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ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

**Proposed Development at Minarah College
268 to 278 Catherine Fields Road,
Catherine Field**

Company	Midson Group Pty Ltd
Contact	Toby James
Date	06/04/2022

Project Name	Aboriginal Cultural Heritage Assessment Report - Minarah College
Client Name	Midson Group Pty Ltd
Recipient	Toby James
Status	Final 1.2
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Approved by	Scott Franks

Acknowledgements

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Aboriginal Groups

- A1 Indigenous Services Pty Ltd
- Cubbitch Barta
- Darug Custodian Aboriginal Corporation
- Didge Ngunawal Clan
- Freeman & Marx
- Gilay Consultants
- Goobah Developments
- Gungeewong Cultural Heritage AC
- Guntawang Aboriginal Resources Inc
- Ginninderra Aboriginal Corporation
- Kamilaroi Yankuntjatjara Working Group
- Konanggo Aboriginal Cultural Heritage Services
- Ngunawal Heritage Aboriginal Corporation
- Thoorga Nura
- Waawaar Awaa

Client

- Minarah College

Abbreviations

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



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

Executive Summary

Tocomwall Pty Ltd have been engaged by Midson Group Pty Ltd on behalf of Minarah College to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), and Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The ACHAR is being prepared to address the requirements of the Planning Secretary's Environmental Assessment Requirements for a State Significant Development Application for the proposed development. This document is the Aboriginal Cultural Heritage Assessment Report.

A site inspection and archaeological survey was carried out on Wednesday the 22nd of September 2021 as part of a due diligence assessment, undertaken in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010). Whilst no Aboriginal objects were identified on the surface during the survey, it was determined that there are locations within the subject area that have the potential to retain Aboriginal objects in undisturbed soil profiles. As a result the proposed development has the potential to impact Aboriginal objects. A test excavation program has been undertaken to determine if Aboriginal objects are present, to characterise the site, and determine if there is a need to apply for consent to move or impact upon Aboriginal heritage. The test excavation program is described within this report. Two objects were identified during the test excavation sampling that will be impacted by the proposed works. Consent should be obtained from Heritage NSW to move these objects to an agreed reburial site, or to be managed under an agreed care and control agreement before the works proceed.

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1 Introduction

This Aboriginal Cultural Heritage Assessment Report has been prepared by Tocomwall Pty Ltd on behalf of the Minarah College (the Applicant). It accompanies an Environmental Impact Statement (EIS) in support of State Significant Development Application (SSD-30759158) for Minarah College at 268 and 278 Catherine Fields Road, Catherine Field (the site or study area).

Minarah College will be a co-educational K-12 school accommodating 1,580 students, 840 in primary school and 660 in high school. There will also be an Early Learning Centre (ELC) for 60 students and a School for Specific Purpose (SSP) for 20 students. The new school will be constructed in stages, growing in line with growth in the local population.

The proposal seeks consent for:

- Demolition of the existing dwellings and ancillary structures on-site;
- The construction of the following:
 - a) One-storey early learning centre with attached two-storey administration building to service the high school and early learning centre;
 - b) Two-storey primary school building comprising of primary school classrooms, SPP classrooms, primary school hall which attached outside school hours care (OSHC);
 - c) Two-storey high school building comprising high school classrooms;
 - d) Two-storey high school hall;
 - e) Shared one-storey canteen adjoining the high school building; and
 - f) Shared library located on the second storey above administration building below.
- Site access from Catherine Fields Road at two points with a bus zone, 30 kiss and drop car parking spaces, and car parking;
- Consolidation of the allotments;
- Associated site landscaping and public domain improvements;
- An on-site car park for 138 parking spaces; and
- Construction of ancillary infrastructure and utilities as required.

The purpose of this Aboriginal Cultural Heritage Assessment Report (ACHAR) is to address the SEARS requirements for an ACHAR.

1.1 Response to SEARS

The Aboriginal Cultural Heritage Assessment Report is required by the Secretary's Environmental Assessment Requirements (SEARs) for SSD-30759158. This table identifies the SEARs and relevant reference within this report.

SEARs Item	Report Reference
Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the site.	This ACHAR

Table 1: SEARs and Relevant Reference

1.2 Authorship and Acknowledgements

This report is prepared by William Moon MA Archaeology and Heritage Management (Flinders University), GCPJM, Dip PJM (University of New England) 12 years of experience in the heritage management, including 5 years as an archaeologist, with the assistance of Dani Mitchell, BSc, Grad Dip Archaeology and Heritage Management, 16 years of experience as an archaeologist.

2 Statutory Heritage Contexts and Controls

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

These are:

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

2.1 National Parks and Wildlife Act 1974

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

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

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

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

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

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

2.2 Environmental Planning and Assessment Act 1979

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

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

2.3 Native Title Act 1993

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

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

2.4 Reporting Standards and Guidelines

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

- Australia ICOMOS. 2013. The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance. Australia ICOMOS Inc.¹

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

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

2.5 Camden Local Environment Plan 2010

Under Section 5.10 of the Camden Local Environment Plan 2010, the following requirements are listed:

Heritage conservation

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

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

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

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

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

- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land--
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land--
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

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

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development--
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development--
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

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

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

(d) the development is exempt development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

- Implement the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 with the objective of identifying and engaging Aboriginal knowledge holders for the study area.
- Review previous archaeological studies undertaken in the vicinity.
- Review the landscape context to help inform the predictive model.

- Summarise and discuss the local and regional character of Aboriginal land use and its material traces.
- Predict the nature and extent of archaeological evidence at the site, incorporating the results of the previous archaeological survey undertaken as part of the Due Diligence Assessment.
- Involve the Aboriginal knowledge holders in the cultural heritage assessment process, including consultation to determine their opinions with respect to the project and its potential 'harm' to their cultural heritage and measures to protect their cultural heritage.
- Undertake archaeological test excavations and record the presence and extent of Aboriginal objects that are present in the study area.
- Determine the nature and extent of the impacts of the proposed development upon the Aboriginal cultural heritage of the study area.
- Make recommendations for the protection of Aboriginal cultural heritage at the study area.

4 Methodology

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

Step	Method
1: Initiate Consultation Process	The consultation process is initiated in accordance with Aboriginal cultural heritage consultation requirements for proponents 2010.
2: Review previous archaeological work	Review previous archaeological work in accordance with the requirements of Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. The review of previous archaeological work is defined in section 6.1
3: Review the landscape context	The review of the landscape context is defined in section 5 and completed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
4: Discuss the local and regional character of	The local and regional character of Aboriginal land use and its material traces is described in section 6. An Archaeological Report will also be

Aboriginal land use and its material traces	prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
5: Predict the nature and distribution of evidence	A predictive model is described in section 8 and has been prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
6: Undertake an archaeological survey	An archaeological survey of the study area will be undertaken in January 2021 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
7: Decide if additional archaeological investigation is required?	The archaeological assessment and results will determine if it is appropriate to undertake further archaeological investigation at the study area.
8: Document findings and interpretation of results in an Archaeological Report	An archaeological report will be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. This report will be expanded upon following the outcomes of a test excavation program for the study area if this is a requirement.
9: Seek cultural information from Registered Aboriginal Parties	Information on the cultural information for the study area is sought during the methodology review and as per requirement 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010. Information gathered includes places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance. Information gathered will be used to further inform how the landscape was used, the social, cultural, aesthetic, historic and scientific values to enable an overall assessment of the significance of the study area and the associated values. Assessing values and significance will be undertaken as per section 2.4.2 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.
10: Determine if there will be harm to cultural heritage	Harm, or potential harm will be assessed as per section 2.5 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011. Assessing measures to avoid harm will be considered in accordance with sections 2.6 and 2.7 from the same guide. Registered Aboriginal knowledge holders will be consulted during this process as per the Aboriginal cultural heritage consultation requirements for proponents 2010 to help determine management options and mitigation measures.

11: Complete ACHAR	An Aboriginal Cultural Heritage Assessment Report will be prepared in accordance with section 3 of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011.
12: SSD SEARS Review	The final ACHAR is included in the final SEARS documentation submitted for review as part of the SSD approval process.

Table 2: ACHA Methodology

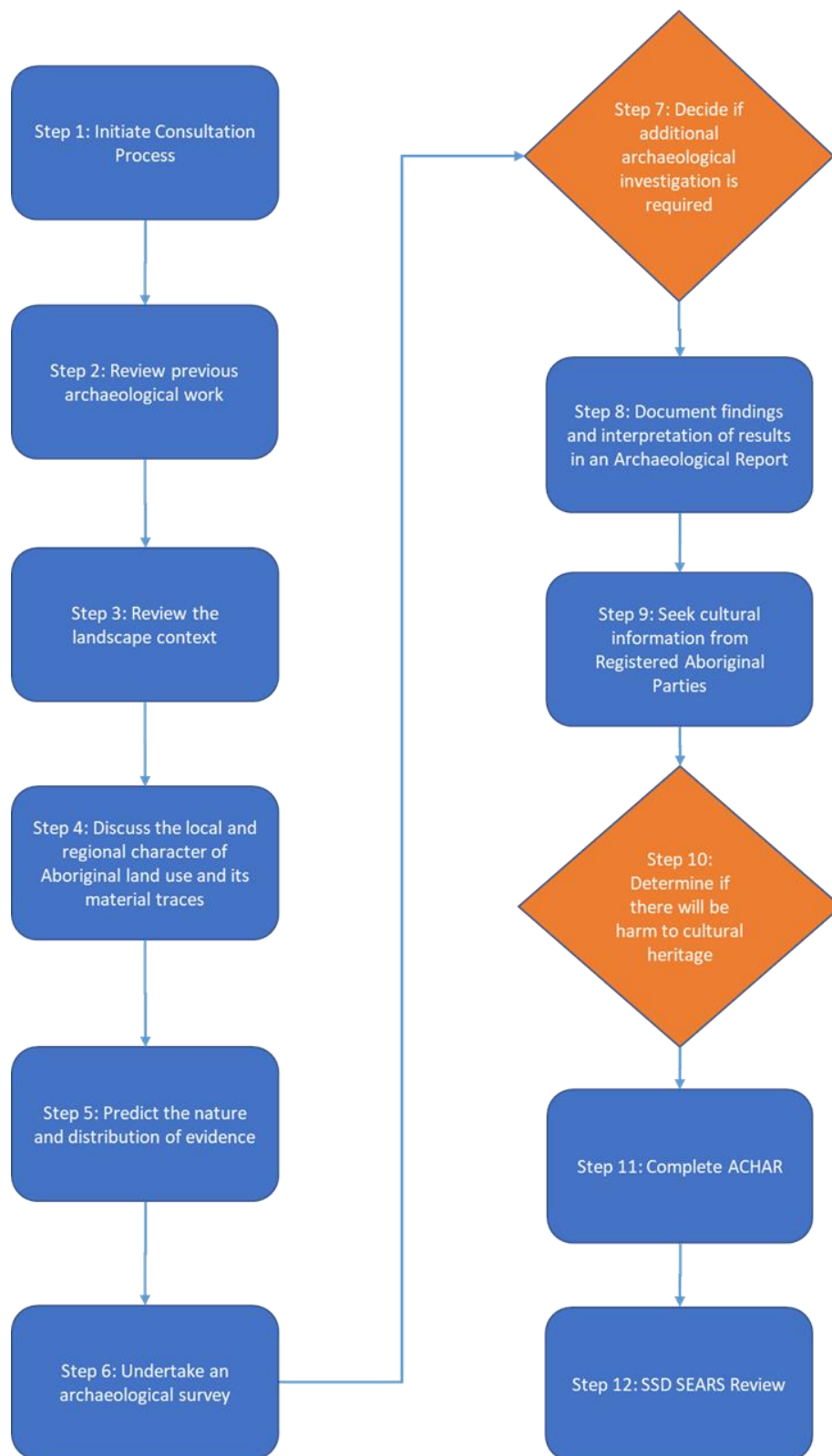


Figure 1: ACHA Methodology

4.1 Location and Proposed Development

The study area is located at Lot 11 DP833983, and Lot 12 DP 833984 Catherine Fields Road, Catherine Fields, NSW (henceforth 'the study area').

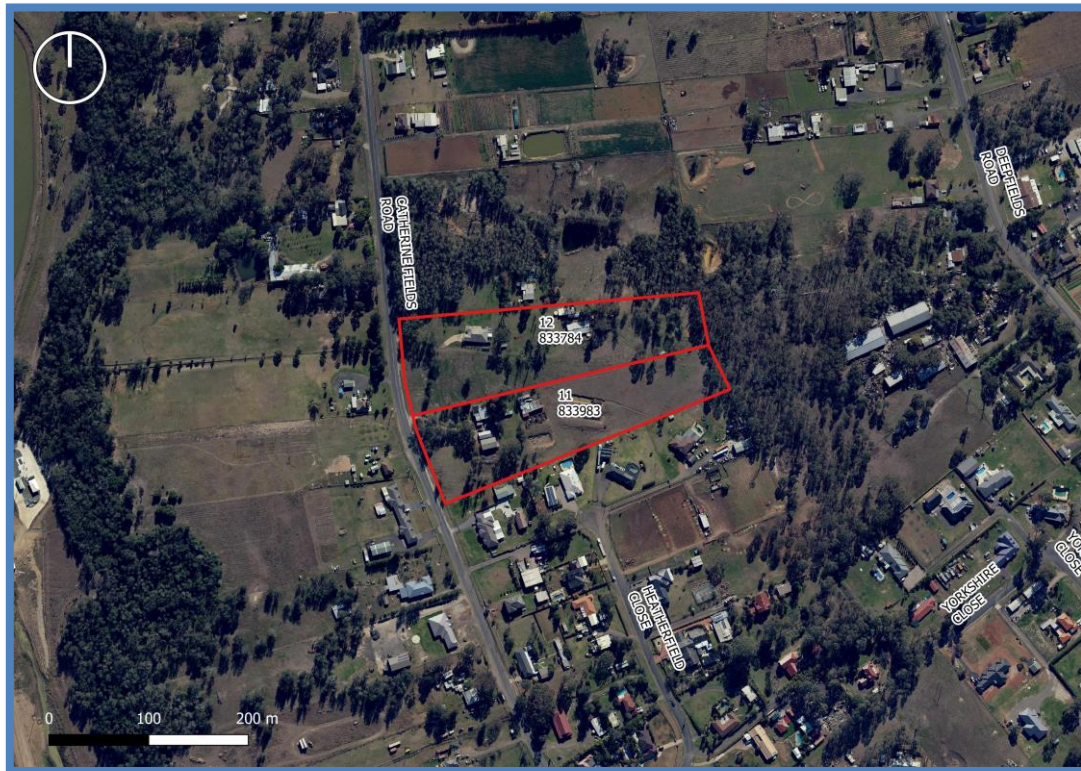


Figure 2: Shows the location for the proposed new Minarah College. Source Six Maps © Department Finance, Services and Innovation, NSW Government.

4.2 Proposed works

The architectural design by Tonkin Zulaikha Greer Architects for the proposed development is shown in the following images.



Figure 3: Site plan (Source Midson Group).

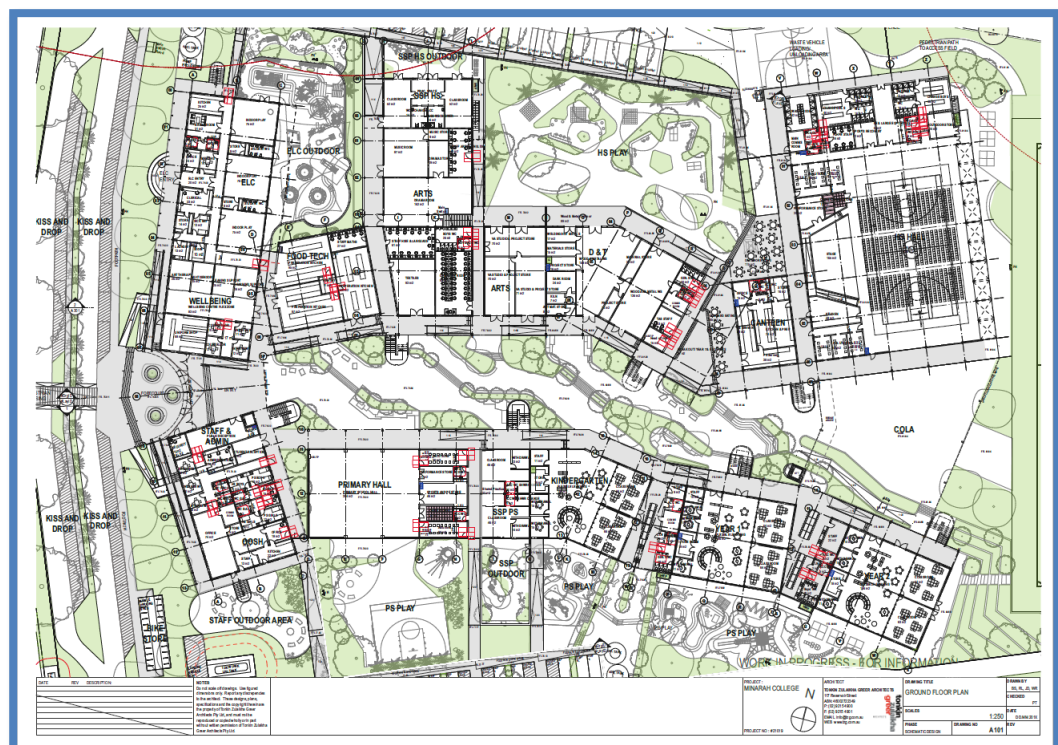


Figure 4: Ground floor plan (Source Midson Group).

Figure 5: First floor plan (Source Midson Group).

Figure 6: Elevation view (Source Midson Group).



Figure 7: Elevation (Source Midson Group).

5 The Environmental Context

The study area is located at Catherine Field, part of the Cumberland Plain. The landscape of the study and surrounding area can be characterised as gently undulating topography, with landform elements including drainage depressions, creek systems, flats, residual rises, simple slopes and crests.

5.1 Vegetation

The vegetation of the study area has been significantly modified by historic European land management practices. Spatial layers from OEH 2010 and based upon Tozer 2003 show remnant vegetation communities in the area consisting of Shale Hills Woodland, and Shale Plains Woodland. Remnants of these forest types are found within and around the subject area.

Shale Hills Woodland consists of *Eucalyptus moluccana* and *E. tereticornis* as the dominant tree species. *Eucalyptus crebra* also occurs less frequently. The small tree layer includes *Acacia implexa* and *Eucalyptus* species. The shrub layer is dominated by *Bursaria spinosa* (Tozer 2003:35).

Shale Plains Woodland is dominated by *Eucalyptus moluccana* and *E.tereticornis*. Tree species that occur less frequently include *Corymbia maculate*, *E. crebra* and *E. eugenioides*. The small tree layer is often comprised of the same species and other species including *Exocarpos*

cupressiformis, *Acacia parramattensis* subsp. *parramattensis* and *Acacia decurrens*. The shrub layer is dominated by *Bursaria spinosa* (Tozer 2003:36).

5.2 Geology

The geology of the study area is Bringelly Shale, part of the Wianamatta Group forming part of the Middle-Triassic sequence (Jones and Clark 1991; NSW DPI 1991).

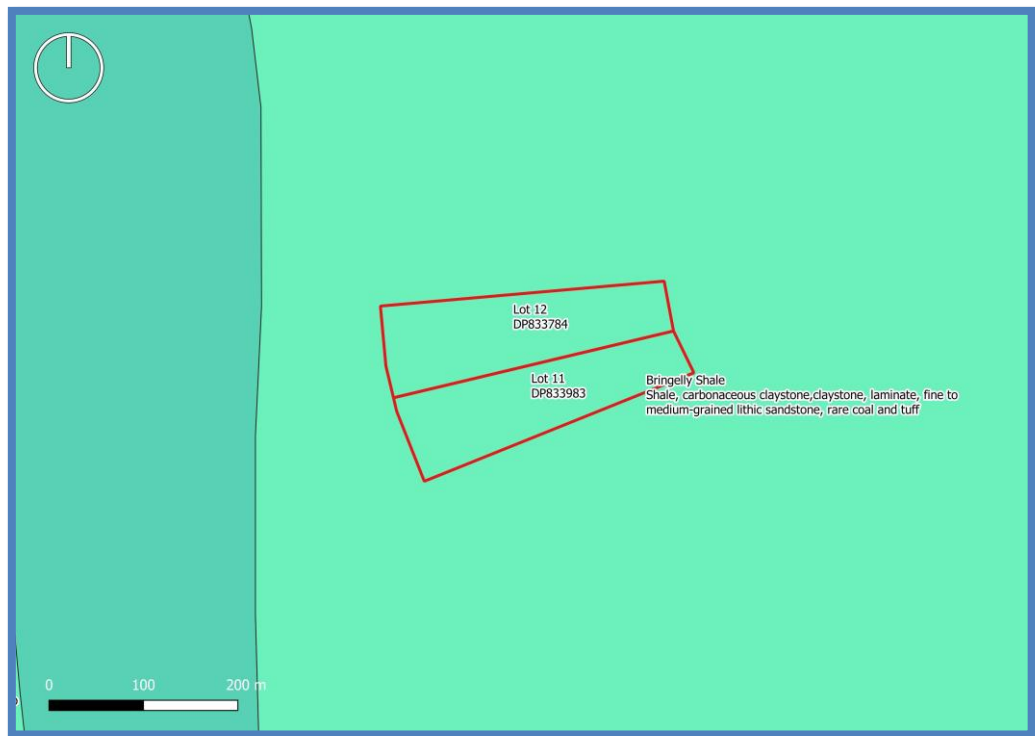


Figure 8: Geology Map for study area (NSW DPI 1983).

5.3 Soil

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

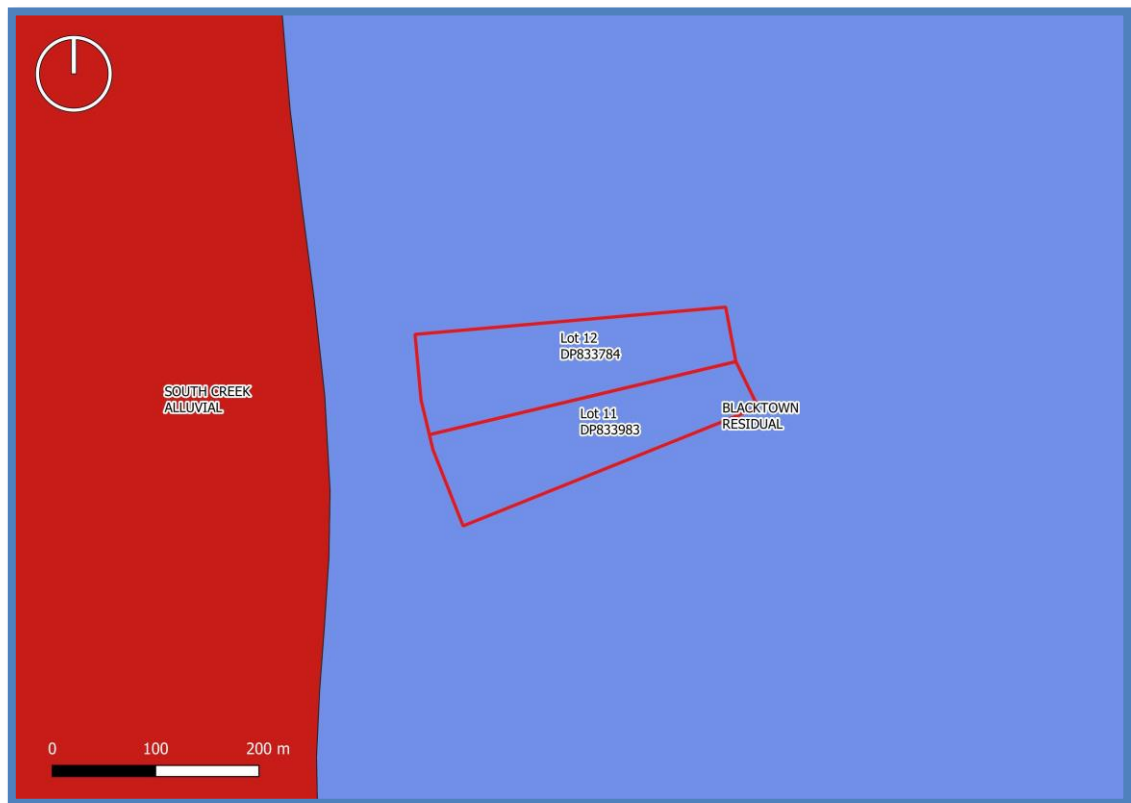


Figure 9: Soil landscape map showing location of the study area within the Blacktown Residual soil landscapes (Chapman and Murphy 1989).

5.4 Site Description

5.4.1 Terrain

The topography of the study area is a flat to very gently sloping (1° to 6°). Lots 11 DP833784 and Lot 12 DP833784 straddle a low spur descending to the west. A first order stream is on the northern margin of Lot 231 DP27602. Figure 10 shows an image of the terrain showing 2 metre contours.

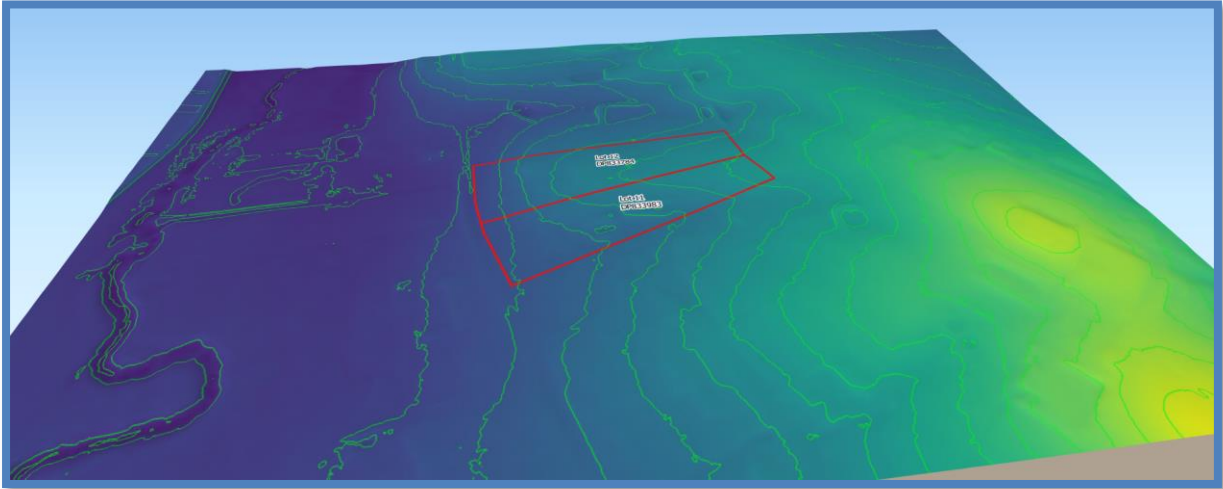


Figure 10: 3D terrain model with a view east across the study area with 2 metre contours. Derived from 1 metre DEM, source © Department Finance, Services and Innovation, NSW Government.

6 The Archaeological Context

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

The earliest presence of people in the Sydney Basin is uncertain but there is evidence for Pleistocene occupation of the region around 40,000 years ago. Archaeological excavations carried out at Parramatta by McDonald (2005) report dates as early as 30,000 years BP, providing some of the oldest dates for the Sydney Basin. Though limited details around the methodology used to collect the samples and obtain the dates has meant that the dating has not been subject to a sufficient level of scrutiny within the profession to enable confidence in the reported dates (Bowdler 2010). However, the most recent dates from the Parramatta Sand Sheet indicates that this area was occupied from between 35-40,000 years BP (GML 2019).

In the western Cumberland Plain biogeographic region, in a rock shelter identified as Shaws Creek KII, near the Nepean River just north of Penrith, occupation dating of $14,700 \pm 250$ BP has been obtained (Kohen et al 1984; Stockton 2009), and possibly 20,000 years BP (Stockton

2009, 2019). At Cranebrook Terrace, human occupation has been dated at $47,000 \pm 5,200$ BP (Stockton and Holland 1974; Nanson 1987 et al; Stockton and Nanson 2004). More recently, Williams et al's (2017:1) 'results lend increasing support for visitation of the Nepean River corridor by Aboriginal people as a part of the initial colonisation of Australia'. In 2019, Stockton stated that the Cranebrook Terrace dating 'should not be seen as surprising given evidence of human occupation extending back approximately 60,000 years in Australia' (Knox 2019:17).

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

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

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

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

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

- available radiocarbon determinations and optically stimulated luminescence dating indicate Aboriginal people have occupied the Cumberland Plain for potentially as long as 40,000 years
- Aboriginal settlement patterns on the Cumberland Plain have been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology being some of the key attributes dictating location of sites
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger more complex artefact assemblages associated with higher order streams

- artefact distributions across the Cumberland Plain do not form bounded 'sites' but rather cultural 'landscapes', and
- subsurface artefact distributions across the Cumberland Plain tend to vary significantly in relation to landform and stream order.

6.1 Previous Archaeological assessments

Archaeological investigations have been conducted within the zone of the extensive AHIMS search carried out for the study area. The following is a summary of the archaeological investigations undertaken:

In 2008 Australian Museum Business Services completed an Aboriginal Heritage Assessment of the rezoning of El Caballo Blanco and Gledswood, NSW for Camden Council. The topography of the subject area was considered to be gently undulating, consisting of the Wianamatta shale geology and associated Blacktown and Luddenham Soil Landscapes. There were no permanent water sources and the hydrology consisted primarily of ephemeral first order streams and second order streams.

The predictive model for the subject area was described as:

'To summarize, sites within the study area are most likely to be stone artefact scatters, which are predicted to occur:

- *within 50 m of creeks;*
- *along ridge lines and spurs with flat or gently sloping crests;*
- *in areas of gently undulating slopes despite distance to water, particularly in areas retaining intact native vegetation (which indicates little/no disturbance); and*
- *in areas with moderate to high disturbance, such as cleared and ploughed fields, although it is unlikely that any archaeological deposit in these areas will remain intact (AMBS 2008).'*

The results of the survey are considered to be, in accord with the predictive model. Two isolated artefacts, five low density artefact scatters, and four PAD were recorded during the archaeological survey of the study area. Sites were assessed as having low, moderate and moderate to high significance.

In 2011, Australian Museum Business Services completed an Aboriginal Cultural Heritage Assessment for a proposed residential development at Camden Valley Way, Edmondson Park. The topography of the subject area was considered to be gently undulating plains and hills, consisting of the Wianamatta shale geology and the associated Blacktown Soil Landscape. The nearest creek is 475 metres from the subject area. The predictive model described within the report is very unspecific and general in nature and is considered to be uninformative for the purpose of this study. One previously recorded artefact scatter was re identified during the survey. This site is recorded within a larger recorded open scatter. The

site is significant for the current study in terms of a significant artefact scatter being identified in similar terrain a significant distance from water.

In 2017, Ecological undertook and salvage excavation and surface collection at lot 1201 Camden Valley Way, Gledswood Hills. Five sites were subject to community collection of artefacts and two sites were also subjected to salvage excavation. The areas of greatest archaeological potential were found to be within 50 metres of Rileys Creek on the lower slope and creek flat. A total area of 30 square metres was excavated for salvage. One site yielded 639 artefacts while another yielded 140 artefacts. The predictive model for the subject area was that 'Aboriginal sites are most likely to occur within proximity to water resources and creek likes, on crest formations and spur landforms (Ecological 2017:10)'. The results of the salvage supported this model.

In 2014, Archaeological and Heritage Management Solutions (AHMS) completed archaeological excavation at Emerald Hills Estate Leppington. The Archaeological Technical Report available from AHMS was reviewed. The AHMS predictive model was that for the study area, that was comprised of Blacktown Soils Landscape over Wianamatta shales, which has been subject to clearing, was that the most likely objects to be found would be lithic artefacts. AHMS adopted the model widely accepted for Cumberland Plain that sites would increase in density and complexity in association with distance to higher order streams. Low order ephemeral streams and areas away from permanent water sources would have a low density background scatter of artefacts, while areas approaching larger permanent water sources would exhibit greater density and complexity. From 273 test pits excavated, 102 artefacts were recovered. Whilst artefact densities were generally low, the density was greater along the margins of the second order creek. The second order stream was considered to have potentially held permanent water (AHMS 2014:47).

In 2017, Biosis undertook an Aboriginal cultural heritage assessment consisting of an archaeological survey and test excavations for the proposed subdivision at 55 Byron Road, Leppington NSW. The study area consists of gently sloping landform of the Wianamatta shale geology and the associated Blacktown Soil Landscape. The subject area is not located near any creeks or watercourses. Eight test pits were excavated with one artefact recovered.

In 2020, Biosis undertook archaeological investigation at the Macarthur Memorial Park, Varroville, New South Wales. The ACHA report addendum was reviewed. The addendum does not discuss the predictive model, however the trends generally follow the results of other investigations throughout the Cumberland Plain with proximity to water a factor in determining the presence of sites. 88 archaeological test pits were excavated, and ten artefacts were recovered from eight of the test pits. This included one complete flake, eight flake fragments and one grinding stone fragment. Eight previously unrecorded Aboriginal cultural heritage sites were validated during the study. 'The artefacts identified were confined to the creek flat landform unit and mid-slope landform unit within the study area (Biosis 2020).'

6.2 AHIMS Search

A search of the AHIMS database records for the area within approximately 2 km radius of the study area identified 88 recorded sites. The sites are shown in Table 3 and Figure 11.

Site ID	Site name	Context	Site features
45-5-4139	TNRU3	Open site	Artefact : 1
45-5-4035	PAD 2038-6	Open site	Potential Archaeological Deposit (PAD)
45-5-3543	Northern Road 5	Open site	Artefact : 1, Potential Archaeological Deposit (PAD)
45-5-5204	LCM IF 6	Open site	Artefact
45-5-4046	PAD 2049-6	Open site	Potential Archaeological Deposit (PAD)
45-5-3367	OPR-9	Open site	Artefact : 7
45-5-3371	OPR-16	Open site	Artefact : 5
45-5-4042	Isolated Object 2045-5	Open site	Artefact
52-2-3930	CFPP-06	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact
52-2-4260	Gledswood 8	Open site	Artefact : 1
52-2-4259	Gledswood 4	Open site	Artefact : 1
52-2-4257	Gledswood 6	Open site	Artefact : 1
52-2-3309	CH7	Open site	Artefact : 2
52-2-3546	OPR13	Open site	Artefact : 5
45-5-3767	OP2	Open site	Artefact : 415
45-5-4931	Lowes Creek PAD	Open site	Potential Archaeological Deposit (PAD)
45-5-4058	Artefact Scatter PAD 2065-6	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3929	CFPP-05	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact
45-5-4039	Artefact Scatter 2042-5	Open site	Artefact
52-2-3549	OPR-18	Open site	Artefact : 3
52-2-3848	Artefact Scatter PAD 2053-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3816	CF-2	Open site	Artefact : 7
52-2-3312	CH 2	Open site	Artefact : 1
45-5-4380	LP4AS	Open site	Artefact
45-5-3368	OPR10	Open site	Artefact : 2
45-5-3366	OPR8	Open site	Artefact : 2
45-5-4950	OPR-15 North	Open site	Artefact
52-2-4175	CFPP-16	Open site	Artefact
45-5-3771	OP Transect C	Open site	Artefact : 1
52-2-4176	Gledswood 1	Open site	Artefact
45-5-5309	CVW Rileys Creek IF 1	Open site	Artefact
52-2-3541	OPR-4	Open site	Modified Tree (Carved or Scarred) : 1

45-5-4958	Pondicherry AFT 2	Open site	Artefact
45-5-3770	OP Transect B	Open site	Artefact : 1
45-5-3768	OP3	Open site	Artefact : 66
52-2-4258	Gledswood 3	Open site	Artefact : 1
45-5-3945	CF-1	Open site	Artefact : 2
45-5-3542	Northern Road 4 (NR4)	Open site	Artefact : 1
45-5-3365	OPR3	Open site	Artefact : 3
52-2-3644	DM 20	Closed site	Art (Pigment or Engraved) , Potential Archaeological Deposit (PAD)
45-5-3369	OPR-11	Open site	Modified Tree (Carved or Scarred)
45-5-3370	OPR-15	Open site	Artefact : 193
52-2-3927	CFPP-03	Open site	Artefact : 1
52-2-3763	OPW2	Open site	Artefact : 1
52-2-3550	OPR-19	Open site	Artefact : 3
45-5-4040	Isolated Object 2043-5	Open site	Artefact
45-5-5222	CF-IA1-19	Open site	Artefact
52-2-3750	CG-TRE-O3	Open site	Artefact : 1
45-5-4388	LP9IF	Open site	Artefact
52-2-3301	CH4 IF2	Open site	Artefact : 1
45-5-4959	Pondicherry AFT 1	Open site	Artefact
45-5-3769	OP Transect A	Open site	Artefact : 1
52-2-3547	OPR14	Open site	Artefact : 1
52-2-3543	OPR6	Open site	Artefact : 5
52-2-3545	OPR12	Open site	Artefact
45-5-4037	Artefact Scatter PAD 2040-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-4909	MSC 2	Open site	Artefact
45-5-4036	Isolated Object 2039-5	Open site	Artefact
52-2-3760	OPW_P1	Open site	Potential Archaeological Deposit (PAD)
45-5-4048	Artefact Scatter PAD 2052-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3307	CH10	Open site	Artefact : 1
52-2-3315	CH 8	Open site	Artefact : 2
52-2-4261	Gledswood 10	Open site	Artefact : 1
45-5-4057	Artefact Scatter PAD 2064-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-4044	Isolated Object 2047-5	Open site	Artefact
45-5-4045	Isolated Object 2048-5	Open site	Artefact
52-2-3553	OPR-23	Open site	Artefact : 1
52-2-3548	OPR-17	Open site	Artefact : 2
45-5-3372	OPR-25	Open site	Artefact : 12

45-5-3772	OP Transect D	Open site	Artefact : 1
45-5-4043	Isolated Object 2046-5	Open site	Artefact
52-2-3551	OPR20	Open site	Artefact : 1
45-5-4041	Artefact Scatter PAD 2044-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-3766	OP1	Open site	Artefact : 103, Potential Archaeological Deposit (PAD)
52-2-4174	CFPP-17	Open site	Artefact
52-2-3297	ch11	Open site	Artefact
52-2-3308	CH9	Open site	Artefact : 5
52-2-4264	Gledswood 5	Open site	Artefact : 1
45-5-3258	CH3IF1;CVW-7	Open site	Artefact
52-2-3544	OPR7	Open site	Artefact : 2
52-2-3555	OPR26	Open site	Artefact : 1
45-5-4038	Isolated Object 2041-5	Open site	Artefact
52-2-3554	OPR24	Open site	Artefact : 2
45-5-4047	Artefact Scatter PAD 2051-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3818	CF-4	Open site	Artefact : 2
52-2-3817	CF-3	Open site	Artefact : 8
52-2-4177	Gledswood 2	Open site	Artefact
52-2-4262	Gledswood 7	Open site	Artefact : 1

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

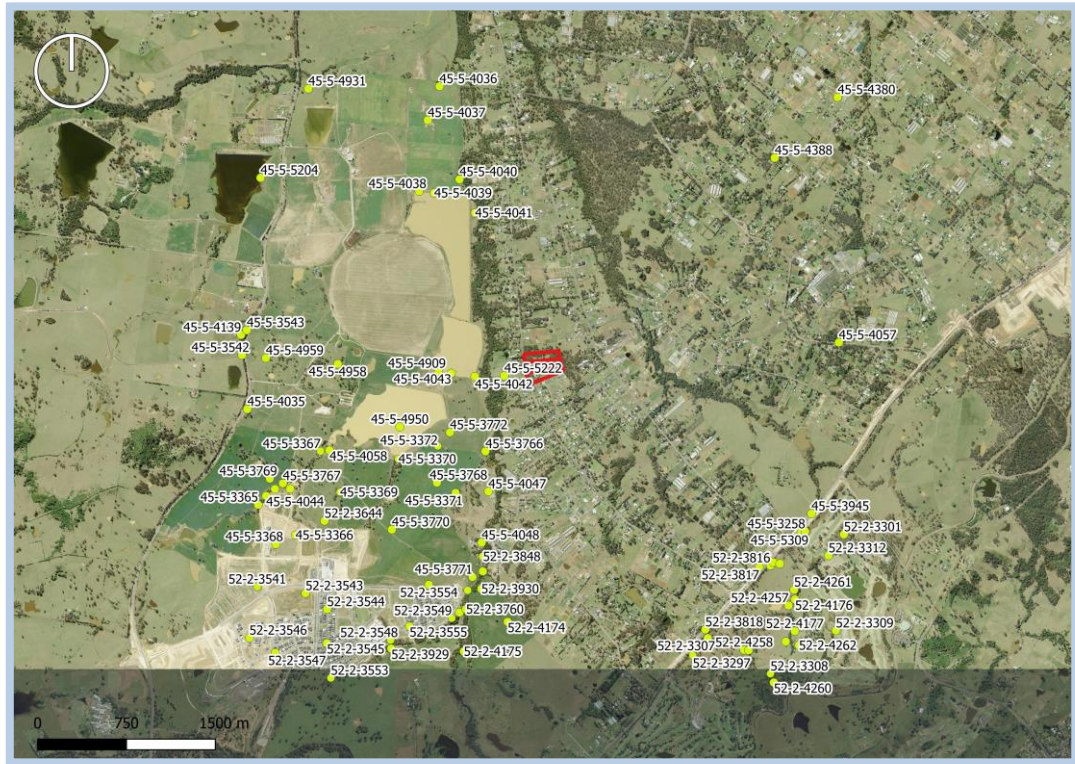


Figure 11: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. The study area is shown in blue at the centre of the image. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.

6.3 History

The study area is likely to have been occupied by the people of the Dharug language group (Attenbrow 2002:32) at the time of European contact. Nearby Camden has been described as a tribal boundary of three different language groups including Dharug, Gundungurra and Tharawal (NSW Government 2013, Godden Mackay Logan 2007). Following colonisation, the land of the study area was granted to George Molle in 1817 as part of a 550 acre grant. The land was used for grazing. An advertisement appears in the Sydney Gazette on the 17th of June 1824, to lease the property by public auction, noting that the property included stock yards and fencing. Government and General orders made on the 1st of September 1824 in the Sydney Gazette of Thursday 9 September 1824 required local magistrates being required to check the accurate registration of the brands used by the stock owners, including those on the Molle properties. The grazier Edward Luminds Moore bought the land in February 1868 (NSW HLVR - Application 1746, Vol 61 Fol 229). After 1950 the land began to be divided into smaller properties. The test excavation in the study area revealed shallow soils on the crests of the spur suggesting that the early clearing and grazing of the landscape may have led to the significant loss of topsoils through erosion.

7 Archaeological Site Survey Inspection

An archaeological survey was carried out on the Wednesday the 22nd of September 2021 by William Moon (Tocomwall Senior Archaeologists). The fieldwork involved undertaking an inspection of the site of the proposed new school. This included Lot 11 DP833983, Lot 12 DP833784, Lot 231 DP27602. Lot 231 DP27602 was surveyed as shown in the survey coverage (Figure 12) however this lot was later removed from the proposed development.

The aims of the survey were to:

- Complete the survey in accordance with the requirements of Sections 2.2, 2.4, 2.5, 2.6, and 2.7 in the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).
- Determine if there are any significant landforms within the study area that indicate the likely presence of Aboriginal objects.
- Identify any Aboriginal objects present on the surface of the study area.
- Determine if any landforms of the survey area are likely to retain extant soil profiles that may contain Aboriginal objects and if there is a need to undertake archaeological test excavation.

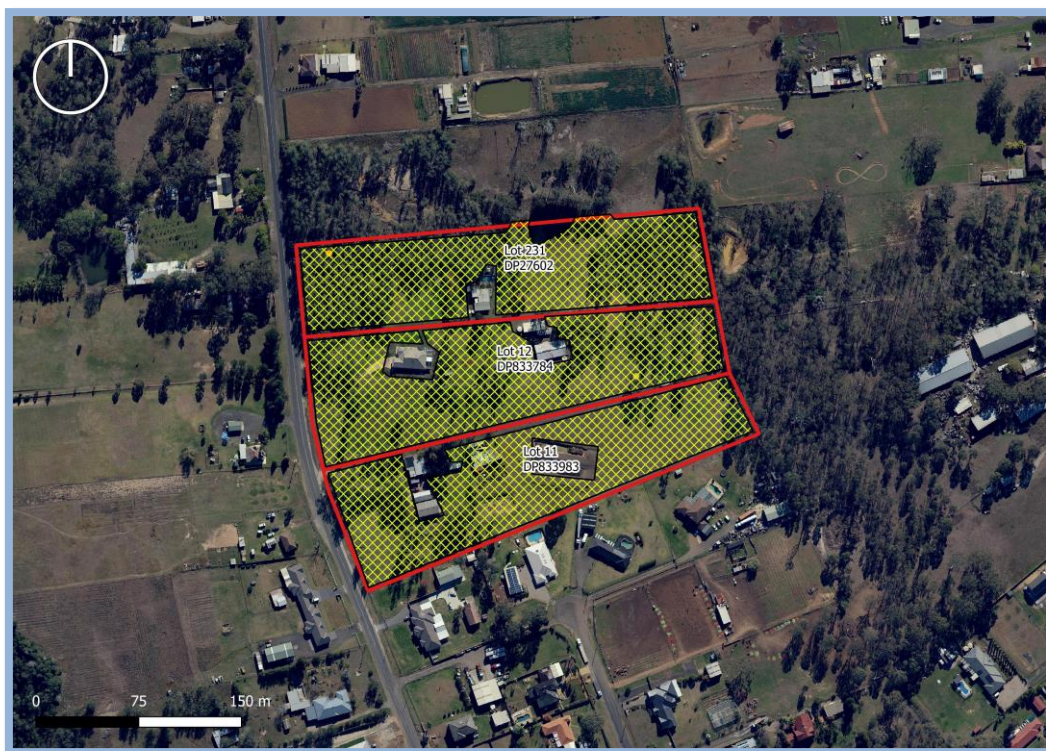


Figure 12: Image showing the boundary of the study area in red and the yellow hatched area showing the archaeological survey coverage. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.

7.1 Results of the archaeological survey

A visual pedestrian survey of the subject land was undertaken on the 22nd of September 2021. It commenced with a survey of Lot 11 DP833983. Dense grass cover was present throughout most of the lot (refer to Figure 18). One area of exposed clay soils was observed. A neighbour indicated that this was the result of a dam on the site having recently been filled in. The dam was still present in the aerial imagery on Six Maps at the time of the visit. Old building ruins were observed towards the back of the property with a concrete slab, bricks and building debris piled up on one area (refer to Figure 16 and Figure 17). The very rear eastern end of the lot was observed to have intact soils. At the front of the lot there is a relatively level area near the road that has been used for horse agistment (pers comm. neighbour). No artefacts were observed on the ground surface due to high grass and no visibility, however there is potential for subsurface artefacts within this area. It is within 200 metres of the South Creek floodplain channel (refer to Figure 15).

Lot 12 DP833784 was 90% mowed with short grass. Some soil was exposed where trail bikes had been used on the block. The dominant landscape feature on this lot is the crest of the low spur descending to the west (refer to Figure 20 and Figure 21). The crest overlooks the South Creek flood plain and still appears to retain close to the original surface contour. The crest has the potential to have been used as a high camp. No artefacts were observed on the ground surface, however there is potential for subsurface artefacts in this area. Asbestos sheet fragments were observed towards the rear of the property (refer to Figure 19). Figure 13 shows areas considered to have potentially intact soils on landscape features that may indicate the presence of Aboriginal objects. Figure 14 shows areas considered likely to have disturbed soils.

Lot 231 DP27602 was also surveyed however this lot was later removed from the proposed development. Survey coverage for lots 11 and 12 is shown in **Table 4**.

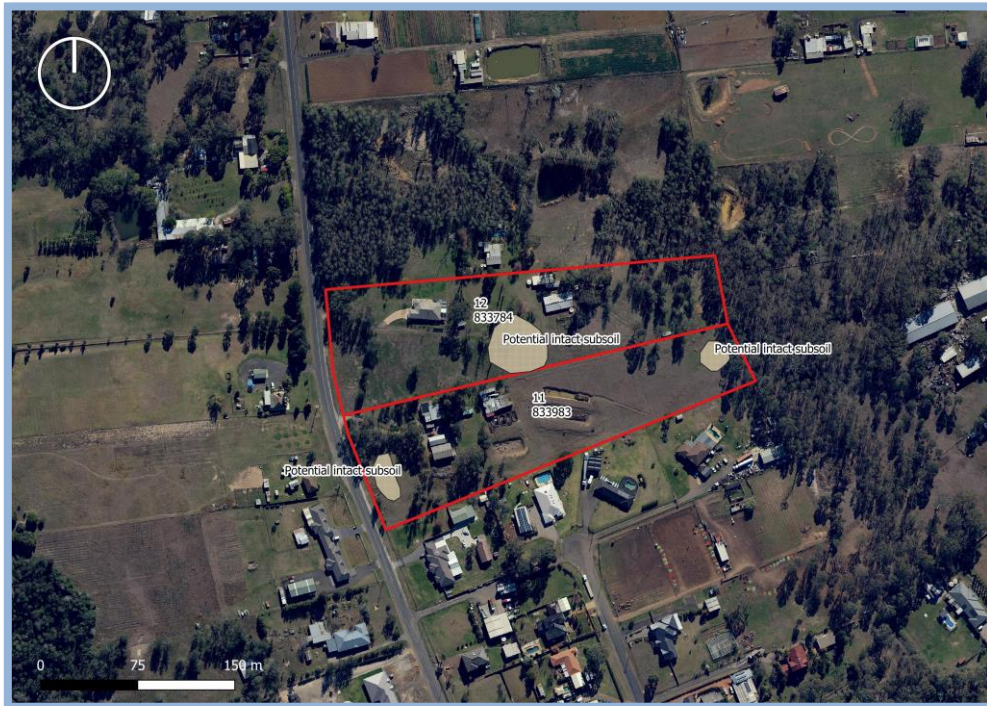


Figure 13: Areas of potentially undisturbed soils with potential to include subsurface objects.



Figure 14: Areas where soils are considered likely to have been disturbed.



Figure 15: Lot 11 DP833983 site of potential deposit at the front, west end of the lot.



Figure 16: Lot 11 DP833983 Building remains



Figure 17: Lot 11 DP833983 Building remains and long grass



Figure 18: Lot 11 DP833983 long grass throughout the lot prevented ground visibility.



Figure 19: Lot 12 DP833784 exposed asbestos sheet fragments on the ground.



Figure 20: Lot 12 DP833784 view east along spur crest.



Figure 21: Lot 12 DP833784 view west along spur crest.

Survey Unit	Landform	Survey Unit Area m ²	Visibility	Exposure	Effective coverage area (sq m) (= survey unit area x visibility % x exposure %)	Effective coverage % (= effective coverage area/survey unit area x 100)
Lot 11 DP833983	Lower, mid and upper slope	18350	10%	10%	1835	1%
Lot 12 DP833784	Lower, mid and upper slope	19244	10%	10%	1924	1%

Table 4: Survey coverage

8 Predictive Model

The predictive model for the archaeological investigation is defined in the ACHA Methodology (see Appendix 3). In summary, based upon the landscape topography, proximity to water, geology, environment, site disturbance, previous studies from the broader Cumberland Plain, and studies within locality, the prediction for the site is that it is likely to have a disperse low

density subsurface artefact distribution. The study area is considered to have a moderate potential to retain Aboriginal objects in extant soil profiles.

9 Research Questions

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

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

10 Archaeological Investigation Methodology

The Aboriginal cultural heritage assessment of the study area was undertaken in accordance with the Code of Practice for the Investigation of Aboriginal Objects in New South Wales (Code of Practice; DECCW 2010b).

10.1 Determining the Archaeological Potential and the Need for Further Investigation

The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) requires that *'archaeological test excavation will be necessary when it can be demonstrated that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area'*. The desktop assessment of the study area has concluded that there are landscape features that are likely to indicate the presence of Aboriginal objects, as defined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010), including locations within 200 metres of waters, and landscape features comparable to other locations in the area that have yielded artefacts during archaeological investigations. Whilst land clearing will have disturbed the surface of the A Horizon, it is expected that there will be intact sediments and soil profiles beneath the disturbed soils that have a probability of containing Aboriginal objects.

10.2 Archaeological Test Excavation

The objective of undertaking the archaeological test excavations was to comply with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) which describes the purpose of test excavation as collecting *'information about the nature and extent of sub-surface Aboriginal objects, based on a sample derived from sub-surface investigations. Test excavations contribute to the understanding of site characteristics and local and regional prehistory and they can be used to inform conservation goals and harm mitigation measures for the proposed activity'*.

10.2.1 Test Excavation Strategy

A preliminary test excavation strategy was developed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) to sample the landscape features within the study area. The test excavation strategy was further informed by the results of the RAP review of this methodology. A review of the landscape features and archaeological trends evident in the locality indicated that there is likely to be Aboriginal objects present within the surviving soil profiles of landscape features that may indicate the presence of objects. Due to the statutory protection of Aboriginal objects, Tocomwall recommend test pit sampling of the ridge/spur crest on lot 11 and 12, and the lower slope area of lot 11. Sample locations were selected to avoid the areas with building waste, asbestos and significant soil disturbance. Test pit sampling was to determine the presence of Aboriginal objects and the need for an Aboriginal Heritage Impact Permit (AHIP).

Test pits were placed on a grid and spaced at 10 metres. Test pits were carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales employing 50 x 50cm square pits excavated down to the culturally sterile layer. Excavated material was wet sieved through 5mm aperture stainless steel mesh sieves.

10.2.2 Test Excavations

A test pit excavation program was undertaken on the 24th, 25th and 28th of January 2022 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (2010) and the project archaeological investigation methodology.

The excavation team included Tocomwall management and staff including senior Archaeologists Dani Mitchell and Will Moon, assistant archaeologist Sue Morrison, and registered Aboriginal stakeholders Robert and Pam Young, Adam Gunther, Ralph Hampton and Ralph Hampton Jnr.

The test excavation results are described in the archaeological report in Appendix 4. Two artefacts were identified during the test excavation program.

11 Test excavation artefacts

Two silcrete artefacts were identified during the test excavation. Both consisted of small fragments with limited diagnostic features. One flake piece from test pit L12-1 is a potential fragment of a broken flake. One flake piece from test pit L11-5 is potentially a flake with a crushed platform (refer to Table 5).





Test Excavation Artefacts	
	
Flake piece from test pit L12-1 (Dorsal surface)	Flake piece from test pit L12-1 (Ventral surface)
	
Flake piece (Distal end) from test pit L11-5 (Dorsal surface)	Flake piece from test pit L11-5 (Ventral surface)

Table 5: Artefact images.

11.1 Discussion

The results of the test excavation sampling of the subject landforms indicates that artefacts are present in the landscape as disperse low density isolated occurrences. The sample results do not suggest the presence of archaeological deposits (PAD) within the area and do not support the need for further investigation. The results suggest that people living in the

traditional ways during the prehistory of occupation of the subject lands are likely to have transited the area, during travel, foraging, or resource gathering, rather than utilising the landscape features as 'persistent places' (Schlanger 2013:92-97) that created a focus for repeated habitation. This is probably due to the distance from the main South Creek channel, which is the only permanent water source in the area. Sites used for repeated camps exhibit complex, and larger accumulations of artefacts (Binford 1980:10-19; Nelson 1991:82-83). Waste raw material from lithic reduction and flaking associated with tool manufacture and maintenance is more likely to be present at repeated use campsites (Binford 1983:363-368; McDonald and Veth 2006:99), whilst sites subject to a more limited use are likely to have broken tools fragments (Kohen 1986:303-307).

12 Aboriginal Community Consultation

12.1 Stage 1 Notification of project proposal and registration of interest

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

12.1.1 Identification of relevant Aboriginal stakeholders

An inquiry with the NNTT, determined the project area to be freehold and clear of any native title determinations. In accordance with step 4.1.2 in the Aboriginal cultural heritage consultation requirements for proponents 2010, Tocomwall contacted the following organisations for information on Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places in the project area (refer Appendix 2):

- Heritage NSW
- Tharawal Local Aboriginal Land Council
- The Registrar, *Aboriginal Land Rights Act 1983*
- National Native Title Tribunal
- Native Title Services Corporation (NTSCORP)
- Camden Council

12.1.2 Public notice

In accordance with the consultation guidelines (2010), a notice was placed in the local newspaper (refer Appendix 2):

- Camden-Narellan Advertiser on December 1, 2021

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

12.1.3 Registration of Aboriginal parties

In accordance with step 4.1.3 of the Aboriginal cultural heritage consultation requirements for proponents 2010, an invitation was sent to the list of Aboriginal organisations and names provided in step 4.1.2, inviting Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or places(s) in the project area, to register an interest (Appendix 2). There were 15 organisations/people that responded (refer to Appendix 1):

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

12.2 Stage 2 presentation of information about the proposed project

The purpose of stage 2 of the consultation process is to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process (refer to Appendix 3).

12.2.1 Presentation of Project Information Pack

Tocomwall provided a project information pack on the 9th of December 2021 to all registered parties in accordance with step 4.2 in the Aboriginal cultural heritage consultation requirements for proponents 2010. The project information pack included project details, objectives of the Aboriginal heritage assessment, roles and responsibilities and a project schedule. The cover letter and information pack can be found in Appendix 3.

12.3 Stage 3 gathering information about cultural significance

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

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

12.3.1 Archaeological assessment methodology information pack

As specified in stage 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010, an ACHA methodology, accompanied with a survey report, were sent to the registered parties for feedback on the 9th of December 2021. Knowledge holders were given 28 days to provide feedback. Responses can be found in Appendix 3.

12.3.2 Test excavation notification

In accordance with section 3, requirement 15c of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, notification for the test excavation was sent to Heritage NSW on the 17th of December 2021 (Refer Appendix 2).

12.4 Stage 4 review of draft Aboriginal cultural heritage assessment report

The purpose of stage 4 is to prepare and finalise an Aboriginal cultural heritage assessment report with input from registered Aboriginal parties. A draft of this ACHAR was sent to the registered Aboriginal parties for review and comment on the 17th of February 2022. Responses to this review are included in 23 Appendix 6 - ACHAR Review Correspondence.

13 Aboriginal cultural significance assessment

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

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

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

- Investigate significance
- Assess significance
- Manage significance (NSW Heritage Office 2004).

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

13.1 Social or Cultural Value

'Social or cultural value refers to the spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them' (OEH 2011).

Registered Aboriginal stakeholder Wendy Morgan communicated the following traditional association with the place, *'My Great Grand Father and Grand Father would pass through this area as they walked over the land hunting and in search of suitable partners to marry into our families'*.

13.2 Historic Significance

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

Registered Aboriginal stakeholder Wendy Morgan communicated the following historical association with the place, *'My Great Grand Father and Grand Father would pass through this area as they walked over the land hunting and in search of suitable partners to marry into our families'*.

13.3 Aesthetic Significance

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

The aesthetics of the study area have been impacted upon by the early land clearing and then the urban development that has occurred within the area, including the construction of housing, sheds, and dams. The study area would have little resemblance to the original aesthetics that the site had before the colonisation of the landscape.

13.4 Scientific Significance

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

The study area is considered to be of low scientific significance. The test excavation has provided very little scientific information. The raw material of the identified artefacts is common to the locality. Both artefacts retain minimal features and are unable to contribute to meaningful analysis.

There is no visible evidence that the flakes have been used. To determine if they had been used, microscopic edge wear analysis would need to be undertaken however due to the small number of artefacts it would not provide sufficient data to contribute to the scientific significance of the archaeology, nor would it provide substantial information to the scientific research process. No datable material was found in association with the artefacts, so it is not possible to place the artefacts into an age context. The study area is considered to be of low scientific significance.

13.5 Educational Significance

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

The study area is considered to be of low educational significance. The test excavation has provided very little information to contribute to the sites educational significance. The raw material of the identified artefacts is common to the locality. The artefacts retain minimal features and do not enable meaningful analysis. There is no visible evidence that the artefacts have been used. No datable material was found in association with the artefacts, so it is not possible to place the artefacts into an age context. The archaeology has low educational significance.

13.6 Representative significance

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

The study area is considered to be of low representative significance. The artefacts recorded during the test excavation are representative of artefacts in the region and do not display any unique attributes. The representativeness and the small amount of information gained from the test excavation program does not contribute further substantial information to the education or scientific research processes.

13.7 Rarity

The study area is considered to be of low rarity significance. The results affirm the present understanding of the archaeology of the Cumberland Plain, including that artefact distributions and sites may be found anywhere within the landscape but will generally be small and consist of low numbers of artefacts when significantly distant from permanent water sources. There is insufficient information and knowledge gained from the results of the test excavation to contribute to a further understanding of the way of life, custom, process,

land-use, function, or design no longer practised. The results align with our present understanding of the way of life, and land-use, on the Cumberland Plain.

14 Statement of Significance

The study identified two isolated Aboriginal objects that were present as part of a disperse low density presence in the A horizon soils. There was no evidence that broader archaeological deposits exist within the study area, apart from the isolated disperse presence of artefacts. The artefact raw materials and types are a common occurrence within the locality. From the scientific, educational, representational and rarity assessment, the site is of low significance. Due to the small amount of information that can be gained from the site, it contributes very little additional information to our understanding of the site, locality, and region. The aesthetic values of the site are of low significance due to the impacts to the area following the vegetation clearing and development of the area, which initially began during colonisation with the clearing and grazing of the lands, followed by the gradual urban development of the landscape.

Traditional and historical associations were communicated by one of the registered Aboriginal knowledge holders. The subject area has been impacted by development and the setting is no longer substantially intact, also there is no direct evidence surviving for the association or event. The overall significance of the study area, taking into account each of the values, is evaluated to be low.

15 Impact Assessment

A summary of the history of the area of the study area is described in section 6.3. The proposed development and objectives are defined in Section 4.1 Location and Proposed Development. The proposed development will be assessed for approval during the early part of 2022 and site works will commence in 2022.

15.1 Assessing Harm

The development will involve earthworks associated with the building construction, the provision of services, parking and pathways, and includes cut and fill and the grading of the site. The draft grading plan for the development is shown in Figure 23. The site works will disturb the remaining A horizon soils in the area. This will also destroy the test pit locations from which the two artefacts were identified (refer Figure 22). **Table 6** shows the harm to known sites.



Figure 22: Location of Aboriginal objects (red) relative to the development.

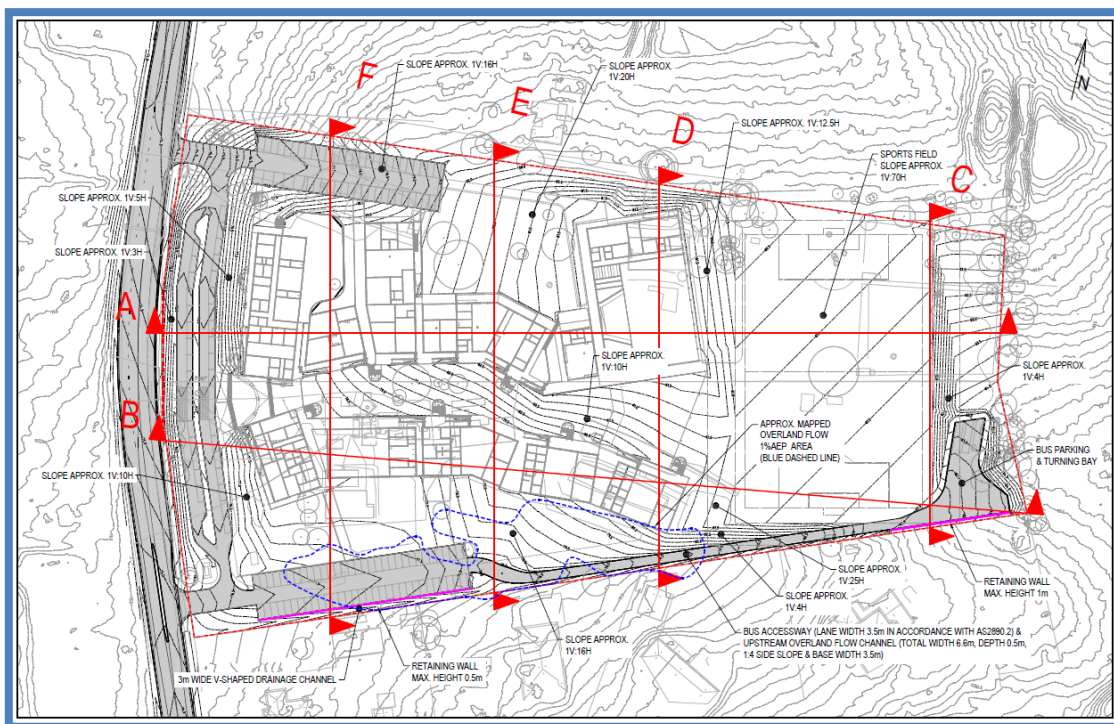


Figure 23: Concept Grading Plan (Source Midson Group).

Site number	Location	Type of harm	Degree of harm	Consequence of harm
Pit L11-5	E293035 N6237164	Direct	Total	Total loss of value
Pit L12-1	E293138 N6237266	Direct	Total	Total loss of value

Table 6: Harm to known sites.

15.2 Management and mitigation measures

The impacts to the Aboriginal objects recorded during this investigation have been discussed with the proponents representative to determine if there are management or mitigation measures that could be applied. The proponents response included: *“As discussed, please find attached the concept grading plan which illustrates the proposed extent of cut and fill across the site. As you’ll see, there is extensive regarding works that is to occur across the site, so to keep the artefacts in place and protect them without disturbance would be very difficult. I’m also conscious that as the works will be staged over many years, it may become difficult to track these locations”* (T. James, Midsons 2/2/2022). In order to protect the Aboriginal objects, it has been deemed that the objects should be reburied in an agreed safe location on the site, or managed under an agreed care and control procedure.

16 Recommendations

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

The recommendations are:

The two Aboriginal objects and associated site location identified during the test excavation will be destroyed under the proposed development. Consent must be obtained from Heritage NSW to move the objects and bury them in a safe location on the site, in agreement with the registered Aboriginal parties, or obtain consent to manage the objects under an agreed care and control agreement;

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

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

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18 Appendix 1 – Consultation Log

Stage 1 – Notification of Project Proposal and Registration of Interest

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

Organisation	Date sent	Date received
Heritage NSW	Email 10/11/21	Email 12/11/21
Tharawal Local Aboriginal Land Council	Email 10/11/21	
Office of the Registrar, <i>Aboriginal Land Rights Act 1983</i>	Email 10/11/21	
National Native Title Tribunal	Email 10/11/21	Email 12/11/21
Native Title Services Corporation Limited	Email 10/11/21	
Camden Council	Email 10/11/21	Email 16/11/21

Registration of Interest

Organisation/Person	Date sent	Date received
Gilay Consultants - Carolyn Slater	18/11/2021	18/11/2021
A1 Indigenous Services Pty Ltd - Carolyn Hickey	18/11/2021	24/11/2021
Cubbitch Barta - Glenda Chalker	18/11/2021	18/11/2021
Darug Custodian Aboriginal Corporation - Justine Coplin	18/11/2021	22/11/2021
Goobah Developments - Basil Smith	18/11/2021	25/11/2021
Didge Ngunawal Clan - Lilly Carroll	18/11/2021	18/11/2021
Gungeewong Cultural Heritage AC - Shayne Dickson	18/11/2021	18/11/2021
Freeman & Marx - Clive Freeman	18/11/2021	19/11/2021
Guntawang Aboriginal Resources Inc - Wendy Morgan	18/11/2021	19/11/2021
Ginninderra Aboriginal Corporation - Krystle Carroll-Elliott	18/11/2021	25/11/2021
Kamilaroi Yankuntjatjara Working Group - Phil Khan	18/11/2021	23/11/2021
Thoorga Nura - John Carriage	18/11/2021	18/11/2021
Waawaar Awaa - Rodney Gunther	18/11/2021	24/11/2021
Ngunawal Heritage Aboriginal Corporation - Dean Delponte	18/11/2021	2/12/2021
Konanggo Aboriginal Cultural Heritage Services – Robert Young		2/12/2021

Stage 2 – Presentation of Information and Methodology &

Stage 3 – Gathering information about cultural significance

Provide registered Aboriginal parties with Project Information Pack and ACHA Methodology

Organisation	Date sent	Date received	Response
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Gilay Consultants - Carolyn Slater	9/12/2021		
A1 Indigenous Services Pty Ltd - Carolyn Hickey	9/12/2021		
Cubbitch Barta - Glenda Chalker	9/12/2021		
Darug Custodian Aboriginal Corporation - Justine Coplin	9/12/2021	15/1/2022	See detailed letter in appendix 3. Supports methodology.
Goobah Developments - Basil Smith	9/12/2021	15/12/2021	This is confirmation that we support the information package and methodology for Lot 12 DP 833784 and Lot 11 DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden Local Government Area (LGA).
Didge Ngunawal Clan - Lilly Carroll	9/12/2021		
Gungeewong Cultural Heritage AC - Shayne Dickson	9/12/2021	17/12/2021	Gunjeewong agrees with the proposed methodology for 268-278 Catherine Fields Road, Catherine Fields.
Freeman & Marx - Clive Freeman	9/12/2021	15/12/2021	Thank you for the update and information. I have read over it.
Guntawang Aboriginal Resources Inc - Wendy Morgan	9/12/2021		
Ginninderra Aboriginal Corporation - Krystle Carroll-Elliott	9/12/2021		
Kamilaroi Yankuntjatjara Working Group - Phil Khan	9/12/2021	25/12/2021	We would like to agree to your recommendations and

			agree to your methodology, we look forward to working along side you on this project.
Thoorga Nura - John Carriage	9/12/2021		
Waawaar Awaa - Rodney Gunther	9/12/2021		
Ngunawal Heritage Aboriginal Corporation - Dean Delponte	9/12/2021	3/01/2022	<p>Thank you for providing us with a copy of the Minarah ACHA Methodology.</p> <p>We agree with the recommendation of implementing a sampling test excavation program and the test excavation strategy.</p>
Konanggo Aboriginal Cultural Heritage Services – Robert Young	9/12/2021	10/12/2021	See detailed response in appendix 3. This is the best report I have seen; they have identified all the relevant processes and various Acts from various departments and references from well-known archaeologist.
Tharawal Local Aboriginal Land Council	9/12/2021		

Stage 4 – Review of draft report

Organisation	Date sent	Date received	Response
Gilay Consultants - Carolyn Slater	17/2/2022	22/2/2022	Acknowledged receipt.

A1 Indigenous Services Pty Ltd - Carolyn Hickey	17/2/2022		
Cubbitch Barta - Glenda Chalker	17/2/2022		
Darug Custodian Aboriginal Corporation - Justine Coplin	17/2/2022	4/3/2022	Refer to appendix 6.
Goobah Developments - Basil Smith	17/2/2022		
Didge Ngunawal Clan - Lilly Carroll	17/2/2022		
Gungeewong Cultural Heritage AC - Shayne Dickson	17/2/2022		
Freeman & Marx - Clive Freeman	17/2/2022		
Guntawang Aboriginal Resources Inc - Wendy Morgan	17/2/2022	28/2/2022	Refer to appendix 6.
Ginninderra Aboriginal Corporation - Krystle Carroll-Elliott	17/2/2022		
Kamilaroi Yankuntjatjara Working Group - Phil Khan	17/2/2022		
Thoorga Nura - John Carriage	17/2/2022		
Waawaar Awaa - Rodney Gunther	17/2/2022		
Ngunawal Heritage Aboriginal Corporation - Dean Delponte	17/2/2022		
Konanggo Aboriginal Cultural Heritage Services – Robert Young	17/2/2022		
Tharawal Local Aboriginal Land Council	17/2/2022		

19 Appendix 2 – Registration Correspondence

Identify Aboriginal knowledge holders from suitable sources



Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

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ABN 13 137 694 618

11/11/2021

Camden Council

PO Box 183

Camden NSW 2750

To whom it may concern,

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA. The assessment is being undertaken on behalf of Green Valley Islamic College Ltd.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/Green Valley Islamic College Ltd are seeking to identify the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at the site and requests the names and contact details of any Aboriginal people to assist the proposed applicant in the preparation of an application or an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510. Please provide the details within 7 days of receipt to dani@tocomwall.com.au or to the Tocomwall postal address shown on this letter. Thank you.

Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist





Tocomwall Pty Ltd

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ABN 13 137 694 618

10/11/21

Heritage NSW

Aboriginal Cultural Heritage Regulation

Locked bag 5020

Parramatta NSW 2124

To whom it may concern,

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at 268-278 Catherine Fields Rd, Catherine Fields within the Camden LGA. The assessment is being undertaken on behalf of Green Valley Islamic College Ltd.

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Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist





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PO box 145 Miranda NSW 1490

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ABN 13 137 694 618

11/11/2021

Tharawal Local Aboriginal Land Council
220 West Pde
Couridjah NSW 2571

To whom it may concern

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Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist





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info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

11/11/2021

National Native Title Tribunal

GPO Box 9973

Sydney NSW 2001

To whom it may concern

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA. The assessment is being undertaken on behalf of Green Valley Islamic College Ltd.

In accordance with section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a), Tocomwall/ Green Valley Islamic College Ltd are seeking a list of registered native title claimants, native title holders and registered Indigenous Land Use Agreements and requests the names and contact details of the Aboriginal people from your organisation to assist the proposed applicant in the preparation of an application for an AHIP. If you require any further information, please do not hesitate to contact me on 0466 676 510. Please provide the details within 7 days of receipt to dani@tocomwall.com.au or to the Tocomwall postal address shown on this letter. Thank you.

Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist





Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

11/11/2021

Native Title Services Corporation Limited

PO Box 2105

Strawberry Hills NSW 2012

Ph: 02 9310 3188

To whom it may concern

Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA. The assessment is being undertaken on behalf of Green Valley Islamic College Ltd.

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Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist





Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

10/11/2021

Native Title Services Corporation Limited

PO Box 2105

Strawberry Hills NSW 2012

Ph: 02 9310 3188

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Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the DECCW (DPIE) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW for a proposed development at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA. The assessment is being undertaken on behalf of Green Valley Islamic College Ltd.

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Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist



Request for Spatial Search of Tribunal Registers

1: Your details

Your name:	Danielle Mitchell		
Your company:	Tocomwall		
E-mail address:	dani@tocomwall.com.au	Phone:	0466676510
Your reference:	Minarah College	Your state:	New South Wales
<input checked="" type="checkbox"/>	I have read and acknowledge the terms and conditions on the next page.		

2: Areas to be searched

Jurisdiction to be searched:	New South Wales	Tenure to be searched:	Select one.
------------------------------	-----------------	------------------------	-------------

Parcel or tenement identifiers (add up to 20 separate identifiers). **Please see over for parcel identifiers.**

Parcel 1:	Click or tap here to enter text.	Parcel 2:	Click or tap here to enter text.
Parcel 3:	Click or tap here to enter text.	Parcel 4:	Click or tap here to enter text.
Parcel 5:	Click or tap here to enter text.	Parcel 6:	Click or tap here to enter text.
Parcel 7:	Click or tap here to enter text.	Parcel 8:	Click or tap here to enter text.
Parcel 9:	Click or tap here to enter text.	Parcel 10:	Click or tap here to enter text.
Parcel 11:	Click or tap here to enter text.	Parcel 12:	Click or tap here to enter text.
Parcel 13:	Click or tap here to enter text.	Parcel 14:	Click or tap here to enter text.
Parcel 15:	Click or tap here to enter text.	Parcel 16:	Click or tap here to enter text.
Parcel 17:	Click or tap here to enter text.	Parcel 18:	Click or tap here to enter text.
Parcel 19:	Click or tap here to enter text.	Parcel 20:	Click or tap here to enter text.

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

Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA

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

Parcel Identifiers

In most jurisdictions please identify parcels using lot on plan, or lot/section/plan as appropriate. The NNTT is generally not able to identify parcels using land title information. Where possible, the NNTT uses the terminology and formatting of unique identifiers used in each state to uniquely identify a land parcel. More details are below:

1. **Lot on plan.** Use for Western Australia and Queensland.
2. **Lot/Section/Plan.** Use for New South Wales.
3. **LAISKEY.** Use for the Northern Territory. The laiskey is a unique identifier for each parcel comprised of the location code, LTO code (derived from the survey plan) where applicable and the parcel number.
4. **Parcel ID** – Use for South Australia. Concatenation of Parcel Type, Parcel, Plan Type and Plan.
5. **SPI (Standard Parcel Identifier)** – Use for Victoria.

Terms and Conditions

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

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

2. Freehold land.

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

3. Cultural Heritage in NSW.

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

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

Disclaimer

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

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

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

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

Request Responses

From: Samira Abbasalipour <Samira.Abbasalipour@camden.nsw.gov.au>
Sent: Tuesday, 16 November 2021 9:42 AM
To: Dani
Subject: RE: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields
Attachments: INFO - Local Aboriginal Groups - CONSULTATION LIST - Feb20.PDF

Categories: Req for stakeholders response

Hi Dani

Please see the Local Aboriginal Group contact details attached.

Regards
 Samira

Dr Samira Abbasalipour
 Heritage and Urban Design Advisor



70 Central Avenue, Oran Park, 2570

(02) 4654 7992

www.camden.nsw.gov.au

PO Box 183, Camden NSW 2570

@ Samira.Abbasalipour@camden.nsw.gov.au



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From: Dani <dani@tocomwall.com.au>
Sent: Thursday, 11 November 2021 12:06 PM
To: Council Mailbox <Council.Mailbox@camden.nsw.gov.au>
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields

To whom it may concern,

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

Kind regards

Dani Mitchell
 Archaeologist
 Tocomwall Pty Ltd
 e: dani@tocomwall.com.au
 Dharug Country

CONSULTATION LIST

LOCAL ABORIGINAL GROUPS

Tharawal Local Aboriginal Land Council (TLALC)

CEO – Robyn Straub

Ph. 02 4681 0059

Fax. 02 4681 0866

Email: ceo@tharawal.com.au

Web: www.tharawal.com.au

PO BOX 245 Thirlmere NSW 2572

220 West Parade Couridjah NSW 2571

Cubbitch Barta Native Title Claimants Aboriginal Corporation (CBNTAC)

Representative - Ms Glenda Chalker

Ph. 0427 218 425 or 46841129

Email: kgchalker@bigpond.com

55 Nightingale Road

PHEASANTS NEST NSW 2574

Tharawal Aboriginal Corporation

187 Riverside Drive

AIRDS, NSW 2560

Ph. 4628 4837



From: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Sent: Friday, 12 November 2021 2:23 PM
To: Dani
Subject: RE: SF21/1767 - Minarah College, 268-278 Catherine Fields Rd, Catherine Fields - SF21/1767 [SEC=OFFICIAL]

Categories: Req for stakeholders response

OFFICIAL

Native title search – NSW Parcels – Lot 12 on DP833784 & Lot 11 on DP833983
Your ref: Minarah College - Our ref: SF21/1767

Dear Danielle Mitchell,

Thank you for your search request received on 11 November 2021 in relation to the above area. Based on the records held by the National Native Title Tribunal as at 12 November 2021 it would appear that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area.

Search Results

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

Schedule of Native Title Determination Applications

Register of Native Title Claims

Native Title Determinations

Indigenous Land Use Agreements (Registered and notified)

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

Feature ID	Tenure	As At	Feature Area SqKm	Overlapping Native Title Feature			
				NNTT File Number	Name	Category	% Selected Feature
11//DP833983	FREEHOLD	11/10/2021	0.0219	No overlap			0.00%
12//DP833784	FREEHOLD	11/10/2021	0.0231	No overlap			0.00%

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

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

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

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

Search results and the existence of native title

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

The Tribunal accepts no liability for reliance placed on enclosed information

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

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

Regards,

Geospatial Searches

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

From: Dani <dani@tocomwall.com.au>
Sent: Thursday, 11 November 2021 9:03 AM
To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Subject: SF21/1767 - Minarah College, 268-278 Catherine Fields Rd, Catherine Fields

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

From: Barry Gunther <Barry.Gunther@environment.nsw.gov.au>
Sent: Friday, 12 November 2021 9:14 AM
To: Dani
Subject: Green Valley Islamic College - 268-278 Catherine Fields Rd - Camden Local Government Area
Attachments: Minarah College_Heritage NSW.pdf; RAP list request Green Valley Islamic College - 268-278 Catherine Fields Rd.docx; Attachment A- DPC RAP list -Camden local government area.docx

Categories: Req for stakeholders response

Hi Dani,

Please find attached the DPC RAP list for the Green Valley Islamic College - 268-278 Catherine Fields Rd - Camden Local Government Area.

regards

Barry Gunther, Aboriginal Heritage Planner Officer
Heritage NSW, Community Engagement, Department of Premier and Cabinet
Level 6, 10 Valentine Ave, Parramatta | Locked Bag 5020 Parramatta 2124
T: 02 9995 6830 | barry.gunther@environment.nsw.gov.au

Please lodge all Applications to Heritagemailbox@environment.nsw.gov.au

[Website](#) [Facebook](#) [Instagram](#) [LinkedIn](#)

The Heritage Management System is live from 31 May. More information is available [here](#)

I acknowledge and respect the traditional custodians and ancestors of the lands I work across.

Heritage NSW and coronavirus (COVID-19)

Heritage NSW has taken steps to protect the safety, health and wellbeing of our staff, communities and customers. Whilst our offices remain open, we have put in place flexible working arrangements for our teams across NSW and continue to adapt our working arrangements as necessary. Face-to-face meetings and field work/site visits with our customers are subject to rules on gatherings and social distancing measures. We thank you for your patience and understanding at this time.



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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

17/12/2021

Tharawal Local Aboriginal Land Council
220 West Pde
Couridjah NSW 2571

**RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields
Aboriginal Cultural Heritage Assessment**

To whom it may concern,

I am writing to send the list and correspondence of Aboriginal groups and individuals who registered an interest in the project at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA.

Please find a copy of the expression of interest letter sent to each group and/or individual and their responses in this document.

Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist
Mob: 0466 676 510





Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

Expression of Interest	
Organisation	Name
Gilay Consultants	Carolyn Slater
A1 Indigenous Services Pty Ltd	Carolyn Hickey
Cubbitch Barta	Glenda Chalker
Darug Custodian Aboriginal Corporation	Justine Coplin
Goobah Developments	Basil Smith
Didge Ngunawal Clan	Lilly Carroll
Gungeewong Cultural Heritage AC	Shayne Dickson
Freeman & Marx	Clive Freeman
Guntawang Aboriginal Resources Inc	Wendy Morgan
Ginninderra Aboriginal Corporation	Krystle Carroll-Elliott
Kamilaroi Yankuntjatjara Working Group	Phil Khan
Thoorga Nura	John Carriage
Waawaar Awaa	Rodney Gunther
Ngunawal Heritage Aboriginal Corporation	Dean Delponte
Konanggo Aboriginal Cultural Heritage	Robert Young





Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

17/12/2021

Heritage NSW

Aboriginal Cultural Heritage Regulation

Locked bag 5020

Parramatta NSW 2124

**RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields
Aboriginal Cultural Heritage Assessment**

To whom it may concern,

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Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist
Mob: 0466 676 510





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 ABN 13 137 694 618

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Thoorga Nura	John Carriage
Waawaar Awaa	Rodney Gunther
Ngunawal Heritage Aboriginal Corporation	Dean Delponte
Konanggo Aboriginal Cultural Heritage	Robert Young





Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

18/11/2021

A1 Indigenous Services

Dear Carolyn,

**RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields
Aboriginal Cultural Heritage Assessment – Identification of interested Aboriginal parties**

The proponent, Green Valley Islamic College, is preparing a Development Application (DA) for a proposed development at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA. As part of the development application process, the proponent is required to complete an Aboriginal Cultural Heritage Investigation in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (OEH 2010) and part 8A of the *National Parks and Wildlife Regulation 2009* in preparation for an AHIP.

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

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

Toby James – Project Manager
Midson Group Pty Ltd
Tel: 9868 6923
PO Box 283
Hunters Hill NSW 2110

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

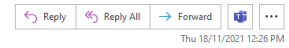
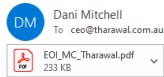
Dani Mitchell
Tocomwall Pty Ltd
PO Box 145
Miranda NSW 1490
dani@tocomwall.com.au





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

Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest



Thu 18/11/2021 12:26 PM

Dear Robyn,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



Breach of Confidentiality

This email and any files transmitted with it are confidential and intended solely for the use of the individual to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Although the company has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.



Tocomwall Pty Ltd

PO box 145 Miranda NSW 1490

info@tocomwall.com.au

www.tocomwall.com.au

ABN 13 137 694 618

18/11/2021

A1 Indigenous Services

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**RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields
Aboriginal Cultural Heritage Assessment – Identification of interested Aboriginal parties**

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

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

Toby James – Project Manager
Midson Group Pty Ltd
Tel: 9868 6923
PO Box 283
Hunters Hill NSW 2110

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

Dani Mitchell
Tocomwall Pty Ltd
PO Box 145
Miranda NSW 1490
dani@tocomwall.com.au



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Public Notices

EXPRESSION OF INTEREST
RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields - Aboriginal cultural heritage consultation requirements for proponents 2010
Tocomwall Pty Ltd is undertaking an Aboriginal Cultural Heritage Assessment in accordance with the 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW on behalf of the proponent, Green Valley Islamic College, contact c/o Toby James - Project Manager Midson Group Pty Ltd, Tel: 9868 6923 for a proposed development at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA. Tocomwall Pty Ltd invites registration of interest from Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project, that may be subject to an application for an AHIP, to register an interest in a process of community consultation with the applicant.
Aboriginal people registering an interest in the community consultation process will have their details forwarded to Heritage NSW, and the Tharawal LALC unless they specify that they do not want their details released.
Please register your interest in the project by the closing date of December 15th, 2021.
Registrations should be sent to:
Dan Mitchell
Tocomwall Pty Ltd
PO Box 145, Miranda NSW 1490
dan@tocomwall.com.au

Adult Services

ULTIMATE CENTRE
Beautiful Ladies
MON-FRI 10AM-6PM
W-FE 10AM-7:30PM
9829 4654
31 STANLEY ROAD
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Registration of Interest from Aboriginal Knowledge Holders

From: Carolyn .H <cazadirect@live.com>
Sent: Wednesday, 24 November 2021 3:03 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Attachments: A1.PL2022.pdf; A1.WC2022.pdf

Categories: Registered Interest



Contact: Carolyn Hickey
Mobile: 0411650057
Email: [Cazadirect@live.com](mailto:cazadirect@live.com)
Address: 10 Marie Pitt Place, Glenmore Park, NSW2745
ACN: 639 868 876
ABN: 31639 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.

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.

Regards

Carolyn Hickey





From: Glenda Chalker <kgchalker@bigpond.com>
Sent: Thursday, 18 November 2021 3:14 PM
To: Dani Mitchell
Subject: RE: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Categories: Registered Interest

Dani,
Please register Cubbitch Barta for this proposed project.
Glenda Chalker

From: Dani Mitchell [<mailto:dani@tocomwall.com.au>]
Sent: Thursday, 18 November 2021 1:03 PM
To: kgchalker@bigpond.com
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Dear Glenda and Rebecca,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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DARUG CUSTODIAN

ABORIGINAL CORPORATION



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

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

Attention Tocomwall

Date: 22/11/21

Subject: 268-278 Catherine Fields Rd, Catherine Fields

Dear Dani

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

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

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.

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

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

Regards



A handwritten signature in black ink, appearing to read 'Justine Coplin', is written above the printed name.

Justine Coplin

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



From: Lilly Carroll <didgengunawalclan@yahoo.com.au>
Sent: Thursday, 18 November 2021 2:29 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Categories: Registered Interest

Hi Dani

DNC would like to register an interest into Minarah College 268 to 278 Catherine fields project

Fully insured and experienced/vaccinated site officers

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC
0426823944

[Sent from Yahoo Mail for iPhone](#)

On Thursday, November 18, 2021, 2:27 pm, Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Lillie and Paul,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell

Senior Archaeologist

Tocomwall Pty Ltd

e: dani@tocomwall.com.au

Dharug Country



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From: Clive Freeman <clive.freeman@y7mail.com>
Sent: Friday, 19 November 2021 12:22 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Categories: Registered Interest

Hi Dani,

Please accept this email as registration to the above project.

Kind Regards

Clive Freeman
(M) 0437721481

Please consider the environment before printing this message

On Thursday, 18 November 2021, 03:53:36 pm AEDT, Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Clive,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell

Senior Archaeologist

Tocomwall Pty Ltd

e: dani@tocomwall.com.au

Dharug Country



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From: carolyn slater <cal.slater61@gmail.com>
Sent: Thursday, 18 November 2021 10:39 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Attachments: image001.png

Categories: Registered Interest

Hi Dani

Gilay Consultants has knowledge, respect and connections to the area and would like to register their interest and be consulted in The above project.

Thank you for your time and consideration

Carolyn Slater
Gilay Consultants

On Thu, 18 Nov. 2021, 4:02 pm Dani Mitchell, <dani@tocomwall.com.au> wrote:

Dear Carol,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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From: Ginninderra Aboriginal Corporation <ginninderra.corp@gmail.com>
Sent: Thursday, 25 November 2021 11:08 AM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Attachments: EOI_MC_Ginninderra.pdf
Categories: Registered Interest

Hi Dani,

Thank you for your email.
Please register Ginninderra AC for the above mentioned project.

Kind regards,

Krystle Carroll-Elliott
Ginninderra Aboriginal Corporation
M: 0451016224
E: ginninderra.corp@gmail.com

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

On 18 Nov 2021, at 2:28 pm, Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Steven and Krystle,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country





From: Goobah <goobahchts@gmail.com>
Sent: Thursday, 25 November 2021 10:08 AM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Categories: Registered Interest

Please accept my registration of interest at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA and wish to be kept in the loop on any further developments..

--

Regards

**Basil Smith
Chairperson/CEO
GOOBAH**

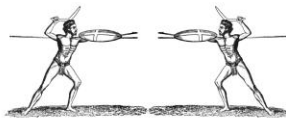
Contact Details:

**Address:
Unit 25 26-28
Native Way,
MORUYA HEADS
NSW 2537**

Mobile: 0405 995 725

Email: goobahchts@gmail.com

ABN: 67 517 874 760



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CONTACT

NAME:
Shayne Dickson

PHONE:
0421 636474

EMAIL:
gunjeewongculturalheritage21@hotmail.com

ADDRESS:
2 Rutherford Street BLACKTOWN 2148

ABN:
22434231161

GUNJEEWONG CULTURAL HERITAGE ABORIGINAL CORPORATION

18/11/2021

Good afternoon, Dani

Thankyou for the invitation for RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd Catherine Fields
I would like to register Gunjeewong Cultural Heritage Aboriginal Corporation for this project please.

Kind Regards

Director GCH
Shayne Dickson
0421 636474



From: Wendy Morgan <wenlissa01@hotmail.com>
Sent: Friday, 19 November 2021 4:06 PM
To: Dani Mitchell
Subject: RE: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Categories: Registered Interest

Hi Dani,

Guntawang Aboriginal Resources Inc would like to express an interest in the in the at 268-278 Catherine Fields Rd, Catherine Fields.

As an Aboriginal Elder who co-ordinates an elders group from the Fairfield and Liverpool Area we would like to provide a field officer from GARI who has years of experience that could assist in the walk over or field work.

Kind regards

Wendy Morgan
CEO GARI
0414 964 657

Sent from [Mail](#) for Windows

From: [Dani Mitchell](#)
Sent: Thursday, 18 November 2021 2:46 PM
To: [Wenlissa01@hotmail.com](#)
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Dear Wendy,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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From: Philip khan <philipkhan.acn@live.com.au>
Sent: Tuesday, 23 November 2021 2:19 PM
To: Dani Mitchell
Subject: RE: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Attachments: ICAREworkers comp. insurance Kamilaroi Yankuntjatjara Working Group 2021.pdf; Public Liability Kamilaroi 2021 to 2022.pdf

Categories: Registered Interest

Dear Dani,

Thank you for informing us that **Tocomwall** will be involved in an Aboriginal Cultural Heritage Assessment at **Minarah College, 268-278 Catherine Fields Rd, Catherine Fields** 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 - \$100 per hour, \$400 half day & \$800 full day (Exc. GST)

Our RAPS have up to 15yrs Cultural Heritage experience in – field work which involves manual excavation (digging), sieving, identifying artefacts, setting up transits, setting up equipment, packing equipment, site surveys & attending meetings.

Should you wish me to provide further information, please do not hesitate to contact me on 0434545982 or Stefeanie on 0451068480.

Kind Regards
 Phil Khan



Sent from [Mail](#) for Windows 10

From: [Dani Mitchell](#)
Sent: Thursday, 18 November 2021 1:24 PM
To: philipkhan.acn@live.com.au
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Dear Phil,

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

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell



From: Robert Young <konanggo_consultancy@hotmail.com>
Sent: Thursday, 2 December 2021 12:44 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Categories: Registered Interest

Hi Dani,

Thank you for the deadly yarn today

I would like to register my expression of interest as a Ngunawal Traditional Owner descendant, I have cultural links and cultural knowledge to this Country through my Mother Pamela Carroll Young & my Great Grandfather Ned Carroll, Great Grandmother Christina Brown & Grandfather Leslie Francis Carroll (Pop) family from Yass and all Ngunawal Country and I would like to participate to conduct the Aboriginal Cultural Heritage Assessment Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA

I will await further correspondence in regards to this matter

Robert Young
Principal Consultant
Konanggo Aboriginal Cultural Heritage Services
2/42 Crawford Road, Brighton Le Sands 2216 NSW
Email: konanggo_consultancy@hotmail.com
Phone: 0450-497-270

From: Dani Mitchell <dani@tocomwall.com.au>
Sent: Thursday, 2 December 2021 12:33 PM
To: konanggo_consultancy@hotmail.com <konanggo_consultancy@hotmail.com>
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Robert,

Just return an email and I will add you to the list It was great to yarn with you today.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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From: Ngunawal Heritage Aboriginal Corporation <ngunawalhac@gmail.com>
Sent: Thursday, 2 December 2021 8:23 AM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Categories: Registered Interest

Hi Dani,

Thank you for your email.

Please be informed that we would like to register our interest in the Aboriginal Cultural Heritage Assessment for the proposed development at 268-278 Catherine Fields Road, Catherine Fields, NSW.

Our consultants are passionate about their Aboriginal heritage and are dedicated to working with Governments, Proponents, Archaeologists and other Aboriginal organisations to ensure that Aboriginal objects and places with Aboriginal cultural heritage significance are appropriately protected.

We look forward to working with you on this project. If you require any further information please let us know.

Kind Regards

Dean Delponte
Director
0413186133
ngunawalhac@gmail.com

Ngunawal Heritage Aboriginal Corporation



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On Thu, Nov 18, 2021 at 4:05 PM Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Dean,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH2010), please find attached a letter requesting registration of interest of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places for the above development location.

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country





From: Thoorga Thoorga <thoorganura@gmail.com>
Sent: Thursday, 18 November 2021 3:46 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest

Categories: Registered Interest

Good afternoon Dani,

Can you please register Thoorganura's interest in the Catherine Fields project please.

Regards
John

--

Yarma Walaawarnie

Yours Truly

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

Address:
50 B Hilltop Crescent,
Surf Beach, 2536, NSW
Email: thoorganura@gmail.com
Mobile: 040 164 1299

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.

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From: Rodney Gunther <waawaar.awaa@gmail.com>
Sent: Wednesday, 24 November 2021 4:09 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Expression of Interest
Attachments: Public Liability Insurance 2021 to September 2022.pdf; Workers Insurance Certificate of Currency 2022 (1).pdf

Categories: Registered Interest

Hi Dani,

Please register Waawaar Awaa Aboriginal Corporation for the Aboriginal Cultural Heritage Assessment at Minarah College, 268-278 Catherine Fields Rd, Catherine Fields.

Waawaar Awaa members have been vaccinated for Covid.

Waawaar Awaa Aboriginal Corporation would like to be involved in any proposed fieldwork opportunities.

Relevant insurances are attached for future reference.

regards

Rodney Gunther
0410 580 962

On Thu, Nov 18, 2021 at 3:52 PM Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Rodney and Barry,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH2010), please find attached a letter requesting registration of interest of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places for the above development location.

Registration should be no later than **December 2 2021**.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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Tocomwall Pty Ltd
PO box 145 Miranda NSW 1490
info@tocomwall.com.au
www.tocomwall.com.au
ABN 13 137 694 618

17/12/21

Heritage NSW
Aboriginal Cultural Heritage Regulation
Locked bag 5020
Parramatta NSW 2124

RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields,
Aboriginal Cultural Heritage Assessment – Test excavation program

To whom it may concern,

In accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, I am writing to submit notification of an upcoming test excavation program at Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden LGA.

Tocomwall have been engaged by Midson Group to undertake an Aboriginal Cultural Heritage Assessment in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010. As a result of the landscape and site survey, it has been determined a small test excavation program is required to assess the potential risk of harm to Aboriginal objects within the project area. The excavation will be conducted in the week beginning Monday 17th January 2022.

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

Toby James, Project Manager
Midson Group
PO Box 283 Hunters Hill NSW 2110
Tel: 02 9868 6923

Any artefacts collected during the test excavation will be stored in a commercial grade safe at 53 Forrest Rd Miranda, 2228. Please find attached a copy of the methodology for this project.

Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist
Mob: 0466 676 510



20 Appendix 3 – Information Pack, Methodology and Review Correspondence

Example of letter sent to Registered Aboriginal Parties



Tocomwall Pty Ltd
PO box 145 Miranda NSW 1490
info@tocomwall.com.au
www.tocomwall.com.au
ABN 13 137 694 618

9 December 2021

A1 Indigenous Services Pty Ltd

Dear Carolyn,

RE: Lot 12 on DP 833784 and 11 on DP 833983, 268-278 Catherine Fields Rd, Catherine Fields – Project Information

Thank you for your registering your interest in this project. In this letter, you will be presented with the project information for the proposed development of Minarah College, Lot 12 DP 833784 and Lot 11 DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden Local Government Area (LGA). This information has been provided in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010).

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

Yours sincerely,

D. Mitchell

Dani Mitchell
Archaeologist
0466 676 510



Project information

Green Valley Islamic College (College) is an independent Islamic co-educational school catering for students from Kindergarten to Year 12. The College was established in January 2002. It has around 1000 students amongst K-12 and approximately 90 staff members, and is located at 264 Wilson Road, Green Valley NSW 2168. The responsible entity for the College is Green Valley Islamic College Ltd (GVIC Ltd). The college is running at maximum capacity which underscores the need for a new campus to cater for 1500 students. The Minarah College is proposed as a new campus located at 268 to 278 Catherine Fields Road, Catherine Field and is planned to allow for 1500 students.

Tocomwall Pty Ltd have been engaged by Midson Group Pty Ltd on behalf of Green Valley Islamic College Limited to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), and Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).



Figure 1: Shows the location for the proposed new Minarah College. Source Six Maps © Department Finance, Services and Innovation, NSW Government.



Figure 2: Site plan

Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

- Implement the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* with the objective of identifying and engaging Aboriginal knowledge holders for the study area.
- Review previous archaeological studies undertaken in the vicinity.
- Conduct an AHIMS search, large enough to allow adequate landscape interpretation and adequate understanding of the distribution of the sites within the landscape (Fig 3).
- Review the landscape context to help inform the predictive model.
- Summarise and discuss the local and regional character of Aboriginal land use and its material traces.
- Predict the nature and extent of archaeological evidence at the site.
- Undertake an archaeological survey and record the presence and extent of Aboriginal objects that are present in the study area.
- Involve the Aboriginal knowledge holders in the cultural heritage assessment process, including consultation to determine their opinions with respect to the project and its potential 'harm' to their cultural heritage and measures to protect their cultural heritage.
- Determine if there is a need to extend the investigation to undertake test excavations.
- Determine the nature and extent of the impacts of the proposed development upon the Aboriginal cultural heritage of the study area.
- Make recommendations for the protection of Aboriginal cultural heritage at the study area.

Consultation with the Aboriginal community

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

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

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

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

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

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

Registrations of interest closed on December 2nd 2021. A list of Aboriginal people or groups who registered an interest in the project has been compiled and this will be forwarded to Heritage NSW and Tharawal Local Aboriginal Land Council by Tocomwall within 28 days of the close of registrations.

Roles and responsibilities

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

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

Registered Aboriginal parties

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

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

environment, which includes plants, animals, waterways, sacred sites and other places of cultural significance and importance.

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

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

Proponents

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

Field survey

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

Registered sites identified by an AHIMS search that are within or near the project area will be inspected to determine their current condition and the likeliness of the site being impacted by the proposed works. Any Aboriginal objects, including those previously registered on AHIMS are to be recorded. New sites are to be recorded using the appropriate AHIMS Feature Recording Form.

Reporting

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

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

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

Project schedule

Action	Date	Status	Notes
Commencement of Aboriginal Consultation	Complete	Complete	Request for names of Aboriginal people or groups who may hold cultural knowledge sent 10 November 2021.
Expressions of interest and newspaper advertisement	Complete	Complete	Expression of interest sent to identified Aboriginal parties by email 18 December 2020. Advertised in the Camden Advertiser 1 December 2021.
Aboriginal Stakeholder Registration period	Complete	Complete	Registration period ended 7 January 2021.
Send Project Package	Complete	Complete	
Opportunity for RAP to visit site	Late January	Pending	An email invitation will be sent to the registered Aboriginal parties (RAPs) to provide an opportunity for a visit to site. <i>Note: This site visit does not include paid field work.</i>
Send Proposed Methodology for the Aboriginal Cultural Heritage Assessment	10 December 2021	Pending	
Review of draft report	TBC	Pending	
Final report	TBC	Pending	

References

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

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



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ABORIGINAL CULTURAL HERITAGE ASSESSMENT METHODOLOGY

**Proposed Development at Minarah College
268 to 278 Catherine Fields Road,
Catherine Field**

Company	Midson Group Pty Ltd
Contact	Toby James
Date	16/11/2021



Project Name	Aboriginal Cultural Heritage Assessment Methodology - Minarah College
Client Name	Midson Group Pty Ltd
Recipient	Toby James
Status	Final 1.0
Issue Date	16/11/2021
Prepared by	Will Moon
Approved by	Scott Franks



Executive Summary

Tocomwall Pty Ltd have been engaged by Midson Group Pty Ltd on behalf of Green Valley Islamic College Limited to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), and Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The ACHAR is being prepared to address requirement 18 of the Planning Secretary's Environmental Assessment Requirements for a State Significant Development Application for the proposed development. This document describes the proposed development and the methodology to undertake the Aboriginal cultural heritage assessment.

A site inspection and archaeological survey was carried out on Wednesday the 22nd of September 2021 as part of a due diligence assessment, undertaken in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010). Whilst no Aboriginal objects were identified on the surface during the survey, it was determined that there are locations within the subject area that have the potential to retain Aboriginal objects in undisturbed soil profiles. As a result the proposed development has the potential to impact Aboriginal objects. A test excavation program has been recommended to be undertaken to determine if Aboriginal objects are present, to characterise the site, and determine if there is a need to apply for an Aboriginal Heritage Impact Permit. The test excavation program is described within this methodology.

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1 Introduction

1.1 Background

Green Valley Islamic College (College) is an independent Islamic co-educational school catering for students from Kindergarten to Year 12. The College was established in January 2002. It has around 1000 students amongst K-12 and approximately 90 staff members, and is located at 264 Wilson Road, Green Valley NSW 2168. The responsible entity for the College is Green Valley Islamic College Ltd (GVIC Ltd). The college is running at maximum capacity which underscores the need for a new campus to cater for 1500 students. The Minarah College is proposed as a new campus located at 268 to 278 Catherine Fields Road, Catherine Field and is planned to allow for 1500 students.

Tocomwall Pty Ltd have been engaged by Midson Group Pty Ltd on behalf of Green Valley Islamic College Limited to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), and Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

1.2 Authorship and Acknowledgements

This methodology is prepared by William Moon MA Archaeology and Heritage Management (Flinders University), GCPJM, Dip PJM (University of New England).

2 Statutory Heritage Contexts and Controls

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

These are:

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

2.1 National Parks and Wildlife Act 1974

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

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

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

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

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

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

2.2 Environmental Planning and Assessment Act 1979

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

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

2.3 Native Title Act 1993

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

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

2.4 Reporting Standards and Guidelines

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

- Australia ICOMOS. 2013. The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance. Australia ICOMOS Inc.¹
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010a. Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010b (September). Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. 2010c Aboriginal cultural heritage consultation requirements for proponents 2010.
- DECCW. 2011 Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.
- NSW Office of Environment and Heritage. 2011. Applying for an Aboriginal Heritage Impact Permit: Guide for applicants.

2.5 The Camden Local Environment Plan 2010

Under Section 5.10 of the Camden Local Environment Plan 2010, the following requirements are listed:

Heritage conservation

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

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

- (a) to conserve the environmental heritage of Camden,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

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

- (c) to conserve archaeological sites,
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.
- (2) Requirement for consent. Development consent is required for any of the following--
- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)--
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (d) disturbing or excavating an Aboriginal place of heritage significance,
 - (e) erecting a building on land--
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
 - (f) subdividing land--
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) When consent not required. However, development consent under this clause is not required if--
- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development--
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological

site or a building, work, relic, tree or place within the heritage conservation area, and

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

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

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

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

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

(d) the development is exempt development.

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

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

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

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

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

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

(7) Archaeological sites. The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on

the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)--

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

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

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

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

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

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

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

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

3 Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

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

4 Methodology

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

Step	Method
1: Initiate Consultation Process	The consultation process is initiated in accordance with Aboriginal cultural heritage consultation requirements for proponents 2010.

2: Review previous archaeological work	Review previous archaeological work in accordance with the requirements of Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. The review of previous archaeological work is defined in section Error! Reference source not found.
3: Review the landscape context	The review of the landscape context is defined in section 5 and completed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
4: Discuss the local and regional character of Aboriginal land use and its material traces	The local and regional character of Aboriginal land use and its material traces is described in section 6. An Archaeological Report will also be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
5: Predict the nature and distribution of evidence	A predictive model is described in section Error! Reference source not found. and has been prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
6: Undertake an archaeological survey	An archaeological survey of the study area will be undertaken in January 2021 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010.
7: Decide if additional archaeological investigation is required?	The archaeological assessment and results will determine if it is appropriate to undertake further archaeological investigation at the study area.
8: Document findings and interpretation of results in an Archaeological Report	An archaeological report will be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010. This report will be expanded upon following the outcomes of a test excavation program for the study area if this is a requirement.
9: Seek cultural information from Registered Aboriginal Parties	Information on the cultural information for the study area is sought during the methodology review and as per requirement 3 of the Aboriginal cultural heritage consultation requirements for proponents 2010. Information gathered includes places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance. Information gathered will be used to further inform how the landscape was used, the social, cultural, aesthetic, historic and scientific values to enable an overall

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

Table 1: ACHA Methodology

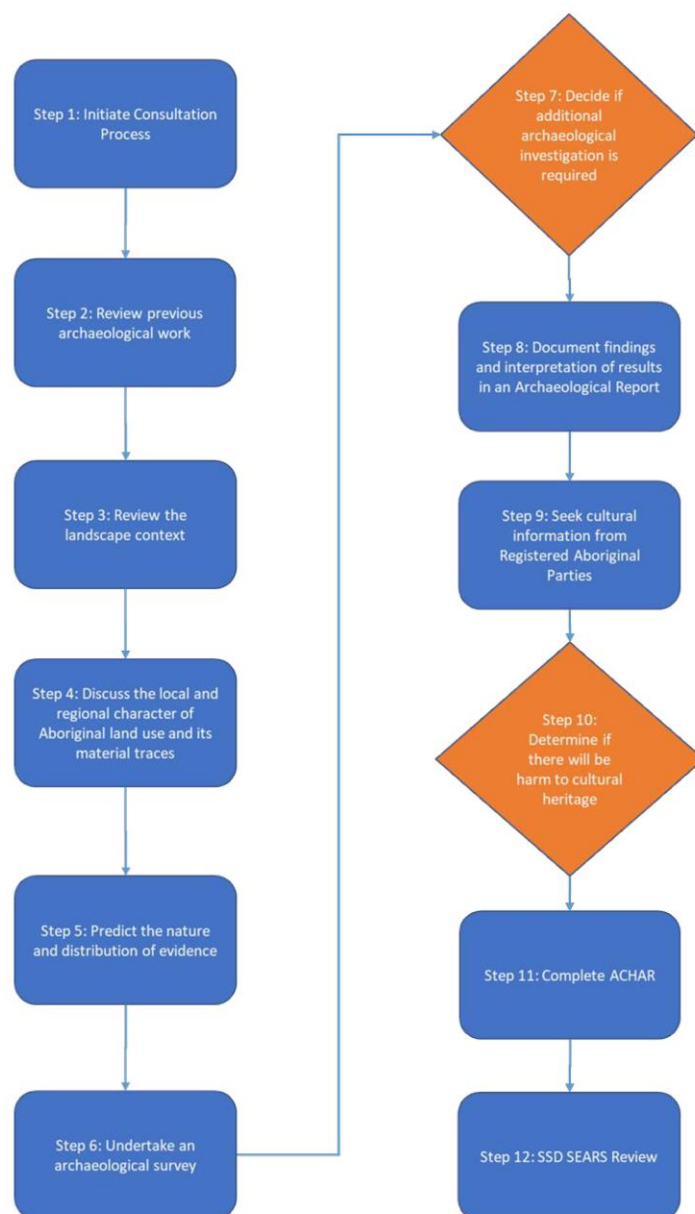


Figure 1: ACHA Methodology

4.1 Location and Proposed Development

The study area is located at Lot 11 DP833983, Lot 12 DP 833984 and Lot 231 DP27602 Catherine Fields Road, Catherine Fields, NSW (henceforth 'the study area').

Note: There are no current plans for development of Lot 231 DP27602. The archaeological investigation is confined to Lot 11 DP833983, and Lot 12 DP 833984.

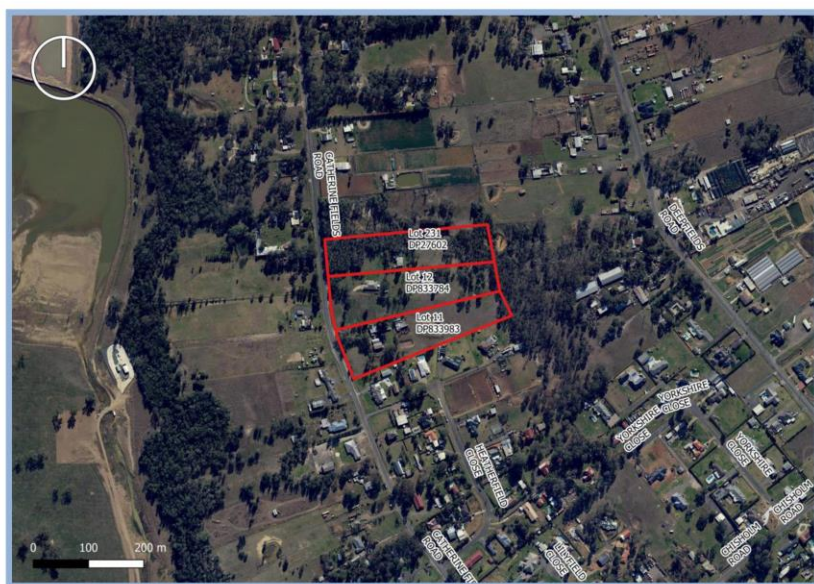


Figure 2: Shows the location for the proposed new Minarah College. Source Six Maps © Department Finance, Services and Innovation, NSW Government.

4.2 Proposed works

At the time of the preparation of this methodology, Tonkin Zulaikha Greer Architects have a work in progress design for the school. This design is shown in the following figures.



Figure 3: Site plan.

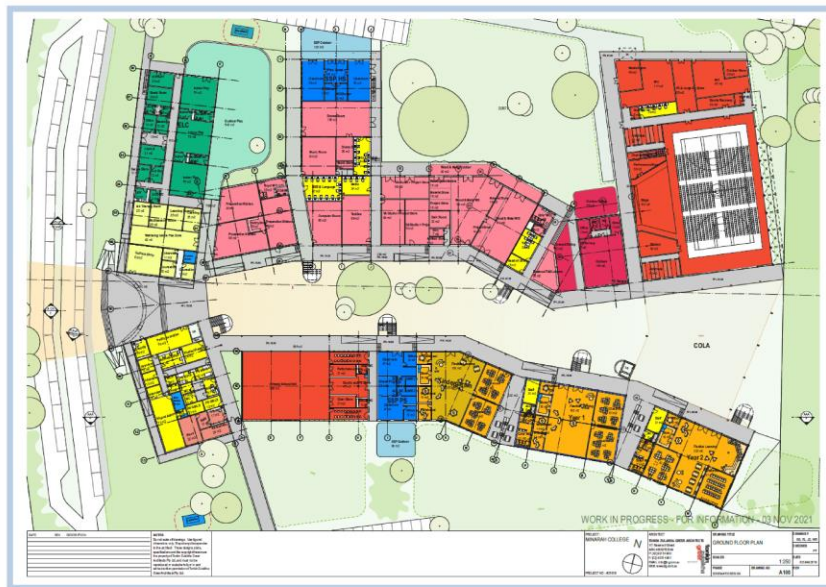


Figure 4: Ground floor plan.



Figure 5: First floor plan.



Figure 6: Elevation view.



Figure 7: Elevations.



Figure 8: Section views.

5 The Environmental Context

The study area is located at Catherine Field, part of the Cumberland Plain. The landscape of the study and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, creek systems, flats, residual rises, simple slopes and crests.

5.1 Vegetation

The vegetation of the study area has been significantly modified by historic European land management practices. Spatial layers from OEH 2010 and based upon Tozer 2003 show remnant vegetation communities in the area consisting of Shale Hills Woodland, and Shale Plains Woodland. Remnants of these forest types are found within and around the subject area.

Shale Hills Woodland consists of *Eucalyptus moluccana* and *E. tereticornis* as the dominant tree species. *Eucalyptus crebra* also occurs less frequently. The small tree layer includes *Acacia implexa* and *Eucalyptus* species. The shrub layer is dominated by *Bursaria spinosa* (Tozer 2003:35).

Shale Plains Woodland is dominated by *Eucalyptus moluccana* and *E. tereticornis*. Tree species that occur less frequently include *Corymbia maculata*, *E. crebra* and *E. eugenioides*. The small tree layer is often comprised of the same species and other species including *Exocarpos cupressiformis*, *Acacia parramattensis* subsp. *parramattensis* and *Acacia decurrens*. The shrub layer is dominated by *Bursaria spinosa* (Tozer 2003:36).

5.2 Geology

The geology of the study area is Bringelly Shale, part of the Wianamatta Group forming part of the Middle-Triassic sequence (Jones and Clark 1991; NSW DPI 1991).

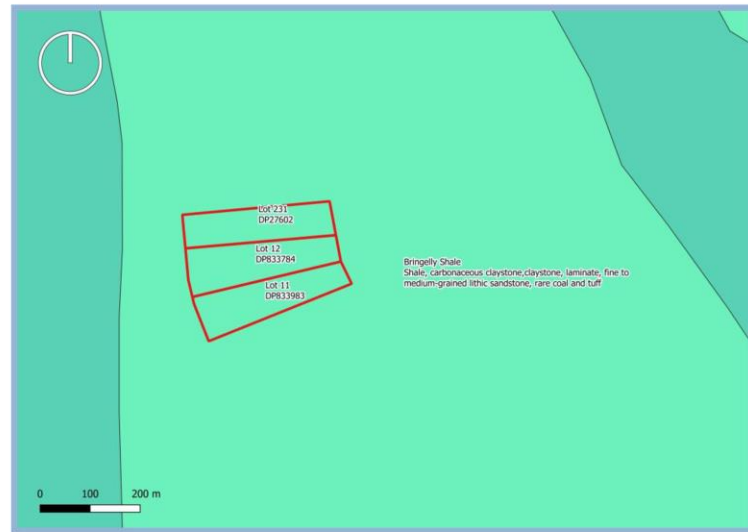


Figure 9: Geology Map for study area (NSW DPI 1983).

5.3 Soil

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



Figure 10: Soil landscape map showing location of the study area within the Blacktown Residual soil landscapes (Chapman and Murphy 1989).

5.4 Site Description

5.4.1 Terrain

The topography of the study area is a flat to very gently sloping (1° to 6°). Lots 11 DP833784 and Lot 12 DP833784 straddle a low spur descending to the west. A first order stream is on the northern margin of Lot 231 DP27602. Figure 11 shows an image of the terrain showing 2 metre contours.

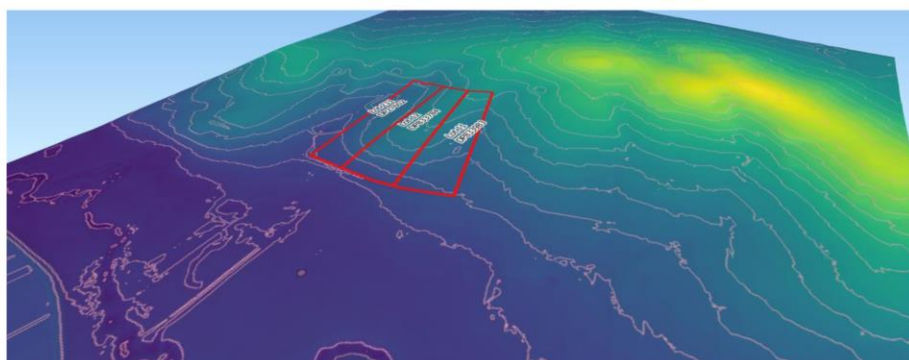


Figure 11: 3D terrain model with a view east across the study area with 2 metre contours. Derived from 1 metre DEM, source © Department Finance, Services and Innovation, NSW Government.

6 The Archaeological Context

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

The earliest presence of people in the Sydney Basin is uncertain but there is evidence for Pleistocene occupation of the region around 40,000 years ago. Archaeological excavations carried out at Parramatta by McDonald (2005) report dates as early as 30,000 years BP, providing some of the oldest dates for the Sydney Basin. Though limited details around the methodology used to collect the samples and obtain the dates has meant that the dating has not been subject to a sufficient level of scrutiny within the profession to enable confidence in the reported dates (Bowdler 2010). However, the most recent dates from the Parramatta Sand Sheet indicates that this area was occupied from between 35-40,000 years BP (GML 2019).

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

Kohen's (1986a:295) early research of Aboriginal settlement of the western Cumberland Plain identified that material evidence of occupation can be 'found continuously across the landscape, with no environmental zone left unexploited'. He also found that most sites occurred within 100 metres of permanent water sources, on elevated terraces above water,

and that major occupation sites would occur at the junction of difference environment zones where there was an increase in plant based food resources.

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

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

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

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

- available radiocarbon determinations and optically stimulated luminescence dating indicate Aboriginal people have occupied the Cumberland Plain for potentially as long as 40,000 years
- Aboriginal settlement patterns on the Cumberland Plain have been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology being some of the key attributes dictating location of sites
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger more complex artefact assemblages associated with higher order streams
- artefact distributions across the Cumberland Plain do not form bounded 'sites' but rather cultural 'landscapes', and
- subsurface artefact distributions across the Cumberland Plain tend to vary significantly in relation to landform and stream order.

6.1 Previous Archaeological assessments

Archaeological investigations have been conducted within the zone of the extensive AHIMS search carried out for the study area. The following is a summary of the archaeological investigations undertaken:

In 2008 Australian Museum Business Services completed an Aboriginal Heritage Assessment of the rezoning of El Caballo Blanco and Gledswood, NSW for Camden Council. The topography of the subject area was considered to be gently undulating, consisting of the Wianamatta shale geology and associated Blacktown and Luddenham Soil Landscapes. There were no permanent water sources and the hydrology consisted primarily of ephemeral first order streams and second order streams.

The predictive model for the subject area was described as:

'To summarize, sites within the study area are most likely to be stone artefact scatters, which are predicted to occur:

- *within 50 m of creeks;*
- *along ridge lines and spurs with flat or gently sloping crests;*
- *in areas of gently undulating slopes despite distance to water, particularly in areas retaining intact native vegetation (which indicates little/no disturbance); and*
- *in areas with moderate to high disturbance, such as cleared and ploughed fields, although it is unlikely that any archaeological deposit in these areas will remain intact (AMBS 2008).'*

The results of the survey are considered to be, in accord with the predictive model. Two isolated artefacts, five low density artefact scatters, and four PAD were recorded during the archaeological survey of the study area. Sites were assessed as having low, moderate and moderate to high significance.

In 2011, Australian Museum Business Services completed an Aboriginal Cultural Heritage Assessment for a proposed residential development at Camden Valley Way, Edmondson Park. The topography of the subject area was considered to be gently undulating plains and hills, consisting of the Wianamatta shale geology and the associated Blacktown Soil Landscape. The nearest creek is 475 metres from the subject area. The predictive model described within the report is very unspecific and general in nature and is considered to be uninformative for the purpose of this study. One previously recorded artefact scatter was re identified during the survey. This site is recorded within a larger recorded open scatter. The site is significant for the current study in terms of a significant artefact scatter being identified in similar terrain a significant distance from water.

In 2017, Ecological undertook and salvage excavation and surface collection at lot 1201 Camden Valley Way, Gledswood Hills. Five sites were subject to community collection of artefacts and two sites were also subjected to salvage excavation. The areas of greatest archaeological potential were found to be within 50 metres of Rileys Creek on the lower slope and creek flat. A total area of 30 square metres was excavated for salvage. One site yielded 639 artefacts while another yielded 140 artefacts. The predictive model for the subject area was that 'Aboriginal sites are most likely to occur within proximity to water resources and creek likes, on crest formations and spur landforms (Ecological 2017:10)'. The results of the salvage supported this model.

In 2014, Archaeological and Heritage Management Solutions (AHMS) completed archaeological excavation at Emerald Hills Estate Leppington. The Archaeological Technical Report available from AHMS was reviewed. The AHMS predictive model was that for the study area, that was comprised of Blacktown Soils Landscape over Wianamatta shales, which has been subject to clearing, was that the most likely objects to be found would be lithic artefacts. AHMS adopted the model widely accepted for Cumberland Plain that sites would increase in density and complexity in association with distance to higher order streams. Low order ephemeral streams and areas away from permanent water sources would have a low density background scatter of artefacts, while areas approaching larger permanent water sources would exhibit greater density and complexity. From 273 test pits excavated, 102 artefacts were recovered. Whilst artefact densities were generally low, the density was greater along the margins of the second order creek. The second order stream was considered to have potentially held permanent water (AHMS 2014:47).

In 2017, Biosis undertook an Aboriginal cultural heritage assessment consisting of an archaeological survey and test excavations for the proposed subdivision at 55 Byron Road, Leppington NSW. The study area consists of gently sloping landform of the Wianamatta shale geology and the associated Blacktown Soil Landscape. The subject area is not located near any creeks or watercourses. Eight test pits were excavated with one artefact recovered.

In 2020, Biosis undertook archaeological investigation at the Macarthur Memorial Park, Varroville, New South Wales. The ACHA report addendum was reviewed. The addendum does not discuss the predictive model, however the trends generally follow the results of other investigations throughout the Cumberland Plain with proximity to water a factor in determining the presence of sites. 88 archaeological test pits were excavated, and ten artefacts were recovered from eight of the test pits. This included one complete flake, eight flake fragments and one grinding stone fragment. Eight previously unrecorded Aboriginal cultural heritage sites were validated during the study. 'The artefacts identified were confined to the creek flat landform unit and mid-slope landform unit within the study area (Biosis 2020).'

6.2 AHIMS Search

A search of the AHIMS database records for the area within approximately 2 km radius of the study area identified 88 recorded sites. The sites are shown in Table 2 and Figure 12.

Site ID	Site name	Context	Site features
45-5-4139	TNRU3	Open site	Artefact : 1
45-5-4035	PAD 2038-6	Open site	Potential Archaeological Deposit (PAD)
45-5-3543	Northern Road 5	Open site	Artefact : 1, Potential Archaeological Deposit (PAD)
45-5-5204	LCM IF 6	Open site	Artefact
45-5-4046	PAD 2049-6	Open site	Potential Archaeological Deposit (PAD)
45-5-3367	OPR-9	Open site	Artefact : 7
45-5-3371	OPR-16	Open site	Artefact : 5

45-5-4042	Isolated Object 2045-5	Open site	Artefact
52-2-3930	CFPP-06	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact
52-2-4260	Gledswood 8	Open site	Artefact : 1
52-2-4259	Gledswood 4	Open site	Artefact : 1
52-2-4257	Gledswood 6	Open site	Artefact : 1
52-2-3309	CH7	Open site	Artefact : 2
52-2-3546	OPR13	Open site	Artefact : 5
45-5-3767	OP2	Open site	Artefact : 415
45-5-4931	Lowes Creek PAD	Open site	Potential Archaeological Deposit (PAD)
45-5-4058	Artefact Scatter PAD 2065-6	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3929	CFPP-05	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact
45-5-4039	Artefact Scatter 2042-5	Open site	Artefact
52-2-3549	OPR-18	Open site	Artefact : 3
52-2-3848	Artefact Scatter PAD 2053-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3816	CF-2	Open site	Artefact : 7
52-2-3312	CH 2	Open site	Artefact : 1
45-5-4380	LP4AS	Open site	Artefact
45-5-3368	OPR10	Open site	Artefact : 2
45-5-3366	OPR8	Open site	Artefact : 2
45-5-4950	OPR-15 North	Open site	Artefact
52-2-4175	CFPP-16	Open site	Artefact
45-5-3771	OP Transect C	Open site	Artefact : 1
52-2-4176	Gledswood 1	Open site	Artefact
45-5-5309	CVW Rileys Creek IF 1	Open site	Artefact
52-2-3541	OPR-4	Open site	Modified Tree (Carved or Scarred) : 1
45-5-4958	Pondicherry AFT 2	Open site	Artefact
45-5-3770	OP Transect B	Open site	Artefact : 1
45-5-3768	OP3	Open site	Artefact : 66
52-2-4258	Gledswood 3	Open site	Artefact : 1
45-5-3945	CF-1	Open site	Artefact : 2
45-5-3542	Northern Road 4 (NR4)	Open site	Artefact : 1
45-5-3365	OPR3	Open site	Artefact : 3
52-2-3644	DM 20	Closed site	Art (Pigment or Engraved) , Potential Archaeological Deposit (PAD)
45-5-3369	OPR-11	Open site	Modified Tree (Carved or Scarred)
45-5-3370	OPR-15	Open site	Artefact : 193
52-2-3927	CFPP-03	Open site	Artefact : 1
52-2-3763	OPW2	Open site	Artefact : 1

52-2-3550	OPR-19	Open site	Artefact : 3
45-5-4040	Isolated Object 2043-5	Open site	Artefact
45-5-5222	CF-IA1-19	Open site	Artefact
52-2-3750	CG-TRE-O3	Open site	Artefact : 1
45-5-4388	LP9IF	Open site	Artefact
52-2-3301	CH4 IF2	Open site	Artefact : 1
45-5-4959	Pondicherry AFT 1	Open site	Artefact
45-5-3769	OP Transect A	Open site	Artefact : 1
52-2-3547	OPR14	Open site	Artefact : 1
52-2-3543	OPR6	Open site	Artefact : 5
52-2-3545	OPR12	Open site	Artefact
45-5-4037	Artefact Scatter PAD 2040-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-4909	MSC 2	Open site	Artefact
45-5-4036	Isolated Object 2039-5	Open site	Artefact
52-2-3760	OPW_P1	Open site	Potential Archaeological Deposit (PAD)
45-5-4048	Artefact Scatter PAD 2052-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3307	CH10	Open site	Artefact : 1
52-2-3315	CH 8	Open site	Artefact : 2
52-2-4261	Gledswood 10	Open site	Artefact : 1
45-5-4057	Artefact Scatter PAD 2064-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-4044	Isolated Object 2047-5	Open site	Artefact
45-5-4045	Isolated Object 2048-5	Open site	Artefact
52-2-3553	OPR-23	Open site	Artefact : 1
52-2-3548	OPR-17	Open site	Artefact : 2
45-5-3372	OPR-25	Open site	Artefact : 12
45-5-3772	OP Transect D	Open site	Artefact : 1
45-5-4043	Isolated Object 2046-5	Open site	Artefact
52-2-3551	OPR20	Open site	Artefact : 1
45-5-4041	Artefact Scatter PAD 2044-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-3766	OP1	Open site	Artefact : 103, Potential Archaeological Deposit (PAD)
52-2-4174	CFPP-17	Open site	Artefact
52-2-3297	ch11	Open site	Artefact
52-2-3308	CH9	Open site	Artefact : 5
52-2-4264	Gledswood 5	Open site	Artefact : 1
45-5-3258	CH3IF1;CVW-7	Open site	Artefact
52-2-3544	OPR7	Open site	Artefact : 2

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

7 Archaeological Site Survey Inspection

An archaeological survey was carried out on the Wednesday the 22nd of September 2021 by William Moon (Tocomwall Senior Archaeologists). The fieldwork involved undertaking an inspection of the site of the proposed new school. This included Lot 11 DP833983, Lot 12 DP833784, Lot 231 DP27602. The inspection sought to identify any Aboriginal objects and to assess the site to determine the potential for subsurface Aboriginal objects at the site.

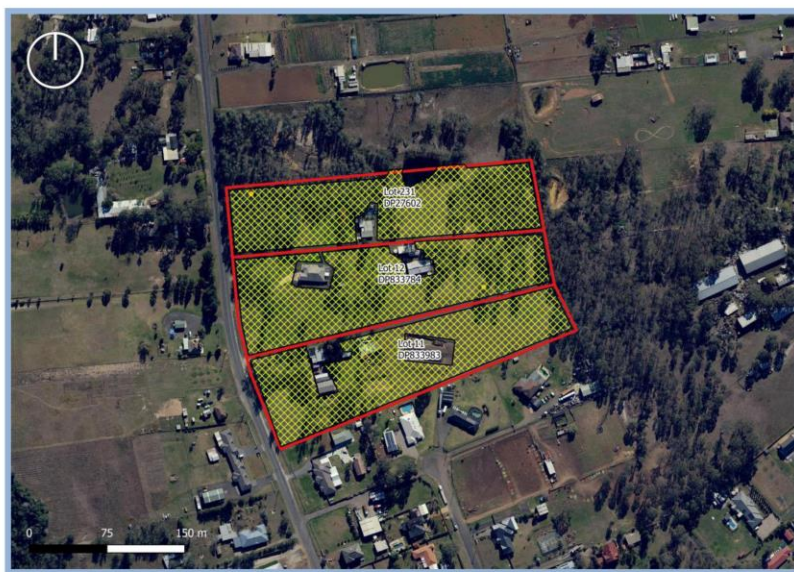


Figure 13: Image showing the boundary of the study area in red and the yellow hatched area showing the archaeological survey coverage. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.

7.1 Results of the archaeological survey

A visual pedestrian survey of the subject land was undertaken on the 22nd of September 2021. It commenced with a survey of Lot 11 DP833983. Dense grass cover was present throughout most of the lot (refer to Figure 19). One area of exposed clay soils was observed. A neighbour indicated that this was the result of a dam on the site having recently been filled in. The dam was still present in the aerial imagery on Six Maps at the time of the visit. Old building ruins were observed towards the back of the property with a concrete slab, bricks and building debris piled up on one area (refer to Figure 17 and Figure 18). The very rear eastern end of the lot was observed to have intact soils. At the front of the lot there is a relatively level area near the road the has been used for horse agistment (pers comm. neighbour). No artefacts were

observed on the ground surface due to high grass and no visibility, however there is potential for subsurface artefacts within this area. It is within 200 metres of the South Creek floodplain channel (refer to Figure 16).

Lot 12 DP833784 was 90% mowed with short grass. Some soil was exposed where trail bikes had been used on the block. The dominant landscape feature on this lot is the crest of the low spur descending to the west (refer to Figure 21 and Figure 22). The crest overlooks the South Creek flood plain and still appears to retain close to the original surface contour. The crest has the potential to have been used as a high camp. No artefacts were observed on the ground surface, however there is potential for subsurface artefacts in this area. Asbestos sheet fragments were observed towards the rear of the property (refer to Figure 20). Figure 14 shows areas considered to have potentially intact soils on landscape features that may indicate the presence of Aboriginal objects. Figure 15 shows areas considered likely to have disturbed soils.



Figure 14: Areas of potentially undisturbed soils with potential to include subsurface objects.



Figure 15: Areas where soils are considered likely to have been disturbed.



Figure 16: Lot 11 DP833983 site of potential deposit at the front, west end of the lot.



Figure 17: Lot 11 DP833983 Building remains



Figure 18: Lot 11 DP833983 Building remains and long grass



Figure 19: Lot 11 DP833983 long grass throughout the lot prevented ground visibility.



Figure 20: Lot 12 DP833784 exposed asbestos sheet fragments on the ground.



Figure 21: Lot 12 DP833784 view east along spur crest.



Figure 22: Lot 12 DP833784 view west along spur crest.

7.2 Predictive Model

The assessment of the archaeological potential of the site is based upon the assessment of the landscape features, the environment aspects of the site including potential resource areas (Owen and Cowie 2017), the degree of the disturbance of the landscape, the stream order model and the effect of proximity to water (Kohen 1987; White and MacDonald 2010), and the review of the AHIMS site data and previous studies undertaken within the locality.

7.2.1 Stream Order, Topography and Artefact Concentrations

Research of the results of systematic test excavations undertaken in the Rouse Hill area of the Cumberland Plain by White and MacDonald (2010) found that the highest density of artefact concentrations correlated with higher order streams. Highest densities were found associated with terraces and lower slope zones within 50 to 100 metres of 2nd and 4th order streams. They also found that landscapes associated with first order streams had very low artefact counts.

The study area is located to the east of South Creek. Figure 23 shows the study area more than 250 metres from South Creek and less than 200 metres from the south Creek Flood plain, and a drainage depression associated with the South Creek floodplain. The proximity of the western side of the study area to the South Creek floodplain and associated drainage, places it in the category of a landscape feature likely to indicate the presence of Aboriginal objects as per the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010). When taking into consideration the artefact densities of some nearby registered AHIMS sites that are of comparable distance from 2nd and higher order streams, the study area has the potential to include Aboriginal objects.

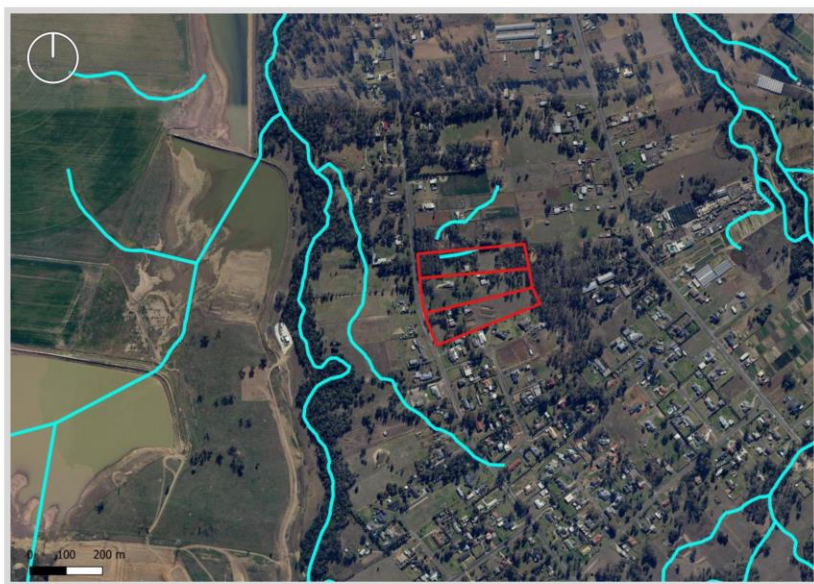


Figure 23: The study area relative to Vineyard Creek. Aerial image and hydro-line source © Department Finance, Services and Innovation, NSW Government.

7.2.2 Economic Zones

A review of the spatial data for the study area shows that the most likely ecotone or economic zones (Owen and Cowie 2017) near to the study area include the resources associated with South Creek, including water and the associated aquatic resources, and resources associated with the change of vegetation to the Alluvial Woodland. A review of the surviving remnant vegetation communities in the area suggests that there are vegetation changes associated with the transition from the shale geology to alluvial lithology. There is also a change from Blacktown Soils landscape to the South Creek Alluvial landscape. Alluvial Woodland occurs in the alluvial soils adjacent to South Creek.

7.2.3 Scarred Trees

There is potential for scarred trees to be present on the Cumberland Plains. Aerial imagery for the subject area from 1947 (refer to Figure 24) and 1960 (Figure 25) shows a large percentage of the original native vegetation has been removed. There is low potential for scarred trees to have survived within the study area. No potential scarred trees were identified during the archaeological survey.

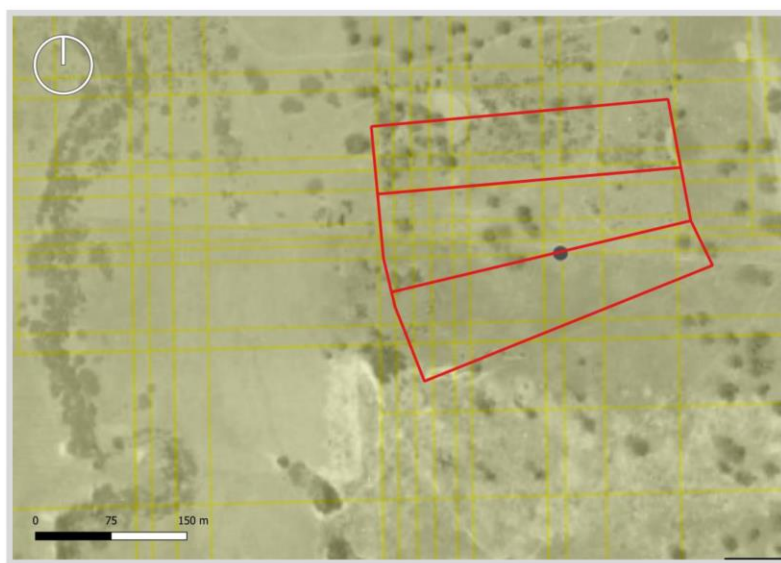


Figure 24: 1947 Aerial image showing vegetation cleared. Historical image © Department of Customer Service, NSW Government.



Figure 25: 1960 Aerial image showing lots 12 and 13, the sites of the proposed development. Historical image © Department of Customer Service, NSW Government.

7.2.4 Rock Shelters

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

7.2.5 Grinding Grooves

On the Cumberland Plains, grinding grooves are normally present on sandstone exposures, often along creek lines and where water is present. An analysis of the study area indicates that the geology within the study area is dominated by the Bringelly shales (Wianamatta Group shales). There is no exposed sandstone within the development footprint.

7.2.6 Stone Raw Material Quarries and Source Locations

There are no known raw material sources within the study area. An analysis of the study area indicates that the geology is dominated by the Bringelly shales (Wianamatta Group shales) which is not a suitable raw material for stone artefacts.

7.2.7 Ceremonial Grounds

There are no known ceremonial grounds at the site. The landscape surface at the site has been significantly modified and there is unlikely to be visible remains of ceremonial structures (e.g. Bora Rings) at the site.

7.2.8 Burials

There is potential for burial sites to be found within the Cumberland Plain. There is no clear pattern of distribution of burial sites within the Cumberland Plain that can be drawn upon as a predictor for the location of these site types.

7.3 Predictive Model Summary

Based upon the landscape topography, proximity to water, geology, environment, site disturbance, previous studies from the broader Cumberland Plain, and studies within locality, the prediction for the site is that it is likely to have a disperse low density subsurface artefact distribution. The study area is considered to have a moderate potential to retain Aboriginal objects in extant soil profiles.

8 Research Questions

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

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

9 Archaeological Investigation Methodology

The Aboriginal cultural heritage assessment of the study area will be undertaken in accordance with the Code of Practice for the Investigation of Aboriginal Objects in New South Wales (Code of Practice; DECCW 2010b).

9.1 Determining the Archaeological Potential and the Need for Further Investigation

The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) requires that '*archaeological test excavation will be necessary when it can be demonstrated that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area*'. The desktop assessment of the study area

has concluded that there are landscape features that are likely to indicate the presence of Aboriginal objects, as defined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010), including locations within 200 metres of waters, and landscape features comparable to other locations in the area that have yielded artefacts during archaeological investigations. Whilst land clearing will have disturbed the surface of the A Horizon, it is expected that there will be intact sediments and soil profiles beneath the disturbed soils that have a probability of containing Aboriginal objects.

9.2 Archaeological Test Excavation

The objective of undertaking the archaeological test excavations is to comply with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) which describes the purpose of test excavation as collecting *'information about the nature and extent of sub-surface Aboriginal objects, based on a sample derived from sub-surface investigations. Test excavations contribute to the understanding of site characteristics and local and regional prehistory and they can be used to inform conservation goals and harm mitigation measures for the proposed activity'*.

9.2.1 Test Excavation Strategy

A preliminary test excavation strategy has been developed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) to sample the landscape features within the study area. The test excavation strategy will be further informed by the results of the review of this methodology. A review of the landscape features and archaeological trends evident in the locality indicated that there is likely to be Aboriginal objects present within the surviving soil profiles of landscape features that may indicate the presence of objects. Due to the statutory protection of Aboriginal objects, Tocomwall recommend test pit sampling of the ridge/spur crest on lot 11 and 12, and the lower slope area of lot 11. Sample locations have been selected to avoid the areas with building waste, asbestos and significant soil disturbance. Test pit sampling will determine the presence of Aboriginal objects and the need for an Aboriginal Heritage Impact Permit (AHIP).

Test pits have been placed on a grid and spaced at 10 metres. Test pits will be carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales employing 50 x 50cm square pits excavated down to the culturally sterile layer. Excavated material will be wet sieved through 5mm aperture stainless steel mesh sieves.



Figure 26: Test pit layout. Aerial image source © Department Finance, Services and Innovation, NSW Government.

9.3 Cultural Values

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

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

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

10 Recommendations

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

No Aboriginal archaeological sites, or objects were located within the subject area during the archaeological survey. However, the background research together with an assessment of the landscape features within the subject area indicates that there are landscape features that indicate the likely presence of Aboriginal objects in a subsurface context. If Aboriginal objects are present, the proposed works are considered likely to cause harm.

The following is therefore recommended:

- Further investigation should be undertaken in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011, and the Aboriginal cultural heritage consultation requirements for proponents 2010.
- A test sampling program should be implemented in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010, to determine the presence of Aboriginal objects, characterise the site, and determine if there is a need to apply for an Aboriginal Heritage Impact Permit.

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Methodology Review Correspondence



From: Clive Freeman <clive.freeman@y7mail.com>
Sent: Wednesday, 15 December 2021 9:06 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Hi,

Thank you for the update and information. I have read over it.

Kind regards

Clive Freeman
Managing Director Freeman&marx PtyLtd

On 9 Dec 2021, at 3:37 pm, Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Clive,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached an information package and methodology for the project listed above.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country
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<Minarah College_Project Pack_Freeman.pdf>
<Methodology_Freeman.pdf>
<Minarah ACHAR Methodology v1.0.pdf>



From: Goobah <goobahchts@gmail.com>
Sent: Wednesday, 15 December 2021 11:59 AM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

This is confirmation that we support the information package and methodology for Lot 12 DP 833784 and Lot 11 DP 833983, 268-278 Catherine Fields Rd, Catherine Fields, within the Camden Local Government Area (LGA).

On Thu, Dec 9, 2021 at 4:03 PM Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Basil,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached an information package and methodology for the project listed above.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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Regards

Basil Smith
Chairperson/CEO
GOOBAH

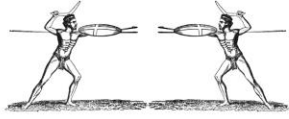
Contact Details:

Address:
Unit 25 26-28
Native Way,
MORUYA HEADS
NSW 2537

Mobile: 0405 995 725

Email: goobahchts@gmail.com

ABN: 67 517 874 760



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From: Shayne Dickson <gunjeewongculturalheritage21@hotmail.com>
Sent: Friday, 17 December 2021 3:42 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Good afternoon Dani,

Gunjeewong agrees with the proposed methodology for 268-278 Catherine Fields Road, Catherine Fields.

Kind Regards
Shayne Dickson
0421636474

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From: Dani Mitchell <dani@tocomwall.com.au>
Sent: Thursday, December 9, 2021 2:46:40 PM
To: gunjeewongculturalheritage21@hotmail.com <gunjeewongculturalheritage21@hotmail.com>
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Dear Shayne,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached an information package and methodology for the project listed above.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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From: Philip Khan <philipkhan.acn@live.com.au>
Sent: Saturday, 25 December 2021 8:53 PM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Dear Dani,

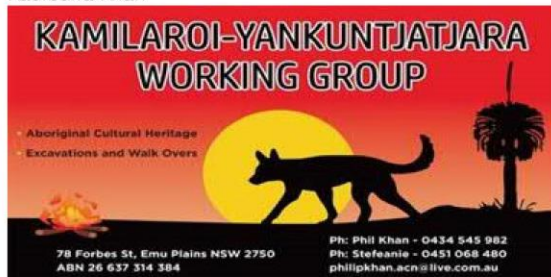
Thank you for your ACHA methodology for Minarah college, 268-278 Catherine Fields, Catherine Fields. Aboriginal people have walked and cared for this land for tens of thousands of years and continue to do so, passing on knowledge down through word of mouth and practicing traditions. We have a strong spiritual connection to the land, water ways and sky. A water way near the study area would be south creek, which is utilised on the daily by Aboriginal people for fresh water, bathing and resource gathering. The water way and surrounding area is of high significance to our people, there are tangible, intangible, and aesthetic aspects that must be considered when assessing the land. There are creation stories that are passed on through generation to generation making us aware of how the land was shaped.

There are burials that we are unaware of their location, and these must be considered when assessing the land. We would like to recommend an interpretation plan for this project to educate the wider community and house any remaining objects that are unearthed.

We would like to agree to your recommendations and agree to your methodology, we look forward to working alongside you on this project.

Kind Regards

Kadibulla Khan



From: Dani Mitchell <dani@tocomwall.com.au>
Sent: Thursday, 9 December 2021 3:44 PM
To: philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Dear Phil,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached an information package and methodology for the project listed above.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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From: Robert Young <konanggo_consultancy@hotmail.com>
Sent: Friday, 10 December 2021 11:41 AM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Hi Dani,

This is the best report I have seen; they have identified all the relevant processes and various Acts from various departments and references from well-known archaeologist. The mapping of country from the past to present to further explore the landscape for any artefacts, or other indicators give more credence to the Aboriginal heritage of the area. Even though the landscape has been cleared from the area the intangible evidence is still there. Its tangible evidence that now needs to be exposed. There are a lot of sites in surrounding locations as shown on maps in report. To be involved in the assessing the area for any cultural evidence would lead to more cultural pathways exposed.

Have read the report with all the indicators of identifying tangible and intangible cultural mapping values of the area and areas surrounding the site proposed. Would like to be involved in this project. My grandparents lived at vineyard and my mother Pamela Young was born in Richmond NSW.

Yours in Culture,

Robert Young
Principal Consultant
Konanggo Aboriginal Cultural Heritage Services
2/42 Crawford Road, Brighton Le Sands 2216 NSW
Email: konanggo_consultancy@hotmail.com
Phone: 0450-497-270

From: Dani Mitchell <dani@tocomwall.com.au>
Sent: Thursday, 9 December 2021 4:15 PM
To: konanggo_consultancy@hotmail.com <konanggo_consultancy@hotmail.com>
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Dear Robert,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached an information package and methodology for the project listed above.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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From: Ngunawal Heritage Aboriginal Corporation <ngunawalhac@gmail.com>
Sent: Monday, 3 January 2022 10:13 AM
To: Dani Mitchell
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields ACHA - Project Information and Methodology

Hi Dani,

Thank you for providing us with a copy of the Minarah ACHA Methodology.

We agree with the recommendation of implementing a sampling test excavation program and the test excavation strategy.

Please note our preference would be for any cultural material identified to be reburied on site in a suitable location which would not be impacted by any future development.

If you require any further information please let us know.

Kind Regards

Dean Delponte
Director
0413186133
ngunawalhac@gmail.com

Ngunawal Heritage Aboriginal Corporation



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On Thu, Dec 9, 2021 at 4:14 PM Dani Mitchell <dani@tocomwall.com.au> wrote:

Dear Dean,

In accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010), please find attached an information package and methodology for the project listed above.

Kind regards

Dani Mitchell
Senior Archaeologist
Tocomwall Pty Ltd
e: dani@tocomwall.com.au
Dharug Country



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DARUG CUSTODIAN

ABORIGINAL CORPORATION



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

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

Attention: Tocomwall

Date: 15/01/22

Subject: 268-278 Catherine Fields Rd, Catherine Fields

Dear Dani

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

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

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

Landscapes and landforms are significant to us for the information that they hold and the connection to Darug people. Aboriginal people (Darug) had a complex lifestyle that was based on respect and belonging to the land, all aspects of life and survival did not impact on

the land but helped to care for and conserve land and the sustenance that the land provided. As Darug people moved through the land there were no impacts left, although there was evidence of movement and lifestyle, the people moved through areas with knowledge of their areas

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

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

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

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

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

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

Darug custodian Aboriginal Corporation's site officers have knowledge of Darug land, Darug Culture, Oral histories, landforms, sites, Darug history, wildlife, flora and legislative requirements. We have worked with consultants and developers for many years in Western

Sydney (Darug Land) for conservation, site works, developments and interpretation/education strategie.

Darug Custodian Aboriginal Corporation have received and reviewed the report for 268-278 Catherine Fields Rd, Catherine Fields.

We support the recommendations set out in this report.

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

Regards



Justine Coplin

21 Appendix 4 - Archaeological Report



Tocomwall Pty Ltd

PO Box 145 Miranda NSW 1490

Tel: 02 9542 7714 Fax: 02 9524 4146

E: info@tocomwall.com.au

www.tocomwall.com.au

ABN: 13 137 694 618

ABORIGINAL ARCHAEOLOGICAL REPORT

**Proposed Development at Minarah College
268 to 278 Catherine Fields Road,
Catherine Field**

Company	Midson Group Pty Ltd
Contact	Toby James
Date	7/2/2022



Project Name	Aboriginal Archaeological Report - Minarah College
Client Name	Midson Group Pty Ltd
Recipient	Toby James
Status	Final 1.0
Issue Date	7/2/2022
Prepared by	Will Moon
Approved by	Scott Franks

Executive Summary

Tocomwall Pty Ltd have been engaged by Midson Group Pty Ltd on behalf of Green Valley Islamic College Limited to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), and Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The ACHAR is being prepared to address the Planning Secretary's Environmental Assessment Requirements for a State Significant Development Application for the proposed development. This document is the archaeological report for the archaeological assessment, including survey and test pit sampling for the proposed development, undertaken in accordance with the agreed ACHA methodology.

A site inspection and archaeological survey was carried out on Wednesday the 22nd of September 2021 as part of a due diligence assessment, undertaken in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010). Whilst no Aboriginal objects were identified on the surface during the survey, it was determined that there are locations within the subject area that have the potential to retain Aboriginal objects in undisturbed soil profiles. As a result the proposed development has the potential to impact Aboriginal objects. A test excavation program has been undertaken to determine if Aboriginal objects are present, to characterise the site, and determine if there is a need to apply for an Aboriginal Heritage Impact Permit. The test excavation program is described within this report. Two objects were identified during the test excavation sampling that will be impacted by the proposed works. Consent must be obtained from Heritage NSW to move these objects to an agreed reburial site or to manage the items under an agreed care and control agreement before the works proceed.

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1 Introduction

1.1 Background

Green Valley Islamic College (College) is an independent Islamic co-educational school catering for students from Kindergarten to Year 12. The College was established in January 2002. It has around 1000 students amongst K-12 and approximately 90 staff members, and is located at 264 Wilson Road, Green Valley NSW 2168. The responsible entity for the College is Green Valley Islamic College Ltd (GVIC Ltd). The college is running at maximum capacity which underscores the need for a new campus to cater for 1500 students. The Minarah College is proposed as a new campus located at 268 to 278 Catherine Fields Road, Catherine Field and is planned to allow for 1500 students.

Tocomwall Pty Ltd have been engaged by Midson Group Pty Ltd on behalf of Green Valley Islamic College Limited to undertake an Aboriginal Cultural Heritage Assessment (ACHAR) in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010 (DECCW), and Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW 2011 (DECCW), in consultation with registered Aboriginal stakeholders and knowledge holders in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). This report is the archaeological report that is incorporated into the overall ACHA report.

1.2 Authorship and Acknowledgements

This report is prepared by William Moon MA Archaeology and Heritage Management (Flinders University), GCPJM, Dip PJM (University of New England).

2 Statutory Heritage Contexts and Controls

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

These are:

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

2.1 National Parks and Wildlife Act 1974

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

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

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

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

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

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

2.2 Environmental Planning and Assessment Act 1979

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

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

2.3 Native Title Act 1993

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



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

2.4 Reporting Standards and Guidelines

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

- Australia ICOMOS. 2013. The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance. Australia ICOMOS Inc.¹
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010a. Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. (DECCW) 2010b (September). Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. DECCW. Sydney.
- NSW Department of Environment, Climate Change & Water. 2010c Aboriginal cultural heritage consultation requirements for proponents 2010.
- DECCW. 2011 Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.
- NSW Office of Environment and Heritage. 2011. Applying for an Aboriginal Heritage Impact Permit: Guide for applicants.

2.5 The Camden Local Environment Plan 2010

Under Section 5.10 of the Camden Local Environment Plan 2010, the following requirements are listed:

Heritage conservation

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

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

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

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

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

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)--

- (i) a heritage item,
- (ii) an Aboriginal object,
- (iii) a building, work, relic or tree within a heritage conservation area,

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

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

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

(e) erecting a building on land--

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land--

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

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

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

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

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

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

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

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

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

(d) the development is exempt development.

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

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

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

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

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

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

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

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

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

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

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

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

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

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

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

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

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

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

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

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

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

3 Objectives of the Aboriginal Heritage Assessment

The objectives of the Aboriginal Heritage assessment are to:

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

3.1 Location and Proposed Development

The study area is located at Lot 11 DP833983, Lot 12 DP 833984 and Lot 231 DP27602 Catherine Fields Road, Catherine Fields, NSW (henceforth 'the study area').

Note: There are no current plans for development of Lot 231 DP27602. The archaeological investigation is confined to Lot 11 DP833983, and Lot 12 DP 833984.

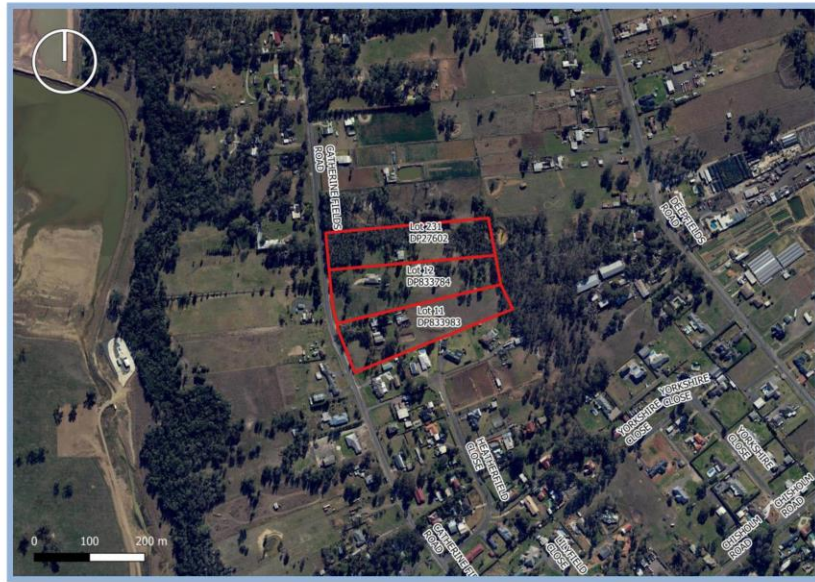


Figure 1: Shows the location for the proposed new Minarah College. Source Six Maps © Department Finance, Services and Innovation, NSW Government.

3.2 Proposed works

At the time of the preparation of this methodology, Tonkin Zulaikha Greer Architects have a work in progress design for the school. This design is shown in the following figures.



Figure 2: Site plan.

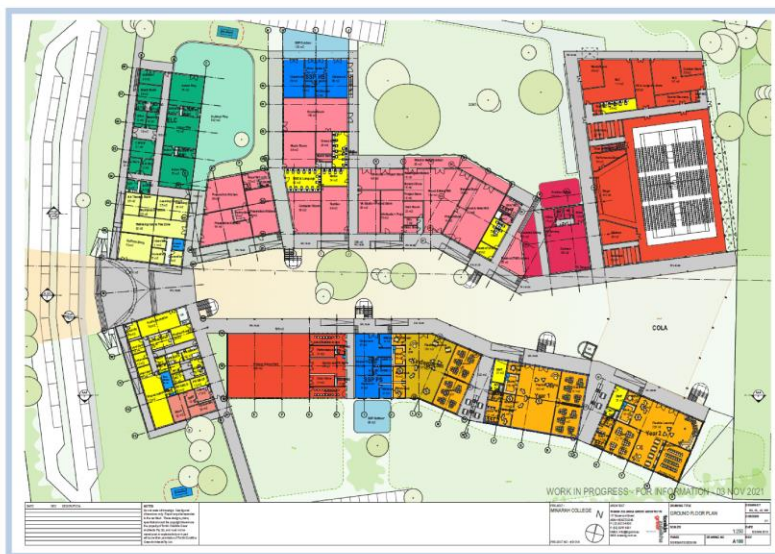


Figure 3: Ground floor plan.



Figure 4: First floor plan.



Figure 5: Elevation view.



Figure 6: Elevations.



Figure 7: Section views.

4 The Environmental Context

The study area is located at Catherine Field, part of the Cumberland Plain. The landscape of the study and surrounding area can be characterised as flat to gently undulating topography, with landform elements including drainage depressions, creek systems, flats, residual rises, simple slopes and crests.

4.1 Vegetation

The vegetation of the study area has been significantly modified by historic European land management practices. Spatial layers from OEH 2010 and based upon Tozer 2003 show remnant vegetation communities in the area consisting of Shale Hills Woodland, and Shale Plains Woodland. Remnants of these forest types are found within and around the subject area.

Shale Hills Woodland consists of *Eucalyptus moluccana* and *E. tereticornis* as the dominant tree species. *Eucalyptus crebra* also occurs less frequently. The small tree layer includes *Acacia implexa* and *Eucalyptus* species. The shrub layer is dominated by *Bursaria spinosa* (Tozer 2003:35).

Shale Plains Woodland is dominated by *Eucalyptus moluccana* and *E. tereticornis*. Tree species that occur less frequently include *Corymbia maculata*, *E. crebra* and *E. eugenioides*. The small tree layer is often comprised of the same species and other species including *Exocarpos cupressiformis*, *Acacia parramattensis* subsp. *parramattensis* and *Acacia decurrens*. The shrub layer is dominated by *Bursaria spinosa* (Tozer 2003:36).

4.2 Geology

The geology of the study area is Bringelly Shale, part of the Wianamatta Group forming part of the Middle-Triassic sequence (Jones and Clark 1991; NSW DPI 1991).

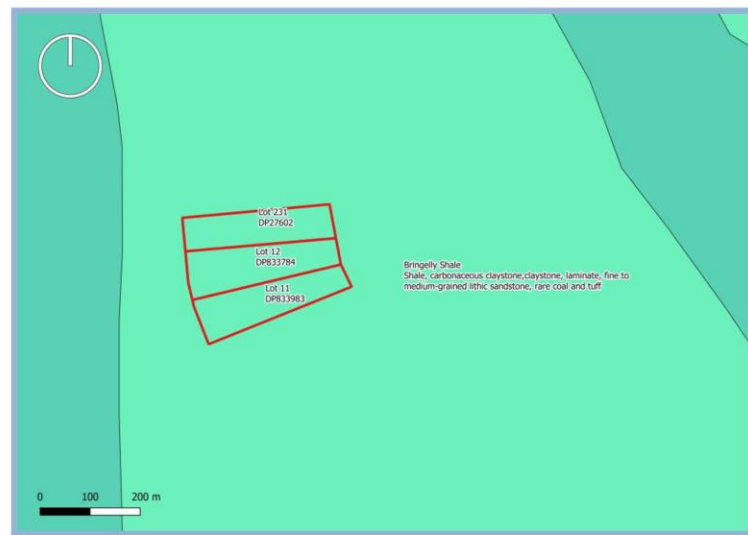


Figure 8: Geology Map for study area (NSW DPI 1983).

4.3 Soil

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



Figure 9: Soil landscape map showing location of the study area within the Blacktown Residual soil landscapes (Chapman and Murphy 1989).

4.4 Site Description

4.4.1 Terrain

The topography of the study area is a flat to very gently sloping (1° to 6°). Lots 11 DP833784 and Lot 12 DP833784 straddle a low spur descending to the west. A first order stream is on the northern margin of Lot 231 DP27602. Figure 10 shows an image of the terrain showing 2 metre contours.

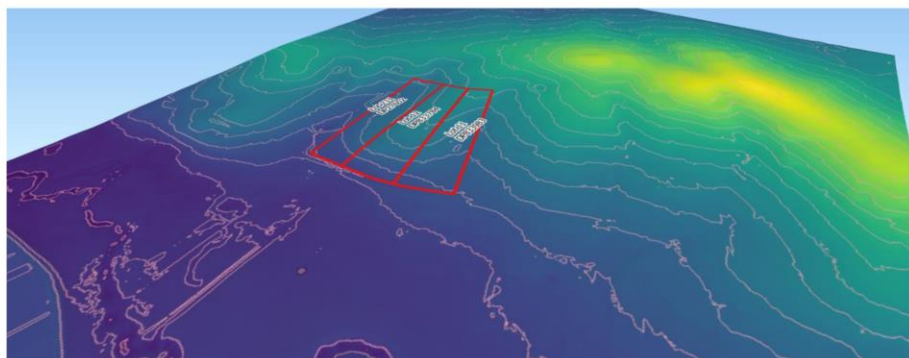


Figure 10: 3D terrain model with a view east across the study area with 2 metre contours. Derived from 1 metre DEM, source © Department Finance, Services and Innovation, NSW Government.

5 The Archaeological Context

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

The earliest presence of people in the Sydney Basin is uncertain but there is evidence for Pleistocene occupation of the region around 40,000 years ago. Archaeological excavations carried out at Parramatta by McDonald (2005) report dates as early as 30,000 years BP, providing some of the oldest dates for the Sydney Basin. Though limited details around the methodology used to collect the samples and obtain the dates has meant that the dating has not been subject to a sufficient level of scrutiny within the profession to enable confidence in the reported dates (Bowdler 2010). However, the most recent dates from the Parramatta Sand Sheet indicates that this area was occupied from between 35-40,000 years BP (GML 2019).

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

Kohen's (1986a:295) early research of Aboriginal settlement of the western Cumberland Plain identified that material evidence of occupation can be 'found continuously across the landscape, with no environmental zone left unexploited'. He also found that most sites occurred within 100 metres of permanent water sources, on elevated terraces above water,

and that major occupation sites would occur at the junction of difference environment zones where there was an increase in plant based food resources.

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

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

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

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

- available radiocarbon determinations and optically stimulated luminescence dating indicate Aboriginal people have occupied the Cumberland Plain for potentially as long as 40,000 years
- Aboriginal settlement patterns on the Cumberland Plain have been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology being some of the key attributes dictating location of sites
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger more complex artefact assemblages associated with higher order streams
- artefact distributions across the Cumberland Plain do not form bounded 'sites' but rather cultural 'landscapes', and
- subsurface artefact distributions across the Cumberland Plain tend to vary significantly in relation to landform and stream order.

5.1 Previous Archaeological assessments

Archaeological investigations have been conducted within the zone of the extensive AHIMS search carried out for the study area. The following is a summary of the archaeological investigations undertaken:

In 2008 Australian Museum Business Services completed an Aboriginal Heritage Assessment of the rezoning of El Caballo Blanco and Gledswood, NSW for Camden Council. The topography of the subject area was considered to be gently undulating, consisting of the Wianamatta shale geology and associated Blacktown and Luddenham Soil Landscapes. There were no permanent water sources and the hydrology consisted primarily of ephemeral first order streams and second order streams.

The predictive model for the subject area was described as:

'To summarize, sites within the study area are most likely to be stone artefact scatters, which are predicted to occur:

- *within 50 m of creeks;*
- *along ridge lines and spurs with flat or gently sloping crests;*
- *in areas of gently undulating slopes despite distance to water, particularly in areas retaining intact native vegetation (which indicates little/no disturbance); and*
- *in areas with moderate to high disturbance, such as cleared and ploughed fields, although it is unlikely that any archaeological deposit in these areas will remain intact (AMBS 2008).'*

The results of the survey are considered to be, in accord with the predictive model. Two isolated artefacts, five low density artefact scatters, and four PAD were recorded during the archaeological survey of the study area. Sites were assessed as having low, moderate and moderate to high significance.

In 2011, Australian Museum Business Services completed an Aboriginal Cultural Heritage Assessment for a proposed residential development at Camden Valley Way, Edmondson Park. The topography of the subject area was considered to be gently undulating plains and hills, consisting of the Wianamatta shale geology and the associated Blacktown Soil Landscape. The nearest creek is 475 metres from the subject area. The predictive model described within the report is very unspecific and general in nature and is considered to be uninformative for the purpose of this study. One previously recorded artefact scatter was re identified during the survey. This site is recorded within a larger recorded open scatter. The site is significant for the current study in terms of a significant artefact scatter being identified in similar terrain a significant distance from water.

In 2017, Ecological undertook and salvage excavation and surface collection at lot 1201 Camden Valley Way, Gledswood Hills. Five sites were subject to community collection of artefacts and two sites were also subjected to salvage excavation. The areas of greatest archaeological potential were found to be within 50 metres of Rileys Creek on the lower slope and creek flat. A total area of 30 square metres was excavated for salvage. One site yielded 639 artefacts while another yielded 140 artefacts. The predictive model for the subject area was that 'Aboriginal sites are most likely to occur within proximity to water resources and creek likes, on crest formations and spur landforms (Ecological 2017:10)'. The results of the salvage supported this model.

In 2014, Archaeological and Heritage Management Solutions (AHMS) completed archaeological excavation at Emerald Hills Estate Leppington. The Archaeological Technical Report available from AHMS was reviewed. The AHMS predictive model was that for the study area, that was comprised of Blacktown Soils Landscape over Wianamatta shales, which has been subject to clearing, was that the most likely objects to be found would be lithic artefacts. AHMS adopted the model widely accepted for Cumberland Plain that sites would increase in density and complexity in association with distance to higher order streams. Low order ephemeral streams and areas away from permanent water sources would have a low density background scatter of artefacts, while areas approaching larger permanent water sources would exhibit greater density and complexity. From 273 test pits excavated, 102 artefacts were recovered. Whilst artefact densities were generally low, the density was greater along the margins of the second order creek. The second order stream was considered to have potentially held permanent water (AHMS 2014:47).

In 2017, Biosis undertook an Aboriginal cultural heritage assessment consisting of an archaeological survey and test excavations for the proposed subdivision at 55 Byron Road, Leppington NSW. The study area consists of gently sloping landform of the Wianamatta shale geology and the associated Blacktown Soil Landscape. The subject area is not located near any creeks or watercourses. Eight test pits were excavated with one artefact recovered.

In 2020, Biosis undertook archaeological investigation at the Macarthur Memorial Park, Varroville, New South Wales. The ACHA report addendum was reviewed. The addendum does not discuss the predictive model, however the trends generally follow the results of other investigations throughout the Cumberland Plain with proximity to water a factor in determining the presence of sites. 88 archaeological test pits were excavated, and ten artefacts were recovered from eight of the test pits. This included one complete flake, eight flake fragments and one grinding stone fragment. Eight previously unrecorded Aboriginal cultural heritage sites were validated during the study. 'The artefacts identified were confined to the creek flat landform unit and mid-slope landform unit within the study area (Biosis 2020).'

5.2 AHIMS Search

A search of the AHIMS database records for the area within approximately 2 km radius of the study area identified 88 recorded sites. The sites are shown in Table 1 and Figure 11.

Site ID	Site name	Context	Site features
45-5-4139	TNRU3	Open site	Artefact : 1
45-5-4035	PAD 2038-6	Open site	Potential Archaeological Deposit (PAD)
45-5-3543	Northern Road 5	Open site	Artefact : 1, Potential Archaeological Deposit (PAD)
45-5-5204	LCM IF 6	Open site	Artefact
45-5-4046	PAD 2049-6	Open site	Potential Archaeological Deposit (PAD)
45-5-3367	OPR-9	Open site	Artefact : 7
45-5-3371	OPR-16	Open site	Artefact : 5

45-5-4042	Isolated Object 2045-5	Open site	Artefact
52-2-3930	CFPP-06	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact
52-2-4260	Gledswood 8	Open site	Artefact : 1
52-2-4259	Gledswood 4	Open site	Artefact : 1
52-2-4257	Gledswood 6	Open site	Artefact : 1
52-2-3309	CH7	Open site	Artefact : 2
52-2-3546	OPR13	Open site	Artefact : 5
45-5-3767	OP2	Open site	Artefact : 415
45-5-4931	Lowes Creek PAD	Open site	Potential Archaeological Deposit (PAD)
45-5-4058	Artefact Scatter PAD 2065-6	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3929	CFPP-05	Open site	Potential Archaeological Deposit (PAD) : 1, Artefact
45-5-4039	Artefact Scatter 2042-5	Open site	Artefact
52-2-3549	OPR-18	Open site	Artefact : 3
52-2-3848	Artefact Scatter PAD 2053-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3816	CF-2	Open site	Artefact : 7
52-2-3312	CH 2	Open site	Artefact : 1
45-5-4380	LP4AS	Open site	Artefact
45-5-3368	OPR10	Open site	Artefact : 2
45-5-3366	OPR8	Open site	Artefact : 2
45-5-4950	OPR-15 North	Open site	Artefact
52-2-4175	CFPP-16	Open site	Artefact
45-5-3771	OP Transect C	Open site	Artefact : 1
52-2-4176	Gledswood 1	Open site	Artefact
45-5-5309	CVW Rileys Creek IF 1	Open site	Artefact
52-2-3541	OPR-4	Open site	Modified Tree (Carved or Scarred) : 1
45-5-4958	Pondicherry AFT 2	Open site	Artefact
45-5-3770	OP Transect B	Open site	Artefact : 1
45-5-3768	OP3	Open site	Artefact : 66
52-2-4258	Gledswood 3	Open site	Artefact : 1
45-5-3945	CF-1	Open site	Artefact : 2
45-5-3542	Northern Road 4 (NR4)	Open site	Artefact : 1
45-5-3365	OPR3	Open site	Artefact : 3
52-2-3644	DM 20	Closed site	Art (Pigment or Engraved) , Potential Archaeological Deposit (PAD)
45-5-3369	OPR-11	Open site	Modified Tree (Carved or Scarred)
45-5-3370	OPR-15	Open site	Artefact : 193
52-2-3927	CFPP-03	Open site	Artefact : 1
52-2-3763	OPW2	Open site	Artefact : 1

52-2-3550	OPR-19	Open site	Artefact : 3
45-5-4040	Isolated Object 2043-5	Open site	Artefact
45-5-5222	CF-IA1-19	Open site	Artefact
52-2-3750	CG-TRE-O3	Open site	Artefact : 1
45-5-4388	LP9IF	Open site	Artefact
52-2-3301	CH4 IF2	Open site	Artefact : 1
45-5-4959	Pondicherry AFT 1	Open site	Artefact
45-5-3769	OP Transect A	Open site	Artefact : 1
52-2-3547	OPR14	Open site	Artefact : 1
52-2-3543	OPR6	Open site	Artefact : 5
52-2-3545	OPR12	Open site	Artefact
45-5-4037	Artefact Scatter PAD 2040-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-4909	MSC 2	Open site	Artefact
45-5-4036	Isolated Object 2039-5	Open site	Artefact
52-2-3760	OPW_P1	Open site	Potential Archaeological Deposit (PAD)
45-5-4048	Artefact Scatter PAD 2052-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3307	CH10	Open site	Artefact : 1
52-2-3315	CH 8	Open site	Artefact : 2
52-2-4261	Gledswood 10	Open site	Artefact : 1
45-5-4057	Artefact Scatter PAD 2064-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-4044	Isolated Object 2047-5	Open site	Artefact
45-5-4045	Isolated Object 2048-5	Open site	Artefact
52-2-3553	OPR-23	Open site	Artefact : 1
52-2-3548	OPR-17	Open site	Artefact : 2
45-5-3372	OPR-25	Open site	Artefact : 12
45-5-3772	OP Transect D	Open site	Artefact : 1
45-5-4043	Isolated Object 2046-5	Open site	Artefact
52-2-3551	OPR20	Open site	Artefact : 1
45-5-4041	Artefact Scatter PAD 2044-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
45-5-3766	OP1	Open site	Artefact : 103, Potential Archaeological Deposit (PAD)
52-2-4174	CFPP-17	Open site	Artefact
52-2-3297	ch11	Open site	Artefact
52-2-3308	CH9	Open site	Artefact : 5
52-2-4264	Gledswood 5	Open site	Artefact : 1
45-5-3258	CH3IF1;CVW-7	Open site	Artefact
52-2-3544	OPR7	Open site	Artefact : 2

52-2-3555	OPR26	Open site	Artefact : 1
45-5-4038	Isolated Object 2041-5	Open site	Artefact
52-2-3554	OPR24	Open site	Artefact : 2
45-5-4047	Artefact Scatter PAD 2051-46	Open site	Artefact , Potential Archaeological Deposit (PAD)
52-2-3818	CF-4	Open site	Artefact : 2
52-2-3817	CF-3	Open site	Artefact : 8
52-2-4177	Gledswood 2	Open site	Artefact
52-2-4262	Gledswood 7	Open site	Artefact : 1

Table 1: List of site records obtained from AHIMS database from a 2 km search radius.

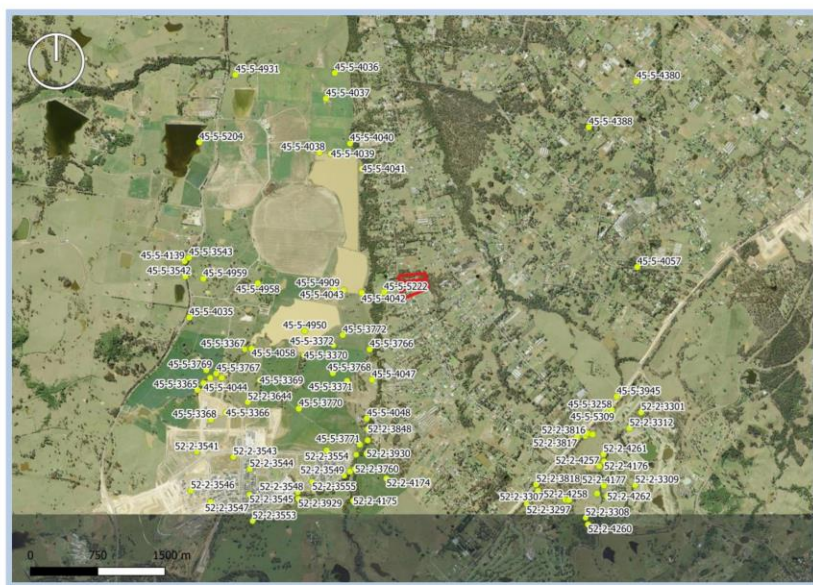


Figure 11: Image showing the location of recorded Aboriginal sites from the AHIMS search using a 2km radius search area. The study area is shown in blue at the centre of the image.
Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.

6 Archaeological Site Survey Inspection

An archaeological survey was carried out on the Wednesday the 22nd of September 2021 by William Moon (Tocomwall Senior Archaeologists). The fieldwork involved undertaking an inspection of the site of the proposed new school. This included Lot 11 DP833983, Lot 12 DP833784, Lot 231 DP27602.

The aims of the survey were to:

- Complete the survey in accordance with the requirements of Sections 2.2, 2.4, 2.5, 2.6, and 2.7 in the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).
- Determine if there are any significant landforms within the study area that indicate the likely presence of Aboriginal objects.
- Identify any Aboriginal objects present on the surface of the study area.
- Determine if any landforms of the survey area are likely to retain extant soil profiles that may contain Aboriginal objects and if there is a need to undertake archaeological test excavation.



Figure 12: Image showing the boundary of the study area in red and the yellow hatched area showing the archaeological survey coverage. Aerial image source Six Maps © Department Finance, Services and Innovation, NSW Government.

6.1 Results of the archaeological survey

A visual pedestrian survey of the subject land was undertaken on the 22nd of September 2021. It commenced with a survey of Lot 11 DP833983. Dense grass cover was present throughout most of the lot (refer to Figure 18). One area of exposed clay soils was observed. A neighbour indicated that this was the result of a dam on the site having recently been filled in. The dam was still present in the aerial imagery on Six Maps at the time of the visit. Old building ruins were observed towards the back of the property with a concrete slab, bricks and building debris piled up on one area (refer to Figure 16 and Figure 17). The very rear eastern end of the lot was observed to have intact soils. At the front of the lot there is a relatively level area near the road that has been used for horse agistment (pers comm. neighbour). No artefacts were observed on the ground surface due to high grass and no visibility, however there is potential for subsurface artefacts within this area. It is within 200 metres of the South Creek floodplain channel (refer to Figure 15).

Lot 12 DP833784 was 90% mowed with short grass. Some soil was exposed where trail bikes had been used on the block. The dominant landscape feature on this lot is the crest of the low spur descending to the west (refer to Figure 20 and Figure 21). The crest overlooks the South Creek flood plain and still appears to retain close to the original surface contour. The crest has the potential to have been used as a high camp. No artefacts were observed on the ground surface, however there is potential for subsurface artefacts in this area. Asbestos sheet fragments were observed towards the rear of the property (refer to Figure 19). Figure 13 shows areas considered to have potentially intact soils on landscape features that may indicate the presence of Aboriginal objects. Figure 14 shows areas considered likely to have disturbed soils.

Lot 231 DP27602 was also surveyed however this lot was later removed from the proposed development. Survey coverage for lots 11 and 12 is shown in **Table 2**.

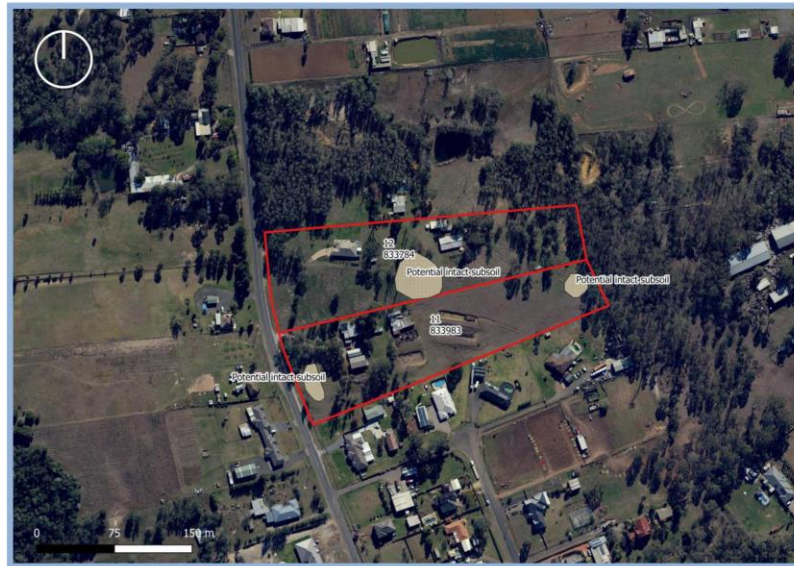


Figure 13: Areas of potentially undisturbed soils with potential to include subsurface objects.

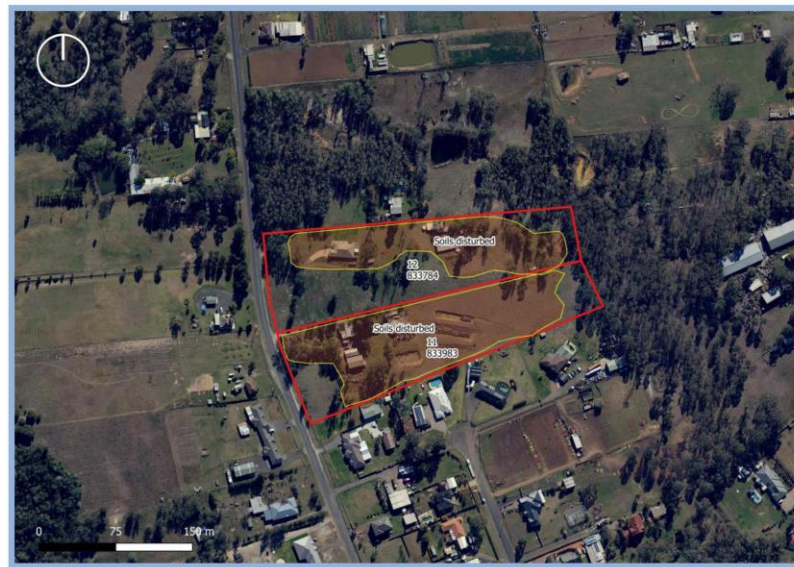


Figure 14: Areas where soils are considered likely to have been disturbed.



Figure 15: Lot 11 DP833983 site of potential deposit at the front, west end of the lot.



Figure 16: Lot 11 DP833983 Building remains



Figure 17: Lot 11 DP833983 Building remains and long grass



Figure 18: Lot 11 DP833983 long grass throughout the lot prevented ground visibility.



Figure 19: Lot 12 DP833784 exposed asbestos sheet fragments on the ground.



Figure 20: Lot 12 DP833784 view east along spur crest.



Figure 21: Lot 12 DP833784 view west along spur crest.

Survey Unit	Landform	Survey Unit Area m ²	Visibility	Exposure	Effective coverage area (sq m) (= survey unit area x visibility % x exposure %)	Effective coverage % (= effective coverage area/survey unit area x 100)
Lot 11 DP833983	Lower, mid and upper slope	18350	10%	10%	1835	1%
Lot 12 DP833784	Lower, mid and upper slope	19244	10%	10%	1924	1%

Table 2: Survey coverage

6.2 Predictive Model

The predictive model for the archaeological investigation is defined in the ACHA Methodology. In summary, based upon the landscape topography, proximity to water, geology, environment, site disturbance, previous studies from the broader Cumberland Plain, and studies within locality, the prediction for the site is that it is likely to have a disperse low

density subsurface artefact distribution. The study area is considered to have a moderate potential to retain Aboriginal objects in extant soil profiles.

7 Research Questions

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

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

8 Archaeological Investigation Methodology

The archaeological investigation of the study area was undertaken in accordance with the Code of Practice for the Investigation of Aboriginal Objects in New South Wales (Code of Practice; DECCW 2010b).

8.1 Determining the Archaeological Potential and the Need for Further Investigation

The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) requires that *'archaeological test excavation will be necessary when it can be demonstrated that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area'*. The desktop assessment of the study area has concluded that there are landscape features that are likely to indicate the presence of Aboriginal objects, as defined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010), including locations within 200 metres of waters, and landscape features comparable to other locations in the area that have yielded artefacts during archaeological investigations. Whilst land clearing will have disturbed the surface of the A Horizon, it is expected that there will be intact sediments and soil profiles beneath the disturbed soils that have a probability of containing Aboriginal objects.

8.2 Archaeological Test Excavation

The objective of undertaking the archaeological test excavations is to comply with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) which describes the purpose of test excavation as collecting '*information about the nature and extent of sub-surface Aboriginal objects, based on a sample derived from sub-surface investigations. Test excavations contribute to the understanding of site characteristics and local and regional prehistory and they can be used to inform conservation goals and harm mitigation measures for the proposed activity*'.

8.2.1 Test Excavation Strategy

A preliminary test excavation strategy was developed in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) to sample the landscape features within the study area. The test excavation strategy was further informed by the results of the RAP review of this methodology. A review of the landscape features and archaeological trends evident in the locality indicated that there is likely to be Aboriginal objects present within the surviving soil profiles of landscape features that may indicate the presence of objects. Due to the statutory protection of Aboriginal objects, Tocomwall recommend test pit sampling of the ridge/spur crest on lot 11 and 12, and the lower slope area of lot 11. Sample locations have been selected to avoid the areas with building waste, asbestos and significant soil disturbance. Test pit sampling was to determine the presence of Aboriginal objects and the need for an Aboriginal Heritage Impact Permit (AHIP).

Test pits were placed on a grid and spaced at 10 metres. Test pits were carried out in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales employing 50 x 50cm square pits excavated down to the culturally sterile layer. Excavated material was wet sieved through 5mm aperture stainless steel mesh sieves.

8.2.2 Test Excavations

A test pit excavation program was undertaken on the 24th, 25th and 28th of January 2022 in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (2010) and the project archaeological investigation methodology.

The excavation team included Tocomwall management and staff including senior Archaeologists Dani Mitchell and Will Moon, assistant archaeologist Sue Morrison, and registered Aboriginal stakeholders Robert and Pam Young, Adam Gunther, Ralph Hampton and Ralph Hampton Jnr. Figure 22 shows the planned test excavation layout. Figure 23 shows the completed test pit layout. Test pit L11-3 was discontinued due to the presence of asbestos fibro. It was substituted with the additional test pit L11-8.



Figure 22: Planned test excavation layout. Aerial image source © Department Finance, Services and Innovation, NSW Government.



Figure 23: Completed test pit layout. Aerial image source © Department Finance, Services and Innovation, NSW Government.



8.3 Test Excavation Results

Eight test pits on Lot 12 DP833784 and 10 test pits on Lot 11 DP833983 were completed in accordance with the methodology. Excavation recording forms were used to record the details for each spit excavated. Each spit was also photographed. Excavated material was wet sieved through a 5mm aperture mesh.

Test pit excavation continued down to the sterile B Horizon (clay layer). With the exception of one pit, L11-9, no stratigraphy was evident in the A Horizon. L11-9 exhibited baked clay which was sitting proud, above the natural boundary of the A and B horizons. To further understand why this was present, the pit was expanded a further 20cm along the north and east sides of the pit. The remains of charcoal from burnt roots was found that continued down into the sterile clay layer. It was concluded that the roots had pushed up the clay and had burnt at some time in the past, causing the clay to bake. The baked clay was not a cultural feature.

Two Aboriginal objects were located during the excavation and sieving. In pit L12-1 a flake piece composed of silcrete was identified. In pit L11-5, a broken silcrete flake was identified.

Test Pit Number	Transect	No. Spits	Interval	Depth	Description	Number of Artefacts	Artefact Type	Raw Material	Recovered from Spit
L12-1	1	3	5cm	15cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.	1	Fragment – No diagnostic features	Silcrete	2
L12-2	1	2	10cm	13cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L12-3	1	1	10cm	10cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L12-4	1	2	10cm	20cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L12-5	1	1	10cm	10cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L12-6	1	2	10cm	12cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L12-7	1	2	10cm	20cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon.				

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					Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L12-8	1	1	10cm	10cm	A Horizon: Dark grey sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L11-1	2	4	5 then 10cm	26cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L11-2	2	2	10cm	22cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L11-3	2	1	10cm	10cm	Asbestos fragments present in spit 1. Test pit excavation discontinued. Additional pit L11-8 excavated to supplement pit.				
L11-4	2	3	10cm	30cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L11-5	3	4	10cm	40cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.	1	Broken Flake	Silcrete	2
L11-6	3	3	10cm	25cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				

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L11-7	3	4	5cm	20cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L11-8	2	2	10cm	20cm	A Horizon: Dark grey/brown sandy loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (Yellow/Brown Clay) Horizon.				
L11-9	3	4	5cm	20 - 25cm	A Horizon: Grey/brown silty loam. Baked clay was evident sitting proud of the sterile B Horizon in the northeast corner of the pit. The pit was expanded a further 20cm on the north and east sides of the pit.				
L11-9 expanded Pit	3	3	5cm	13	L11-9 expanded a further 20cm on the north and east sides of the pit to characterise the baked clay protruding into the A Horizon.				
L11-10	3	1	10cm	10cm	A Horizon: Dark grey/brown silty loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (orange/Brown Clay) Horizon.				
L11-11	3	2	10cm	15cm	A Horizon: Dark grey/brown silty loam. No stratification observed in A Horizon. Excavation terminated at the sterile B (orange/Brown Clay) Horizon.				

Figure 24: Table showing spit number, depth, and description for each test pit.

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Pit L11-8



Pit L11-9



Pit L11-9 expanded



Pit L11-10



Pit L11-11



Pit L12-1



Pit L12-2

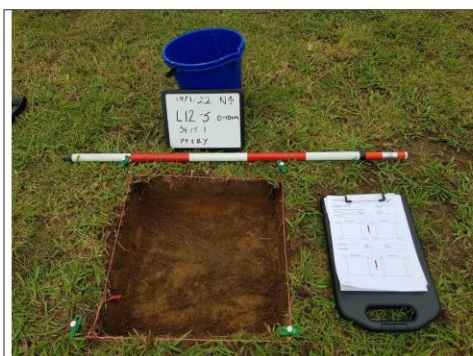


Pit L12-3



Pit L12-4

49



Pit L12-5



Pit L12-6

50



9 Analysis and Discussion

9.1 Artefacts

Two artefacts were identified during the test excavation program. In order to understand the artefacts described in this report, the following terminology and descriptions are provided to assist with the interpretation of the results provided in this report.

9.1.1 *Artefact typology*

Artefact typology is normally described according to the artefact form, manufacturing systems which creates variation within the artefact form, and artefact use. Types include flakes, cores, hammerstones, grindstones, ground-edge hatchet heads and anvils. Artefacts may be further described according to their degree of reduction, and may be described as 'tools' according to evidence of usewear on the edges, and retouch of the edges (modification of the edges using pressure flaking) to create a specific form. Types include backed artefacts, blades, scrapers, adzes, points, notched tools and core tools or nuclear tools.

9.1.2 *Reduction*

Lithic reduction is the process of the removal of raw material to obtain the required form of an artefact. Raw materials often begin with a natural (or cortex) surface. From this natural state, flakes may be struck and removed, or pieces may be removed for use as smaller transportable cores for later use for the extraction of flakes. River cobbles and pebbles with a cortex surface are also used as cores and maybe small enough to transport to knapping sites where flakes are removed, or flakes may be struck from small cores during transit of an as needs basis. The degree of reduction and the extent of remaining cortex can be use inform research into behavioural patterns and the movement of resources within the landscape.

9.1.3 *Raw Materials*

Raw materials used for the manufacture of artefacts were chosen because of the properties that they possess including the properties they exhibit during knapping that enables the desired form of the artefact to be obtained, and the ability of the raw material to produce and maintain the desired properties such as edge toughness and sharpness. Some raw material types may be subjected to heat treatment in order to modify the crystalline structure of the material to improve its fracture and toughness properties. Raw materials may be available locally, or they may be traded and/or transported to a site from distant locations.

9.1.4 *Artefact features*

Artefacts will be described according to their diagnostic features. Figure 25 to Figure 28 show diagnostic attributes of artefacts used to describe them. Platform surfaces will be recorded according to their type, including: natural, flake scar, abraded, or

crushed. The termination is the shape of the distal end of the flake caused by the way the fracture crack and associated percussive forces leave the core. Where the end of the flake tapers off with a minimum acute angle, this is called a feather termination. A hinge termination occurs when the fracture exits at an approximate right angle to the longitudinal axis of the flake. Step terminations are when the crack terminates abruptly at right angles to the longitudinal axis of the flake, creating a small step. For Plunge terminations the fracture penetrates deeper into the core eventually exiting with the base of the core included in the flake. Axial terminations are caused when the fracture crack continues right through the core exiting at the bottom of the core (Holdaway and Stern 2004:129-130).

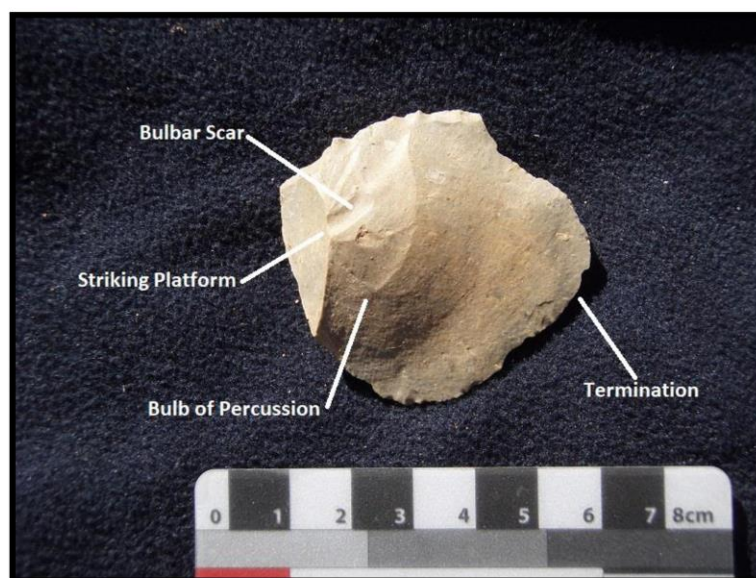


Figure 25: Ventral surface of a flake artefact showing diagnostic features (Image source W. Moon collection).

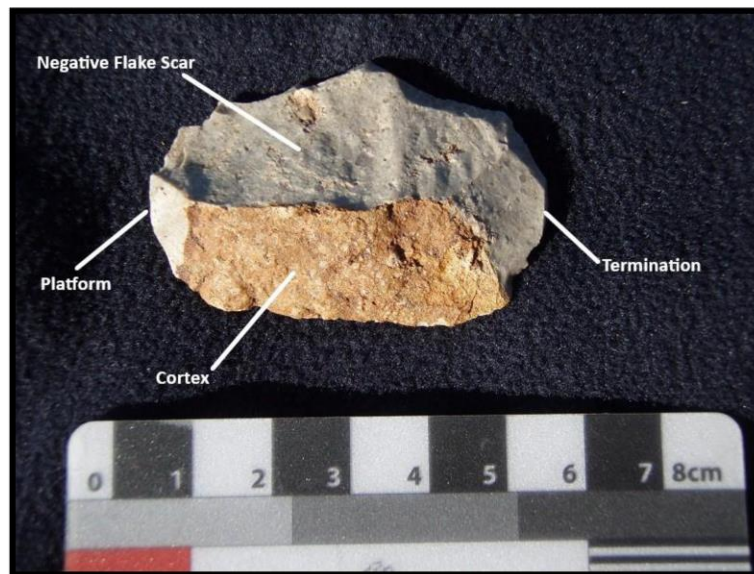


Figure 26: Dorsal surface of a flake artefact showing diagnostic features (Image source W. Moon collection).



Figure 27: Core showing diagnostic features (Image source W. Moon collection).

Flake artefacts may be broken. Breaks occur either longitudinally or transversely, or a combination of the two. Figure 28 shows a diagram of the breakage types used to describe broken artefacts.

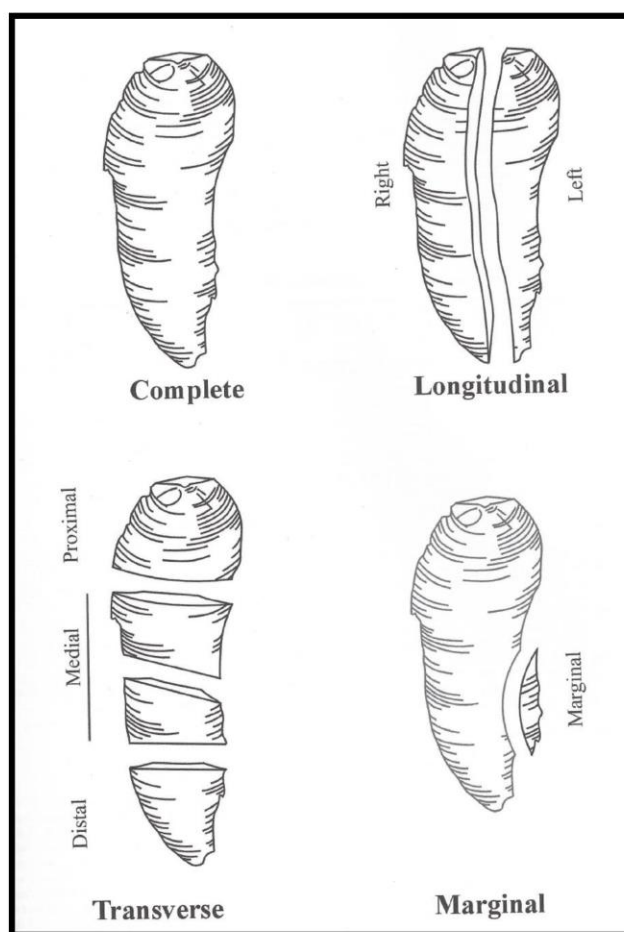


Figure 28: Diagram of breakage types used to describe broken flake artefacts (Hiscock 2002).

10 Test excavation artefacts

Two silcrete artefacts were identified during the test excavation. Both consisted of small fragments with limited diagnostic features. One flake piece from test pit L12-1 is a potential fragment of a broken flake. One flake piece from test pit L11-5 is potentially a flake with a crushed platform (refer to Table 3).





Test Excavation Artefacts	
	
Flake piece from test pit L12-1 (Dorsal surface)	Flake piece from test pit L12-1 (Ventral surface)
	
Flake piece (Distal end) from test pit L11-5 (Dorsal surface)	Flake piece from test pit L11-5 (Ventral surface)

Table 3: Artefact images.

10.1 Discussion

The results of the test excavation sampling of the subject landforms indicates that artefacts are present in the landscape as disperse low density isolated occurrences. The sample results do not suggest the presence of archaeological deposits (PAD) within the area and do not support the need for further investigation. The results

suggest that people living in the traditional ways during the prehistory of occupation of the subject lands are likely to have transited the area, during travel, foraging, or resource gathering, rather than utilising the landscape features as 'persistent places' (Schlanger 2013:92-97) that created a focus for repeated habitation. This is probably due to the distance from the main South Creek channel which is the only permanent water source in the area. Sites used for repeated camps exhibit complex, and larger accumulations of artefacts (Binford 1980:10-19; Nelson 1991:82-83). Waste raw material from lithic reduction and flaking associated with tool manufacture and maintenance is more likely to be present at repeated use campsites (Binford 1983:363-368; McDonald and Veth 2006:99), whilst sites subject to a more limited use are likely to have broken tools fragments (Kohen 1986:303-307). The low number of artefacts identified support the limited use scenario. The low number of artefacts has meant that meaningful analysis is not possible.

11 Scientific Values and Significance Assessment

The Australian ICOMOS Burra Charter defines the processes of assessing significance of items for cultural heritage value. Archaeological sites are assessed for significant according to; scientific or archaeological significance, cultural significance, representative significance including how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity exists, and value as an educational resource. In New South Wales, the nature of significance relates to the scientific, cultural, representative or educational criteria and sites are also assessed on whether they exhibit historic or cultural connections.

11.1 Archaeological significance

11.1.1 Scientific Significance

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

The study area is considered to be of low scientific significance. The test excavation has provided very little information that could contribute to the assessment of significance. The raw material of the identified artefacts is common to the locality. Both artefacts retain minimal features and are unable to contribute to any meaningful analysis.

There is no visible evidence that the flakes have been used. To determine if they had been used, microscopic edge wear analysis would need to be undertaken however due to the small number of artefacts it would not provide sufficient data to contribute to the scientific significance of the archaeology nor would it provide substantial information to the scientific research process. No datable material was found in association with the artefacts, so it is not possible to place the artefacts into an age context. The study area is considered to be of low scientific significance.

11.1.2 Educational Significance

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

The study area is considered to be of low educational significance. The test excavation has provided very little information that could contribute to the assessment of educational significance. The raw material of the identified artefacts are common to the locality. The artefacts retain minimal features and would not contribute to any meaningful analysis. There is no visible evidence that the artefacts have been used. No datable material was found in association with the artefacts so it is not possible to place the artefacts into an age context. The archaeology has low educational significance.

11.1.3 Representative significance

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

The study area is considered to be of low representative significance. The artefacts recorded during the test excavation are representative of artefacts in the region and do not display any unique attributes. The representativeness and the small amount of data from the test excavation program is not considered to contribute further substantial information to the education or scientific research processes.

12 Impact Assessment

12.1 Assessing Harm

The development will involve earthworks associated with the building construction, the provision of services, parking, and pathways, and includes cut and fill and the grading of the site. The grading plan for the development is shown in Figure 30. The site works will disturb the remaining A horizon soils in the area. This will also destroy the test pit locations from which the two artefacts were identified (refer Figure 29). **Table 4** shows the harm to known sites.



Figure 29: Location of Aboriginal objects (red) relative to the development.

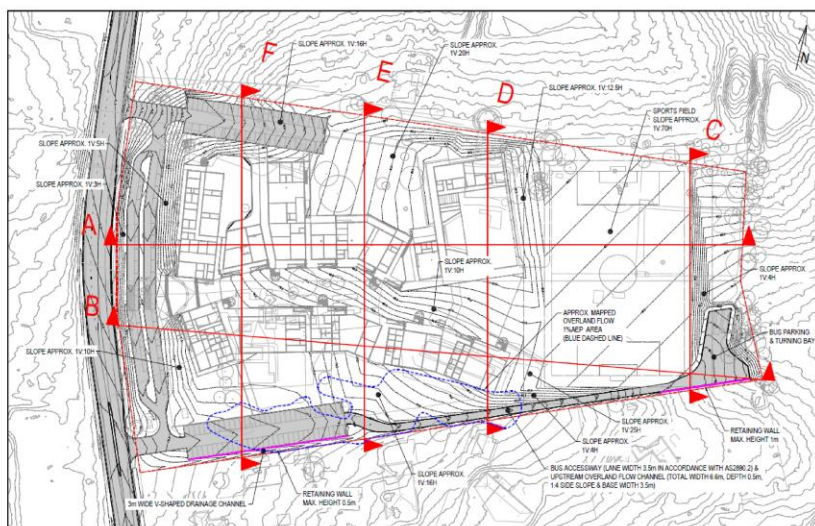


Figure 30: Concept Grading Plan. Source Midson.

Site number	Location	Type of harm	Degree of harm	Consequence of harm
Pit L11-5	E293035 N6237164	Direct	Total	Total loss of value
Pit L12-1	E293138 N6237266	Direct	Total	Total loss of value

Table 4: Harm to known sites.

12.2 Management and mitigation measures

The impacts to the Aboriginal objects recorded during this investigation have been discussed with the proponent's representative to determine if there are management or mitigation measures that could be applied. The proponent's representative responded as follows: *"As discussed, please find attached the concept grading plan which illustrates the proposed extent of cut and fill across the site. As you'll see, there is extensive grading work that is to occur across the site, so to keep the artefacts in place and protect them without disturbance would be very difficult. I'm also conscious that as the works will be staged over many years, it may become difficult to track these locations"* (T. James, Midsons 2/2/2022). In order to protect the Aboriginal objects, it has been deemed that the objects should be reburied in a safe location on the site or managed under an agreed care and control procedure.

13 Recommendations

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

The recommendations are:

The two Aboriginal objects identified during the test excavation will be destroyed under the proposed development. Consent should be obtained from Heritage NSW to move the objects and bury them in a safe location on the site, in agreement with the registered Aboriginal parties, or obtain consent to manage the objects under and agreed care and control agreement;

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

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

Consultation with the registered Aboriginal stakeholders should continue, and an opportunity will be provided for their review and comment on the results and recommendations of this report. These comments will be included in the final format of the ACHA report.

14 References

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22 Appendix 5 - AHIMS Searches

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-5-4035	PAD 2038-6	GDA	56	290650	6236896	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams,Artefact								
45-5-3543	Northern Road 5	GDA	56	290645	6237563	Open site	Valid	Artefact : 1, Potential Archaeological Deposit (PAD) : -		
Contact		Recorders Doctor.Alan Williams,Ms.Mel Thomson								
45-5-4046	PAD 2049-6	GDA	56	291011	6236224	Open site	Valid	Potential Archaeological Deposit (PAD) : -	Permits 3894	
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams								
45-5-3367	OPR-9	AGD	56	291163	6236351	Open site	Valid	Artefact : 7		
Contact T Russell		Recorders Jo McDonald Cultural Heritage Management see GML								
52-2-4260	Gledswood 8	GDA	56	295094	6234589	Open site	Valid	Artefact : 1	Permits 3106	
Contact		Recorders Eco Logical Australia Pty Ltd - Sydney - Individual users,Mr.Lyndon Patterson								
45-5-3371	OPR-16	GDA	56	292408	6236189	Open site	Destroyed	Artefact : 5	Permits 4450	
Contact T Russell		Recorders Jo McDonald Cultural Heritage Management see GML,Mr.Matthew Kelleher,Kellehe								
52-2-4259	Gledswood 4	GDA	56	295195	6234934	Open site	Valid	Artefact : 1	Permits 3106	
Contact		Recorders Eco Logical Australia Pty Ltd - Sydney - Individual users,Mr.Lyndon Patterson								
52-2-4257	Gledswood 6	GDA	56	295219	6235239	Open site	Valid	Artefact : 1	Permits 4085	103715
Contact		Recorders Eco Logical Australia Pty Ltd - Sydney - Individual users,Mr.Lyndon Patterson								
45-5-4042	Isolated Object 2045-5	GDA	56	292571	6237172	Open site	Valid	Artefact : -	Permits 3990	
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams								
52-2-3930	CFPP-06	GDA	56	292625	6235380	Open site	Destroyed	Potential Archaeological Deposit (PAD) : 1, Artefact : -	Permits 3826	
Contact		Recorders Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi								
52-2-3309	CH7	GDA	56	295618	6235027	Open site	Valid	Artefact : 2	Permits 4652	
Contact S Scanlon		Recorders Australian Museum Consulting (AM Consulting),Matthew Kelleher,Mr.Lyndon Pat								
45-5-5204	LCM IF 6	GDA	56	290761	6238849	Open site	Valid	Artefact : -	Permits 4103	
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Georgia Burnett								
45-5-4139	TNRU3	GDA	56	290597	6237523	Open site	Valid	Artefact : 1	Permits 4577	
Contact		Recorders Doctor.Sandra Wallace,Artefact - Cultural Heritage Management - Pyrmont								
45-5-4931	Lowes Creek PAD	GDA	56	291165	6239601	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders Artefact - Cultural Heritage Management - Pyrmont,Mr.Matthew Kelleher,Kelleher								

Report generated by AHIMS Web Service on 09/09/2021 for William Moon for the following area at Datum :GDA, Zone : 56, Eastings : 290550.0 - 295750.0, Northings : 6234559.0 - 6239859.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 88
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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-5-4058	Artefact Scatter PAD 2065-6	GDA	56	291344	6236549	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -		
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams								
52-2-3929	CFPP-05	GDA	56	291865	6234875	Open site	Destroyed	Potential Archaeological Deposit (PAD) : 1, Artefact : -	Permits 3826	
Contact		Recorders Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi								
52-2-3816	CF-2	GDA	56	295065	6235577	Open site	Valid	Artefact : 7	Permits 3517,3990	103715
Contact		Recorders Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd								
45-5-4039	Artefact Scatter 2042-5	GDA	56	292227	6238721	Open site	Valid	Artefact : -	Permits 102190	
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams								
52-2-3549	OPR-18	AGD	56	292271	6234941	Open site	Valid	Artefact : 3	Permits 2792,3106	
Contact T Russell		Recorders Jo McDonald Cultural Heritage Management see GML								
52-2-3848	Artefact Scatter PAD 2053-46	GDA	56	292639	6235653	Open site	Partially Destroyed	Artefact : -, Potential Archaeological Deposit (PAD) : -	Permits 3955	
Contact		Recorders Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams,Kelleher								
52-2-3312	CH 2	GDA	56	295556	6235661	Open site	Valid	Artefact : 1	Permits 4652	102190
Contact S Scanlon		Recorders Australian Museum Consulting (AM Consulting),Mr.Matthew Kelleher,Kelleher Nig								
45-5-4380	LP4AS	GDA	56	295633	6239529	Open site	Valid	Artefact : -	Permits 415	
Contact		Recorders Mrs.Jenna Weston								
45-5-3767	OP2	GDA	56	290950	6236270	Open site	Valid	Artefact : 415	Permits 3106	
Contact		Recorders AECOM Australia Pty Ltd - Sydney								
52-2-3546	OPR13	GDA	56	290667	6234966	Open site	Destroyed	Artefact : 5	Permits 3106	
Contact T Russell		Recorders Jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti								
45-5-3366	OPR8	GDA	56	291057	6235834	Open site	Destroyed	Artefact : 2	Permits 3106	
Contact T Russell		Recorders Jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti								
45-5-4950	OPR-15 North	GDA	56	291937	6236747	Open site	Valid	Artefact : -	Permits 4652	
Contact		Recorders Kelleher Nightingale Consulting Pty Ltd,Ms.Cristany Millichich								
52-2-4176	Gledswood 1	GDA	56	295273	6235290	Open site	Valid	Artefact : -	Permits 4652	
Contact		Recorders Mr.Julian Travaglia								
45-5-5309	CVW Rileys Creek IF 1	GDA	56	295325	6235855	Open site	Valid	Artefact : -	Permits 4652	
Contact		Recorders Mr.Matthew Kelleher,Kelleher Nightingale Consulting Pty Ltd (Generic users)								
45-5-3771	OP Transect C	GDA	56	292550	6235480	Open site	Valid	Artefact : 1	Permits 4652	
Contact		Recorders AECOM Australia Pty Ltd - Sydney								
45-5-3368	OPR10	GDA	56	290891	6235756	Open site	Destroyed	Artefact : 2		

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
52-2-4175	Contact CFPP-16	T Russell	Recorders GDA	Jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti	56 292477 6234852	Open site	Destroyed	Artefact : -	Permits 3106	
45-5-4958	Contact Pondicherry AFT 2		Recorders GDA	Matthew Kelleher,Kelleher Nightingale Consulting Pty Ltd,Miss.Kristen Taylor	56 291413 6237278	Open site	Valid	Artefact : -	Permits 3826	
45-5-3770	Contact OP Transect B		Recorders GDA	Kelleher Nightingale Consulting Pty Ltd,Miss.Kristen Taylor	56 291870 6235880	Open site	Valid	Artefact : 1	Permits	
52-2-4258	Contact Gledswood 3		Recorders GDA	AECOM Australia Pty Ltd - Sydney	56 294843 6234864	Open site	Valid	Artefact : 1	Permits	
45-5-3768	Contact OP3		Recorders GDA	Eco Logical Australia Pty Ltd - Sydney - Individual users,Mr.Lyndon Patterson	56 292250 6236276	Open site	Valid	Artefact : 66	Permits 4327,4452,4456	
45-5-3945	Contact CF-1		Recorders GDA	AECOM Australia Pty Ltd - Sydney	56 295412 6236014	Open site	Destroyed	Artefact : 2	Permits	
52-2-3541	Contact OPR-4		Recorders AGD	Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Con	56 290629 6235207	Open site	Valid	Modified Tree (Carved or Scarred) : 1	Permits 3517	
52-2-3644	Contact DM 20	T Russell	Recorders GDA	Jo McDonald Cultural Heritage Management see GML	56 291301 6235953	Closed site	Valid	Art (Pigment or Engraved) : -, Potential Archaeological Deposit (PAD) : -	Permits	
45-5-3369	Contact OPR-11		Recorders AGD	Biosis Pty Ltd - Sydney,Niche Environment and Heritage,Miss.Stella Quast	56 291328 6236006	Open site	Valid	Modified Tree (Carved or Scarred) : -	Permits 3081,4741	
45-5-3370	Contact OPR-15	T Russell	Recorders AGD	Jo McDonald Cultural Heritage Management see GML	56 291821 6236286	Open site	Valid	Artefact : 193	Permits 3106	
52-2-3750	Contact CG-TRE-03	T Russell	Recorders GDA	Jo McDonald Cultural Heritage Management see GML	56 294881 6234861	Open site	Valid	Artefact : 1	Permits	
45-5-4388	Contact LP9IF		Recorders GDA	Miss.Melanie (Duplicate of #6086) Thomson	56 295102 6239017	Open site	Valid	Artefact : -	Permits	
45-5-5222	Contact CF-IA1-19		Recorders GDA	Mrs.Jenna Weston	56 292819 6237177	Open site	Destroyed	Artefact : -	Permits	
52-2-3301	Contact CH4 IF2		Recorders GDA	Mr.Geordie Oakes,Mr.Geordie Oakes,AECOM Australia Pty Ltd - Sydney,AECOM Aus	56 295686 6235839	Open site	Valid	Artefact : 1	Permits 4539	
45-5-3365	Contact OPR3	T Russell	Recorders GDA	Australian Museum Consulting (AM Consulting),Mr.Geordie Oakes,Matthew Kelleh	56 290741 6236089	Open site	Destroyed	Artefact : 3	Permits 3950	

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-5-3542	Contact Northern Road 4 (NR4)	T Russell	Recorders GDA	Jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti	56 290605 6237353	Open site	Valid	Artefact : 1	Permits 2792,3106	
52-2-3927	Contact CFPP-03		Recorders GDA	Ms.Mel Thomson	56 292441 6235180	Open site	Destroyed	Artefact : 1	Permits 3894	
52-2-3763	Contact OPW2		Recorders GDA	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi	56 292496 6235208	Open site	Destroyed	Artefact : 1	Permits 3826	
52-2-3550	Contact OPR-19		Recorders AGD	Kelleher Nightingale Consulting Pty Ltd,Mr.Rick Bullers,Miss.Kristen Taylor	56 292405 6235177	Open site	Valid	Artefact : 3	Permits 3225,3826	102190
45-5-4040	Contact Isolated Object 2043-5	T Russell	Recorders GDA	Jo McDonald Cultural Heritage Management see GML	56 292441 6238836	Open site	Valid	Artefact : -	Permits 3106	
52-2-3307	Contact CH10		Recorders GDA	Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams	56 294537 6234964	Open site	Destroyed	Artefact : 1	Permits 102190	
52-2-3543	Contact OPR6	S Scanlon	Recorders GDA	Australian Museum Consulting (AM Consulting),Matthew Kelleher,Kelleher Nightir	56 291141 6235342	Open site	Destroyed	Artefact : 5	Permits 3517,3950	
52-2-3545	Contact OPR12	T Russell	Recorders GDA	Jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti	56 291321 6234921	Open site	Destroyed	Artefact : -	Permits 3106	
52-2-3315	Contact CH 8		Recorders GDA	Jo McDonald Cultural Heritage Management see GML,Kelleher Nightingale Consulti	56 295088 6235604	Open site	Destroyed	Artefact : 2	Permits 103715	
45-5-4037	Contact Artefact Scatter PAD 2040-46	Searle	Recorders GDA	Matthew Kelleher,Mr.Matthew Kelleher,Kelleher Nightingale Consulting Pty Ltd (G	56 292173 6239335	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -	Permits 3990	
45-5-4909	Contact MSC 2		Recorders GDA	Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams	56 292264 6237219	Open site	Valid	Artefact : -	Permits	
45-5-4036	Contact Isolated Object 2039-5		Recorders GDA	Kelleher Nightingale Consulting Pty Ltd,Miss.Kristen Taylor	56 292272 6239621	Open site	Valid	Artefact : -	Permits	
52-2-4261	Contact Gledswood 10		Recorders GDA	Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams	56 295265 6235372	Open site	Valid	Artefact : 1	Permits 103715	
45-5-4048	Contact Artefact Scatter PAD 2052-46		Recorders GDA	Eco Logical Australia Pty Ltd - Sydney - Individual users,Mr.Lyndon Patterson	56 292628 6235770	Open site	Partially Destroyed	Artefact : -, Potential Archaeological Deposit (PAD) : -	Permits 3990	
45-5-4057	Contact Artefact Scatter PAD 2064-46		Recorders GDA	Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams,Kelleher	56 295643 6237459	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -	Permits 3955	
45-5-4959	Contact Pondicherry AFT 1		Recorders GDA	Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor.Alan Williams	56 290806 6237328	Open site	Valid	Artefact : -	Permits	

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-5-3769	OP Transect A	Recorders	GDA	56	290840	6236310	Open site	Valid	Artefact : 1	Permits
52-2-3547	OPR14	Recorders	GDA	56	290886	6234840	Open site	Destroyed	Artefact : 1	Permits
52-2-3760	OPW_P1	Recorders	GDA	56	292496	6235208	Open site	Destroyed	Potential Archaeological Deposit (PAD) : -	Permits 3106
52-2-3297	ch11	Recorders	AGD	56	294305	6234628	Open site	Valid	Artefact : -	Permits 3225,3826 102190
52-2-3553	OPR-23	Recorders	AGD	56	291250	6234437	Open site	Valid	Artefact : 1	Permits 3950
52-2-3548	OPR-17	Recorders	AGD	56	291755	6234756	Open site	Valid	Artefact : 2	Permits 3106
52-2-3308	CH9	Recorders	AGD	56	294961	6234473	Open site	Valid	Artefact : 5	Permits 3950 102190
45-5-3372	OPR-25	Recorders	AGD	56	292153	6236395	Open site	Valid	Artefact : 12	Permits 3106
45-5-3772	OP Transect D	Recorders	GDA	56	292360	6236700	Open site	Valid	Artefact : 1	Permits
45-5-4043	Isolated Object 2046-5	Recorders	GDA	56	292371	6237199	Open site	Valid	Artefact : -	Permits
52-2-4264	Gledswood 5	Recorders	GDA	56	295145	6235591	Open site	Valid	Artefact : 1	Permits 103715
45-5-3258	CH3IF1,CVW-7	Recorders	GDA	56	295359	6235864	Open site	Destroyed	Artefact : -	Permits 3990
52-2-3551	OPR20	Recorders	GDA	56	292638	6235527	Open site	Destroyed	Artefact : 1	Permits 3517 102190
45-5-4041	Artefact Scatter PAD 2044-46	Recorders	GDA	56	292572	6238553	Open site	Valid	Artefact : - Potential Archaeological Deposit (PAD) : -	Permits 3106
45-5-3766	OP1	Recorders	GDA	56	292660	6236540	Open site	Valid	Artefact : 103, Potential Archaeological Deposit (PAD) : -	Permits
	Contact	Recorders								Permits

Report generated by AHIMS Web Service on 09/09/2021 for William Moon for the following area at Datum :GDA, Zone : 56, Eastings : 290550.0 - 295750.0, Northings : 6234559.0 - 6239859.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 88

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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
52-2-4174	CFPP-17	Recorders	GDA	56	292847	6235101	Open site	Destroyed	Artefact : -	Permits 3826
45-5-4044	Isolated Object 2047-5	Recorders	GDA	56	290809	6236164	Open site	Valid	Artefact : -	Permits
45-5-4045	Isolated Object 2048-5	Recorders	GDA	56	290883	6236222	Open site	Valid	Artefact : -	Permits
52-2-3818	CF-4	Recorders	GDA	56	294516	6235036	Open site	Destroyed	Artefact : 2	Permits 3517
52-2-3544	OPR7	Recorders	GDA	56	291323	6235207	Open site	Destroyed	Artefact : 2	Permits 3106
52-2-3555	OPR26	Recorders	GDA	56	292019	6235063	Open site	Destroyed	Artefact : 1	Permits 3106
45-5-4038	Isolated Object 2041-5	Recorders	GDA	56	292100	6238735	Open site	Valid	Artefact : -	Permits
52-2-3554	OPR24	Recorders	GDA	56	292182	6235414	Open site	Destroyed	Artefact : 2	Permits 3106
52-2-3817	CF-3	Recorders	GDA	56	294971	6235563	Open site	Destroyed	Artefact : 8	Permits 3517
52-2-4177	Gledswood 2	Recorders	GDA	56	295271	6235022	Open site	Valid	Artefact : -	Permits
52-2-4262	Gledswood 7	Recorders	GDA	56	295306	6234903	Open site	Valid	Artefact : 1	Permits 4085
45-5-4047	Artefact Scatter PAD 2051-46	Recorders	GDA	56	292685	6236201	Open site	Partially Destroyed	Artefact : - Potential Archaeological Deposit (PAD) : -	Permits 3955
	Contact	Recorders								Permits

** Site Status

Valid - The site has been recorded and accepted onto the system as valid

Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.

Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground

Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

Report generated by AHIMS Web Service on 09/09/2021 for William Moon for the following area at Datum :GDA, Zone : 56, Eastings : 290550.0 - 295750.0, Northings : 6234559.0 - 6239859.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 88

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23 Appendix 6 - ACHAR Review Correspondence

From: [Dani Mitchell](#)
Sent: Thursday, 17 February 2022 4:25 PM
To: [Will Moon](#)
Subject: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields - Draft ACHAR

Dear Knowledge Holder,

Please find below the link to the draft ACHAR for Minarah College Catherine Fields. In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*, you will have 28 days from receipt of this email to review and provide feedback on the ACHAR.

[Minarah ACHAR Report v1.0.pdf](#)

Please send feedback no later than **March 17th 2022**.

Kind regards

Dani Mitchell
 Senior Archaeologist
 Tocomwall Pty Ltd
 e: dani@tocomwall.com.au
 Dharug Country



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 This email and any files transmitted with it are confidential and intended solely for the use of the individual to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Although the company has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.

From: Wendy Morgan <wenlissa01@hotmail.com>
Sent: Monday, 28 February 2022 1:22 PM
To: Dani Mitchell <dani@tocomwall.com.au>
Subject: RE: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields - Draft ACHAR

Hi Dani,

The information that I have gathered from the report leads GARI to recommend that there should be more test excavations done around the area before the construction of Minarah College 268-278 Catherine Fields Rd Catherine Fields is approved.

The report itself went on to say(9.1 Determining the Archaeological Potential and the Need for Further Investigation The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) requires that 'archaeological test excavation will be necessary when it can be demonstrated that sub-surface Aboriginal objects with potential conservation value have a high probability of being present in an area'. The desktop assessment of the study area has concluded that there are landscape features that are likely to indicate the presence of Aboriginal objects, as defined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010), including locations within 200 metres of waters, and landscape features comparable to other locations in the area that have yielded artefacts during archaeological investigations. Whilst land clearing will have disturbed the surface of the A Horizon, it is expected that there will be intact sediments and soil profiles beneath the disturbed soils that have a probability of containing Aboriginal objects.)

15 Recommendations:
 Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010).
GARI strongly agrees with the recommendations amended below:
 The recommendations are:

Consent must be obtained from Heritage NSW to move the objects and bury them in a safe location on the site, in agreement with the registered Aboriginal parties, or obtain consent to manage the objects under and agreed care and control agreement; if any unanticipated Aboriginal archaeological objects, sites or PAD are identified during the construction program within impact footprints, works should cease immediately, and notify Heritage NSW; if any human remains are identified during the earthworks within the impact footprints works should cease immediately and the Police and NSW Heritage should be contacted;

My Great Grand Father and Grand Father would pass through this area as they walked over the land hunting and in search of suitable partners to marry into our families.

Kind regards

Wendy Morgan
 CEO GARI
 0414 964 657

Sent from [Mail](#) for Windows



FW: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields - Draft ACHAR



Will Moon
To: Wenlissa01@hotmail.com
Cc: Dani Mitchell; Scott Franks

Reply Reply All Forward

Tue 1/03/2022 1:46 PM

Hi Wendy

Dani forwarded your response to the draft ACHAR for the proposed Minarah College to me to comment. Thanks for your feedback and for sharing the information about how your ancestors used the area. We would like to include the comments about your Great Grand Father and Grand Father in the cultural significance section of the report if you ok with this. In terms of the test excavations undertaken on the lots, Tocomwall developed a methodology for the Aboriginal cultural heritage assessment that included a test excavation methodology. This methodology was sent to all of the registered Aboriginal knowledge holders with invitation to provide comment and cultural heritage inputs. This methodology was developed with a number of considerations in mind. These included identifying where the subject land had been significantly impacted by historical development and use of the land and avoiding these areas, where contaminants such as asbestos were present on the surface and where they were likely to be based upon the old building waste on the site, and avoiding these areas, and testing those landscape features that were most likely to contain Aboriginal objects, if they were present. Additionally Tocomwall planned the layout of the test pits to be closer than is required by the code of practice in order to complete more test pits in a smaller area, thereby making the sampling of each area more extensive. Pits were spaced at 10 metres instead of 20 metres. The results of the test excavation are the basis for justifying whether there was a need to undertake further or additional test pits. This is normally if the archaeology of the site cannot be adequately characterised, for example an archaeological feature is uncovered such as a hearth or a dense concentration of artefacts, and the excavation needs to be expanded to better understand the feature. As can be seen in the report, two artefact fragments were uncovered from 18 test pits completed from 3 different sample locations across the subject area. Further test excavation was considered unlikely to produce a different result and there were no features identified that would justify further investigation. Given that this was the result, we would be unable to develop a justifiable business case for further and more extensive test excavation of the site.

Regards

Will Moon

Archaeologist
Tocomwall Pty Ltd
m: 0419399230
e: william@tocomwall.com.au
www.tocomwall.com.au



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RE: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields - Draft ACHAR



Wendy Morgan <wenlissa01@hotmail.com>
To: Will Moon

Reply Reply All Forward

Fri 11/03/2022 10:28 AM

Start your reply all with: [You're welcome.](#) [You're most welcome!](#) [No problem!](#) [Feedback](#)

Hi Will,

Thank you for your feedback.

Kind regards

Wendy Morgan
CEO GARI
0414 964 657

Sent from [Mail](#) for Windows

268-278 Catherine Fields Rd, Catherine Fields



justinecoplin@optusnet.com.au
To: Will Moon

Reply Reply All Forward

Fri 4/03/2022 2:45 PM



You replied to this message on 7/03/2022 8:33 AM.



268-278 Catherine Fields Rd, Catherine Fields.pdf
147 KB

DARUG CUSTODIAN

Didyurigura
Justine Coplin

Budyari Ngami Darug Nurawa
Walame Ngymil Bud deli Darug Nura



Explore [Dyarubbin Digital story map](#)

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DARUG CUSTODIAN

ABORIGINAL CORPORATION



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

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

Attention : Tocomwall

Date: 040322

Subject : 268-278 Catherine Fields Rd, Catherine Fields

Dear William

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

Our 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 agree with the recommendations in this report.

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

Regards



Justine Coplin

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



From: carolyn slater <cal.slater61@gmail.com>
Sent: Tuesday, 22 February 2022 3:07 PM
To: Dani Mitchell <dani@tocomwall.com.au>
Cc: Will Moon <william@tocomwall.com.au>
Subject: Re: Minarah College, 268-278 Catherine Fields Rd, Catherine Fields - Draft ACHAR

Received, thank you.

Carolyn Slater