memorial Drive in 2002. Two PADs were on the east side of the creek and one on the west side. A test excavation in 2012 of six 50cm x 50cm pits was undertaken in the southernmost PAD, and two artefacts were found.⁶

In the surrounding area more generally, a large number of sites have been recorded along the edges of creeks. These have included isolated artefacts and artefact scatters found on the ground surface, or below ground level during archaeological excavations.

We conducted a site inspection in September 2021 with representatives of the Deerubbin Local Aboriginal Land Council and Darug Custodian Aboriginal Corporation to look at the area of the proposed works and consider the potential impacts to Aboriginal heritage (**Figure 6 to Figure 8**).

The study area comprises a number of level ground surfaces that have been cut into a moderately-steep hill that slopes from the east down to the west. The southern portion contains a paved car park and the eastern embankment of the playing fields. The northern portion also has a paved carpark that is currently being used as a site compound, and another smaller paved compound that is being used to store work vehicles within the former netball courts. The whole of the study area has been substantially disturbed by previous excavations that appear to have affected all original topsoil. This is evident within areas of exposed ground surface that revealed clay and natural shale bedrock, in both the southern and northern portions.

No artefacts were found, and it is unlikely any areas of undisturbed archaeological potential are present. The available evidence indicates that the proposed development is unlikely to impact on any potential archaeology.

⁶ Mary Dallas Consulting Archaeologists 2012. 'Aboriginal Cultural Heritage Assessment Report, PAD 33 (AHIMS #45-5-2652) Stage 3 Gorman Ave, Kellyville NSW

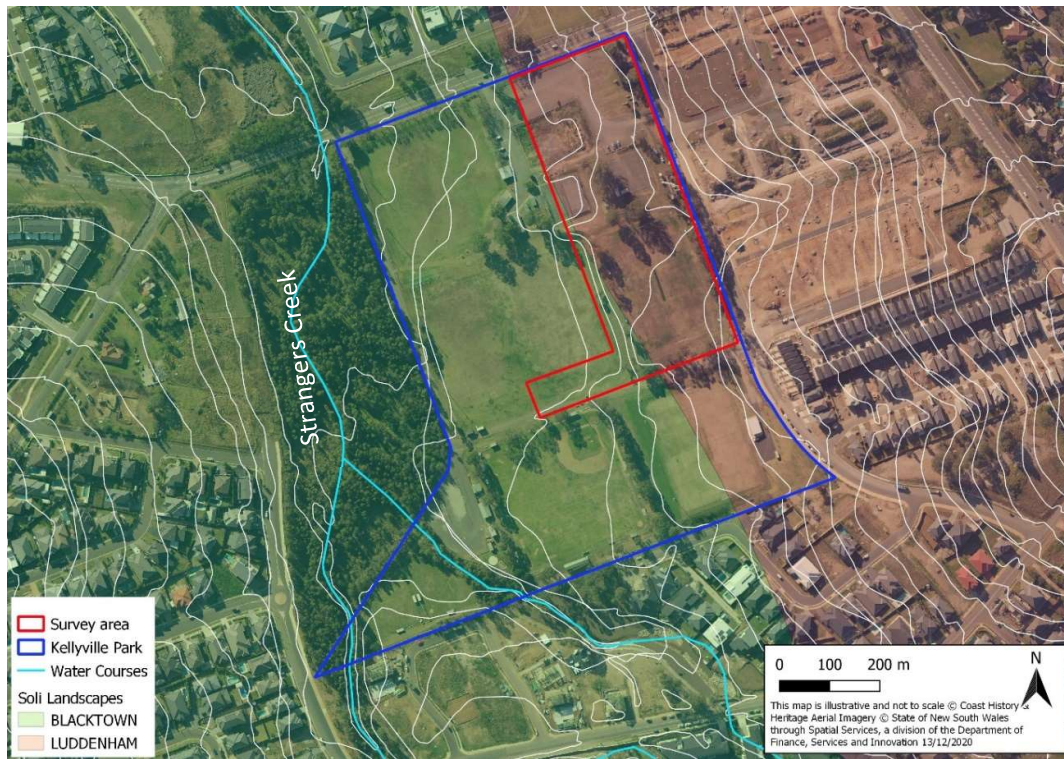


Figure 4. The study area (red) within Kellyville Park (blue) in relation to soil landscapes, contours and watercourses

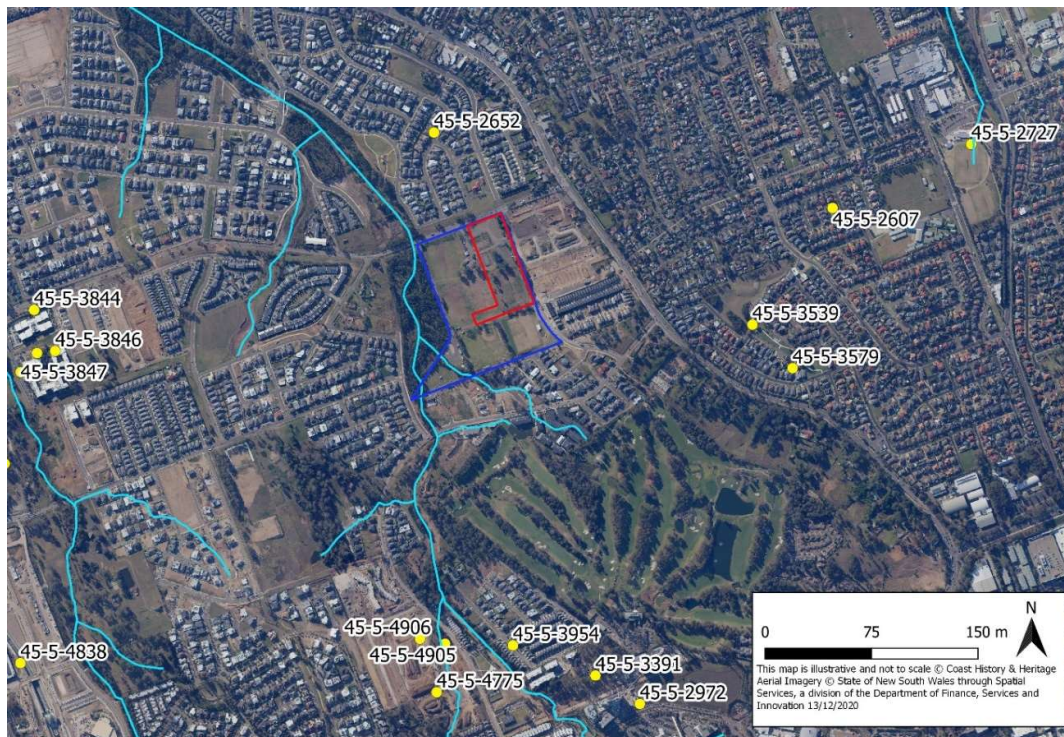


Figure 5. Previously identified sites (yellow) in proximity to the study area (red) and Kellyville Park (blue)



Figure 6. Northern end of study area, looking south



Figure 7. Eastern side of the playing fields, looking south



Figure 8. Southern end of playing fields, looking west

2 Project timing and opportunities for comment

To meet the Aboriginal community consultation requirements of the Aboriginal cultural heritage assessment process, Coast History & Heritage has undertaken public and direct Aboriginal community notification on behalf of the proponent in accordance with Section 60 of the National Parks and Wildlife Regulation 2019. As a result, a number of Registered Aboriginal Parties to the project have been identified.

All Registered Aboriginal Parties have two main opportunities to comment on the proposal and the Aboriginal Cultural Heritage Assessment Report: in response to this Information and Methodology document, and in response to the draft Aboriginal Cultural Heritage Assessment Report. All Registered Aboriginal Parties have been sent a copy of this document by email or post on 8 September 2021 and provided 28 days to make any comments. We have asked for any comments you may wish to make in relation to the project, its methodology and any Aboriginal cultural information that may be relevant to assessment the potential impacts of the proposal.

These comments will be forwarded to the proponent for their consideration, and will be incorporated into the draft Aboriginal Cultural Heritage Assessment Report. This draft report will also be provided to all Registered Aboriginal Parties and 28 days will be provided to make any comments. Any comments received will be considered and incorporated into the final report, which will be provided to the Parramatta NRL Club as part of the Environmental Impact Statement that will be forwarded to the DPIE. A copy of the final Aboriginal Cultural Heritage Assessment Report will also be made available to all Registered Aboriginal Parties.

Please note that if any information that you wish to provide to Coast History & Heritage is culturally sensitive, please let us know so that appropriate protocols of access and use can be developed. If you do not inform us, we will assume that the information you provide can be included and discussed in the Aboriginal Cultural Heritage Assessment report.

3 Proposed assessment methodology

We propose to use the following methodology to assess the archaeological and Aboriginal cultural values relevant to the project.

Archaeological assessment

Our archaeological assessment will be undertaken and documented in the Aboriginal Cultural Heritage Assessment Report. It will consider relevant environmental, historical and archaeological context, including the results of the field survey that has already been undertaken. Based on this, it will provide proposed management recommendations.

Aboriginal cultural assessment

The Aboriginal cultural assessment will consider:

1. our knowledge of previously documented Aboriginal cultural and historical associations with the study area; and

2. any information provided by Registered Aboriginal Parties about:

- the Aboriginal cultural significance of any identified Aboriginal remains or Aboriginal objects;
- any other places or objects of cultural value to Aboriginal people which may be relevant to the current proposal;
- any other Aboriginal cultural or historical knowledge which is relevant to the Aboriginal cultural assessment of the study area in relation to the current proposal.

Any information you provide us with will be considered and included in the Aboriginal Cultural Heritage Assessment report that is to be produced for the project. And, as we noted above, appropriate protocols can be developed for sensitive information if you let us know.

4 Conclusions

This letter has provided you with information about the project that might be impacted by the current proposal.

We have sought:

- Your comments on the assessment methodology that we have proposed.
- Any information about Aboriginal objects or places of cultural value to Aboriginal people which may be located within the study area, and any other Aboriginal cultural or historical information that you feel is relevant to the current assessment and proposal and should be considered.

As noted above, where requested and appropriate, protocols can be developed for culturally sensitive information provided to Coast History & Heritage. It is however essential that comments and information, preferably in writing, be received by Coast History & Heritage no later than **7 October 2021** if they are to be considered in the draft Aboriginal Cultural Heritage Assessment report.

If you have any questions or require any additional information, please contact our office on 1800 450 995 or admin@coasthistory.com.au.

Yours sincerely,



Rebecca Bryant
Archaeologist
E: Rebecca@coasthistory.com.au
W: www.coasthistory.com.au

Appendix 1E

Responses to Information and Methodology

Rebecca Bryant

From: Steven Johnson <wokacorp@yahoo.com>
Sent: Friday, 10 September 2021 11:51 AM
To: Rebecca Bryant
Subject: Re: Information and Methodology document – Kellyville NSW

Hi Rebecca
We agree with methodology.

Sincerely
Steve J
Woka Aboriginal Corporation
Aboriginal Heritage Custodian
Mob: 0406991221
Email: wokacorp@yahoo.com

We respectfully acknowledge the Traditional Owners of the lands upon which we work and pay our deep respect to Elders past, present and emerging.

On Wednesday, 8 September 2021, 05:15:22 pm AEST, Rebecca Bryant <rebecca@coasthistory.com.au> wrote:

Dear Steve,

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment project at Kellyville NSW. Please find at the link below a project information and methodology document for your review and comment.

<https://app.box.com/s/zlmgp1oxoftpl5gamyjzdl7xu982rpok>

Could you please ensure that you provide any comments by **Thursday 7 October 2021**, via email, post or fax.

Rebecca Bryant

From: Carolyn .H <cazadirect@live.com>
Sent: Monday, 13 September 2021 4:53 PM
To: Rebecca Bryant
Subject: Re: Information and Methodology document – Kellyville NSW
Attachments: A1.WC2022.pdf; A1.PL2022.pdf



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

Hi,
I have reviewed the document and support the Information and Methodology.

A1 would like to be involved in any future Meetings and field work.

Carolyn Hickey

I am a traditional custodian with over 20 years experience in helping preserve Aboriginal cultural heritage on projects.

I hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and values that exist in the project area.

I have attached A1 Indigenous Services Insurances.

COVID 19 VACCINATION;

Carolyn ; 1st & 2nd Vaccination (Finished) Emu Plains (Vaccination certificate attached)

Steven ; 1st & 2nd Vaccination (Finished) Emu Plains

Julie ; 1st & 2nd Vaccination (Finished) Emu Plains

Anthony ; 1st Vaccination (Done) Mount Druitt

Ronald ; 1st Vaccination (Done) Mount Druitt

Other employees are awaiting appointments.

All staff will comply with all workplace, covid health and safety protocols. (including, Regular Covid Testing if needed)

I have attached A1 Indigenous Services Insurances.

We would like the Proponent to consider including **A1's, Kawalkan youth and the Women's Circle Employees** for all future field work.

The Kawalkan Youth Program is a designed program created to employ young indigenous youths between the ages of (18-29) years of age.

The Women's Circle was created with the need to always have Experienced Indigenous Women present in all field work.

To aim for not only gender equality in the workplace but, to help identify and protect any women's sacred places.

OUR MISSION

Building strength in aboriginal families, communities, and services.

It is our mission to commit to an innovative approach to a better future for indigenous employment.

Giving our people the opportunity to gain employment in a culturally sensitive work environment also giving them the opportunity to work on country and continue the tradition of protecting and passing down

Cultural knowledge from one generation to the next – continuing the importance of keeping culture.

Please feel free to contact me on details supplied

Kind Regards,
Carolyn Hickey
Managing Director

From: Rebecca Bryant <rebecca@coasthistory.com.au>
Sent: Wednesday, 8 September 2021 4:58 PM
To: Carolyn .H <cazadirect@live.com>
Cc: Coast History and Heritage <admin@coasthistory.com.au>
Subject: Information and Methodology document – Kellyville NSW

Dear Carolyn,

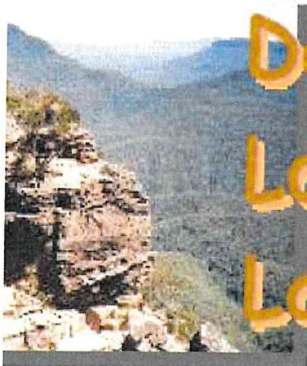
Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment project at Kellyville NSW. Please find at the link below a project information and methodology document for your review and comment.

<https://app.box.com/s/yzcbzxs2s9kubihwfaqvzxvgyr6ldxva>

Could you please ensure that you provide any comments by **Thursday 7 October 2021**, via email, post or fax.

Appendix 1F

Responses to Draft Report



Deerubbin Local Aboriginal Land Council

Level 1, Suite3
291-295 High Street
PENRITH NSW 2750
PO Box 40
PENRITH BC
NSW 2751 AUSTRALIA

ABN: 41 303 129 586
T: (02) 4724 5600
F: (02) 4722 9713
E: reception@deerubbin.org.au
W: <http://www.deerubbin.org.au>

Mostyn Copper Group

Our Ref: 3297

Suite 2, Level 8

60 Pitt Street

SYDNEY NSW 2000

15 September 2021

PROTECTION OF ABORIGINAL CULTURAL HERITAGE

The Parramatta Eels Centre

8 Memorial Avenue within Kellyville Park

Lot 60 in DP 10702 & Lot 1 in DP 167535

Attention: Mark Nilan – Project Director,

A representative of Deerubbin Local Aboriginal Land Council inspected the area that will be the Parramatta Eels Centre at Kellyville Park on Friday, 3rd September 2021. An Aboriginal cultural heritage assessment was undertaken to evaluate the likely impact the proposed development has on the cultural heritage of the land.

This land has been cleared, levelled & landscaped from past land use to the present with new playing fields & Carpark. No Aboriginal cultural materials (in the form of stone artefacts, for example) were found during the Aboriginal cultural heritage assessment.

Deerubbin Local Aboriginal Land Council therefore, has no objection to the development of the Parramatta Eels Centre at 8 Memorial Avenue, Kellyville Park.

Yours Faithfully,

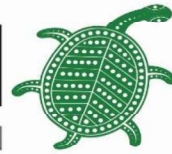
Steven Randall

(Senior Aboriginal Cultural Heritage Officer)

C.C. Barry Gunther – Department of Planning Industry & Environment

DARUG CUSTODIAN

ABORIGINAL CORPORATION



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

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

Attention: Coast

Date: 071021

Subject: Kellyville Park

Dear Rebecca

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 Kellyville area is an area our group has a vast knowledge of, we have worked and lived in for many years, this area is highly 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.

Our Darug land can only be assessed by Darug people, we have our song lines and creation places that only our people can identify, our connection to our nura is part of us and our country.

Our histories are held by our people and places, when we are looking for cultural aspects of an area they are not only seen but felt, our spiritual connections are our culture and heritage that connect us to our old people through the evidence that we see on our site visits.

People from other mobs should be respectful of our country and people if they are not respectful that the Darug are the knowledge holders then they are not cultural, therefore should not be involved on cultural heritage on Darug land.

Darug Custodians have lived in this area for years, in the last 45 years we have seen the project area developed on many occasions, the last intact area that was left has been destroyed, Daracon has put their site sheds and car park there.

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

Regards

A handwritten signature in black ink, appearing to read 'Justine Coplin', with a horizontal line extending to the right.

Justine Coplin

We acknowledge and pay respect to the Darug people, the traditional Aboriginal custodians of this land.

Appendix 2

OEH Aboriginal Heritage Information Management System Records

Coast History & Heritage

Date: 17 August 2021

PO BOX A74 7 Mitchell Street
Arncliffe New South Wales 2205

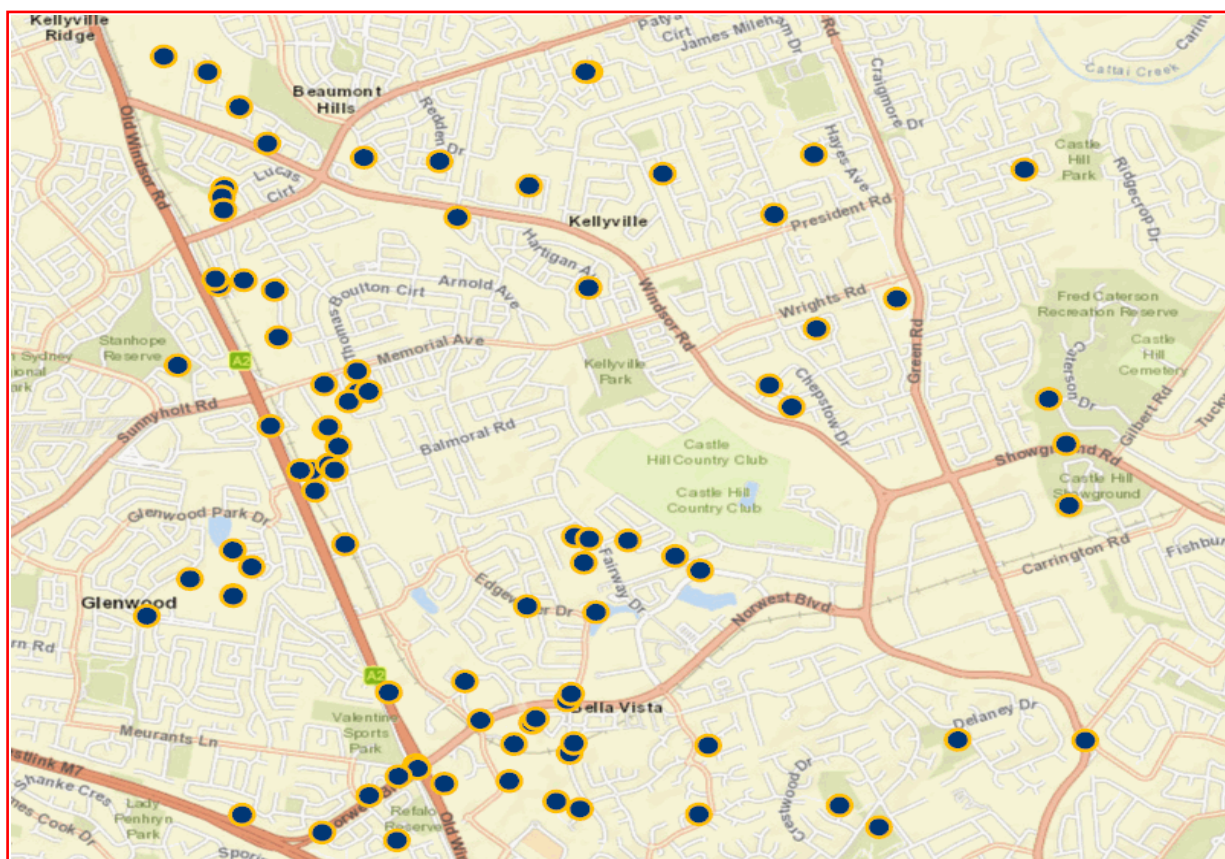
Attention: Rebecca Bryant

Email: rebecca@coasthistory.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 308337.0 - 313337.0, Northings : 6264216.0 - 6269216.0 with a Buffer of 0 meters, conducted by Rebecca Bryant on 17 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:

96	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

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.