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Environmental & Social Consultants

49-61 STEPHEN ROAD, BANKSMEADOW

Aboriginal Cultural Heritage Assessment

FINAL

December 2024

49-61 STEPHEN ROAD, BANKSMEADOW

Aboriginal Cultural Heritage Assessment

FINAL

Prepared by
Umwelt (Australia) Pty Limited
on behalf of
ESR Australia Pty Ltd

Project Director: Luke Wolfe
Project Manager: Brent Koppel
Report No. 23513/R01
Date: December 2024

Environmental & Social Consultants

This report was prepared using Umwelt's ISO 9001 certified Quality Management System.

Acknowledgement of Country

Umwelt would like to acknowledge that the Project documented herein was undertaken on Gameygal Country. We pay respect to their respective cultural heritage, beliefs, and continuing relationship with their sky, lands and waters. We pay our respect to their Elders – past, present, and future.

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Abbreviations

Abbreviation	Description
ACHA	Aboriginal Cultural Heritage Assessment
ACHAR	Aboriginal Cultural Heritage Assessment report
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
BP	Before Present
CBD	Central business district
cm	Centimetres
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
Deposited Plan	DP
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979* (NSW)
ESR	ESR Australia Pty Ltd
GFA	Gross floor area
IBRA	Interim Biogeographic Regionalisation for Australia
ILUA	Indigenous Land Use Agreement
km	Kilometres
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
LGM	Last Glacial Maximum
LLS	Local Land Services
m	Metres
NNTT	National Native Title Tribunal
NPW Act	*National Parks and Wildlife Act 1974* (NSW)
NPW Regulation	National Parks and Wildlife Regulation 2019 (NSW)
NPWS	National Parks and Wildlife Service
NSW	New South Wales
NTSCORP	Native Title Services Corporation Limited
PAD	Potential Archaeological Deposit
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021

Abbreviation	Description
RAP	Registered Aboriginal Party
SEARs	Secretary's environmental assessment requirements
SSD	State Significant Development
Umwelt	Umwelt (Australia) Pty Ltd

Executive Summary

ESR Australia Pty Ltd (ESR) proposes to undertake the demolition and development of an warehouse and distribution facility located at 49-61 Stephen Road, Banksmeadow, New South Wales (NSW), within the Bayside Council Local Government Area (LGA). The Project will comprise the demolition of all extant built infrastructure within the to facilitate extensive site remediation to mitigate and manage hazards associated with the Project Area's known contamination concerns (Douglas Partners, 2023). Bulk earthworks and site preparation works will then precede the construction and eventual operation of two (2) three-storey warehouses encompassing 24 total warehouse tenancies, as well as office facilities, car parking, a cafe and all ancillary infrastructure, and landscaping.

Umwelt was engaged to prepare an Aboriginal Cultural Heritage Assessment (ACHA) as part of the Project's Environmental Impact Statement (EIS) to be prepared by ESR. The Project was classified as State Significant Development (SSD) (SSD-65924461) and will require development consent under *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and Part 4 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act), meaning that the need for approvals under the NSW *National Parks and Wildlife Act 1974* (NPW Act) are not applicable (i.e., Section 90A).

Umwelt's assessment of the Project followed the general guidance of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (Code of Practice) (DECCW, 2010b) (Code of Practice) and Section 3.1 of the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011). A program of Aboriginal community consultation was undertaken with reference to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Consultation Requirements) (DECCW, 2010a).

Field Surveys

The survey of the Project Area was conducted on foot, and encompassed the full extent of the property. As the Project Area is an active chemical manufacturing and distribution facility, access into warehouses and other buildings was not practicable due to health and safety concerns. In spite of this, the perimeter of the Project Area was inspected, including interior roadways. This provided adequate opportunity to assess potential Aboriginal cultural values of the Project Area.

Surveys were conducted with representatives of ESR, as well as the current tenants of the Project Area. During surveys, RAP representatives and Umwelt personnel were able to gather information regarding sub-surface infrastructure not necessarily visible during surveys of the Project Area surface.

No Aboriginal sites are located in the Project Area, and no previously unrecorded Aboriginal objects or sites were identified during the course of the surveys.

Management Recommendations

Desktop assessment of the Project Area and environs, supplemented by field surveys of the Project Area have determined that impacts to Aboriginal objects in the undertaking of the Project is considered unlikely.

If an Aboriginal Cultural Heritage Management Plan (ACHMP) is stipulated as a condition of approval, management procedures including, but not limited to, those presented in **Section 10.1.1** to **Section 10.1.3** below would be integrated into the ACHMP.

Aboriginal Cultural Heritage Awareness Induction

All relevant contractors and personnel should also be made aware of their legal responsibilities under the NPW Act and the need to avoid impacts to Aboriginal objects and/or sites not identified in this ACHA.

Previously Unrecorded Aboriginal Objects and/or Sites

Management strategies relating to the identification of unrecorded Aboriginal archaeological objects and/or sites identified within the Project Area throughout the life of the Project will comprise the following procedure:

1. All works would cease immediately in the area to prevent any further impacts to the object(s).
2. Notify the appropriate Project Manager/Site Supervisor or equivalent immediately.
3. A qualified heritage consultant would be engaged to determine the nature, extent and scientific significance of the object(s). RAP representatives are to be notified in writing regarding the nature of the find and if required, proposed management actions. RAP representatives will be requested to provide comments within seven (7) days.
4. An AHIMS site card would be completed and submitted to Heritage NSW in compliance with Section 89A of the NPW Act. The site cards will be lodged within 21 days and a copy provided to those RAPs who wish to have a copy.

Human Skeletal Remains

In the event that potential human skeletal remains are identified throughout the life of the Project (including construction, operations and decommissioning phases), the following standard procedure outlined below will be followed:

- All work in the vicinity of the remains must cease immediately.
- The location must be cordoned off and the appropriate authorities notified (including NSW Police and if considered of possible Aboriginal descent, NSW Heritage).
- Subject to any alternative instruction from the NSW Policy or Heritage NSW, a physical or forensic anthropologist would be commissioned to inspect the remains *in situ* and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or modern).
- Subsequent management actions will be dependent on the findings of the inspection undertaken under Point 3.
- If the remains are identified as modern and human, the area will become a crime scene under the jurisdiction of the NSW Police.
- If the remains are identified as pre-contact or historic Aboriginal, the site will be secured, and Heritage NSW and all RAP representatives notified in writing.
- If the remains are identified as historic (non-Aboriginal), the site is to be secured and the Heritage NSW contacted.
- If the remains are identified as non-human, work can recommence immediately.

Connecting with Country

Umwelt recommends that ESR engage with the *Connecting with Country Framework* (Government Architect NSW, 2023) in the design and operation phases of the Project. The Connecting with Country Framework intends to support and promote Aboriginal culture in built environments through a Country-centred approach, guided by Aboriginal stakeholders.

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1.0 Introduction and Background

1.1 Introduction

ESR Australia Pty Ltd (ESR) proposes to undertake the demolition and redevelopment of an industrial facility located at 49-61 Stephen Road, Banksmeadow, New South Wales (NSW), hereafter referred to as the Project. Umwelt was engaged by ESR to prepare an Aboriginal Cultural Heritage Assessment (ACHA) as part of the Project's Environmental Impact Statement (EIS) to be prepared by ESR. The Project was classified as State Significant Development (SSD) (SSD-65924461) and will require development consent under *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and Part 4 of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act), meaning that the need for approvals under the *National Parks and Wildlife Act 1974* (NPW Act) are not applicable (i.e., Section 90A).

The ACHA contained herein details the results of Umwelt's assessment for the Project, which followed the general guidance of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (Code of Practice) and Section 3.1 of the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage [former], 2011). A program of Aboriginal community consultation was undertaken with reference to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water [former], 2010) (Consultation Requirements).

1.2 The Project Area

As shown in **Figure 1.1**, the Project is located within the Botany Industrial Precinct at 49-61 Stephen Road, Banksmeadow, NSW, approximately 10 km south of the Sydney Central Business District (CBD), approximately 2 km to the southeast of Sydney Airport. The area of proposed development is situated within the Bayside Council Local Government Area (LGA), encompasses 48,160 m^2 in area, and includes the following curtilages:

- Lot A on Deposited Plan (DP) 190526
- Lot 1 on DP1095110
- Lot 1 on DP311767.

The three (3) listed curtilages, collectively, are hereafter referred to as the 'Project Area'.

The Project Area is zoned IN1 'General Industrial', as is the area to the east of Stephen Road per the Bayside Local Environmental Plan (2021). Immediately west of the Project Area is zoned R2 'Low Density Residential'.

1.3 The Project

The Project will comprise the demolition of all extant built infrastructure within the Project Area to facilitate extensive site remediation to mitigate and manage hazards associated with the Project Area's known contamination concerns (Douglas Partners, 2023). A component of the contamination management strategy includes the construction of a stormwater retention/remediation treatment pond located along the eastern boundary of the Project Area.

Bulk earthworks and site preparation works will then precede the construction and eventual operation of two (2) three-storey warehouses encompassing 24 total warehouse tenancies, as well as office facilities, car parking, a cafe and landscaping. Specifics regarding the proposed development include:

- The construction of two (2) three-storey warehouses, Warehouse A and Warehouse B, along the northern and southern sides of the site, respectively.
- The construction of hardstand areas will be suspended between each storey of the two blocks, with a mezzanine carpark level located beneath the second level of the hardstand.
- The construction of roads and pathways along the northern and eastern site boundary for general vehicular, pedestrian and emergency vehicle access.
- Entrance and exit route for trucks from and to Coal Pier Road to the east of the Project Area, including the construction of a circular ramp and heavy-duty pavements from the western side of the hardstand area and a heavy-duty driveway along the southern site boundary to the street frontage along Coal Pier Road.
- In areas of unconsolidated and unstable sediments, piled concrete footings are proposed to be driven into underlying sediments to act as stable foundations for construction to occur.
- To counteract the sloping nature of the Project Area, imported fill will be placed to raise the topographically lower areas of the Project Area.

Specifically, the Project comprises:

- Demolition of all existing built form.
- Site preparation works, bulk earthworks and infrastructure/service provisions and/or augmentation.
- Removal of a number of trees on site.
- Extensive remediation of the site.
- Construction and operation of two three-storey warehouse and distribution centre buildings including the following key components:
    - Approximately 57,034 m^2 of total gross floor area (GFA) comprising:
        - 51,195 m^2 of warehouse area
        - 4,775 m^2 of office area
        - 964 m^2 of lobby space
        - 100 m^2 café.
    - Two warehouse buildings of three storeys containing:
        - Twelve (12) units within Warehouse A (3 levels).
        - Twelve (12) units within Warehouse B (3 levels).

- 243 car spaces provided on the ground floor mezzanine carparking area.
- 50 ground floor carpark spaces off Coal Pier Road.
- 20 motorbike parking spaces.
- End of trip facilities.
- Site landscaping works totalling 5,327 m^2 (11.06% of the site).
- Provision of building/business identification signage.

1.4 Secretary's Environmental Assessment Requirements

Secretary's Environmental Assessment Requirements (SEARs) for SSD-65924461 application were issued on 30 January 2024. Issued SEARs require the compilation of an EIS, supported by an ACHA as well as consultation with Aboriginal stakeholders in accordance with the Code of Practice and Consultation Requirements.

The relevant SEARs to this technical assessment are presented in **Table 1.1**.

Table 1.1 SEARs relating to SSD-65924461

SEARs		Section addressed
Aboriginal Heritage	– an ACHAR prepared in accordance with the Code of Practice for Archaeological Investigation in NSW (DECCW, 2010), and guided by the Guide to Investigating, Page 5 of 11 Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH, 2011).	**This document**
	– identify, describe and assess impacts on the Aboriginal cultural heritage values that exist across the development site	**Section 9.0**
	- provide evidence and details of consultation with Aboriginal people in accordance with the Consultation Requirements	**Section 3.0**
	– include results of a surface survey and any test excavations and an unexpected finds protocol.	**Section 7.0** **Section 10.1.2**

1.5 The Proponent

The proponent for this investigation is **ESR Developments (Aust) Pty Ltd**, a development company specialising in the large-scale development of commercial and industrial properties. Key proponent details are presented in **Table 1.2**.

Table 1.2 Proponent Details

Requirement	Details
Full Name/s	ESR Developments (Aust) Pty Ltd
Street Address	ESR, Level 24, 88 Phillip Street, Sydney 2000
ABN	88 625 766 109

1.6 Assessment Objectives

The overarching objectives of the Aboriginal cultural heritage assessment detailed in this report are as follows:

- To identify the Aboriginal cultural heritage values of the Project Area using a combination of background research, archaeological survey and Aboriginal community consultation.
- To present the outcomes of Aboriginal community consultation, undertaken during the preparation of this report, and presenting the views of Aboriginal people regarding the likely impact of the Project on their cultural heritage.
- To provide, on the basis of significance and impact assessments, an appropriate management strategy for the identified cultural heritage values of the Project Area.
- To compile an Aboriginal archaeological report to inform the relevant section of the EIS and assist the consent authority in its assessment of the development application.

1.7 Assessment Approach

The current assessment was undertaken in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW and Aboriginal Cultural Heritage Consultation Requirements for Proponents (Consultation Requirements) and included the following:

- Searches of the Aboriginal Heritage Information Management System (AHIMS) for all Aboriginal sites within the current Project Area and surrounds.
- Review of the environmental context of the Project Area and environs, with specific consideration to its implications for past Aboriginal land use.
- Review of relevant archaeological and ethnohistoric information for the Project Area and environs.
- 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 Project Area.
- To provide Registered Aboriginal Parties (RAPs) with information about the scope of the proposed works and Aboriginal heritage assessment process.
- To facilitate a process whereby RAPs can:
    - Contribute culturally appropriate information to the proposed assessment methodology.
    - Provide information that will enable the cultural significance of Aboriginal objects and/or places within the Project Area to be determined.
    - Have input into the development of cultural heritage management options.
- To prepare and finalise an Aboriginal Cultural Heritage Assessment report (ACHAR) with input from RAPs.

1.8 Native Title

The National Native Title Tribunal (NNTT) register contains determinations of native title made by:

- the High Court of Australia
- the Federal Court of Australia
- or a recognised body such as Environment Resources and Development Court.

A search of the NNTT register was undertaken on 22 March 2024. No Native Title Claims and no Indigenous Land-Use Agreements (ILUAs) have been registered or notified by the National Native Title Tribunal as being in place over the Project Area.

1.9 Project Team

Dr. Brent Koppel (Archaeologist, Umwelt) was the primary author of the current assessment report. Additional technical input and support was provided by Chantelle Laucht (Archaeologist, Umwelt). Luke Wolfe (Principal Archaeologist, Umwelt) provided technical review of this report.

The fieldwork component of the current assessment were undertaken by Dr Brent Koppel and Melissa Moritz (Senior Archaeologist, Umwelt), in collaboration with RAP stakeholder representatives indicated in **Section 3.3.1**, and Nick Mullins (Senior Development Manager, ESR).

Aboriginal community consultation for this assessment was undertaken in accordance with the Consultation Requirements (NSW Department of Environment Climate Change & Water [former], 2010). Full details of the consultation process undertaken are provided in **Section 3.0**. Aboriginal organisations and/or individuals consulted as part of this assessment are listed in **Table 1.3**.

Table 1.3 Registered Aboriginal Parties

Organisation/Individual	Primary contact person
La Perouse Local Aboriginal Land Council	-
Konanggo Aboriginal Cultural Heritage Services	Robert Young
Wailwan Aboriginal Group	Philip Boney
Didge Ngunawal Clan	Lillie Carroll and Paul Boyd
Yarrawalk Pty Ltd	Scott Franks
Butucarbin Aboriginal Corporation	Jenny Beale
Kamilaroi Yankuntjatjara Working Group	Phil Khan and Stephanie Khan
Ginninderra Aboriginal Corporation	Krystle Carroll-Elliott
Thomas Dahlstrom	Thomas Dahlstrom
Waawaar Awaa Aboriginal Corporation	Rodney Gunter
Goobah Development PTY LTD (Murrin Clan/Peoples)	Basil Smith
Ngambaa Cultural Connections	Kaarina Slater
A1 Indigenous Services	Carolyn Hickey
Amanda DeZwart Hickey	Amanda Hickey

1.10 Report Structure

This report contains 11 sections. This section (**Section 1.0**) has provided background information on the assessment undertaken and provides a description of the Project Area. The remainder of the report is structured as follows:

- **Section 2.0** summarises relevant statutory controls relevant to the Project Area.
- **Section 3.0** documents the Aboriginal community consultation process undertaken for this assessment.
- **Section 4.0** summarises relevant environmental and landscape information for the Project Area and environs.
- **Section 5.0** summarises relevant ethnohistoric information for the Project Area.
- **Section 6.0** summarises relevant archaeological information for the Project Area and environs.
- Section **7.0** describes the results of the fieldwork program.
- **Section 8.0** provides a significance for all Aboriginal sites within the Project Area.
- **Section 9.0** discusses the proposed activity and its associated impacts.
- **Section 10.0** outlines for the management recommendations for the Project Area.
- Section **11.0** lists the references cited in-text.

Details of where to locate the report content stipulated in the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* are provided in **Table 1.4**.

Table 1.4 Heritage NSW Requirements Reference Table

Requirement	Refer to
How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the National Parks and Wildlife Regulation 2019 (NPW Regulation)	**Section 3.0**
A description of the Aboriginal objects and declared Aboriginal places located within the area of the Project	**Section 6.0** and **Section 7.0**
A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places, that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the land	**Section 8.1**
The views of those Aboriginal people regarding the likely impact of the Project on their cultural heritage (if any submissions have been received as a part of the consultation requirements, the report must include a copy of each submission and your response)	**Section 3.2.3**
Actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposed activity, with reference to the cultural heritage values identified	**Section 9.0**
Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places	**Section 10.0**
Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm	

1.11 Acknowledgements

Umwelt would like to thank and acknowledge the assistance of all First Nations peoples who participated in the engagement process and fieldwork components of the assessment and contributed their cultural knowledge to aid in the protection and management of their cultural heritage within the Project Area.

In the production of this ACHAR, Umwelt undertook a program of consultation with First Nations peoples to ensure their recognition, that their voices were heard, and that their interests, concerns and knowledge were documented, as appropriate. **Both Umwelt and ESR respectfully acknowledge that any cultural information contained herein remains the property of First Nations peoples and is only reproduced in this report with permission**.

Additionally, Umwelt notes that this report utilises terminology to describe and interpret cultural connections to Country that is generally based within an archaeological framework. All attempts have been made to avoid unnecessary generalisations about the past occupation of the Project Area and environs. Documented resources relating to pre-colonisation First Nations peoples are generally scarce, and consequently local newspapers and European accounts provide much of the early documented lives of First Nations peoples. Often written from a Euro-centric perspective, however, Umwelt acknowledges that these resources rarely reflect the views of First Nations peoples today. Where such resources have been referenced, every attempt has been made to provide an objective interpretation of the available literature.

1.12 Copyright

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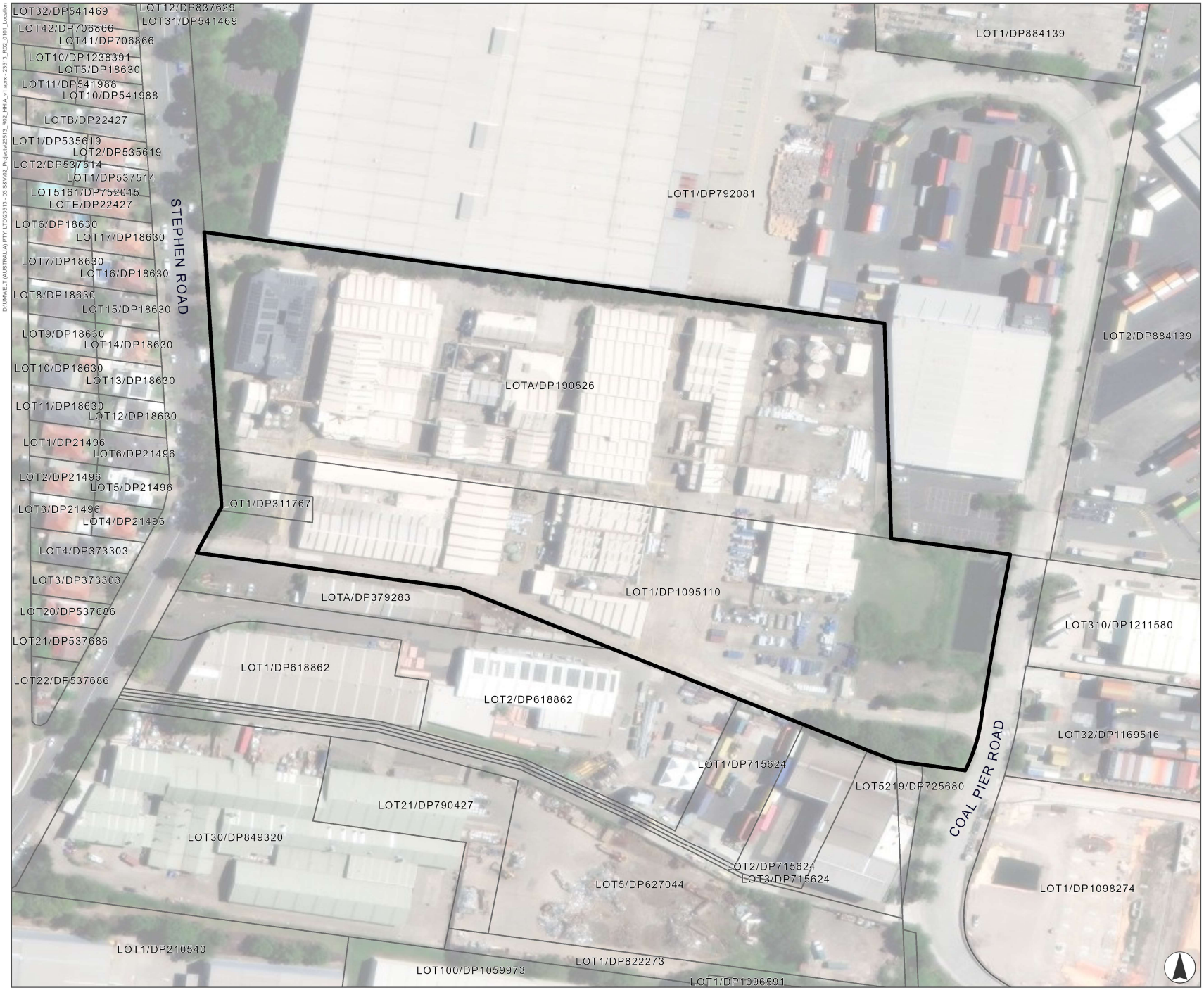
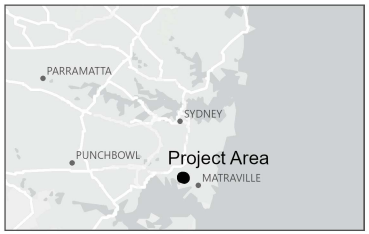


FIGURE 1.1

Location of the Project Area

Legend

- Project Area
- Cadastre



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2.0 Statutory Controls

2.1 State

2.1.1 Environmental Planning and Assessment Act 1979

The NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) requires that consideration be given to environmental impacts as part of the land use planning process in NSW. In NSW, environmental impacts are interpreted as including impacts to Aboriginal and non-Aboriginal (i.e., historic) cultural heritage.

ESR is seeking development consent under Part 4 of the EP&A Act. Pursuant to Division 5.2, Subdivision 4, section 5.23(1)(d) of the EP&A Act, approval under Part 4 of the NPW Act, or an Aboriginal Heritage Impact Permit (AHIP) is not required for SSD projects. Impacts to Aboriginal heritage values associated with approved SSD projects are typically managed under Aboriginal Cultural Heritage Management Plans (ACHMPs). ACHMPs are statutorily binding once approved by the NSW Department of Planning, Housing and Infrastructure (DPHI). The requirement to undertake Aboriginal heritage assessments is determined in the preparation of the SEARs as specified under Division 5.2, Subdivision 2, Section 5.16 of the EP&A Act.

2.1.2 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NSW) (NPW Act) is the primary legislation for the protection of Aboriginal cultural heritage in NSW. Heritage NSW is primarily responsible for regulating the management of Aboriginal cultural heritage in New South Wales under the NPW Act. The NPW Act is accompanied by the NPW Regulation and supported by the Code of Practice (DECCW, 2010b), and other codes of practice relating to demonstration of due diligence.

The NPW Act gives the Heritage NSW the responsibility for the proper care, preservation and protection of 'Aboriginal objects' and 'Aboriginal places', defined under the Act as:

- An **Aboriginal object** is any deposit, object or material evidence (that is not a handicraft made for sale) relating to the Aboriginal habitation of NSW, before or during the occupation of that area by persons of non-Aboriginal extraction (and includes Aboriginal remains).
- An **Aboriginal place** is a place declared so by the Minister administering the NPW Act because the place is or was of special significance to Aboriginal culture. It may or may not contain Aboriginal objects.

Under Section 84 of the NPW Act, an Aboriginal Place must be declared by the Minister as a place that, in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture. Part 6 of the NPW Act provides specific protection for Aboriginal objects and places by making it an offence to harm them and includes a 'strict liability offence' for such harm. A 'strict liability offence' does not require someone to know that it is an Aboriginal object or place they are causing harm to in order to be prosecuted. Defences against the 'strict liability offence' in the NPW Act include the carrying out of certain 'Low Impact Activities', prescribed in Clause 80B of the NPW Regulation, and the demonstration of due diligence.

In accordance with Section 86(1) of the NPW Act, it is an offence to harm or desecrate a known Aboriginal object, whilst it is also an offence to harm an Aboriginal object under Section 86(2). Similarly, Section 86(4) states that a person must not harm or desecrate an Aboriginal place.

Harm to an Aboriginal object or place is defined as any act or omission that:

a) destroys, defaces or damages an object or place, or

b) in relation to an object – moves the object from the land on which it had been situated, or

c) is specified by the regulations, or

d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c),

but does not include any act or omission that:

e) desecrates the object or place, (noting that desecration constitutes a separate offence to harm), or

f) is trivial or negligible, or

g) is excluded from this definition by the regulations.

Section 87(1) of the NPW Act specifies that it is a defence to prosecution under Section 86(1) and Section 86(2) if the harm or desecration of an Aboriginal object was authorised by an AHIP and the activities were carried out in accordance with that AHIP.

Pursuant to Section 4.41 of the EP&A Act however, AHIPs are not required for SSD approved under Division 4.7 of Part 4 of the EP&A Act. Impacts to Aboriginal heritage values associated with approved SSD projects are typically managed under ACHMPs (refer to **Section 2.1.1**).

Section 89A of the NPW Act requires notification of the location of Aboriginal sites within a reasonable time, with penalties for non-notification. Section 89A is binding in all instances.

2.2 Local

2.2.1 Local Environmental Plans

The Bayside Local Environment Plan (LEP) (2021) was established under the provisions of the EP&A Act. This LEP provides guidance for development activities within Bayside Council LGA. Part 5.1 of the LEP establishes the requirements for development consent in relation to heritage conservation.

The objectives of Part 5.1 include conservation of Aboriginal objects or Aboriginal places of heritage significance. In accordance with these provisions, development consent is required for any activity that will involve:

- Demolishing or moving an Aboriginal object.
- Disturbing or excavating an Aboriginal place of heritage significance.

- Erecting a building on land on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- Subdividing land containing an Aboriginal object or Aboriginal place of heritage significance.

A search of Schedule 5 of the Bayside LEP (2021) was undertaken for previously listed Aboriginal heritage items. No listings for any Aboriginal place of heritage significance, object or site are currently listed under the Bayside LEP (2021).

3.0 Aboriginal Party Consultation

Aboriginal community consultation acknowledges the right of Aboriginal peoples to be involved, through direct participation, on matters that directly affect their cultural heritage.

Involving Aboriginal people in all facets of the assessment process ensures that they are given adequate opportunity to share information about cultural values, and to actively participate in the development of appropriate management and/or mitigations measures.

Aboriginal community consultation for this assessment was undertaken in with reference to the Consultation Requirements. The results of the consultation process undertaken are detailed below. A consultation log is provided as **Appendix B**.

3.1 Stage 1 – Notification and Registration

The aim of Stage 1 of the Consultation Requirements is to identify, notify and register Aboriginal stakeholders who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the Project Area.

3.1.1 Consultation with Regulatory Agencies

Section 4.1.2 of the Consultation Requirements stipulates that proponents are responsible for determining the names of Aboriginal stakeholders who may hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places. Proponents are required to compile a list of Aboriginal stakeholders who may have an interest in being consulted for a project by writing to:

- Heritage NSW
- the relevant Local Aboriginal Land Council(s) (LALC)
- the Registrar, NSW *Aboriginal Land Rights Act 1983* for a list of Aboriginal owners
- the National Native Title Tribunal for a list of registered native title claimants, native title holders
- Native Title Services Corporation Limited (NTSCORP Limited)
- the relevant local council(s)
- the relevant catchment management authority (i.e. Local Land Services) for contact details of any established Aboriginal reference group.

In accordance with this requirement, the following agencies were contacted via email on 22 March 2024, requesting information on relevant Aboriginal persons and organisations:

- Heritage NSW
- La Perouse LALC
- The Office of Registrar Aboriginal Land Rights Act NSW

- the National Native Title Tribunal (NNTT)
- Native Title Services Corporation Limited (NTSCORP Limited)
- Bayside City Council
- Greater Sydney Local Land Services (LLS).

A single (1) agency response was received. Heritage NSW responded to Umwelt, providing a list of 51 Aboriginal individuals and/or organisations with an interest in the Bayside LGA.

3.1.2 Public Notification

Section 4.1.3 of the Consultation Requirements requires that, in addition to writing to the Aboriginal individuals and/or organisations identified by the agencies listed in **Section 3.1.1**, the proponent must also place a notice in the local newspaper circulating in the general location of the proposed project. A public notice was placed in the St George and Sutherland Shire Leader on 27 March 2024. No responses to the notice were received prior to, or after the closure date. A copy of the advertisement is included in the consultation documentation provided in **Appendix I.**

3.2 Invitations for Expressions of Interest

Section 4.1.3 of the Consultation Requirements requires that proponents must write to the Aboriginal people whose names were obtained through the regulatory agencies and the relevant LALC(s) to notify them of the proposed project and invite them to register an interest in participating in a process of community consultation.

A letter inviting expressions of interest and containing project summary information was sent to all Aboriginal individuals and/or organisations on 12 April 2024. A total of 51 Aboriginal individuals and/or organisations were contacted to register an interest in being consulted. The Aboriginal individuals and/or organisations were provided a 14-day period (to 26 April 2024) to respond. By the closing date for expressions of interest, 13 responses were received. Of these, 11 indicated their interest in registering as RAPs for the Project, and two (2) declined. Two (2) responses were received after the 14-day period indicating their interest in registering as RAPs for the Project.

Summary information on RAPs, including registration dates, is provided in **Table 3.1** and copies of registration provided in **Appendix D**.

Table 3.1 Registered Aboriginal Parties

Organisation	Contact Person	Date of registration
Didge Ngunawal Clan	Lilly Carroll	12/04/2024
Wailwan Aboriginal Group	Phil Boney	12/04/2024
Wonnarua PBC; Yarrawalk Pty Ltd	Scott Franks	12/04/2024
Konanggo Aboriginal Cultural Heritage Services	Robert Young	12/04/2024
Butucarbin Aboriginal Corporation	Jenny Beale	15/04/2024
Kamilaroi Yankuntjatjara Working Group	Phil Khan	16/04/2024

Organisation	Contact Person	Date of registration
Ginninderra Aboriginal Corporation	Krystle Carroll-Elliott	18/04/2024
Thomas Dahlstrom	Thomas Dahlstrom	20/04/2024
Waawaar Awaa Aboriginal Corporation	Rodney Gunter	22/04/2024
Goobah Development Pty Ltd (Murrin Clan/Peoples)	Basil Smith	24/04/2024
Ngambaa Cultural Connections	Kaarina Slater	26/04/2024
A1 Indigenous Services	Carolyn Hickey	7/05/2024
Amanda Hickey Cultural Services	Amanda De Zwart	6/06/2024

3.2.1 Notification of Registered Aboriginal Parties (RAPs)

Section 4.1.6 of the Consultation Requirements requires that the proponent make a record of the names of each Aboriginal person who registered an interest and provide evidence of that record to Heritage NSW and the relevant LALC(s). Section 4.1.5 of the Consultation Requirements provides the opportunity for Aboriginal persons to withhold their details from being forwarded to these parties.

Notification of RAPs to Heritage NSW and La Peoruse LALC was sent on 29 July 2024 and provided in **Appendix E**.

3.2.2 Stage 2 – Presentation of Information About Project

The aim of Stage 2 of the Consultation Requirements is to provide RAPs with information about the scope of the Project and the proposed cultural heritage assessment process. For the current assessment, presentation of information about the Project Area and proposed development was provided to RAPs as part of the draft methodology detailed in **Section 3.2**.

3.2.3 Stage 3 – Gathering Information about Cultural Significance

The aim of Stage 3 of the Consultation Requirements is to facilitate a process allowing RAPs to contribute to culturally appropriate information gathering and the assessment methodology, provide information that will enable the cultural significance of Aboriginal objects and/or places to be determined and have input into the development of any cultural heritage management measures. For the current assessment, consultation with RAPs regarding the cultural heritage values of the Project Area included:

- A request with the draft assessment methodology for any initial comments regarding the Aboriginal cultural heritage values of the Project Area.
- Discussion of cultural heritage values during fieldwork activities.
- The provision of a draft report to all RAPs for comment prior to finalisation.

3.3 Draft Methodology

Sections 4.3.1 and 4.3.2 of the Consultation Requirements require that the proponent present the proposed methodology for the cultural heritage assessment to all RAPs with the invitation for RAPs to review and provide feedback on this methodology. In accordance with these requirements, on 8 May 2024, all RAPs were sent a draft of Umwelt's proposed methodology, provided in **Appendix F**. RAPs were given 28 days (to 5 June 2024) to respond to the proposed assessment method but were informed that cultural information could be provided throughout the duration of the assessment.

Robert Young (Konanggo Aboriginal Cultural Heritage Services), Carolyn Hickey (A1 Indigenous Services) and Phil Khan (Kamilaroi Yankuntjatjara Working Group) provided a positive response, agreeing with the proposed methodology. Phil Khan (Kamilaroi Yankuntjatjara Working Group) additionally recommended a test excavation program be conducted (**Appendix G**).

3.3.1 Archaeological Survey Program

All RAPs were provided with the opportunity to be involved in the pedestrian survey of the Project Area. Notifications for the proposed field assessment were sent by Brent Koppel (Umwelt Archaeologist) via email to RAPs on 6 June 2024. Brent Koppel emailed and/or phoned RAPs periodically throughout the consultation period in order to determine field representative availability and confirmation of attendance.

RAP field representatives are listed by organisation in **Table 3.2**.

Table 3.2 RAP Representative Participation in Surveys of Project Area 14 June 2024

RAP Organisation	RAP Representative
Adam McClellan	Woka Aboriginal Corporation
Teagen Pittman	Butucarbin Aboriginal Corporation
Basil Smith	Goobah Development PTY LTD (Murrin Clan/Peoples)
Derek Davidson	Murramurang
Pamela Young	Konanggo Aboriginal Cultural Heritage Services
Robert Young	
Scott Franks	Yarrawalk
Paul Boyd	Didge Ngunawal Clan
Paul Boyd Carroll	
Korri Currell	Kamilaroi Yankuntjatjara Working Group

3.3.2 Consultation During and After Fieldwork

Umwelt discussed various assessment and management options with RAPs during the survey to gauge the suitability of certain measures. In addition, cultural information pertaining to the Project Area was discussed at the conclusion of the surveys. For context, a summary of the discussed topics is provided below.

- RAPs highlighted the cultural importance of the Project Area, with specific reference to the first interactions with local Aboriginal people and the first European explorers, and the violence arising from the European colonial expansion in the 18th century.
- Landscape modification and infrastructural development post-European colonisation resulted in the total destruction of Aboriginal objects and/or sites within the Project Area and environs should not be assumed. Aboriginal objects and sites have the potential to be preserved within sediments, with the Botany Sand Beds known to be archaeologically sensitive.
- The potential for Aboriginal cultural knowledge and values to be incorporated in the proposed development was discussed. Opportunities for the integrating of Aboriginal cultural values into the proposed development included plantings of locally relevant tree and shrub species, and the naming of proposed infrastructure reflecting the local Aboriginal histories.

3.4 Draft Report

The aim of Stage 4 of the Consultation Requirements is to prepare and finalise an ACHAR while providing an opportunity for RAPs to provide input and/or feedback. In accordance with Section 4.4.2 of the Consultation Requirements, on 17 September 2024, all RAPs were sent a draft copy of the ACHAR for review and comment (**Appendix H**). The closing date for comments was 15 October 2024, which provided the minimum 28-day review period.

Responses to the draft ACHAR were received from two (2) RAPs and are summarised in **Table 3.3**. Written responses are attached as **Appendix I**.

Table 3.3 RAP Responses to Draft Report

Registered Aboriginal Party	Date of response	Method of response	Summary of response	Umwelt Response to Comment
Phil Khan (Kamilaroi Yankuntjatjara Working Group)	26/9/20204	Email	Phil Khan agree with the findings of the ACHA, and support management recommendations.	Umwelt acknowledged Phil Khan's comments.
Amanda De Zwart (Amanda Hicky Cultural Services)	8/10/2024	Email	Amanda Hickey Cultural Services support the ACHA.	Umwelt acknowledged Amanda De Zwart's comments.

4.0 Environmental Context

4.1 Physical Setting

The Project Area falls within the Sydney Basin Bioregion and Pittwater subregion of the Interim Biogeographic Regionalisation for Australia (IBRA) classification. The Sydney Basin Bioregion is characterised by a temperate climate featuring warm summers, with a sub-humid climate in the northeast. Summers are typically warm with relatively mild winters and no discernible wet season, though areas of higher altitudes and those being closer to the coastline experiencing higher rainfall than other areas. The Sydney Basin Bioregion encompasses catchments of the Hawkesbury, Nepean, Hunter, and Shoalhaven rivers, including the smaller catchments of Lake Macquarie, Lake Illawarra, Hacking, Georges, and Parramatta Rivers (National Parks and Wildlife Service [NPWS], 2003).

The physical setting of the Project Area and environs is broadly flat, to gently undulating and rolling coastal dunefields (Chapman *et al*., 1989: 118), with slope gradients recorded between 1 and 10% (Chapman *et al*., 1989: 118). Local elevation is typically less than 20 m above sea level, however can reach elevations of approximately 40 m. Outcrops of Hawkesbury Sandstone are scattered across the region surrounding the Project Area (Chapman *et al*., 1989: 119). The Project Area itself is an entirely developed built environment, and flat in gradient.

4.2 Hydrology

The Project Area is situated near the northern shoreline of Botany Bay. Mill Stream flows approximately 1 km to the north and northwest of the Project Area, which flows in a south westerly direction into Mill Pond and then discharging into Botany Bay. Bunnerong Creek is situated approximately 2.5 km to the southeast of the Project Area, also discharging into Botany Bay from the northeast. Approximately 4.5 km to the northwest, Shea's Creek flows southwards into Alexandria Canal, and in turn flows into Cook's River. Muddy Creek also connects with Cook's River as it flows into the northwestern corner of Botany Bay.

Extending from the Sydney CBD in the north to the northern shoreline of Botany Bay is the Botany Aquifer. Feeding and recharging the aquifer are a series of swamps and wetlands that slowly discharge rainwater through the sandy substrate of the Tuggerah soil landscape and Botany Sand Beds (see **Section 4.3**) towards Botany Bay in the south. Overlying the Botany Aquifer are the Botany-Lachlan Wetlands – a series of ponds and swamps interconnected through sub-surface drainage channels flowing from Centennial Park in the north, approximately 6 km to Botany Bay in the south. Archaeological evidence has demonstrated that local Aboriginal people have been using the Botany-Lachlan Wetlands for at least 8,000 years (e.g. Etheridge, 1896; Godden Mackay Heritage Consultants Pty Ltd & Austral Archaeology Pty Ltd, 1997).

The Project Area is situated on lands that was once called Veteran's Swamp drained by Mill Stream, with Lachlan Swamp adjacent to the northeast and Waterloo Swamp to the northwest which drain into Shea's Creek. Industrial development in the early 19th century saw the damming of Mill Stream to facilitate wool a wool processing mill, with similar industries impacting the hydrological regimes of the area, ultimately resulting in the entire disappearing of Veteran's Swamp (Hamilton *et al*., 2024: 280).

The Project Area and its surrounds represent a nearly entirely developed landscape. As such, hydrological regimes would have been modified during the process of industrial developments and landscape modification. The route of extant waterways such as Mill Stream and Cooks River remain largely unmodified, however lower order streams and channels would have bene replaced by artificial drainage and sewerage networks and canals. Barring the outermost extremity of Cape Banks, the coastline along Botany Bay appears completely modified from a natural state. Impacts to local natural hydrological processes would have been unavoidable through the industrialisation process of the area.

4.3 Geology and Soils

The geology of the Pittwater subregion within the Sydney Basin Bioregion is characterised by Triassic-aged Hawkesbury Sandstone capped by thin Ashfield Shales along ridgelines, and underlain by Narrabeen sandstones exposed in deeper valleys and gullies (NPWS, 2003: 193), dating to approximately 200 million years in age (Haworth, 2003: 43). Mapped geologies (Raymond *et al.,* 2012) of the Project Area and surrounding environs identify medium to coarse-grained quartz sandstone with minor shale and laminate lenses typical of the Hawkesbury Sandstone as outcrops along the Botany Bay coastline. Surrounding this are rock units of the Wianamatta Group characterised by sedimentary units including sandstone, siltstone, and shale.

Mapped soil landscapes identify the Project Area being situated on the aeolian Tuggerah soil landscape (tg), characterised by gently undulating coastal dunefields, featuring deep podzols. A1 Horizon soils are noted as bring organic-rich, with bleached A2 Horizons (Mitchell, 2002: 109). Immediately adjacent to the mapped Tuggerah soil landscape and partially incorporating the Project Area is the more representative Disturbed Terrain (xx), characterised by total clearance of natural vegetation and extensive anthropogenic disturbance and urban/industrial development (Chapman *et al.*, 1989).

The Botany Sands is considered a component of the Tuggerah Soil Landscape (Gale *et al.*, 2018). This geological unit comprises aeolian quartz sands derived from marine contexts, underlies the surfaces soils and sediments of the Project Area and its environs, while overlying Hawkesbury Sandstone bedrock for a thickness of up to 30 m (Hatley, 2004). The Botany Sand Beds are the result of the formation of a coastal hinterland landscape of dunes, sandsheets and swamps over the past 12,000 years (Gale, 2016), but have also been dated to approximately 35,000 years in age (Smart, 1974). The Botany Sand Beds are characterised by uniformly graded, well-sorted, clean and poorly cemented fine- to medium-grained quartz sands (Hatley, 2004; Energy Australia, 2007).

The Botany Sand Beds has been identified as being archaeologically sensitive (Artefact, 2019: 41; Artefact, 2021: 14). Aboriginal ancestral remains have been recorded within intact sediments associated with the Botany Sands, with assemblages in excess of 5,000 stone artefacts (Donlon, 1995 as referenced in Jo MacDonald Cultural Heritage Management [JMCHM], 2009) at a site 14 km to the north of the Project Area. This archaeologically sensitive layer of the Botany Sands is restricted to the organic rich grey-stained unconsolidated sands of the tg1 - the upper-most layer of the Tuggerah Soils to a depth of approximately 30 cm (Artefact, 2021: 14). Underlying tg2 soils are notably lacking in organic material, are pale in colour, and extend to a depth of tens of metres (Artefact, 2014: 15).

Where Botany Sands are observed to be truncated, or have undergone disturbance as a result of erosion or landscape modification as part of infrastructural development, few, if any, Aboriginal objects are identified (e.g. Artefact, 2014; GML, 2013; 2014). Previous archaeological investigations into Botany Sands conclude that archaeological sensitivity is highest within the topsoil and A-Horizon layers of the soil profile (Attenbrow, 2002a), however if the stratigraphic integrity of sediments is compromised, the potential for underlying layers of the Botany Sands to contain Aboriginal objects is low (Cultural Resources Management, 2009: 7).

Geotechnical studies within the Project Area have identified sediments interpreted to be likely associated with Botany Sand Beds (Douglas Partners, 2024), however have not identified the organic-rich sediments associated with tg1 soils. Review of historical aerial photography (**Figure 4.1**, **Figure 4.2**, and **Figure 4.3**), as well as a review of the local land-use history (see **Section 4.5**) demonstrates the extent of landscape modification undertaken within the Project Area and environs, most likely resulting in the total removal of the upper-most layers of the Botany Sands soil profile. As such, the likelihood of encountering intact and undisturbed outcrops of Botany Sand Beds, and therefore encountering layers of Botany Sands that are archaeologically sensitive, is unlikely.

4.3.1 Raw Materials

The Project Area and environs are not known for its lithic raw material sources. Raw materials for stone tool manufacture is typically understood to have been traded in via networks connecting local Aboriginal people with more distant groups (Attenbrow, 2002b). Artefacts recovered from the broader region of the Project Area predating 8,500 years Before Present are typically comprised of silicified tuff, quartz and some unheated silcrete (Urbis, 2020: 16). Smaller proportions of chert, petrified wood and igneous rocks such as basalt and latite have also been recorded (e.g. JMDCHM, 2005; Austral, 2007; Haglund and Associates, 2007; AECOM, 2019). Cobbles from the Hawkesbury and Nepean Rivers have been thought as a possible raw material source (McDonald, 2008; Williams et al. 2014).

4.4 Flora and Fauna

The immediate surrounds of the Project Area have been subject to decades of landscape modification, vegetation clearance, urbanisation, and industrialisation. The current landscape is entirely developed, with historical imagery (see **Section 4.5**) from 1943 revealing no natural vegetation near the Project Area. Kamay Botany Bay National Park, located to the south on the opposing shoreline of Botany Bay likely represents the most accurate representation of pre-European landscapes of the region. At Kamay Botany Bay National Park, vegetation patterns are characterised by heathlands, with species representation depending on local geology and substrate type. Sandstone heathlands feature Bracelet Honey-myrtle (*Melaleuca armillaris*), Scrub She-oak (*Allocasuarina paludosa*), Heath-leaved Banksia (*Banksia ericifolia*) and Coastal Rosemary (*Westringia fruticosa*) are common (DECCW, 2011: 27). Sand heathlands feature Heath-leaved Banksia (*Banksia ericifolia*), Coast Tea-tree (*Leptospermum laevigatum*), Wallum Banksia (*Banksia aemula*) and Scrub She-oak (*Allocasuarina distyla*), while on the deeper dunes stunted Old-man Banksia (*Banksia serrata*) and Scrub She-oak (*Allocasuarina paludosa*) dominate (DECCW, 2011: 26). Sedges, clumps of forbs, grevilleas, and geebungs are common understorey species in both ecologies.

As with vegetation, determining the pre-European occupation faunal landscape of the Project Area and environs is difficult to determine with any certainty due to past land use practices. Clearing of vegetation for grazing as well as the introduction of invasive species and pests such as rabbits and foxes, would have vastly changed faunal patterning through predation and competition as resources changed towards a more urbanised landscape. However, consideration of pre-European vegetation regimes suggests that a range of terrestrial faunal resources would have been present in the area. A diverse array of terrestrial mammals would have been present. A range of species of birds, reptiles, and amphibians would have also been available in open woodland and heathland areas.

Of note would be the marine ecologies of Botany Bay and surrounding coastal areas that would have supported a plethora of fauna. Fish such as Bream (*Acanthopagrus* spp.) and Flathead (*Platycephalidae*) are readily available from the shoreline. Gastropod species such as *Cabestana spenglerii*, *Nerita* spp., as well as rock oysters (*Saccostrea* spp. and *Ostrea* spp.) are common on rocky and hard substrates. Each of these marine species would have been targeted by local Aboriginal groups as part of their subsistence regimes. Additionally, the remains of a Dugong (*Dugong dugon*) featuring marks associated with butchery using stone implements have been recorded approximately 4 km to the west of the Project Area (Etheridge *et al.*, 1896) and dated to 5,520±70 years BP (Haworth *et al.,* 2004) demonstrating the breadth of subsistence practices of local Aboriginal groups.

4.5 Land-Use History

4.5.1 Early European Colonial Activities

Initial occupation of the Botany Bay area by European colonists occurred rapidly following the landing of the First Fleet in 1788. A British settlement was established at Botany Bay in 1788, and acted a colony principally comprised of European convicts (Liston, 2017: 195). The beginnings of European occupation of the Botany area were largely informal, with formal land grants not being awarded until the following century. Land was cleared of vegetation being cleared as public and private farms were established to feed the growing European population (Liston, 2017: 197).

The land-use history of the Project Area and surrounding environs is closely aligned with the industrialisation of the broader region post-European colonisation in the late 18th century. The potential of the areas across the Botany Bay coastline was immediately identified by then Lieutenant Cook in 1770, whose observations regarding the presence of freshwater earmarked the area as a potential permanent settlement (Conroy, 2017: 7). Despite this, following the establishment of the colony at Sydney Cove in 1788, European expansion was made permanent at Botany Bay, with only three (3) land grants awarded in the area in 1809 (Conroy, 2017: 76), with a further five (5) land grants being awarded by Governor Macquarie, all clustered around the mouth of Cooks River into Botany Bay, awarded by 1829 (Conroy, 2017: 234).

A key character in the early European colonisation of the area, as well as its progression towards widespread industrialisation was Simeon Lord (see **Section 4.5.2**). In 1816, Lord purchased 135 acres of land originally granted to Edward Redmond in 1809. Shortly after this purchase, Lord built a mill at the mouth of Cook's River which he had dammed, and with business partner John Hutchinson, petitioned Governor Macquarie to grant Lord an additional 600 acres of land, which happened to encompass a portion of the Botany Swamps (Conroy, 2017: 234). The intent was to guarantee Lord and Hutchinson the water supply, and to protect their business interests from outside political interference (Conroy, 2017: 236).

Areas to the north of Lord's lands received the majority of attention as smaller land grants drove the expanding European community on the northern reaches of Botany Bay. With the disbanding of the NSW Veterans Corps in 1818, areas to the south of Lord's 600 acres were granted to veterans of the 73rd Regiment who wished to remain in the colony (Conroy, 2017: 244). An area of the swampland near the northern shoreline of Botany Bay was allocated to these veterans, with the area coming to be known as Veteran's Swamp (Conroy, 2017: 244). The soils of Veteran's Swamp proved relatively productive, and attracted market gardeners who purchased lots, and other lots were rented out to market gardeners (Conroy, 2017: 272). Chinese immigrants attracted by the gold rush of the 1850s established communities of market gardens (Morris, 2001). The area designated as Veteran's Swamp is the current location of the Project Area. These market gardens flourished through the early 19th century, driven by the gold rush of the 1850s (Larcombe, 1970).

A reservation was allocated for what would become the village of Banks Meadow in accordance with Governor Darling's 1829 Regulations (Conroy, 2017: 245), and sub-divided into 27 cottage lots and 14 larger lots situated on the shores of Botany Bay, released for sale in 1863 (Conroy, 2017: 245) The village was formally proclaimed under the Crown Lands Act in 1885 (Conroy, 2017: 272).

4.5.2 Early Industrialisation

The early industrialisation of the region began with the damming of the waterways that fed Botany Swamps, and drained into Botany Bay, by Simeon Lord when he purchased his first parcel of land in 1816. Lord's decision to not subdivide his 600 acres was driven by a strategy towards Lord maintaining a substantial foothold in the development in the region. The Noxious Industries Act of 1848 relocated industrial activities that produced excessive waste and odours outside of Sydney city. Soon, areas such as Tempe, St Peters, Mascot and Botany were targeted for these noxious industries, principally due to the abundance of freshwater to facilitate their practices. Lord's damming of Cook's River had placed him and his lands as a prime location for these industries to establish themselves, and for Lord to directly profit (Conroy, 2017: 272). Wool washing, candle works, leather tanning, paper making, soap manufacture, boiling down works, glue making, among others, became commonplace (Lawrence, 2001).

The extent of industrialisation in the late 19th century resulted in a shift in the identity of the Botany area. Initially, the region was touted as an idyllic retreat from Sydney city with natural landscapes and fresh air. However, from the 1870s, the aforementioned noxious industries had widespread impacts due to pollution from blood, animal products, and chemicals entering waterways. Cook's River and Shea's Creek were dredged, and ultimately the artificial waterway that would be named Alexandra Canal was constructed in 1894 in an attempt to manage the ongoing contamination, as well as support growing industrialisation in the area (Ringer, 2013).

4.5.3 The 20th Century

The industrial patterning of the Botany Bay area largely remained unchanged through to the early- and mid-20th century. A new industry was introduced into the region in 1921, when land to the west of the Project Area was acquired by the Australian government to construct an airport. Gravel runways were installed in 1933, and by 1949, three (3) runways were active at what was named Sydney Kingsford Smith Airport (Sydney Morning Herald, 1938). Sydney Airport continued to be developed and expanded through the Second World War for civilian and military purposes, and after the war, Cook's River was diverted to its present location to facilitate the construction of additional runways and expanded operational infrastructure (Sydney Airport, 2013: 13). In 1968, land reclamation activities extended Sydney Airport into

Botany Bay to create a new runway large enough to accommodate long-haul jet aircraft, and again extended further into Botany Bay in 1978 to its current length of 3,962 m (Sydney Airport, 2013: 13).

In spite of this massive new development, as seen in **Figure 4.1** and **Figure 4.2**, the Project Area and its immediate surrounds of the Project Area changed relatively little. Indeed, by the mid-20th century, industrialisation of the Project Area to its present-day scale had not yet occurred. Residential developments and urbanisation encroached from the west to the east, and by 1960 (**Figure 4.2**), the Project Area itself was the focus of development, with the layout of the Project Area not changing significantly for the next 45 years. By 1978 (**Figure 4.3**), the broader region had reached a level of development comparable to its current day extent (**Figure 4.4**).

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FIGURE 4.1

1941 Aerial Image

Legend

Project Area

0 150 300

Metres

Scale 1:10,000 at A4
GDA2020

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FIGURE 4.2

1960 Aerial Image

Legend

Project Area

0 150 300

Metres

Scale 1:10,000 at A4
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FIGURE 4.3

1978 Aerial Image

Legend

Project Area

0 150 300

Metres

Scale 1:10,000 at A4
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FIGURE 4.4

2004 Aerial Image

Legend

Project Area

0 150 300

Metres

Scale 1:10,000 at A4
GDA2020

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4.6 Key Observations

Key observations to be drawn from a review of both the environmental and Aboriginal archaeological context of the Project Area and environs are as follows:

- The Project Area and surrounding environs would have provided abundant resources for local Aboriginal groups prior to European colonisation, including terrestrial and marine subsistence, and freshwater sources (Hamilton *et al*., 2024: 278).
- The Project Area and its environs would likely have been a confluence of different Aboriginal communities necessitating inter-group trade and interactions (e.g. Attenbrow, 2002a; Attenbrow 2010: 126–42).
- Extensive vegetation clearance and landscape modification has been undertaken within the Project Area and environs as a result of industrial development post-European colonisation.
- Large-scale landscape modification is evidenced through the construction of the Alexandra Canal, the diverting of the Cook's River, and land reclamation efforts in Botany Bay to extend Sydney Airport runways.
- The upper-most layers of the Tuggerah soils (tg1) are considered archaeologically sensitive to a depth of approximately 30 cm (Artefact, 2014: 14). Below this the likelihood of Aboriginal objects being retained is considered unlikely (Cultural Resources Management, 2009; Artefact, 2014; GML, 2013; 2014).
- Geotechnical assessments of sub-surface sediments within the Project Area have identified sediments consistent with tg2 Tuggerah soils.

5.0 Cultural Context

5.1 Ethnohistoric Background

5.1.1 Language Groups

Language groups of the Sydney area have been generally classified as Eora, the Dharawal and the (Dharug) Darug people, comprised of at least 28 known clans with traditional boundaries. The Botany Bay area is considered to have been occupied by the Gweagal on the southern shores and the Gameygal (also spelt Kameygal) on the northern shores (Lawrence, 1996; Attenbrow, 2010). The use of the word "Eora" has been used as an ethnonym by European colonists since 1899, however there is no evidence of the word being used by Aboriginal people since 1788 to indicate its use a reference to language or group of people. The word first appears in the wordlists of officers of the First Fleet in 1788, where it was mostly translated as "men" or "people" (Attenbrow, 2010). 'Eora" has mostly been used since the 20th century to refer to Aboriginal people occupying the Sydney peninsula and both north and south of Port Jackson area (Attenbrow, 2002b: 34).

Several past writers and other sources have identified the Kameygal, also spelt Gameygal or Gamayngal, as the Aboriginal group residing across the northern parts of Botany Bay. Many of these sources further identify the Kameygal (Gameygal) as being part of the Dharug language group. An original anonymous source, now attributed to Governor Arthur Phillip, Judge-Advocate David Collins and Captain John Hunter in 1790–1792 spelt the group name as Kamey-gal and may be derived from the Aboriginal name Ka-may (alternatively Kamay or Gamay) for Botany Bay. Contemporary references also refer to Kamay as the name for Botany Bay in the Dharawal language (NMA, 2024).

The determination of Aboriginal language groups and boundaries prior to European contact has been a point of academic interest and study by European linguists and anthropologists, this can result in a Eurocentric understanding of the language and group dynamics of Aboriginal people throughout the earliest stages of European colonisation. It has been the result of more recent studies that the interactions between language groups such as those living in coastal environments and those living further inland have become increasing understood and identified as having greater interconnectedness (Irish, 2017).
The identification and recording of Aboriginal groups, kinship groups and language groups by early colonists was also difficult, incomplete and contradictory (Conroy, 2017: 63).

5.1.2 Material Culture

The Darug people were recognised as having distinctive toolkits for men or women (McDonald, 2008: 24). Men's gear included several forms of spears, clubs, spear throwers, boomerangs, shields and mogo (a type hafted stone hatchet). Women's gear included fishing paraphernalia such as hooks, lines and sinkers, digging sticks and containers made of materials such as wood and shell. Netted items such as bags made from plaited plants fibres were utilised by both genders (Attenbrow, 2010: 91). Canoes made from bark were also commonly used (Attenbrow, 2010: 87).

Organic materials such as woods, animal and plant fibres would have been used to make tools and weapons used for subsistence strategies such as hunting, fishing and other food collection methods. Implements would have included such items as hunting spears, spear-throwers, fishing hooks and lines, stone hatchets, clubs, digging sticks, baskets, net bags and other containers, as well as canoes (Conroy, 2017). Many items such as these were collected in the early contact period by Europeans. Cook's visit to Botany Bay in 1770 collected a number of items from their voyage to return to England. Included in this collection is a bark shield that has been identified from documentary and pictorial evidence as one collected by Captain Cook during this first visit to Botany Bay. A description and picture of the shield collected was made by Banks during the Endeavours visit in Northern Queensland later in the year that helps to identify the shield as the one in the British Museum collection today. The shield has been determined to have been made or Red Mangrove (*Rhizophora stylosa*) which is located over 500 km away from Botany Bay. This attests to the potential long distance trade networks that Aboriginal people would have participated in (Attenbrow et al, 2014).

Implements made from stone material tend to survive in the archaeological record better than organic materials. Studies of excavated material culture assemblages from the broader Sydney basin, focused around the Hawkesbury and Nepean Rivers suggest that Late Pleistocene and/ Early Holocene Aboriginal people utilised silicified tuff and other raw materials such as silcrete, quartz and quartzite (McDonald, 2008; Williams et al. 2014).

5.1.3 Shelter

During the time of European contact it was noted that the Darug people utilised two main forms of shelter. Either using existing rock shelters or building small huts from sheets or bark, and tree branches. Early colonial descriptions refer to the shelters of Darug peoples living on the coast as larger than those inland and "formed of pieces of bark from several trees put together in the form of an oven with an entrance, and large enough to hold six or eight people" (Collins 1798 [1975: 460]). How long these types of shelters were occupied for and how or why peoples moved about the landscape is not universally agreed upon however is has been suggested that they may have been occupied from months at time and regularly returned to.

5.1.4 Resources and Land Use (Middens)

Historical sources all suggest that the Darug and Dhawaral peoples of Kamay would have exploited the many resources of the marine and freshwater environments of Botany Bay, including the Georges and Cooks Rivers. Food sources such as fish and shellfish as well as other resources from estuarine, riparian and marine environs would have been readily available. Several historical records attest to the exploitation of these resources by Aboriginal people in the area. (Bradley, 1792 [1969: 133]; Collins, 1798 [1975: 456, 461, 495]; Phillip 1788 in Attenbrow, 2010: 63). Inland, the historical records suggest that terrestrial mammals were more frequently exploited (AECOM, 2017).

The topography and landforms of the Banksmeadow and broader Botany district is sandy, with few outcroppings of rock or shelters. This lends the area to the potential for more open sites such as middens. The survivability of these sites has been heavily impacted and influenced by later European land use and disturbances. Lime burning practices by European settlers in the area has vastly reshaped the presence of the middens of the northern shore of Banksmeadow and Botany Bay (Conroy, 2017).

Shell middens featuring marine and estuarine mollusc species are relatively common, featuring Sydney Rock Oyster (*Saccostrea glomerata*) and cockle species (e.g. *Anadara* spp.) (Attenbrow, 1990; 1994a; 1994b). Natural shell beds have been identified, potentially complicating archaeological interpretations in some instances (Attenbrow, 1984; McIntyre-Tamwoy, 2003). Middens are common close to estuary mouths or areas of fresh and marine water confluence.

5.1.5 Ceremonial Behaviour

Evidence for ceremonial or ritual behaviour amongst Darug-speaking peoples can be found in the writings of a number early observers, with documented 'ceremonial' activities including corroborees, male initiation ceremonies, ritual combats and various burial, body adornment and personal decoration practices (Attenbrow, 2002a; Attenbrow 2010: 126–42). Botany Bay would have likely acted as a confluence bringing together multiple Aboriginal groups within the same area, no doubt requiring an element of ceremonial practices to facilitate the cross-cultural interconnectivity.

5.2 Post-Contact History

5.2.1 First contact with Europeans (1770)

On 29 April 1770, the Endeavor under the command of the Lieutenant Cook reached Botany Bay. Cook's diaries describe the anchoring near the southern shore of the bay and their attempted landing on the shore. Those on the ship noticed on shore several huts, surrounded by men, women and children. Upon attempting to approach the shore via boat it became clear that the Aboriginal people were opposed to their landing there. Two men remained as the group retreated away from the boat. Sir Jospeh Banks, who was a part of this 1770 expedition, described the Aboriginal men who remained as follows (Banks, as referenced in Conroy, 2017: 65):

> *"... painted with white, their faces seemingly only dusted over with it, their bodies painted with broad strokes drawn over their breasts and backs resembling much a soldiers cross belts, and their legs and thighs also with such like broad strokes drawn round them which imitated broad garters or bracelets ... [each had a wooden weapon] about 2 1⁄2 feet long, in shape much resembling a scepter ... [and they] seemed to talk earnestly together, at times brandishing their crooked weapons at us in token defiance'.*

Cook's description includes acknowledgement of his own violence at shooting at the two men and their response in throwing projectiles at the landing party in return. Whilst this interaction and initial contact was aggressive, later contact must have resulted in dialogue between the Aboriginal people and Cook's party as there are early records of language from the period of time that the expedition stayed in Botany Bay (Cook, as referenced in Conroy, 2017: 66):

> *…"I thought that they beckon'd us to come ashore; but on this we were Mistaken, for as soon as We put the Boat in they again Came to oppose us upon which I fir'd a Musquet between the 2 which had no other effect than to make them retire back to where their bundles of darts lay & one of them took up a Stone & threw at us which caused my firing a Second Musquet load with small shott, & altho' some of the shott struck the Man yet it had no Effect other than to make him lay hold of a Shield or Target to defend himself, immediately after this we landed which we had no sooner done then they throw'd 2 darts at us which obliged me to fire a third shott soon after which they both made off."*

Local Aboriginal people avoided the European explorers in subsequent days, despite expeditions to shore by Cook and Banks in subsequent days to reestablish contact with the local population.

5.2.2 The First Fleet of 1788

Despite the animosity of Cook's 1770 expedition, the return of the British on 17 January 1788 resulted in a somewhat friendlier encounter between local Aboriginal people and crewmen of the First Fleet.
As recounted by Second Lieutenant Philip Gidley King (King, as referenced in Conroy, 2017: 69–70) about their encounter:

> *"They [the natives] immediately got up and called to us in a menacing tone and at the same time brandishing their spears or lances. However, the governor showed them some beads and a ordered a man to fasten them to the stem of the canoe. We then made sign that we wanted water, when they pointed round the point on which they stood and invited us to land there. On landing, they directed us by pointing to a very fine stream of fresh water."*

Upon returning to shore, King recounted the offering of gifts by the local Aboriginal people. Additionally, King recounted an element of connection through himself missing a tooth, which in local Aboriginal custom reflected rites of initiation and authority (Attenbrow, 2002b). It should be noted, however, that pleasantries were not universal across all encounters of Aboriginal people and crewmen of the First Fleet. Watkin Tench recounted "…not less than 40 persons, shouting and making many uncouth signs and gestures" (Tench, 1789: Chapter 8) regarding the Aboriginal response to the European return.
Private John Easty recounted a number of fires of local Aboriginal people on Point Solander who, upon noticing the European ships "came down to the shore and shouted at us and held up their weapons over their heads and shaked [sic] them at us." (Easty, as referenced in Conroy, 2017: 71).

It should be noted that with the British, French ships followed just days after. Jean-Francois de Galaup, Comte de la Perouse was charged by Louis XVI to explore the south Pacific, and specifically Australasia, landing in Botany Bay on 24 January 1788, and remained for six weeks (Hill, 2009). The present-day neighbourhood of La Perouse is named after the French Captain.

5.2.3 Resistance

Acts of Aboriginal resistance to the spread of European occupation across the Sydney region can be identified in available historical records. Of these records some of the earliest and well known of these acts of resistance is the records relating to Bidjigal man Pemulwuy. Pemulwuy was recognised as a leader of numerous raids and skirmishes across settler farms around the south-Sydney region, including Botany Bay. On 9 December 1790, John McIntyre was speared, presumably by Pemulwuy, potentially in retaliation to McIntyre's suspected killing of Aboriginal people (Tench, 1793: Chapter 12; Nicol and Sewell, 1793: Chapter 8). Governor Phillip ordered an expedition against the Bidjigal and Pemulwuy (Moore, 1987: 117–118).

From 1792, Pemulwuy persuaded other Aboriginal groups to join his resistance against European oppression and expansion. In December 1795, Pemulwuy launched an attack on a work party at Botany Bay, which left him injured (Grassby and Hill, 1988: 99). In March 1797 Pemulwuy was injured in an armed confrontation in Paramatta and was taken to Parramatta hospital, where he was chained at the ankle.

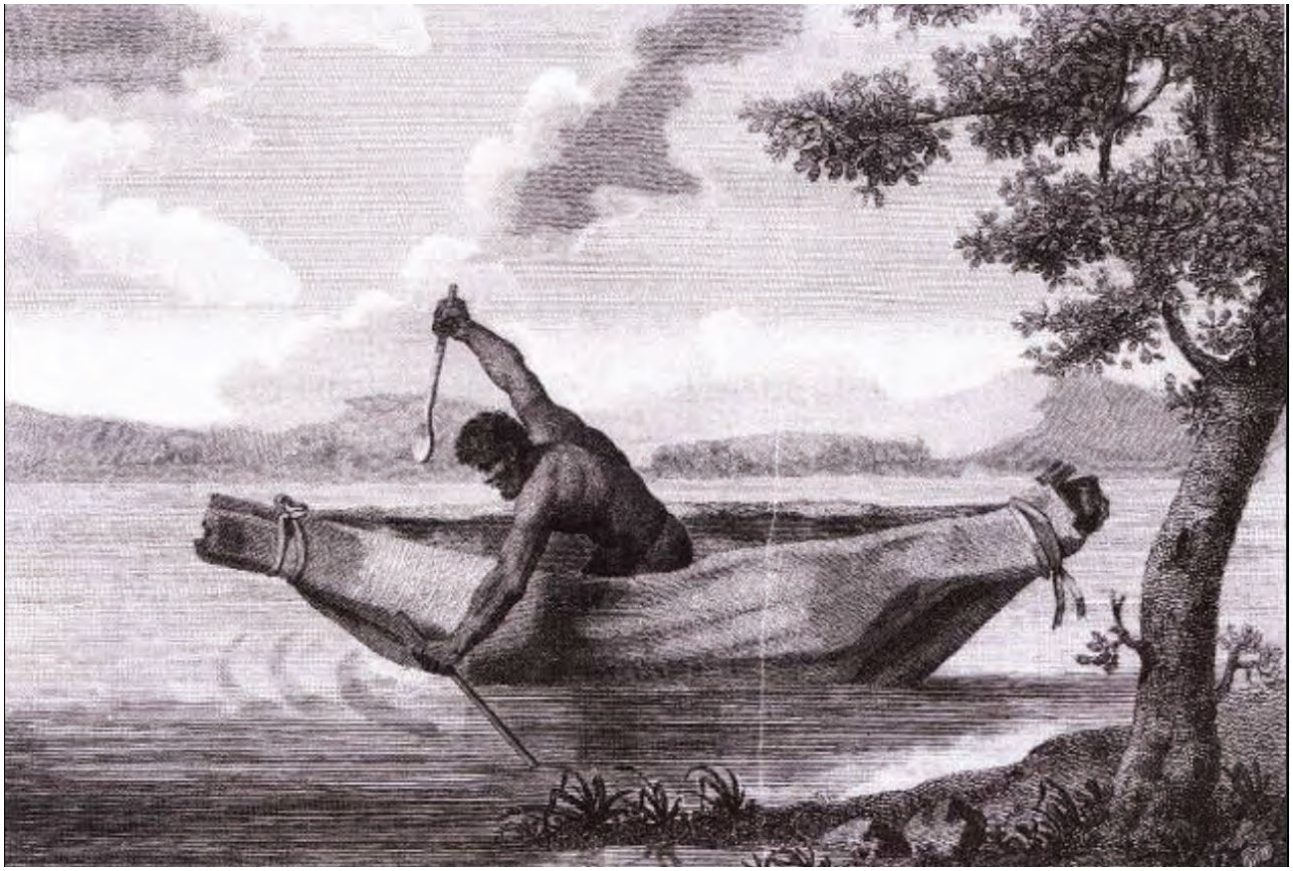

Figure 5.1 The Lone Engraving of Pemulwuy by Samuel John Neele (1804). In James Grant's "A Narrative of a Voyage of Discovery"

Image source http://trove.nla.gov.au/work/186496999

Despite this and his injuries he managed to escape and was said to have been seen shortly after nearing the Georges River "…having perfectly recovered from his wounds" (Collins, 1798 [1975: 70]). Pemulwuy remained at large and active in acts of resistance until his death in 1802 having been shot. After his death he was acknowledged as a "an active, daring leader of his people" and "brave and independent character" (King to Hobart, 30 October 1802; King to Banks 5 June 1802). Resistance activities continued across the region after his death by his son Tedbury into the early 1800s (Purvis, 2016: 9).

5.2.4 Displacement and Relocation

Estimates towards the Aboriginal population of the Sydney region at the time of European contact range from 1,500–3,000 people (Smith *et al*, 2006; Conroy, 2017: 60). While slow, European expansion towards Botany Bay had significant impacts to local Aboriginal populations in the late-18th and early-19th centuries. The impacts of disease struck earlier, however, as an epidemic of smallpox decimated local Aboriginal populations in 1789 (Curon, 1985: 9). A second wave of smallpox swept the region in the 1830s, as influenza and syphilis contributed as well (Conroy, 2017: 76). It was reported that by the 1820s, only 20 Aboriginal people lived within the Botany region, however this is likely an underestimation (Conroy, 2017: 77–78).

By the mid-19th century, nearby La Perouse became a refuge for displaced Aboriginal people from the surrounding regions, likely seeking isolation in the least developed area of the broader Botany region. The market gardens of Veteran's Swamp – within which the Project Area is situated – was as the eastern-most boundary of the European colony by the 1850s. It is reported that approximately 50 Aboriginal people inhabited the La Perouse Reserve by 1881 (Conroy, 2017: 81–82). This camp became a cultural refuge as well, as notable Aboriginal people such as George and Emma Timbery, considered to be the mother and father of the La Perouse Reserve promoted fishing and shell-working respectively (Vaughn, 2023).

At the turn of the 20th century, the Aborigines Protection Board halted the provisioning of food and resources to the La Perouse Reserve, and repeatedly threatened to relocated residing Aboriginal people. Pushback from the community – both Aboriginal and European – resulted in the reversal of this position, and the resuming of supplying rations (Conroy, 2017: 82–83). Supporters of the Aboriginal community specifically the shell-working industry of the La Perouse Reserve as an example of Aboriginal independence and contribution to the local tourism economy (Nugent, 2012: 216).

Botany Bay became a focal point of the movement towards Aboriginal rights, as La Perouse locals Jack Patten, Joseph Timbery, and Wesley Simms all played major parts in the 1938 Day of Mourning. Through the 20th century, Botany Bay and La Perouse maintained a strong Aboriginal identity as the local population swelled driven by post-Second World War migration. Residents of La Perouse filed a land claim for ownership of the La Perouse Reserve lands. In 1984, the newly formed La Perouse Local Aboriginal Land Council was granted the title to the area (Conroy, 2017: 84).

6.0 Archaeological Context

6.1 Regional Context

6.1.1 Chronology

Aboriginal habitation of the broader Sydney region is considered to extend back to approximately 35,000 years BP (Jo McDonald Cultural Heritage management [JMDCHM], 2005), with continuous occupation of the area being acknowledged through to contact with Europeans in 1788 (Williams, *et al*., 2021). More regionally, Aboriginal occupation of nearby Parramatta and Nepean River has been determined to extend to between 30,000 and 36,000 years BP (AHMS, 2015; Williams *et al.*, 2012; 2014). These Pleistocene ages, however, are in the minority of dated samples originating from the Sydney region, with the vast majority being within the late-Holocene, and most occurring within the last 2,000 years BP (Przywolnik, 2007). This directional trend in ages can possibly be attributed to steadily increasing Aboriginal population through the late-Pleistocene and Holocene, however, is more like due to preferential preservation of more recent archaeological material and Aboriginal sites (*sensu* Hiscock, 2008). The Sydney Basin bioregion has also been posited to be a refugium during and prior to the Last Glacial Maximum (LGM) when resource availability was scarce (Williams *et al*., 2013).

6.1.2 Common Site Types

6.1.2.1 Open Artefact Sites

Open artefact sites, here referring to an Aboriginal site featuring one or more lithic artefacts, dominate the local archaeological landscape, and are most abundant adjacent to waterbodies and creeklines (e.g. Kohen, 1986; Artefact Heritage, 2020). Silcrete is the dominant raw material type, with smaller proportions of chert, tuff, quartz, quartzite, petrified wood and igneous rocks such as basalt and latite (e.g. JMDCHM, 2005; Austral, 2007; Haglund and Associates, 2007; AECOM, 2019). Common tool types include backed blades, as well as edge ground axes being identified (Comber, 2015).

It is important to note that a consistent message across archaeological reports is that the presence or absence of Aboriginal sites cannot be adequately characterised based on surface representation alone (*sensu* JMDCHM, 1997).

6.1.2.2 Middens

Shell middens are relatively common, featuring Sydney Rock Oyster (*Saccostrea glomerata*) and cockle species (e.g. *Anadara* spp.) (Attenbrow, 1990; 1994a; 1994b) however natural shell beds have been identified, potentially complicating archaeological interpretations in some instances (Attenbrow, 1984; McIntyre-Tamwoy, 2003). Middens are common close to estuary mouths or areas of fresh and marine water confluence. While local middens are typically comprised of molluscan remains, the skeleton of a butchered dugong (Dugong dugon) has been recorded near the Project Area (Etheridge et al., 1896; Haworth et al., 2004).

Warranting specific mention is a midden that was recorded in the early 20th century which identified ancestral Aboriginal remains of two individuals, amongst a midden of *Andara* sp. shell (Buoy; Botany Shell Midden, AHIMS ID #45-6-0629). More recent investigations and surveys conducted by Coast History and Heritage identified the original location described from 1936–7 accounts is incorrect, with the AHIMS site card providing spatial coordinates in line with the described site location. Relocation of the site was not successful during in-field surveys.

6.2 Local Archaeological Context

The Aboriginal Heritage Information System (AHIMS) database, administered by Heritage NSW, contains records of all Aboriginal objects reported to Heritage NSW in accordance with Section 89A of the NPW Act. It also contains information about Aboriginal places, which have been declared to have Aboriginal cultural significance. Recorded Aboriginal objects and declared Aboriginal places are defined under the NPW Act as 'Aboriginal sites'.

A search of the AHIMS register was undertaken on 28 August 2024 covering an approximate 3.5 km buffer centred on the Project Area (i.e., the 'AHIMS search area'; AHIMS search #889042) identified 58 Aboriginal sites, as shown in **Table 6.1**. Of these, one (1) Aboriginal site status was 'Deleted', and one (1) 'Destroyed', and two (2) listed as 'Partially Destroyed'. The remaining 56 were listed as 'Valid'. Records of these searches are provided in **Appendix A** of this report.

Table 6.1 AHIMS Search Results

Site Type	Count (n)	%
Art (Pigment or Engraved)	19	33.9
Shelter with Midden, Open Artefact Site	6	10.7
Midden, Open Artefact Site	5	8.9
Open Artefact Site	5	8.9
Potential Archaeological Deposit (PAD)	5	8.9
Midden	4	7.1
Open Artefact Site, PAD	2	3.6
Restricted	2	3.6
Aboriginal Ceremony and Dreaming Site, Midden, Open Artefact Site	1	1.8
Art (Pigment or Engraved), Grinding Groove	1	1.8
Art (Pigment or Engraved), Midden	1	1.8
Burial, Historic Place	1	1.8
Burial, Open Artefact Site	1	1.8
Grinding Groove	1	1.8
Quarry	1	1.8
Shelter with Burial, Midden, Open Artefact Site	1	1.8
Total	**56**	**100.0%**

As is typical for areas along Australia's southeastern coastline, middens and open artefact sites are common site features represented within the AHIMS search area, identified in 30.3% (n=17) and 37.5% (n=21) of known sites. Art being pigment or engraved is recorded in 37.5% (n=21) of sites within the AHIMS search area.

No AHIMS-registered Aboriginal sites are recorded within the Project Area, however four (4) Aboriginal sites are located within 2 km of the Project Area (**Figure 6.1**). These four (4) previously recorded Aboriginal sites within 2 km of the Project Area are discussed below.

6.2.1 Botany Bay (AHIMS Site ID #45-6-0976)

Botany Bay (AHIMS Site ID #45-6-0976) is located approximately 2,400 m to the east of the Project Area. This Aboriginal site was recorded as a shelter, and described as a rock overhang with extensive midden shell throughout the area. Botany Bay (AHIMS Site ID #45-6-0976) is recorded as being adjacent to Bumborah Point (AHIMS Site ID #45-6-1152), described below. Potential rock art was described, but not conclusively. The site was described as being heavily disturbed and partly infilled with wind-blown sand, with thick overgrowth of Lantana and scrub. This vegetation growth is thought to have consolidated the site's sediments preventing further erosion and disturbance.

6.2.2 Bouy; Botany Shell Midden (AHIMS Site ID #45-6-0629)

Bouy; Botany Shell Midden (AHIMS Site ID #45-6-0629) is recorded as being approximately 1,100 m to the west of the Project Area. This Aboriginal site was originally recorded in 1936/7, when Aboriginal ancestral remains of two individuals were uncovered in association with large areas of oyster shells, presumably *Saccostrea glomerata*. More recent research (Coast History and Heritage, 2020) has identified incongruencies between the recorded geographic description of the site, and in-field observations. Bouy; Botany Shell Midden (AHIMS Site ID #45-6-0629) was not relocated during the 2020 investigations.

6.2.3 Bumborah Point (AHIMS Site ID #45-6-1152)

Bumborah Point (AHIMS Site ID #45-6-1152) is located approximately 2,400 m to the east of the Project Area. This Aboriginal site was recorded as a shelter, and described as a rock overhang with extensive midden shell throughout the area. Bumborah Point (AHIMS Site ID #45-6-1152) is recorded as being adjacent to Botany Bay (AHIMS Site ID #45-6-0976), described above. At the time of recording, Bumborah Point (AHIMS Site ID #45-6-1152) was noted to be close to development of the nearby port facility, though it was also remarked that the site is somewhat removed from imminent destruction. Again, Lantana was recorded as being prevalent, and potentially obscuring further Aboriginal site features such as rock art. Excavations were recommended, but not likely to have been undertaken.

6.2.4 2-4 Hale PAD01 (AHIMS Site ID #45-6-4111)

2-4 Hale PAD01 (AHIMS Site ID #45-6-4111) is located approximately 1,800 m to the west of the Project Area. The site is recorded as a developed commercial block. Geotechnical investigations into sub-surface sediments identified layers of natural dune/estuarine sands underlying imported fill material at depths ranging from 0.2 m to 1.9 m below ground surface, and interpreted as having the potential to preserve Aboriginal objects.

FIGURE 6.1

AHIMS Locations

Legend

- Project Area
- Burial with midden
- Potential Archaeological Deposit
- Shelter with midden

0 250 500

Metres

Scale 1:21,178 at A4
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6.3 Previous Assessments

The broader region surrounding the Project Area has been subject to a diverse range of Aboriginal cultural heritage assessments and archaeological investigations, primarily associated with infrastructural and industrial developments. For contextual purposes, the results of a selection of these investigations, including those undertaken within and/or near the current Project Area, are summarised in **Table 6.2**.

Table 6.2 Previous Aboriginal Cultural Heritage and Archaeological Assessments

Author/Assessment	Summary
Aboriginal Heritage assessment Long Bay Correctional Complex Hospital upgrade. Prepared for the Justice Health, within the Department of Health and the Department of Corrective Services [DCS] by Mary Dallas and Dan Tuck, 2005.	An Aboriginal Heritage Assessment was conducted as part of the application for the proposed construction of a new hospital within the Long Bay Correctional Complex located approximately 4 km east of the Project Area. A search of the AHIMS database for a 4 km portion of the coast including the study area identified 180 Aboriginal sites. Archaeological survey of the study area determined that the sand sheets which the study areas comprise has been impacted by landscaping, grading and drainage channels and remaining sand deposits are unlikely to contain sub surface archaeological material. No further archaeological investigation was recommended aside from the request for the La Perouse LALC to have to be present during works for monitoring. The study area is indicative of the broader region with sites being identified within the region that correlate with past archaeological investigation and understanding of the area. Midden and rock engraving sites and shelters are most prevalent with sites such as stone artefacts sites being most vulnerable to the disturbance impacts from the infrastructure and development across the region.
Heritage Impact Statement: CBD South East Light Rail Project. Prepared for Acciona and Transport NSW by GML, 2019.	As part of a Heritage Impact Statement, test excavations were conducted within areas of PAD identified in the CBD South East Light Rail Project, approximately 5 km to the north of the Project Area. Within one excavation, approximately 22,000 stone fragments exhibiting signs of flaking were identified up to 1 m below ground surface. Subsequent analyses of the salvaged artefacts identified that 99.6% (Owen *et* al., 2019: 11) of the assemblage was comprised of flint sourced from the River Thames in London, England (Owen *et al.*, 2019: 14), and transported as ballast in ships travelling to Australia during the 18th and 19th centuries where some were discarded. It was then collected by local Aboriginal people, flaked and distributed via trade networks. Complicating the analysis was the interpretation that the majority of flint fragments displayed taphonomic damage – likely from incidental impact as the ship moved during its voyage – rather than deliberate flaking by people (Owen *et al.,* 2019: 10). The results of the lithic analysis highlighted the adaptability and innovation of local Aboriginal people to incorporate new materials and technologies into their economic toolkit.
ACHA for Sydney Gateway Project. Prepared for the Transport for NSW and Sydney Airport Corporation by Artefact Heritage Service Pty Ltd, 2019.	An ACHA was undertaken for the proposed construction of a series of link roads, upgrade works for intersections and operational infrastructure such as drainage, signage lighting, retaining walls and landscaping, the study area is located approximately 4.5 km northwest of the Project Area. A desktop assessment and archaeological survey in consultation with RAPs was conducted. A search of the AHIMS database identified 8 Aboriginal sites recorded near the study area, with no sites located within the study area. Archaeological survey was conducted by Kelleher Nightingale Consulting in consultation with La Perouse and Metropolitan LALCs. The survey did not identify any Aboriginal objects or sites, however two (2) areas of potential for natural soil deposits to remain were identified for further geomorphological assessment to determine if areas of PAD remained intact.

Author/Assessment	Summary
	Previous archaeological investigations across the broader region indicated a long Aboriginal occupation prior to European contact across the Botany Bay area. Investigations also indicated high levels of disturbance affecting the potential for identifying Aboriginal object and sites within the current landscape. The study also concluded that subsurface soils containing potential archaeological deposits were likely present.
Aboriginal Archaeological Survey Report for the Botany Rail Duplication. Prepared for Gateway to Sydney Joint Venture on behalf of Australian Rail Track Corporation. 2019	An Aboriginal Archaeological Survey Report was undertaken for the proposed second rail track to be constructed within the existing rail corridor between Mascot and Botany along the Botany Rail Line located approximately 750 m north of the current Project Area. A desktop assessment was conducted prior to archaeological survey. An archaeological survey was conducted by Kelleher Nightingale Consulting in consultation with La Perouse and Metropolitan LALCs in 2018 and further site inspections were conducted by Artefact in 2019 to gather further information for archaeological assessment of the study area. No new Aboriginal sites or areas of PAD were identified during the 2019 site inspections. Consultation with the La Perouse LALC regarding the survey was conducted following the completion of the survey to assure that the findings of the inspection were conducive to the understanding of the area. The survey report concluded that the extensive earthworks and disturbance caused by the of the rail corridor reduced the potential for identifying Aboriginal sites or objects within the study area. Within a broader regional context, the study area fits within the narrative of high levels of disturbance limiting the potential for identifying further Aboriginal sites and objects, however previous investigations and identification of sites across the area show and long period of Aboriginal occupation prior to European contact.
ACHA for Potts Hill to Alexandria transmission cable project. Prepared for TransGrid by AECOM. 2019.	An Aboriginal Cultural Heritage Assessment was undertaken approximately 5 km northwest of the current Project Area. A search of the AHIMS database of the study area with a 1 km buffer indicated 33 valid Aboriginal sites existed within the search area. No Aboriginal sites were found within the study area. Archaeological survey was conducted both from vehicle and via foot to ground truth the study area. The desktop assessment suggested that most surface sites will occur on landform elements within 200 m of watercourses, with larger, more complex artefact assemblages associated with higher order streams and that local stone artefact assemblages comprise of raw materials of chert, tuff, quartz, quartzite, petrified wood and igneous materials. Residential and industrial/commercial development, roads and urban infrastructure have likely impacted the integrity of Aboriginal sites within the study area. No Aboriginal sites were located within the study area, however sensitive landforms along the Cooks River were identified, however it was also noted that areas of previous disturbance may already impact areas of sensitivity. The assessment and survey determined that aside from the area of sensitivity identified the proposed works would not impact any Aboriginal objects across the study area and works may proceed, however if the area of sensitivity cannot be avoided that an ACHMP should be prepared. The assessment is indicative of the region surrounding Botany Bay as there is an extensive history of ground disturbance from commercial and industrial infrastructure in the area, which has impacted the survivability of Aboriginal objects across the region. Surface sites and areas of sensitivity may exist within the conditions outlined above where ground disturbance may have been avoided.

Author/Assessment	Summary
ACHA Report New Acute Services Building for the Prince of Wales Hospital Randwick NSW. Prepared for NSW Health Infrastructure by Mary Dallas Consulting Archaeologists (MDCA) 2020.	An ACHA was undertaken approximately 4 km northeast of the current Project Area. This assessment included a desktop assessment of the study area which was developed to have commercial and residential building situated at the base of a dune ridge, adjacent to a low-lying swampy area, which formed part of a broader, undulating coastal dune system extending across much of eastern Sydney, comprising Quaternary wind-blown sands, locally and elsewhere dated to around 35,000 BP. Archaeological assessment included consultation with RAPs for the local area and the La Perouse LALC. A search of the AHIMS database including a 4 km radius around the study area identified 7 Aboriginal sites. No sites were located within the study area, with the nearest site within 500 m being recorded as "Prince of Wales Hospital Aboriginal; Hearth;" (AHIMS #52-6-2495). Most sites recorded within the local area are middens and rock engravings, which is broadly typical of the eastern Sydney coastline between the Sydney Harbour and Botany Bay. Surface sites such as artefacts scatters are found across the region however most are destroyed or partially destroyed by high levels of disturbance from commercial and industrial infrastructure. Extant sites generally tend to survive in areas of parkland, golf courses and landforms minimally disrupted landforms and sub-surfaces. During the archaeological survey conducted by MDCA no Aboriginal objects were located within the study area. Recommendation for a further archaeological test excavation and monitoring of the study area was based on the assessment that potential archaeological evidence may occur within the study area. Results from further monitoring and archaeological investigation works will form a future ACHA.
ACHA for 350 King Street Mascot, NSW Kameygal Country. Prepared for LOGOS Development Management PTY Ltd by Urbis Pty Ltd, 2023	An ACHA was undertaken approximately 4 km northwest of the project area for the proposed construction of a multi-level warehouse and distribution centre at 250 King Street Mascot. Desktop assessment of the study area included a search of the AHIMS database identified no Aboriginal objects or sites located within the project area. The nearest site was located 1 km northwest of the subject area (AHIMS #45-6-0751) and is recorded as an "Aboriginal Resource and Gathering, Non-Human Bones and Artefact". Disturbance of the land within the study area has been significant due to the industrial history if the site. The assessment concluded that there was low potential for Aboriginal objects due to impacts from historical and modern disturbance. Consultation with RAPs occurred during the assessment process and a site inspection was conducted, during which no further Aboriginal sites or objects were identified. The study area is indicative of the levels of disturbance and impacts that have occurred across the wider region regarding both historical and modern, commercial and industrial developments. As such the study area is indicative of the broader region in terms of disturbance, however more broadly previous archaeological investigations have provided context for a long occupation of the Botany Bay area and that evidence of Aboriginal occupation may be retained within adequately preserved deep sand deposits across the region.

Author/Assessment	Summary
ACHA for Baker Street Multi-Level Warehouse Banksmeadow. Prepared for Stockland by Artefact Heritage Services Pty Ltd. 2023	An ACHA was undertaken for the proposed construction of a two-storey warehouse at 2–8 Baker Street, Banksmeadow approximately 1.2 km northeast of the current Project Area. A desktop assessment and archaeological survey was completed in consultation with local RAPs and La Perouse LALC. Previous archaeological studies surrounding the study area are limited. A search of the AHIMS database was conducted but redacted. The archaeological survey conducted identified no new Aboriginal sites or artefacts and the level of landscape disturbance suggested that it is unlikely for archaeological evidence to have survived. Artefactual objects from previous investigations are generally associated with the preservation of upper dune sand deposits and buried estuarine deposits and the disturbance from development across the local area suggests that identifying Aboriginal objects within intact sediments is unlikely. However, should intact soil deposits be located there is a possibility for Aboriginal artefactual material. The findings of the study further demonstrated the level disturbance that has occurred across the Botany Bay region, and its likely impact on the preservation of Aboriginal sites and/or objects.

6.4 Predictive Model

The review of existing environmental and archaeological context for the Project Area and regional environs presented in earlier sections of this methodology provides context for the generation of a preliminary predictive model for the potential Aboriginal archaeological resource of the Project Area. The predictive model presented below in **Table 6.3** has been drawn from publicly accessible information and technical studies undertaken across the Sydney region.

Table 6.3 Predictive Model for Aboriginal Sites

Site Type	Potential
Modified Trees (scarred or carved)	Low: No culturally modified trees are recorded within the Project Area and its surrounding environs. The Project Area and its surrounds is an entirely built landscape. A distance away from the Project Area (>1 km) are mature trees, however these are likely ornamental plantings rather than naturally occurring vegetation.
Earth Mounds	Low: Earth mounds have not been recorded within the Project Area and its surrounding environs, nor its surrounds. The landscape surrounding the Project Area is an entirely built landscape with extensive vegetation clearing and landscape modification.
Hearths	Low: No hearths have not been recorded within the Project Area and its surrounding environs. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Shell Middens	Moderate: Shell midden sites have been recorded near the Project Area and regionally are common in coastal environments. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Quarries	Low: No quarries have been recorded within the Project Area and its surrounding environs, and are rarely recorded on a regional scale. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Area of Potential Archaeological Deposit	Low: No areas of PAD have been recorded within the Project Area, but are recorded the surrounding environs, and are consistently recorded near to freshwater. Areas of PAD are common in raised topographies and in areas of minimal land disturbance. The Project Area and its surrounds is an entirely built landscape, with low relief and extensive vegetation clearing and landscape modification.
Open Artefact Sites	Low: No open artefact sites have been previously recorded in the Project Area and its surrounding environs. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Grinding Grooves	Low: No grinding grooves have been recorded within the Project Area and its surrounding environs, and are rarely recorded on a regional scale. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.

Site Type	Potential
Ancestral Aboriginal Remains	Low: Sites containing ancestral Aboriginal remains have been recorded near the Project Area. Sites containing ancestral Aboriginal remains are typically associated with rock shelters, or other cultural deposit such as shell midden. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Rock Shelters with art and/or deposit	Nil: Rock shelter sites will only occur where suitable sandstone exposures or overhangs possessing sufficient sheltered space exist, which are not present in the Project Area.
Aboriginal Ceremony and Dreaming Sites	Low: Aboriginal Ceremony and Dreaming Sites can only be determined during the consultation phase of the Aboriginal Cultural Heritage Assessment. There are currently no recorded mythological stories for the Project Area however they are known to occur in the region.
Contact Sites	Moderate: There are currently no recorded post-contact sites recorded in the Project Area however they are known to occur in the region.

6.5 Summary

Based on the extant publicly available literature, and **Table 6.3** above, the following predictive statements regarding the likelihood of Aboriginal sites being present within the Project Area can be made:

1. The survival of Aboriginal objects in their *in situ* depositional context is dependent on the extent and nature of historical development and land surface modification.
2. Areas subject to heavy landscape modification and historic industrial development are less likely to preserve Aboriginal objects and sites.
3. Isolated artefacts and low-density artefact scatters are the most likely material evidence of Aboriginal occupation to be encountered within undisturbed and/or undeveloped landscapes.
4. The lack of visible surface Aboriginal objects is not indicative of sub-surface Aboriginal objects.
5. Relatively undisturbed sections of soil profiles may retain Aboriginal objects.

7.0 Fieldwork Program

7.1 Objectives and Methods

The following sections present a summary of the fieldwork program for the ACHA. A methodology for the fieldwork program was presented to all RAPs in accordance with Section 4.3.1 and Section 4.3.2 of the Consultation Requirements, which is discussed in further detail in **Section 3.3** of this report.
The overarching objectives of the fieldwork program was:

- To investigate the cultural heritage values associated with the material cultural resource of the Project Area by way of background research, archaeological survey, and consultation with RAPs.
- To compile an Aboriginal Archaeology report to inform the ACHA to develop an appropriate management and/or mitigation strategy for identified and potential Aboriginal cultural values associated with the known and/or potential material cultural resource of the Project Area.

The entirety of the survey of the Project Area was conducted on foot (**Figure 7.1**). As the Project Area is an active chemical manufacturing and distribution facility, access into warehouses and other buildings was not practicable due to health and safety concerns. In spite of this, the perimeter of the Project Area was inspected, including interior roadways. This provided adequate opportunity to assess potential Aboriginal cultural values of the Project Area. In total, 27,660m^2 of the overall Project Area was surveyed which included a representative sample of all observed landforms.

Surveys were conducted with representatives of ESR, as well as the current tenants of the Project Area. During surveys, RAP representatives and Umwelt personnel were able to gather information regarding sub-surface infrastructure not necessarily visible during surveys of the Project Area surface.

7.2 Results of Survey

Survey of the Project Area identified an entirely modified landscape (**Photo 7.1**). Nearly all of the Project Area represents existing infrastructure in the form of buildings or concrete and bitumen roads (**Photo 7.2** and **Photo 7.6**). Extant vegetation generally comprised ornamental plantings of trees and shrubs along the western and northern perimeter of the Project Area (**Photo 7.3**), and a flat grassed area at the southeast corner of the Project Area (**Photo 7.4**). In all instances, observed plant species were not locally-extant native vegetation (**Photo 7.4**). The topography of the Project Area was observed to be flat to gently sloping, and modified from its pre-developed state. Flattening of land surface was evidenced by the observed terracing, particularly at the grassed area and ramped ingress/egress in the southeastern corner of the Project Area (**Photo 7.4**). As the Project Area represents an entirely modified landscape, with areas of exposure of the natural land surface, effective survey coverage of landforms present within the Project Area was 0% (**Table 7-1**).

Table 7.1 Survey coverage of the Project Area

Survey Unit	Landform	Survey Unit area (m^2)	Visibility (%)	Exposure (%)	Effective survey coverage (m^2)	Effective survey coverage (%)
1	Disturbed (former dune)	27,660	0	0	0	0

Evidence of sub-surface infrastructure was prevalent. Solvent and petroleum tanks were noted to be buried throughout the Project Area (**Photo 7.5**), extending to depths of approximately 4 m below ground surface. The extent to which the sub-surface sediments remain intact is unclear. Geotechnical assessments (Douglas Partners, 2024) have identified loose grey sand deposits consistent with Botany Sand Beds underneath built materials and artificial fill.

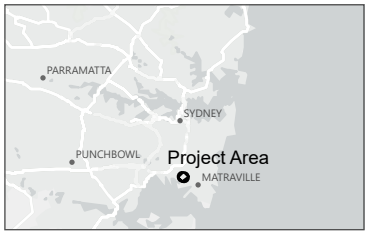
Survey of the Project Area identified no new Aboriginal sites or areas of PAD.

FIGURE 7.1

Survey Units

Legend

- Survey Unit 1
- Cadastre



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Metres

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GDA2020

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Image Source: ESRI Basemap (2024) | **Data Source:** NSW DFSI (2024)

Photo 7.1 Extent of Infrastructure at Project Area. View from Northern Boundary Facing South.

Image source Umwelt, 2024.

Photo 7.2 Typical Warehouse and Chemical and Solvent Storage of Project Area Facing Northwest

Image source Umwelt, 2024.

Photo 7.3 Northern Boundary of Project Area Facing East. Note Ornamental Plantings.

Image source Umwelt 2024.

Photo 7.4 Flattened Grassed Area at Southeast Corner of Project Area Facing Northeast. Note Weeds and Terracing.

Image source Umwelt, 2024.

Photo 7.5 Evidence of Sub-surface Storage Tanks Throughout Project Area

Image source Umwelt, 2024.

Photo 7.6 View of Project Area Egress to Coal Pier Road Facing North

Image source Umwelt, 2024.

8.0 Significance Assessment

The Burra Charter defines cultural significance in terms of aesthetic, scientific, historic and social values. Aboriginal cultural heritage is typically assessed according to its social and scientific significance; however other values may also be of importance. The assessment of cultural significance is critical in establishing mitigation and management strategies for cultural heritage (Pearson and Sullivan, 1995:21).
The assessment of significance provides a guideline for determining appropriate mitigation and management strategies. The relationship between levels of significance and management strategies can be summarised as follows:

- **High significance** – the site should be conserved and protected from the impacts of development, where possible.
- **Moderate significance** – the site should be protected if possible, however, if impacts to the site are unavoidable, appropriate mitigation strategies should be implemented prior to impact.
- **Low significance** – the site should be protected if possible, however, if impacts to the site are unavoidable, the presence of the site should not impede the proposed development.

8.1 Cultural Significance

Cultural significance relates to the values that Aboriginal peoples assign an object, site or place. In assessing this significance, a range of factors may be considered, and this can extend beyond the physical presence of a site and its contents to intangible aspects of the cultural landscapes. Archaeological materials, cultural knowledge, natural resources and landscape attributes may all be considered. RAP consultation identified the following social or cultural values for the Project Area in conversations with Umwelt personnel:

- Prior to European occupation, the Project Area would have been an important place for Aboriginal peoples, with abundant resources and freshwater available.
- The Project Area and surrounding environs is located at the confluence of multiple Aboriginal groups.
- The Project Area and surrounding environs represented the region's first contact between local Aboriginal groups and Cook's first charting of Australia's east coast in 1770. This first contact also resulted in the European explorers shooting at local Aboriginal people (Conroy, 2017: 70).
- Subsequent attempts at a permanent European colony from 1788 saw the region being the focal point of Aboriginal resistance to European expansion.

8.2 Scientific (Archaeological) Significance

The scientific (or archaeological) significance of Aboriginal sites relates to their potential for providing information about past Aboriginal culture/s and is commonly assessed on the basis of *research potential, representativeness* and *rarity*. Other criteria, such as aesthetic value and education potential, may also be relevant.

8.2.1 Research Potential

Research potential is defined as the potential of any archaeological site to address specific and defined research questions. Such questions may relate to aspects of human behaviours, occupation patterns and activities and/or environments. Several criteria can be used to assess the research potential of an archaeological site. Particularly pertinent in Aboriginal cultural heritage management is the state of preservation (i.e., integrity) of any site, the complexity of elements within it and its potential for archaeological deposit (NPWS, 1997, p.7).

Integrity refers to the state of preservation of an archaeological site, and/or the extent to which it has been impacted by natural and/or anthropogenic phenomena. The principle of archaeological integrity is founded on the concept that a more intact archaeological site will be able to provide more useful environmental land /or archaeological data, and consequently (albeit subjectively) will retain higher 'value'.

The **complexity** of an archaeological site refers to the nature of elements within it (e.g., the physical size of the site, spatial patterning in observed cultural materials). In the case of open artefact sites, for example, the principal criteria used to assess complexity are the site's size (i.e., number of artefacts and/or spatial extent), the presence, range and frequency of artefact and raw material types, and the presence of features such as hearths.

Potential for archaeological deposit refers to the potential of an archaeological site (or area of PAD) to contain subsurface archaeological evidence which, through systematic archaeological excavation, may assist in answering defined research questions.

Connectedness refers to the relationship between archaeological sites within its surrounding context and may be interpreted through site location, type and contents.

8.2.2 Rarity and Representativeness

Rarity refers to the relative scarcity of an archaeological site, both locally and regionally. The scientific significance of an archaeological site is assessed as being higher if it is unique or rare and conversely, may be considered to be lower in significance if it is common in one or both. The concept of representativeness, meanwhile, refers to the question of whether or not a site is "*a good example of its type, illustrating clearly the attributes of its significance*" (Burke & Smith, 2004).

8.3 Assessment of Archaeological Significance

The assessment of archaeological significance of Aboriginal sites is assessed in accordance with the criteria presented in **Table 8.1**.

Table 8.1 Criteria for Assessment of Archaeological Significance

Criterion	Low	Moderate	High
Rarity	The site within the surrounding landscape, its integrity, contents and/or potential for subsurface artefacts, are common within the local and regional context.	The site within the surrounding landscape, its integrity, contents and/or potential for subsurface artefacts, are common within the regional context but not the local context.	The site within the surrounding landscape, its integrity, contents and/or potential for subsurface artefacts, are rare within the local and regional context.
Representativeness	This site, when viewed in relation to its integrity, contents and/or potential for subsurface artefacts, is common within a local and regional context and sites of similar nature (or in better condition) are already set aside for conservation within the region.	This site, when viewed in relation to its integrity, contents and/or potential for sub-surface artefacts, is uncommon within a local context but common in a regional context and sites of similar nature (or in better condition) are already set aside for conservation within the region.	This site, when viewed in relation to its integrity, contents and/or potential for subsurface artefacts, is uncommon within a local and regional context and sites of similar nature (or in better condition) are not already set aside for conservation within the locality or region.
Research potential	The site, when viewed in relation to its integrity, contents and/or potential for subsurface artefacts has limited potential to contribute to a greater understanding of how Aboriginal people lived within this area or region.	The site, when viewed in relation to its integrity, contents and/or potential for subsurface artefacts has moderate potential to contribute to a greater understanding of how Aboriginal people lived within this area or region.	The site, when viewed in relation to its integrity, contents and/or potential for subsurface artefacts has high potential to contribute to a greater understanding of how Aboriginal people lived within this area or region.
Education potential	The site is not readily accessible and/or when viewed in relation to its contents, integrity and location in the landscape has limited suitability to be used for educational purposes. Other sites with higher education potential are known to be present in the local area and region.	The site is not readily accessible and/or when viewed in relation to its contents, integrity and location in the landscape provides a tangible example that is suitable to assist in educating people regarding how Aboriginal people lived in this area or region. However, other sites with higher education potential are known or expected to be present in the local area or region.	The site is readily accessible and/or when viewed in relation to its contents, integrity and location in the landscape, provides a very good tangible example that is suitable to assist in educating people regarding how Aboriginal people lived in this area or region. Other sites of higher education potential are generally not known to exist in the local area or region.
Integrity	Stratigraphic integrity of the site has clearly been destroyed due to major disturbance/loss of topsoil. The level of disturbance is likely to have removed all spatial and chronological information.	The site appears to have been subject to moderate levels of disturbance, however, there is a moderate possibility that useful spatial information can still be obtained from subsurface investigation of the site, even if it is unlikely that any useful chronological evidence survives.	The site appears relatively undisturbed and there is a high possibility that useful spatial information can still be obtained from subsurface investigation of the site, even if it is still unlikely that any useful chronological evidence survives.

As no new or previously identified Aboriginal objects or sites are recorded within the Project Area, an assessment of the archaeological significance of the Project Area cannot be undertaken.

The significance of Aboriginal cultural values within the broader cultural landscape must be acknowledged. The Project Area and surrounding environs, prior to European colonisation, would have been a meeting ground across multiple Aboriginal groups, attracted by abundant resources, and likely necessitating complex inter-group practices. The Project Area and surrounds similarly was pivotal in the early interactions and engagement between local Aboriginal groups and European colonisers extending through to the 20th century. While no Aboriginal sites or objects have been recorded within the Project Area, the broader Botany Bay region maintains cultural significance to Aboriginal stakeholders.

9.0 Impact Assessment

9.1 Summary of Proposed Impacts

As outlined in **Section 1.3**, ESR is proposing the development of the 49-61 Stephen Road, Banksmeadow property. The Project will encompass approximately 48,160 m^2 in area, and include the demolition of all extant built infrastructure, remediation works to mitigate and manage hazards associated with known contamination concerns, and the construction of a three (3) storey warehouse encompassing 24 total tenancies, a cafe, as well as office facilities, car parking, and landscaping. Bulk earthworks and site preparation works precede the construction and operation of the proposed development, and include the installation of piled concrete footings into underlying sediments acting as sturdy foundations for overlying construction.

Proposed works will impact the entire Project Area.

9.2 Impact to Archaeological Values

No new or previously recorded Aboriginal objects and/or sites were identified within the Project Area. Ground disturbance activities are proposed, and included in this are the installation of piled concrete footings into underlying sediments. Geotechnical assessments (Douglas Partners, 2024) of the Project Area's subsurface sediments have identified grey to yellow loose sands, lacking organic material, which correspond to Botany Sands and tg2 sediments of the Tuggerah soil landscape.

Previous archaeological assessments have identified that tg2 soils are unlikely to contain Aboriginal objects (e.g. Artefact, 2014; GML, 2013; 2014), and that the archaeological sensitivity of the Botany Sands is restricted to the upper-most 30 cm (Artefact, 2021: 14) (**Section 4.6**). Industrial development and landscape modification of the Project Area (**Figure 4.1**, **Figure 4.2**, and **Figure 4.3**) and environs has likely stripped these upper-most sedimentary layers, and displaced any associated Aboriginal objects from the Project Area.

The potential for impact to Aboriginal objects and/or sites, as well as potential impacts in the undertaking of the remaining proposed works as described in **Section 1.3**, is considered unlikely.

9.3 Impact to Aboriginal Cultural Heritage Values

As described in **Section 3.3.2** and **Section 8.1**, in consultation with RAP representatives, the broader region surrounding the Project Area represents high Aboriginal cultural heritage significance. This due to 1) the abundant resources and amenable landscapes for habitation prior to European colonisation, and 2) the region's importance in the Aboriginal experience from the post-contact expansion of European colonies.

Aboriginal cultural heritage values of the Project Area are present only when considered against a broader regional context. These cultural heritage values are not likely to be impacted in the undertaking of the Project as described in **Section 1.3**.

9.4 Avoiding and Minimising Harm

As identified in **Section 9.2**, piled concrete footings are proposed to be installed into the underlying sediments to act as foundations for overlying construction. The results of geotechnical assessments (Douglas Partners, 2024) identify sediments that correspond with the tg2 sediments of Tuggerah soils (see **Section 4.3**) which are not considered to be archaeologically sensitive (e.g. Artefact, 2014; GML, 2013; 2014).

Impact to Aboriginal heritage is considered unlikely.

9.5 Cumulative Impact Assessment

9.5.1 Ecologically Sustainable Development

Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as: 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased'. Simply, Ecologically Sustainable Development is development which aims to meet the needs of Australians today, while conserving our ecosystems for the benefit of future generations.

9.5.2 Intergenerational Equity – Cumulative Impact Assessment

When assessing likely harm on Aboriginal objects and places it is necessary to consider the principle of intergenerational equity. Intergenerational equity is:

> *"…the principle whereby the present generation should ensure the health, diversity and productivity of the environment for the benefit of future generations".*

In terms of Aboriginal heritage, intergenerational equity can be considered in terms of the cumulative impacts to Aboriginal objects and places in a region. If few Aboriginal objects and places remain in a region (for example, because of impacts by historic development or under previous AHIPs/ACHMPs etc), fewer opportunities remain for future generations of Aboriginal people to benefit from the preservation of their cultural heritage, places and objects. Information about the integrity, rarity or representativeness of the Aboriginal objects and places that may be impacted by a project, and how those tangible cultural heritage elements demonstrate the lifeways of Aboriginal peoples within the region, is pertinent to the consideration of intergenerational equity and the understanding of a project's contribution to cumulative impacts. Where there is uncertainty, the precautionary principle must be followed (DECC [former] 2009: 26).

No new or previously recorded Aboriginal objects and/or sites were identified in the Project Area.
As identified in **Section 8.0**, the Project has low potential to impact Aboriginal objects or sites, and low potential to impact the Aboriginal cultural heritage values of the Project Area and its environs.
No Aboriginal objects or sites are recorded within the Project Area, and the Project is unlikely to impact cultural values. As such, there are no potential cumulative impacts to intergenerational equity with regards to Aboriginal cultural heritage.

10.0 Conclusions and Management Recommendations

10.1 Rationale and Statutory Requirements

This ACHA will form part of an EIS coordinated by ESR to support their application for SSD Consent under Division 4.1 of Part 4 of the EP&A Act. The Code of Practice (DECCW, 2010b) provides best practice documents for Aboriginal Cultural Heritage Impact Assessments in NSW. Both documents have been considered in the formulation of the management strategy detailed in the following sections.

As detailed in **Section 9.0**, no Aboriginal sites have been identified within the Project Area, and impacts to currently unidentified Aboriginal objects or sites is considered unlikely.

If an Aboriginal Cultural Heritage Management Plan (ACHMP) is stipulated as a condition of approval, management procedures including, but not limited to, those presented in **Section 10.1.1** to **Section 10.1.3** below would be integrated into the ACHMP.

10.1.1 Aboriginal Cultural Heritage Awareness Induction

All relevant contractors and personnel should also be made aware of their legal responsibilities under the NPW Act and the need to avoid impacts to Aboriginal objects and/or sites not identified in this ACHA.

10.1.2 Previously Unrecorded Aboriginal Objects and/or Sites

Management strategies relating to the identification of unrecorded Aboriginal archaeological objects and/or sites identified within the Project Area throughout the life of the Project will comprise the following procedure:

1. All works would cease immediately in the area to prevent any further impacts to the object(s).
2. Notify the appropriate Project Manager/Site supervisor or equivalent immediately.
3. A qualified heritage consultant would be engaged to determine the nature, extent and scientific significance of the object(s). RAP representatives are to be notified in writing regarding the nature of the find and if required, proposed management actions. RAP representatives will be requested to provide comments within seven (7) days.
4. An AHIMS site card would be completed and submitted to Heritage NSW in compliance with Section 89A of the NPW Act. The site cards will be lodged within 21 days and a copy provided to those RAPs who wish to have a copy.

10.1.3 Human Skeletal Remains

In the event that potential human skeletal remains are identified throughout the life of the Project (including construction, operations and decommissioning phases), the following standard procedure outlined below will be followed:

1. All work in the vicinity of the remains must cease immediately.
2. The location must be cordoned off and the appropriate authorities notified (including NSW Police and if considered of possible Aboriginal descent, NSW Heritage).
3. Subject to any alternative instruction from the NSW Policy or Heritage NSW, a physical or forensic anthropologist would be commissioned to inspect the remains *in situ* and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or modern).

   Subsequent management actions will be dependent on the findings of the inspection undertaken under Point 3.

   - If the remains are identified as modern and human, the area will become a crime scene under the jurisdiction of the NSW Police.
   - If the remains are identified as pre-contact or historic Aboriginal, the site will be secured, and Heritage NSW and all RAP representatives notified in writing.
   - If the remains are identified as historic (non-Aboriginal), the site is to be secured and the Heritage NSW contacted.
   - If the remains are identified as non-human, work can recommence immediately.

10.2 Connecting with Country

Umwelt recommends that ESR engage with the *Connecting with Country Framework* (Government Architect NSW, 2023) in the design and operation phases of the Project. The Connecting with Country Framework intends to support and promote Aboriginal culture in built environments through a Country-centred approach, guided by Aboriginal stakeholders.

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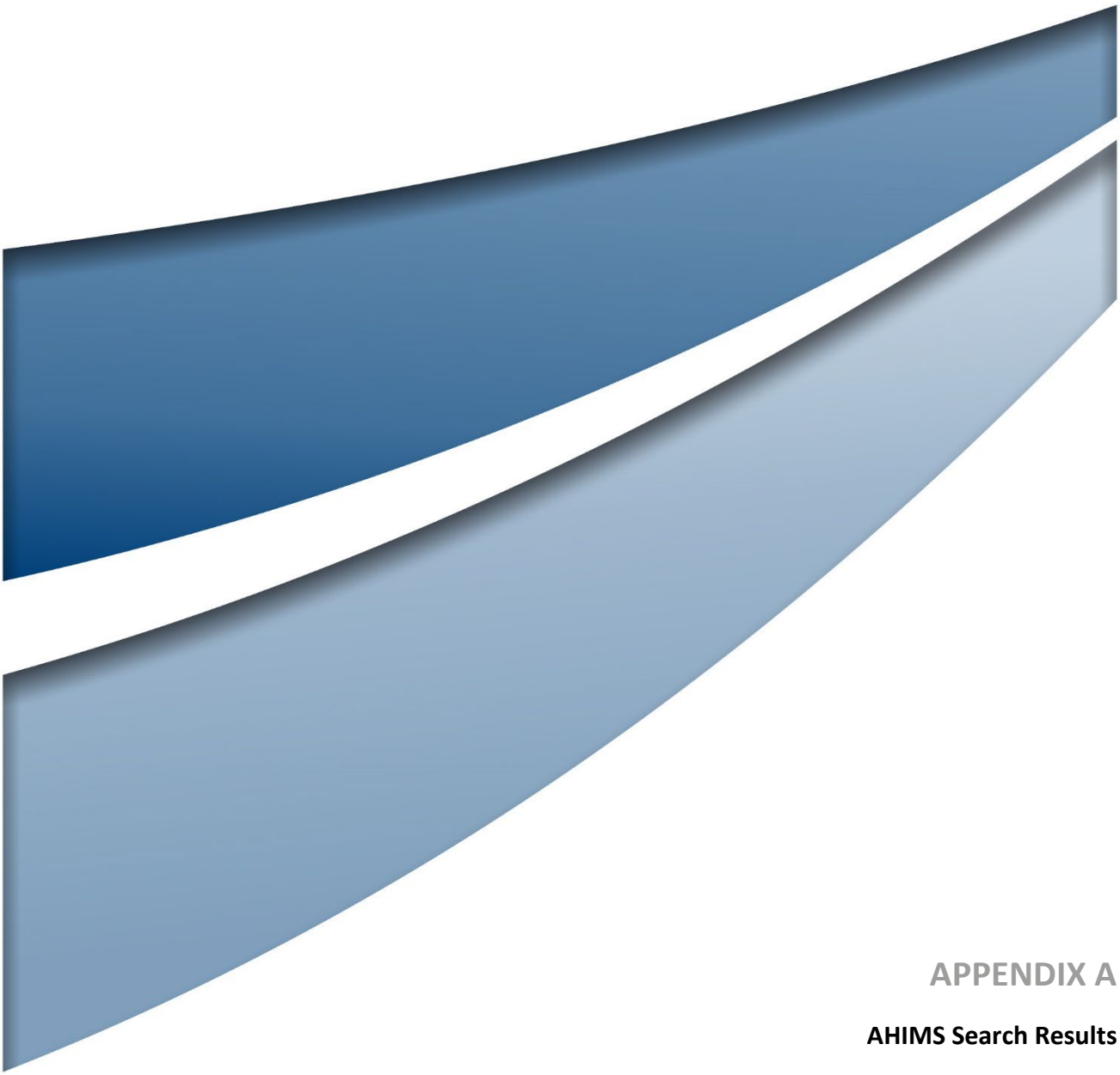

APPENDIX A

AHIMS Search Results

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 31043

Client Service ID : 924510

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-0659	La Perouse	AGD	56	337011	6238281	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	Unknown Author					**Permits**		
45-6-2156	Little Bay 4;	AGD	56	338490	6237600	Open site	Valid	Artefact : -, Shell : -, Aboriginal Ceremony and Dreaming : -		102147
	Contact	**Recorders**	Elizabeth Rich					**Permits**	3109	
45-6-2159	Little Bay 10;	AGD	56	338400	6238700	Open site	Valid	Burial : -, Aboriginal Ceremony and Dreaming : -	Burial/s,Historic Place	102147
	Contact	**Recorders**	Elizabeth Rich					**Permits**	3109	
45-6-4017	728-750 Princes Highway Artefact	GDA	56	330202	6244796	Open site	Valid	Artefact : -		
	Contact	**Recorders**	GML Heritage Pty Ltd - Surry Hills,Ms.Sophie Jennings					**Permits**	4916	
45-6-3729	UNSW Sand Body Area of Sensitivity	GDA	56	336190	6245480	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	**Recorders**	Ms.Fenella Atkinson,Coast History & Heritage					**Permits**	4568	
45-6-1059	La Perouse.	GDA	56	338555	6237960	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	ASRSYS,Coast History & Heritage ,Miss.Gina Basile					**Permits**		
45-6-0653	La Perouse Site 6	GDA	56	336565	6237762	Closed site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	**Recorders**	Unknown Author,Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Hannah M					**Permits**		
45-6-2157	Little Bay 6;	AGD	56	338513	6238651	Open site	Partially Destroyed	Artefact : -	Open Camp Site	102070,102147
	Contact	**Recorders**	Elizabeth Rich,GML Heritage Pty Ltd - Surry Hills,Ms.Laura Farquharson					**Permits**	2239,2485,2907,3109,3134,3304	
45-6-1965	Long Bay Cave 3;	AGD	56	338840	6240210	Open site	Valid	Shell : -, Artefact : -	Midden,Open Camp Site	102147
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-2737	Tempe House 1	AGD	56	329230	6243930	Open site	Partially Destroyed	Artefact : -, Potential Archaeological Deposit (PAD) : -		99680,100447,102150,103452
	Contact	**Recorders**	Doctor.Jo McDonald					**Permits**	2016,2209,3767	
45-6-0698	Maroubra;Athol Park House;	AGD	56	339100	6242800	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	**Recorders**	Ms.Lisa Campbell					**Permits**		
45-6-0701	Mistral Point Maroubra	AGD	56	339505	6242680	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	**Recorders**	Ms.Lisa Campbell					**Permits**		
45-6-0650	La Perouse Site 3	GDA	56	336454	6237672	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	ASRSYS,Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Hannah Morris					**Permits**		

Report generated by AHIMS Web Service on 28/08/2024 for Brent Koppel for the following area at Lat, Long From : -33.9891, 151.1461 - Lat, Long To : -33.9179, 151.2697. Number of Aboriginal sites and Aboriginal objects found is 57

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 31043

Client Service ID : 924510

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-1145	La Perouse;1	GDA	56	336877	6237671	Open site	Valid	Shell : -, Artefact : -, Non-Human Bone and Organic Material : -	Midden	
	Contact	**Recorders**	Extent Heritage Pty Ltd - Pyrmont - Individual users,Mr.R Taplin,Ms.Hannah Morris					**Permits**	4918	
45-6-2670	Little Bay Ochre Site	AGD	56	338109	6239025	Open site	Valid	Ochre Quarry : -		
	Contact	**Recorders**	Mr.David Ingrey					**Permits**	1816	
45-6-3993	La Perouse Low Potential PAD	GDA	56	336519	6237722	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	**Recorders**	Artefact Heritage and Environment - Pyrmont,Miss.Julia McLachlan					**Permits**		
45-6-0682	Long Bay;Malabar; Burial	AGD	56	338700	6240239	Open site	Valid	Artefact : -, Burial : -	Burial/s,Open Camp Site	102147
	Contact	**Recorders**	Unknown Author					**Permits**		
45-6-0683	Long Bay;Malabar;	AGD	56	338840	6240125	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	Unknown Author					**Permits**		
45-6-1056	Maroubra Bay; Midden	AGD	56	339020	6241320	Open site	Valid	Shell : -, Artefact : -	Midden	
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-2752	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			102147
	Contact Mr.David Ingrey	**Recorders**	Mr.Dean Kelly					**Permits**		
52-3-0698	Boat Harbour 3;BH3;	GDA	56	333993	6242473	Open site	Valid	Shell : -, Artefact : -	Midden	1607,1816
	Contact	**Recorders**	Elizabeth Rich,Laura-Jane Smith,Miss.Lisa Smith,Mr.Paul Irish,Coast History & Heri					**Permits**	4586	
45-6-0629	Buoy;Botany Shell Midden;	GDA	56	333325	6241560	Open site	Valid	Artefact : -, Shell : -, Burial : -	Burial/s,Midden,Shelter with Deposit	
	Contact	**Recorders**	ASRSYS,Mr.Paul Irish,Coast History & Heritage					**Permits**		
45-6-1403	La Perouse;2	GDA	56	336692	6237669	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	ASRSYS,Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Hannah Morris					**Permits**		
45-6-0649	La Perouse Site 2	GDA	56	336446	6237695	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	ASRSYS,Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Hannah Morris					**Permits**		
45-6-0680	Little Bay, La Perouse	AGD	56	338682	6238722	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	Denis Byrne					**Permits**	3109	
45-6-1363	Cromwell Park;Long Bay;	AGD	56	338988	6240057	Open site	Valid	Art (Pigment or Engraved) : -, Grinding Groove : -	Axe Grinding Groove,Rock Engraving	102147
	Contact	**Recorders**	ASRSYS					**Permits**		

Report generated by AHIMS Web Service on 28/08/2024 for Brent Koppel for the following area at Lat, Long From : -33.9891, 151.1461 - Lat, Long To : -33.9179, 151.2697. Number of Aboriginal sites and Aboriginal objects found is 57

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 31043

Client Service ID : 924510

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-1057	La Perouse	AGD	56	338561	6238494	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	Mr.R Taplin					**Permits**	3109	
45-6-2158	Little Bay 7;	AGD	56	338420	6238820	Open site	Valid	Grinding Groove : -	Axe Grinding Groove	102147
	Contact	**Recorders**	Elizabeth Rich					**Permits**	3109	
45-6-0639	Botany Bay;Bumborah Point;	AGD	56	335719	6238896	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	ASRSYS					**Permits**		
45-6-0651	La Perouse Site 4	GDA	56	336438	6237710	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	Unknown Author,Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Hannah !					**Permits**		
45-6-1963	Long Bay Cave 1;	AGD	56	338290	6239860	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	102147
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-1058	La Perouse;Little Bay Cave 5;	AGD	56	338550	6238450	Open site	Valid	Shell : -, Artefact : -	Midden	102147
	Contact	**Recorders**	Mr.R Taplin					**Permits**	3109	
45-6-2280	Jensen Place;Lurline Bay South Coogee;	AGD	56	338200	6243340	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	**Recorders**	J Storey					**Permits**		
45-6-2547	Nanny Goat Hill 1;NGH 1;	AGD	56	328700	6244300	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-0686	Long Bay;	AGD	56	338700	6240300	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	98691,102147
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-0652	La Perouse Site 5	GDA	56	336449	6237661	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	Unknown Author,Extent Heritage Pty Ltd - Pyrmont - Individual users,Ms.Hannah !					**Permits**		
45-6-2794	PAD 1 Malabar Headland	AGD	56	338500	6240000	Open site	Valid	Art (Pigment or Engraved) : -		102147
	Contact T Russell	**Recorders**	Mrs.Robynne Mills					**Permits**		
45-6-0873	La Perouse Reserve	AGD	56	336702	6238068	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	102147
	Contact	**Recorders**	W Cook,Mr.Shaun Longbottom					**Permits**		
45-6-2675	JVM 2	AGD	56	339300	6242600	Closed site	Valid	Art (Pigment or Engraved) : 1, Shell : 6		
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-1055	Maroubra Bay;	AGD	56	338601	6241147	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	**Recorders**	ASRSYS					**Permits**		

Report generated by AHIMS Web Service on 28/08/2024 for Brent Koppel for the following area at Lat, Long From : -33.9891, 151.1461 - Lat, Long To : -33.9179, 151.2697. Number of Aboriginal sites and Aboriginal objects found is 57

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 31043

Client Service ID : 924510

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-3342	Not a site	GDA	56	337014	6244960	Open site	Valid	Potential Archaeological Deposit (PAD) : -, Artefact : -		
	Contact	**Recorders**	Mary Dallas Consulting Archaeologists (MDCA),GML Heritage Pty Ltd - Surry Hills,M					**Permits**	4183,5262	
45-6-2495	Prince of Wales Hospital Aboriginal;Hearth;	AGD	56	337040	6245140	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	**Recorders**	Mary Dallas Consulting Archaeologists (MDCA)					**Permits**	1055,4386	
45-6-1152	Bumborah Point;	AGD	56	336070	6239635	Open site	Valid	Shell : -, Artefact : -	Midden	102147
	Contact	**Recorders**	ASRSYS					**Permits**		
45-6-2658	Little Bay Road PAD1	AGD	56	337000	6238900	Open site	Valid	Potential Archaeological Deposit (PAD) : -		99792,102147
	Contact	**Recorders**	Dominic Steele Archaeological Consulting					**Permits**	1684,1734	
45-6-2894	Maroubra Dunehills	GDA	56	338754	6242040	Open site	Valid	Artefact : -		105206
	Contact	**Recorders**	Mr.Paul Irish,Coast History & Heritage ,Ms.Bonnie Clark					**Permits**		
45-6-2243	Little Bay Cave;	AGD	56	338440	6238490	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	102147
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-2271	Gully Midden 1;	AGD	56	338550	6237950	Open site	Valid	Shell : -, Artefact : -	Midden	1333,102147
	Contact	**Recorders**	Michael Guider					**Permits**	3109	
45-6-4111	2-4 Hale PAD01	GDA	56	332770	6242382	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	**Recorders**	Artefact Heritage and Environment - Pyrmont,Mr.Gareth Holes					**Permits**		
45-6-0751	Shea's Creek Dugong	GDA	56	331839	6245378	Open site	Destroyed	Aboriginal Resource and Gathering : -, Non-Human Bone and Organic Material : -, Artefact : -	Open Camp Site	
	Contact	**Recorders**	ASRSYS,AECOM Australia Pty Ltd - Sydney,Mr.Luke Kirkwood					**Permits**		
45-6-0886	Bare Island;Yarra Bay;	AGD	56	336400	6238500	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	102147
	Contact	**Recorders**	Kate Sullivan					**Permits**		
45-6-1964	Long Bay Cave 2;	AGD	56	338280	6239890	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	102147
	Contact	**Recorders**	Michael Guider					**Permits**		
45-6-0976	Botany Bay;	AGD	56	336161	6239636	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	102147
	Contact	**Recorders**	Mr.R Taplin					**Permits**		
45-6-2753	Restriction applied. Please contact ahims@environment.nsw.gov.au.					Open site	Valid			102147

Report generated by AHIMS Web Service on 28/08/2024 for Brent Koppel for the following area at Lat, Long From : -33.9891, 151.1461 - Lat, Long To : -33.9179, 151.2697. Number of Aboriginal sites and Aboriginal objects found is 57

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 31043

Client Service ID : 924510

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
	Contact T Russell	**Recorders**	Mr.Dean Kelly					**Permits**		
45-6-2283	Sand Dune Midden;Little Bay;	AGD	56	338590	6238010	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	102147
	Contact	**Recorders**	Michael Guider					**Permits**	3109	
45-6-2198	View Street	AGD	56	329500	6244350	Open site	Valid	Shell : -, Artefact : -	Midden	
	Contact	**Recorders**	Michael Guider,Michael Guider					**Permits**	1330,1331	
45-6-2755	Long Bay PAD	AGD	56	338000	6239400	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102147
	Contact	**Recorders**	Mary Dallas Consulting Archaeologists (MDCA)					**Permits**	2314	
45-5-2587	Frenchmans Bay Foredune	AGD	56	336500	6238000	Open site	Valid	Shell : -, Artefact : -	Midden	
	Contact	**Recorders**	Doctor.Susan (left ahms) Mcintyre-Tamwoy					**Permits**		

**** Site Status**

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

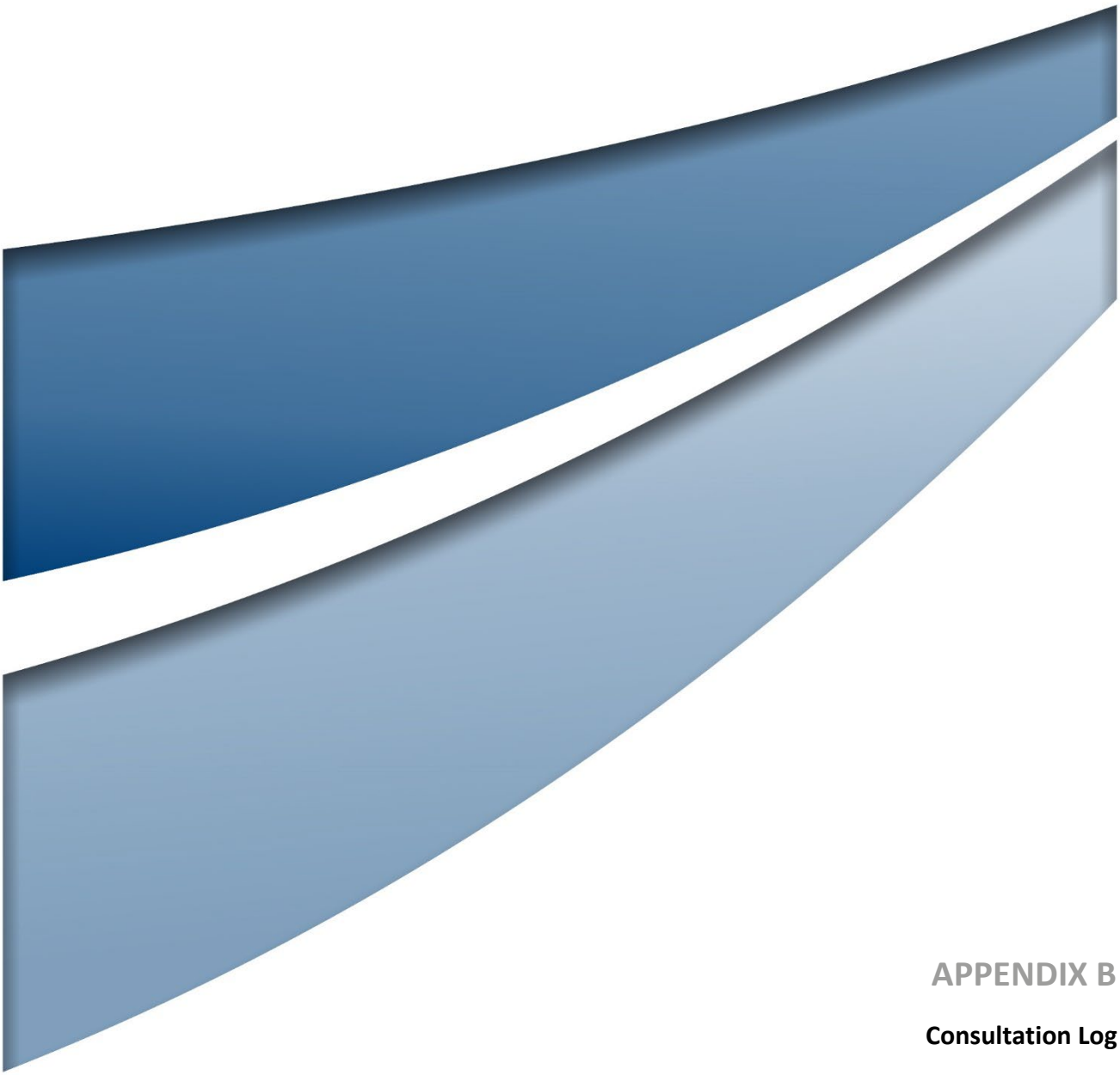
Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.

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 28/08/2024 for Brent Koppel for the following area at Lat, Long From : -33.9891, 151.1461 - Lat, Long To : -33.9179, 151.2697. Number of Aboriginal sites and Aboriginal objects found is 57

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.



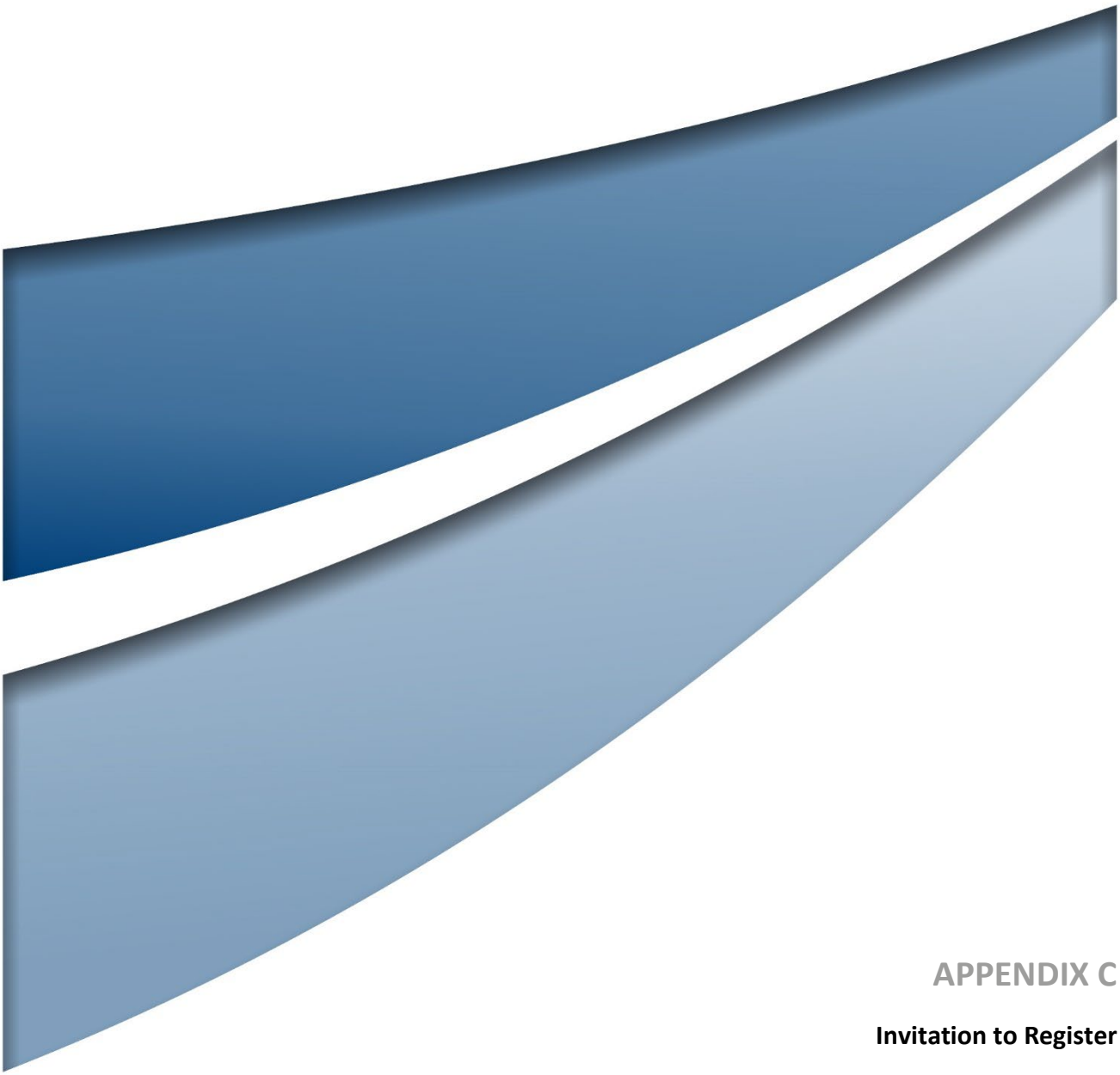
APPENDIX B

Consultation Log

Contact	Contacted By	Method	Date	Comments
Aboriginal Consultation Requirements for Proponents (DECCW 2010)*				
ABORIGINAL CONSULTATION RECORD				
Project Name: 49 Stephen Road, Banksmeadow				**Project #: 23513 (31034)**
Stage 1 – Notification of project proposal and registration of interest (DECCW 2010 Section 4.1)				
Agency Letter Sent				
Heritage NSW	Brent Koppel	Email	22/03/2024	
La Perouse Local Aboriginal Land Council	Brent Koppel	Email	22/03/2024	
The Office of the Registrar, Aboriginal Land Rights Act 1983	Brent Koppel	Email	22/03/2024	
National Native Title Tribunal	Brent Koppel	Email	22/03/2024	
Native Title Services NTSCORP	Brent Koppel	Email	22/03/2024	
Bayside City Council	Brent Koppel	Email	22/03/2024	
Greater Sydney Local Land Service	Brent Koppel	Email	22/03/2024	
Agency Letter Responses				
National Native Title Tribunal	Brent Koppel	Email	22/03/2024	Database search results indicating FREEHOLD status for Project Area
Heritage NSW	Brent Koppel	Email	25/03/2024	Automated response acknowledging and actioning request.
Bayside City Council (Carly McLennan)	Brent Koppel	Email	26/03/2024	Response acknowledging request. Suggested BK contact LPLALC. BK confirmed LPLALC has already been contacted
ORALRA	Brent Koppel	Email	26/03/2024	Agency response indicating no Aboriginal owners have approached regarding the Project Area
Heritage NSW (Barry Gunther)	Brent Koppel	Email	2/04/2024	BG provided list of 51 potential RAPs
Newspaper Public Notice				
St George and Sutherland Shire Leader	*27/03/2024*			https://umweltau.sharepoint.com/:b:/r/sites/23513/04%20Correspondence/Aboriginal%20consultation/4.1.3%20Newspaper%20advertisment/23513%20-%20Advertisment%2027%20March%202024.pdf?csf=1&web=1&e=F4OLR8
Expression of Interest Letter Sent				
La Perouse Local Aboriginal Land Council	Brent Koppel	Email	12/04/2024	
A1 Indigenous Services	Brent Koppel	Email	12/04/2024	
Amanda Hickey Cultural Services	Brent Koppel	Email	12/04/2024	
Aragung Aboriginal Cultural Heritage Site Assessments	Brent Koppel	Email	12/04/2024	
B.H. Heritage Consultants	Brent Koppel	Email	12/04/2024	
Badu (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Barking Owl Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Biamanga (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Bilinga (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Butucarbin Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Cullendulla (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Darug Aboriginal Cultural Heritage Assessments	Brent Koppel	Post	12/04/2024	
Darug Boorooberongal Elders Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Dharug (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Dharug Ngurra Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Didge Ngunawal Clan	Brent Koppel	Email	12/04/2024	
Eric Keidge	Brent Koppel	Post	12/04/2024	
Ginninderra Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Goobah Development PTY LTD (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Goodradigbee Cultural & Heritage Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Gulaga	Brent Koppel	Email	12/04/2024	
Gunyuu (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Jerringong (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Kamilaroi Yankuntjatjara Working Group	Brent Koppel	Email	12/04/2024	
Konanggo Aboriginal Cultural Heritage Services	Brent Koppel	Email	12/04/2024	
Louise Adermann	Brent Koppel	Email	12/04/2024	
Metropolitan Local Aboriginal Land Council	Brent Koppel	Email	12/04/2024	
Minnamunnung	Brent Koppel	Post	12/04/2024	
Munyunga (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Mura Indigenous Corporation (icn:8991)	Brent Koppel	Email	12/04/2024	
Murramarang (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Murrumbul (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Ngambaa Cultural Connections	Brent Koppel	Email	12/04/2024	
Nundagurri (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Pemulwuy (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Thauaira	Brent Koppel	Email	12/04/2024	
Thomas Dahlstrom Offers ACH value by using 3D Laser and Drone technology	Brent Koppel	Email	12/04/2024	
Thoorga Nura	Brent Koppel	Email	12/04/2024	
Scott Franks on the behalf od the Wonnarua PBC	Brent Koppel	Email	12/04/2024	
Yarrawalk Pty Ltd	Brent Koppel	Email	12/04/2024	
Waawaar Awaa Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Wailwan Aboriginal Group	Brent Koppel	Email	12/04/2024	
Walbunja (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Walgalu (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Wingikara (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Wullung (Murrin Clan/Peoples)	Brent Koppel	Email	12/04/2024	
Wurrumay Pty Ltd	Brent Koppel	Email	12/04/2024	
Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	Brent Koppel	Email	12/04/2024	
Yukumbruk	Brent Koppel	Email	12/04/2024	
RAW Cultural Healing	Brent Koppel	Email	12/04/2024	

Contact	*Contacted By*	*Method*	*Date*	*Comments*
Gadu chts	Brent Koppel	Email	12/04/2024	
Darug Aboriginal Cultural Heritage Assessments	Brent Koppel	Phone	24/02/2024	**Follow up call from letter posted 12/4. Declined invitation due to age.**
Eric Keidge	Brent Koppel	Phone	24/02/2024	**Follow up call from letter posted 12/4. No answer. Message left**
Minnamunnung	Brent Koppel	Phone	24/02/2024	**Follow up call from letter posted 12/4. No answer. Message left**
Expression of Interest Responses				
Didge Ngunawal Clan	Lilly Carroll	Email	12/04/2024	Registered their interest. BK acknowledged interest
Wailwan Aboriginal Group	Phil Boney	Email	12/04/2024	Registered their interest. BK acknowledged interest
Wonnarua PBC ; Yarrawalk Pty Ltd	Scott Franks	Email	12/04/2024	Registered their interest. BK acknowledged interest
Konanggo Aboriginal Cultural Heritage Services	Robert Young	Email	12/04/2024	Registered their interest. BK acknowledged interest
Metropolitan Local Aboriginal Land Council	Kriss Sharpe	Email	12/04/2024	Declining invitation due to Project Area falling outside of MLALC boundaries
Butucarbin Aboriginal Corporation	Jenny	Email	15/04/2024	Registered their interest. BK acknowledged interest
Kamilaroi Yankuntjatjara Working Group	Phil Khan	Email	16/04/2024	Registered their interest. BK acknowledged interest
Ginninderra Aboriginal Corporation	Krystle Carroll-Elliott	Email	18/04/2024	Registered their interest. BK acknowledged interest
Thomas Dahlstrom	Thomas Dahlstrom	Email	20/04/2024	Registered their interest. BK acknowledged interest
Waawaar Awaa Aboriginal Corporation	Rodney Gunter	Email	22/04/2024	Registered their interest. BK acknowledged interest
Goobah Development PTY LTD (Murrin Clan/Peoples)	Basil Smith	Email	24/04/2024	Registered their interest. BK acknowledged interest
Darug Aboriginal Cultural Heritage Assessments	Gordon Morton	Phone	24/02/2024	Declining invitation due to age and no longer undertaking heritage works.
Ngambaa Cultural Connections	Kaarina Slater	Email	26/04/2024	Registered their interest. BK acknowledged interest
A1 Indigenous Services	Carolyn Hickey	Email	7/05/2024	Registered their interest. BK acknowledged interest
Amanda Hickey (Amanda Hickey Cultural Services)	Amanda Hickey (Amanda Hickey Cultural Services)	Email	6/06/2024	Registered their interest. BK acknowledged interest
Notification Letter Sent				
Heritage NSW	Brent Koppel	Email	29/07/2024	
La Perouse Local Aboriginal Land Council	Brent Koppel	Email	29/07/2024	
Stage 2 – (Presentation of information about the proposed project) and 3 (Gathering information about cultural significance) (DECCW 2010 Section 4.2 and 4.3)				
Methodology / Project Information Sent				
Didge Ngunawal Clan	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Wailwan Aboriginal Group	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Wonnarua PBC ; Yarrawalk Pty Ltd	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Konanggo Aboriginal Cultural Heritage Services	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Butucarbin Aboriginal Corporation	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Kamilaroi Yankuntjatjara Working Group	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Ginninderra Aboriginal Corporation	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Thomas Dahlstrom	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Waawaar Awaa Aboriginal Corporation	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Goobah Development PTY LTD (Murrin Clan/Peoples)	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Darug Aboriginal Cultural Heritage Assessments	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Ngambaa Cultural Connections	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
A1 Indigenous Services	Brent Koppel	Email	8/05/2024	Draft project methodology sent requesting comments (due 5/6/2024)
Methodology / Project Information Responses (due 5/6/24)				
Kamilaroi Yankuntjatjara Working Group	Phil Khan	Email	8/05/2024	Email supprting draft methodology. Expresses interest in fieldwork participation. Recommends test excavation. BK acknowledged comments 9/5/24
A1 Indigenous Services	Carolyn Hickey	Email	6/06/2024	Email supprting draft methodology. Expresses interest in fieldwork participation. BK acknowledged comments 6/6/24
Konanggo Aboriginal Cultural Heritage Services	Robert Young	Email	7/06/2024	Email supprting draft methodology. Expresses interest in fieldwork participation. BK acknowledged comments 11/6/24 (see below)
Invitation to participate in site inspection				
Didge Ngunawal Clan	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Wailwan Aboriginal Group	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Wonnarua PBC ; Yarrawalk Pty Ltd	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Konanggo Aboriginal Cultural Heritage Services	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Butucarbin Aboriginal Corporation	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Kamilaroi Yankuntjatjara Working Group	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Ginninderra Aboriginal Corporation	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Thomas Dahlstrom	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Waawaar Awaa Aboriginal Corporation	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Goobah Development PTY LTD (Murrin Clan/Peoples)	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Darug Aboriginal Cultural Heritage Assessments	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Ngambaa Cultural Connections	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
A1 Indigenous Services	Brent Koppel	Email	6/06/2024	Invitation to participate in site inspection sent requesting RSVP Wednesday 12/06/2024
Brent Koppel	Amanda Hickey (Amanda Hickey Cultural Services)	Email	6/06/2024	Registration of interest to participate in the project and any upcoming fieldwork. BK replied (6/6/2024 below)
Amanda Hickey (Amanda Hickey Cultural Services)	Brent Koppel	Email	6/06/2024	Requesting clarification if they are able to attend the site inspection. To confirm if they are eligible to sign on as a RAP this late
Brent Koppel	Phil Boney (Wailwan Aboriginal Group)	Email	6/06/2024	Confirming attendance for site inspection. BK requested insurances.
Brent Koppel	Lilly Carroll (Didge Ngunawal)	Email	6/06/2024	Confirming attendance for site inspection. BK acknowledged.
Brent Koppel	Robert Young (KACHS)	Email	7/06/2024	Email supprting draft methodology. Expresses interest in fieldwork participation. BK acknowledged comments 11/6/24 (see above)
Brent Koppel	Amanda Hickey (Amanda Hickey Cultural Services)	Email	10/06/2024	Confirming attendance for site inspection. (Bust see A1 comments below)
Wonnarua PBC ; Yarrawalk Pty Ltd	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. No answer. Voicemail left
Ginninderra Aboriginal Corporation	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. No answer. Voicemail left
Ngambaa Cultural Connections	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. No answer. Voicemail left
Butucarbin Aboriginal Corporation	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. No answer. Voicemail left
Waawaar Awaa Aboriginal Corporation	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. No answer. Voicemail left for both Rodney and Barry Gunther
Thomas Dahlstrom	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. Not able to attend, but will call back if this changes.
A1 Indigenous Services	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. Not able to attend, but will attend if an additional survey is arranged. Also confirmed Amanda Hickey (DeZwart) is not able to attend (see above)
Kamilaroi Yankuntjatjara Working Group	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. Phil Kahn unable to attend but can send delegate. Email to follow from Stefeanie Naikar (see below).
Goobah Development PTY LTD (Murrin Clan/Peoples)	Brent Koppel	Phone	11/06/2024	Follow-up invitation to site inspection. Will attend.
Kamilaroi Yankuntjatjara Working Group	Brent Koppel	Email	11/06/2024	Confirmation of attendance. Phil Khan unable to attend. Sending Korri Currell (0450015710) as delegate. BK acknowledged 12/6/2024)
Brent Koppel	Scott Franks (Wonnarua PBC ; Yarrawalk Pty Ltd)	Phone	11/06/2024	Return call. WIll confirm availability. To call back Wednesday morning (12/6)

Contact	*Contacted By*	*Method*	*Date*	*Comments*
Brent Koppel	Vicky Slater (Ngambaa Cultural Connections)	Phone	11/06/2024	Return call. Unable to attend site inspection.
Wonnarua PBC ; Yarrawalk Pty Ltd	Brent Koppel	Phone	12/06/2024	Follow-up invitation to site inspection. No answer. Voicemail left
Brent Koppel	Scott Franks (Wonnarua PBC ; Yarrawalk Pty Ltd)	Phone	12/06/2024	Follow up call. Scott confirmed availability for site inspection. Requested Outlook meeting invitation and the resending of survey methodology.
Brent Koppel	Scott Franks (Wonnarua PBC ; Yarrawalk Pty Ltd)	Email	12/06/2024	Acknowledged Scott's availability. Sent Outlook invitation and site inspection methodology as requested.
Brent Koppel	Steven Johnson (Woka Corp / Ginninderra)	Phone	12/06/2024	Return call. Grandson able to attend site inspection. Requested the resending of information to wokacorp@yahoo.com
Steven Johnson (Woka Corp / Ginninderra)	Brent Koppel	Email	12/06/2024	Acknowledged Steven's son's availability. Resent site inspection information.
Brent Koppel	Jenny (Butucarbin Aboriginal Corporation)	Phone	12/06/2024	Return call. Able to attend site inspection.
Butucarbin Aboriginal Corporation	Brent Koppel	Email	12/06/2024	BK acknowledged Butucarbin's attendance. Resent site inspection information.
Stage 4 – Review of draft cultural heritage assessment report (DECCW 2010 Section 4.4)				
Draft Report Sent				
Didge Ngunawal Clan	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Wailwan Aboriginal Group	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Wonnarua PBC ; Yarrawalk Pty Ltd	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Konanggo Aboriginal Cultural Heritage Services	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Butucarbin Aboriginal Corporation	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Kamilaroi Yankuntjatjara Working Group	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Ginninderra Aboriginal Corporation	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Thomas Dahlstrom	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Waawaar Awaa Aboriginal Corporation	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Goobah Development PTY LTD (Murrin Clan/Peoples)	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Darug Aboriginal Cultural Heritage Assessments	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Ngambaa Cultural Connections	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
A1 Indigenous Services	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Amanda De Zwart (Amanda Hickey Cultural Services)	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
La Perouse Local Aboriginal Land Council	Brent Koppel	Email	17/09/2024	Issuing of draft ACHA for RAP comment. Requesting comments (due 15/10/2024)
Draft Report Responses				
Brent Koppel	Kamilaroi Yankuntjatjara Working Group	Email	26/09/2024	Reply to issuing of draft ACHA. Agree with findings. Supports recommendations
Brent Koppel	Amanda De Zwart (Amanda Hickey Cultural Services)	Email	8/10/2024	Reply to issuing of draft ACHA. Supports the ACHA.



APPENDIX C

Invitation to Register

Inspired People.
Dedicated Team.
Quality Outcomes.

Our Ref: 23513/EOI/20240412

12 April 2024

To whom it may concern,

1.0 RE: 49 Stephen Road, Banksmeadow —Invitation to Register Interest Invitation to Register

Umwelt Australia Pty Ltd (Umwelt), on behalf ERS, is writing to inform you of the proposed Stephen Road multi-storey development (the Project). The Project is located 49 Stephen Road, Banksmeadow, NSW (the Project Area), in the Bayside Council Local Government Area (**Figure 1.1**). The Project will comprise the redevelopment of an existing warehouse within the Banksmeadow industrial district.

The Project is State Significant Development (SSD) (SSD-65924461) and as such, will be subject to assessment and approval under the *Environmental Planning and Assessment Act 1979.* A proposed program of consultation with Aboriginal stakeholders will be used to inform an Aboriginal Cultural Heritage Assessment and Environmental Impact Statement (EIS), which will be prepared for the Project and will ultimately assist the Department of Planning and Environment (DPE) in consideration and determination of the Project. The Aboriginal Cultural Heritage Assessment will be undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a), *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010c) and *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

In accordance with Section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010), Umwelt, on behalf ERS, is writing to you to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the Project. If so, we ask that you please register your interest no later than **26 April 2024** to:

Brent Koppel

Umwelt (Australia) Pty Limited
Suite 1101, Level 11/213 Miller Street
North Sydney NSW 2060

Umwelt (Australia) Pty Limited

ABN 18 059 519 041

T| 1300 793 267
E| info@umwelt.com.au

www.umwelt.com.au

E: BKoppel@umwelt.com.au
P: 1300 793 267

We also ask at this time, if you would like to share any cultural information that may be relevant to determining the significance of Aboriginal objects and/or places within the Project area and environs to please contact us. Please note, any cultural information provided to Umwelt will be recorded in the consultation log and may also be discussed in the report. If the information provided to Umwelt is considered too sensitive to be made public, please advise us and identify the nature of the sensitivity and if you wish any information to be omitted from the report. Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.

For further information on the Project and for your records, the contact details for the proponent are as follows:

Grace MacDonald

ESR Australia
NSW Planning Manager

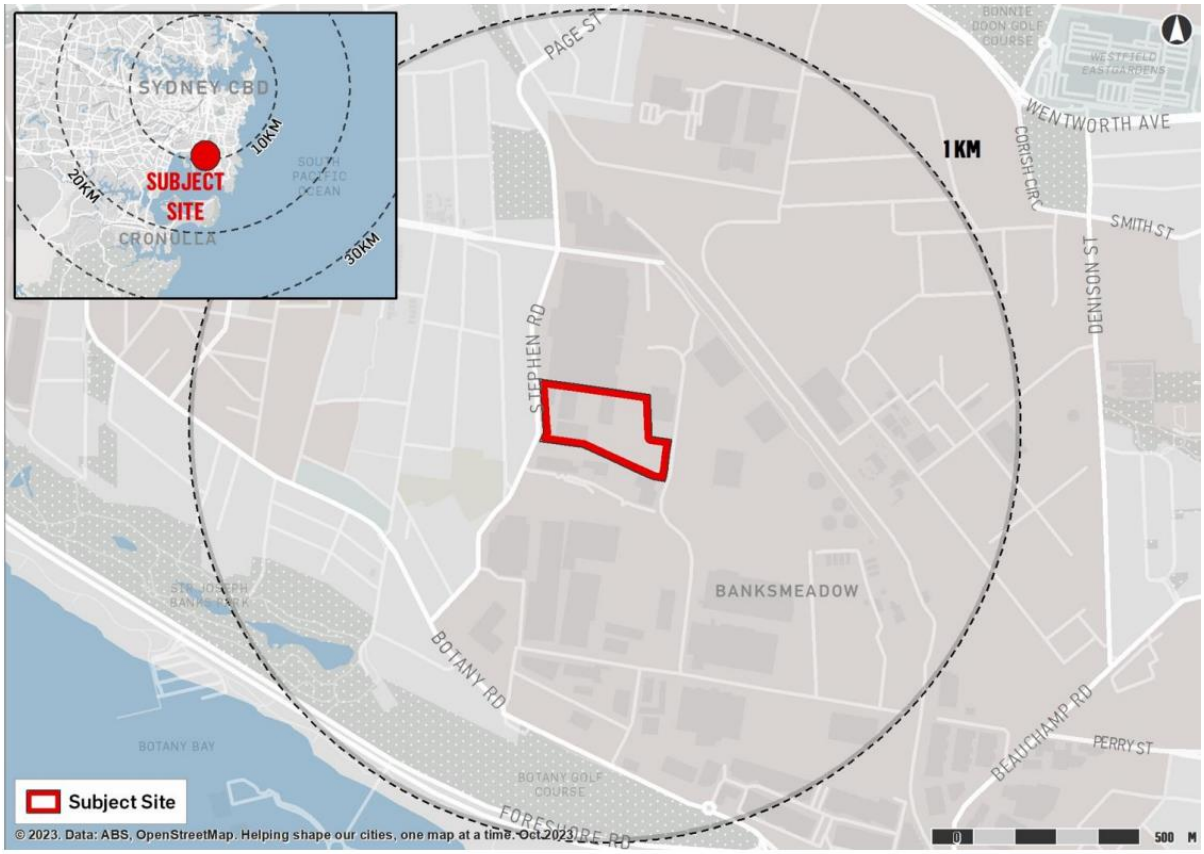
P: +61 9186 4759
E: Grace.Macdonald@esr.com

If you have any questions regarding this correspondence or wish to discuss the proposed project further, please do not hesitate to contact the undersigned.

Yours sincerely,

Brent Koppel
Archaeologist

E | BKoppel@umwelt.com.au
P | 1300 793 267



Source: Urbis, 2023

Figure 1.1 Indicative Project area.

Connect with Classifieds

Leader

Phone: 13 24 25
classifieds.sydney@austcommunitymedia.com.au

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ACCOMMODATION
Forest Inn Hotel. Single room $290pw. **9567 1284**

BEXLEY MOTEL
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Permanent from $500 /wk **9567 1284**

NOT SURE HOW TO BEST ADVERTISE YOUR ITEMS FOR SALE?

Why not enjoy the same service as Barbara did recently

"I just want to say that your classified ladies were so helpful - you must be so happy having such wonderful & efficient staff. It was a pleasure dealing with them."
Barbara.

Development Applications

Notice of Aboriginal Consultation: Multi-storey Warehouse, 49 Stephen Road, Banksmeadow, NSW

ESR Australia Pty Ltd (ESR) is seeking to identify Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places within the Project Area for a proposed multi-storey warehouse at 49 Stephen Road, Banksmeadow, New South Wales.

Aboriginal organisations or Aboriginal persons who hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or Aboriginal places in or around the Project Area are invited to register an interest in a process of community consultation with the proponent regarding the proposal.

Consultation with Aboriginal people is to assist the Proponent in: 1) assessing the Aboriginal heritage values of the area, 2) complying with conditions of development applications under Part 4 of the Environmental Planning & Assessment Act 1979, 3) to assist regulators in the assessment of Aboriginal heritage reports prepared for this project, and 4) any future applications under the EP&A Act.

Registrations of interest must be submitted via email on or before **10 April 2024.** The names of registered Aboriginal parties will be passed on to the relevant Local Aboriginal Land Council and Heritage NSW unless a request to the contrary is made.

Send registrations of interest to:

Attn: Brent Koppel

Email: bkoppel@umwelt.com.au

Proponent contact: Grace MacDonald

E: grace.macdonald@esr.com

Public Notices

Easter Public Holidays Classifieds Deadlines

Deadline: 4:00 pm Thursday 28th March, 2024

RMB429167

vodafone

PROPOSAL TO UPGRADE MOBILE PHONE BASE STATION AT WATERFALL INCLUDING 5G

27135 Waterfall-O: 1778 Princes Highway, Waterfall NSW 2233 (RFNSA 2233001)

The proposed facility consists of the addition of new equipment and associated works, including 5G, as follows:

- Removal of existing Vodafone antennas and equipment
- Installation of two (2) Vodafone panel antennas, 2.7m long, on the existing headframe
- Installation of ancillary equipment including up to ten (10) radio units, antenna mounts and cabling

1. Vodafone regard the proposed installations as Low-impact Facilities under the *Telecommunications (Low-impact Facilities) Determination 2018* ("The Determination"), based on the description above.
2. In accordance with Section 7 of C564:2020 Mobile Phone Base Station Deployment Code, we invite you to provide feedback about the proposal. Should you require further information or wish to comment, please contact Shreya Rekhapalli at Indara, 02 9495 9000, community@indara.com or Level 1, 110 Pacific Highway, St Leonards NSW 2065 by **Tuesday 16 April 2024.** Further information may also be obtained from www.rfnsa.com.au/2233001.

Public Notices

CRONULLA RSL MEMORIAL CLUB LTD NOMINATIONS FOR ELECTION TO BOARD OF DIRECTORS 2024

Nominations are invited from Financial Club Members with 3 (calendar) years membership preceding the 2024 Annual General Meeting, as candidates for the 2024 election of Directors.

Prospective candidates must complete a nomination form available from the Club Reception and forward same to the CEO in a sealed envelope on or before 12 noon, Wednesday 10th April 2024. Nominations should be accompanied by a resume of 50 to a maximum of 100 words relating to the nominee's qualifications.

Nominations are invited for the following positions:

- Ordinary Director x two (2) for a term of 3 years
- Ordinary Director x one (1) for a term of 1 year

Under Section 27 of the Club's Constitution, only 3 of the Board is required to stand for re-election in 2024.

Candidates should obtain further information from the Club's CEO when submitting their nomination. Mandatory training is required to be undertaken by all new Directors.

Date of Annual General Meeting:

7.30PM TUESDAY 21st MAY 2024 CRONULLA RSL

Members will receive notice of the AGM in April.

Mr John Kirkland
Returning Officer

Adult Services

AA SUTHERLAND
Best Body Rub, Feel great! 29 Eton St 9542 3098
Mobile 0461 377 172
152 Flora St 9545 2018

At Jannali New
Best F/body Rub, Free Hair cut. 60A Railway Crescent. **0450 688 708; 8502 8613**

AT RAMSGATE
F/B RMD Relax Body Rub. 3/235 Rocky Point Rd. **9529 9616**

AT CARINGBAH - Nice girl, very good relaxing oil massage. **Calls only** **0424 599 227**

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Banksia 8084 4028
Campbelltown 4628 8128
Liverpool 9822 5866
Narellan 4648 0203
Search for us online!

MALE TO MALE BODY RUB
F/Service Available.
Open 7 Days. St George area.
CALLS ONLY **0450 141 515**

PLACE YOUR BUSINESS QR CODE IN YOUR AD TODAY!

Self Service

Brent Koppel

From: Brent Koppel
Sent: Friday, 12 April 2024 1:04 PM
To: Brent Koppel
Cc: grace_Macdonald@esr.com; Luke Wolfe
Subject: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register
Attachments: 23513 - 49 Stephen Road, Banksmeadow - EOI invitation to register letter_ 20240412.pdf

Good afternoon,

Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.

Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.

Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.

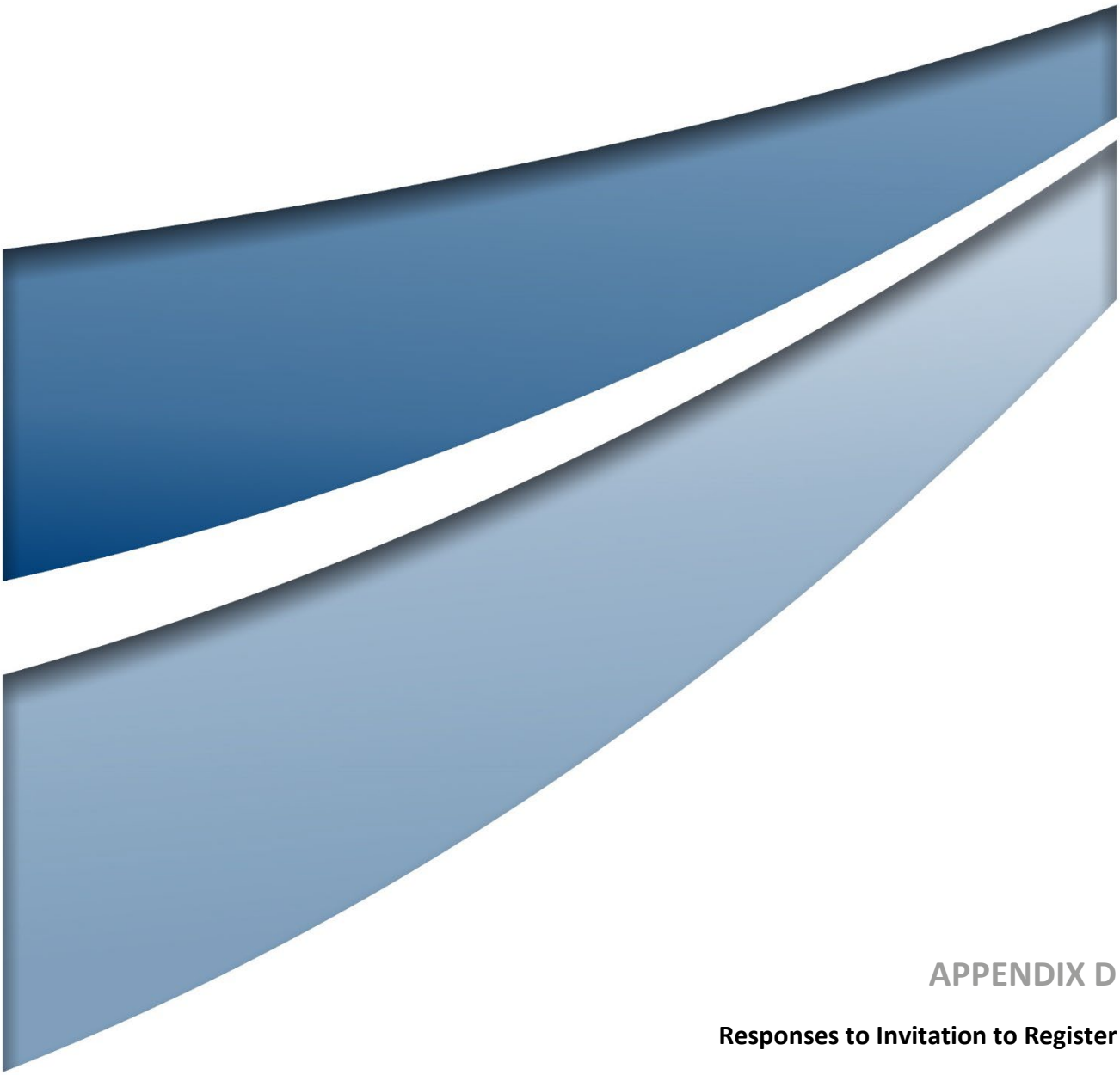
If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



APPENDIX D

Responses to Invitation to Register

Brent Koppel

From: Carolyn .H <[redacted]>
Sent: Tuesday, 7 May 2024 8:57 AM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register
Attachments: A1.PL.2025.pdf; A1.PL.2025.pdf

You don't often get email from cazadirect@live.com. Learn why this is important

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

Contact: Carolyn Hickey
Mobile: [redacted]
Email: [redacted]
Address: [redacted]
ABN: : 20 616 970 327

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.

About Carolyn Hickey
I am a traditional owner with over 25 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.

A1 INDIGENOUS SERVICES, Represents over 100 Indigenous Locals

When Selecting Groups for Engagement;
Please consider that **A1 INDIGENOUS SERVICES** is a member of the **NSW INDIGENOUS CHAMBER OF COMMERCE.**
We carry the NSWICC Assured logo showing that **A1 Indigenous Services** has met National Policy requirements as upheld by the First Australians Chamber of Commerce and Industry (FACCI) for being identified as a **100% First Nations Owned Indigenous Business** That has demonstrate compliance with Government and Industry Regulators.

I agree to my details being supplied to OEH and the LALC
Please feel free to contact me on details supplied

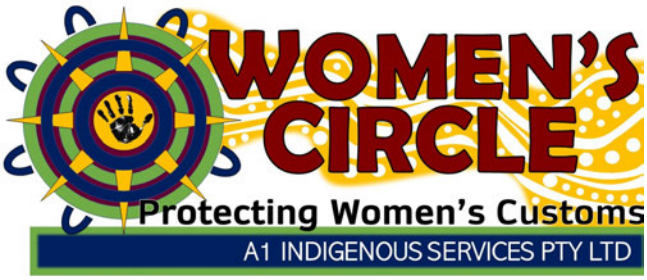
Kind Regards,
Carolyn Hickey

A1 INDIGENOUS SERVICES is now a member of the NSW INDIGENOUS CHAMBER OF COMMERCE

A business or enterprise carrying the NSWICC Assured logo has met National Policy requirements as upheld by the First Australians Chamber of Commerce and Industry (FACCI) for being identified as a First Nations Business Owner or Entrepreneur and the business must demonstrate compliance with Government and Industry Regulators.

(Certificate attached) A certificate confirms that the Enterprise listed above has met all requirements of the NSWICC's Assured Program , operating as a100% Aboriginal Owned, Operated and Controlled Business. The NSW Indigenous Chamber of Commerce (NSWICC) is the Peak body for Aboriginal Business in New South Wales and a member of the First Australians Chamber of Commerce and Industry (FACCI)

A1 Indigenous Services is 100%, Indigenous Owned Australian Company
which offers a range of services to the construction industry.
It is our mission to commit to an innovative approach to a better future for Indigenous employment and community.
While improving ways to close the gap in Aboriginal participation in the construction Industry.
Building strength in aboriginal communities and our Indigenous labour force.



NSWICC ASSURED | FACCI AFFILIATE

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Friday, 12 April 2024 1:04 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: grace_Macdonald@esr.com <grace_Macdonald@esr.com>; Luke Wolfe <lwolfe@umwelt.com.au>
Subject: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

Good afternoon,

Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.

Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.

Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.

If there is anything further than I can provide or clarify, let me know and I will do what I can.

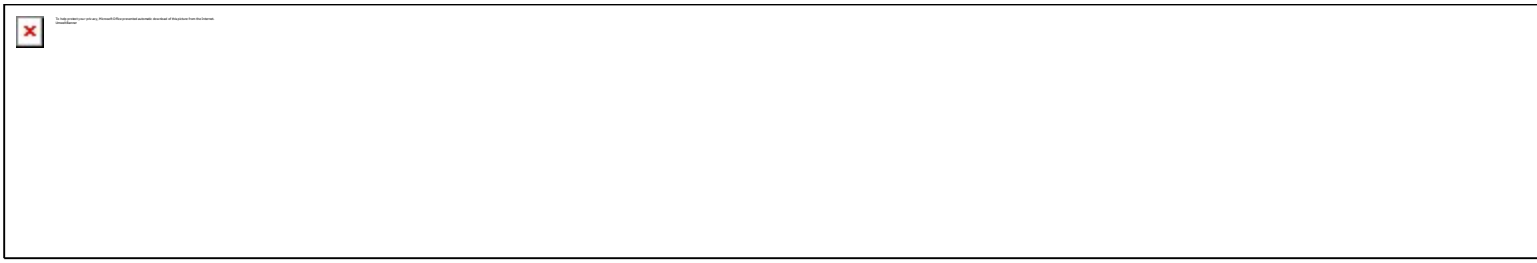
Cheers,

Brent

Brent Koppel

Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



Brent Koppel

From: Amanda De Zwart <[redacted]>
Sent: Thursday, 6 June 2024 2:40 PM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

You don't often get email from amandahickey@live.com.au. Learn why this is important

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Hi Brent
I would like to register my interest in this project and any upcoming fieldwork for this project.
Kind Regards
Amanda Dezwart Hickey

Get Outlook for Android

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Friday, April 12, 2024 1:04:29 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: grace_Macdonald@esr.com <grace_Macdonald@esr.com>; Luke Wolfe <lwolfe@umwelt.com.au>
Subject: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

Good afternoon,

Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.

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If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**

m. **0400 124 244**
w. **www.umwelt.com.au**

Brent Koppel

From: Butucarbin Heritage <[redacted]>
Sent: Monday, 15 April 2024 11:23 PM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from butuheritage@gmail.com. Learn why this is important

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Good evening,

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

Kind regards,
Jenny.

On Fri, Apr 12, 2024 at 1:04 PM Brent Koppel <BKoppel@umwelt.com.au> wrote:

> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
>
> Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.
>
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>
> *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.
>
> If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

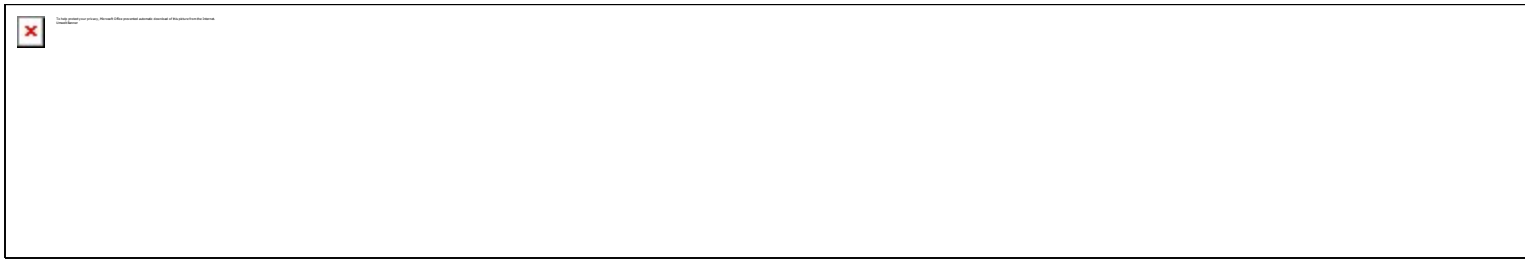
Brent Koppel

Archaeologist

p. **1300 793 267**

m. **0400 124 244**

w. **www.umwelt.com.au**



--
Lowanna Gibson
Project Manager for Butucarbin Cultural Heritage
B.A Archaeology/Anthropology USYD
Juris Doctor UTS

Brent Koppel

From: lilly carroll <[redacted]>
Sent: Friday, 12 April 2024 2:44 PM
To: Brent Koppel
Cc: grace_Macdonald@esr.com; Luke Wolfe
Subject: Re: 23513 - 49 Stephen Roaddevelopment - Invitation to register

You don't often get email from didgengunawalclan@yahoo.com.au. Learn why this is important

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Hi Brent

DNC would like to register an interest into 49 Stephen road Banksmeadow development

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC
[redacted]
Sent from Yahoo Mail for iPhone

On Friday, April 12, 2024, 1:04 PM, Brent Koppel <BKoppel@umwelt.com.au> wrote:

> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
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>
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> *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.

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Cheers,

Brent

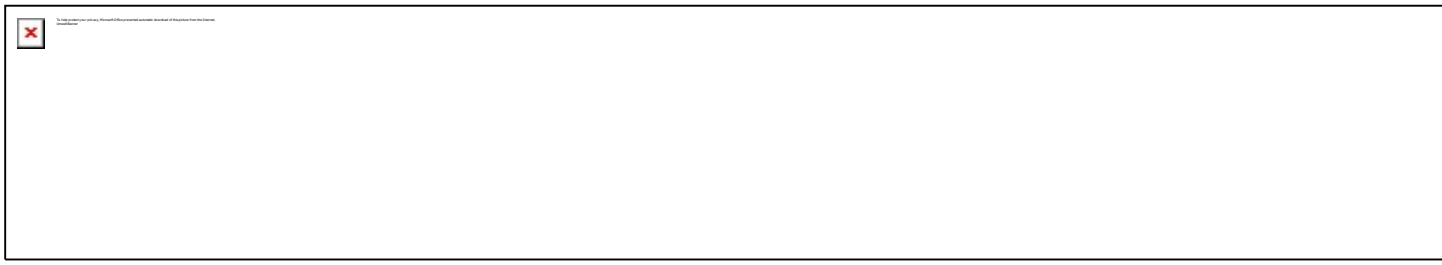
Brent Koppel

Archaeologist

p. **1300 793 267**

m. **0400 124 244**

w. **www.umwelt.com.au**



Brent Koppel

From: Ginninderra Aboriginal Corporation <[redacted]>
Sent: Thursday, 18 April 2024 11:38 AM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register
Attachments: 23513 - 49 Stephen Road, Banksmeadow - EOI invitation to register letter_ 20240412.pdf

You don't often get email from ginninderra.corp@gmail.com. Learn why this is important

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Hi Brent,
Thank you for your email.
Please register Ginninderra AC for the above mentioned project.
I will be the contact person and you will find my details below.

Kind regards,

Krystle Carroll-Elliott
Ginninderra Aboriginal Corporation
M: [redacted]
E: [redacted]

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 12 Apr 2024, at 1:04 pm, Brent Koppel <BKoppel@umwelt.com.au> wrote:

Good afternoon,

Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.

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Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). Please advise if you do not wish for your details to be released.

If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

Brent Koppel

From: Goobah <[redacted]>
Sent: Wednesday, 24 April 2024 2:45 PM
To: Brent Koppel
Subject: 49 Stephen Road, Banksmeadow.

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Please accept this as our registration of interest with the above project and we wish to be kept informed on any further developments.

--

Regards

Basil Smith
Public Officer
GOOBAH

Contact Details:

Address:
[redacted]

Mobile: [redacted]
Email: [redacted]

This email may contain privileged information. Privilege is not waived if it has been sent to you in error, or if you are not the intended recipient. Please immediately notify me and delete the email if you have received this in error.

Brent Koppel

From: Robert Young <[redacted]>
Sent: Friday, 12 April 2024 1:15 PM
To: Brent Koppel
Cc: grace_Macdonald@esr.com; Luke Wolfe
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register
Attachments: Biz Cover 2024.pdf; COC 2024.pdf; ICARE 2025.pdf

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*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

Dear Brent,

Thank you for the email and invitation to register by the26th April 2024

Konanggo Aboriginal Cultural Heritage Services (KACHS) would like to register an expression of interest Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow.

KACHS will provide Aboriginal RAPS with cultural knowledge and knowledge of the land with years of experience working in mainstream services/agencies

I have cc'd Aunty Pamela (KACHS representative) within this email and has strong cultural knowledge learning from Elder's all around NSW and N.T
Pamela has worked in NPWS, OEH and Heritage NSW as a Senior Conservation Repatriation Heritage Officer for over 23 years and has connected in communities and countries with respect.

I (Robert) have learnt cultural knowledge from my Men's Elders/Seniors and have worked over 12 years in NPWS and OEH as a National Park Ranger/Tour Guide/Visitor Services Guide at Royal NP and Kamay NP, Ku-ring- gai NP, plus working over two decades in culturally supporting Aboriginal communities/countries throughout NSW

KACHS - If needs be for cultural protocols and cultural appropriation, provides cultural heritage knowledge/experience from a female/male cultural lenses supporting, connecting and healing country, this is beneficial for the archaeologists and developers/proponents

Culturally we both have over 20 years of cultural and heritage knowledge working on country with experience in all capacities for field surveys, experience in artefacts, experienced in scarred/ring tree's, wet/dry sieving, test excavations/salvage excavations, burial repatriations (Pamela) and working well in team environment. KACHS has had the privilege and honour working on many projects with archaeologists throughout NSW/ACT.

KACHS has strong affiliation and connection to the lands of Sydney Basin, living, working in and around Sydney suburbs, West, South, East and North protected significant sites, cultural learning and culturally supporting these sites, especially near Banksmeadow as I live five minutes away from this development

KACHS will be honoured working on country and have attached my insurance documents within this email

Any questions please don't hesitate to contact myself or Aunty Pamela that I cc'd in this email

Looking forward working with Umwelt and ERS

Yours In Culture,

Robert Young
Konanggo Aboriginal Cultural Heritage Services
[redacted]
Email: [redacted]
Phone: [redacted]

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Friday, 12 April 2024 1:04 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: grace_Macdonald@esr.com <grace_Macdonald@esr.com>; Luke Wolfe <lwolfe@umwelt.com.au>
Subject: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

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If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

Brent Koppel

From: Office Admin MLALC <[redacted]>
Sent: Friday, 12 April 2024 2:39 PM
To: Brent Koppel
Cc: grace_Macdonald@esr.com; Luke Wolfe; Cultural Heritage 2; Cultural Heritage
Subject: RE: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

You don't often get email from officeadmin@metrolalc.org.au. Learn why this is important

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

Hi Brent,

Please be advised that we will not be moving forward with consultation as this site is outside of our boundaries.

Contact La Perouse through their website here.

Thank you

Kriss Sharpe
Administration Assistant

Metropolitan Local Aboriginal Land Council (MLALC)
[redacted]
B: [redacted] F: [redacted] W: www.metrolalc.org.au

Bujari gamarruwa – 'good day' in the local Gadigal language of the Eora Nation
MLALC acknowledge the Eora Nation as the traditional owners of the area MLALC operates.

The information contained in this e-mail message and any attached files may be confidential and may contain copyright material of MLALC or third parties. Any unauthorised use, disclosure or copying of this e-mail and/or its attachments is prohibited. If you have received this e-mail in error please notify the sender immediately by return e-mail and delete all copies of the message and attachments. Before opening or using attachments, please check them for viruses or defects. Our liability is limited to resupplying the e-mail and attached files. Content and views expressed in this e-mail may be those of the sender, and are not necessarily endorsed

---

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Friday, April 12, 2024 1:04 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: grace_Macdonald@esr.com; Luke Wolfe <lwolfe@umwelt.com.au>
Subject: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

Good afternoon,

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Cheers,

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Brent Koppel
Archaeologist

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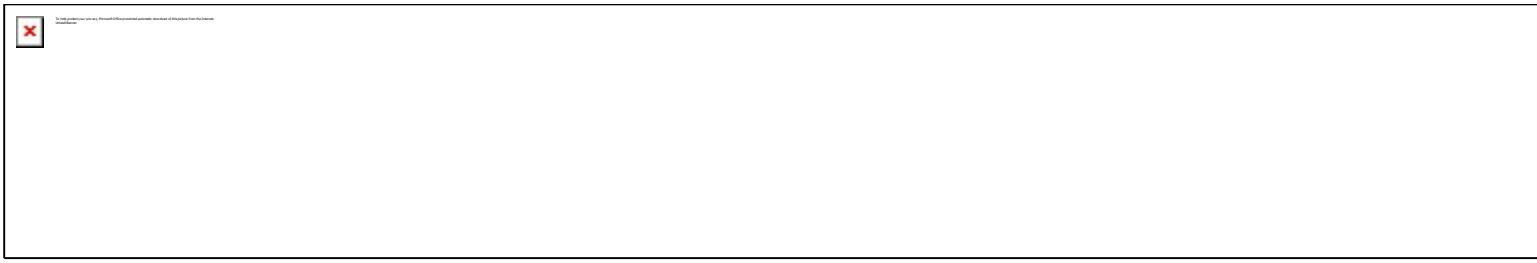
m. **0400 124 244**
w. **www.umwelt.com.au**



Brent Koppel

From: Kaarina Slater <[redacted]>
Sent: Friday, 26 April 2024 5:22 PM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from ngambaa.culturalconnections@gmail.com. Learn why this is important

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

on beg of Ngambaa Cultural Connections i would like to register my expression of interest for the Banksmeadow project my apologies for a late response

Kind Regards
Kaarina Slater
Manager
[redacted] or [redacted]
[redacted]
Aboriginal owned and operated Cultural and Heritage Business

I would like to acknowledge the traditional custodians of the land where we live and work. I would like to pay my respects to our Elders past and present and to our future generation and extend our respect to all people on our land that we may meet on our journey.

On Fri, 12 Apr 2024 at 1:04 PM, Brent Koppel <BKoppel@umwelt.com.au> wrote:

> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
>
> Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.

Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the

Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). Please advise if you do not wish for your details to be released.

If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

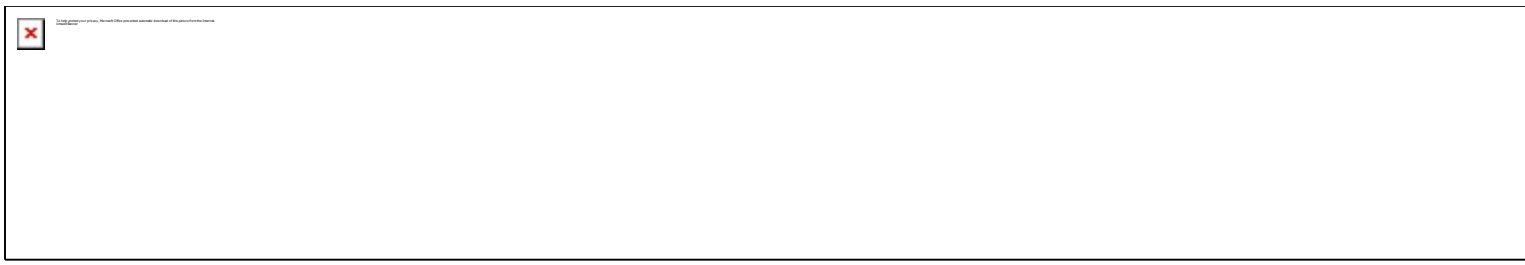
Brent Koppel

Archaeologist

p. **1300 793 267**

m. **0400 124 244**

w. **www.umwelt.com.au**



Brent Koppel

From: Phillip Boney <[redacted]>
Sent: Friday, 12 April 2024 1:34 PM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

You don't often get email from waarlan12@outlook.com. Learn why this is important

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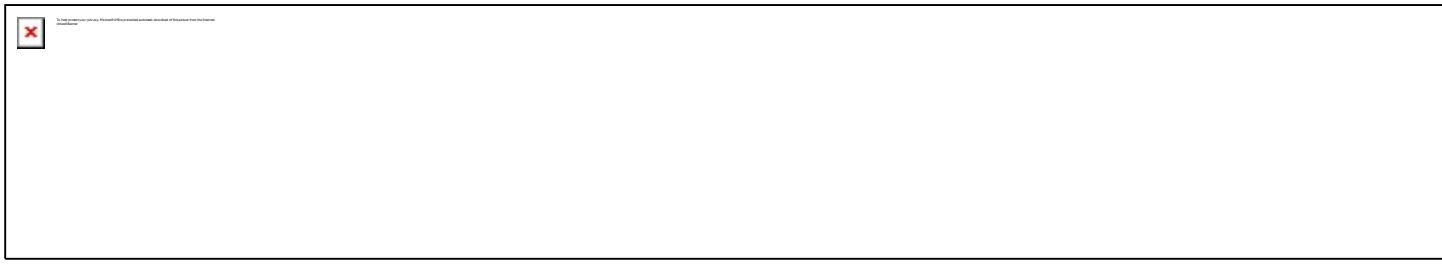
Hey Brent Phil Boney here I would like to register for this project please
Thank you regards Phil Boney
Wailwan Aboriginal Group 🪃🪃
Sent from my iPhone

> On 12 Apr 2024, at 1:04 pm, Brent Koppel <BKoppel@umwelt.com.au> wrote:
>
> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
>
> Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.
>
> Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.
>
> If there is anything further than I can provide or clarify, let me know and I will do what I can.
>
> Cheers,
>
> Brent
>
> **Brent Koppel**
> Archaeologist
>
> p. **1300 793 267**
> m. **0400 124 244**
> w. **www.umwelt.com.au**



<23513 - 49 Stephen Road, Banksmeadow - EOI invitation to register letter_20240412.pdf>

Brent Koppel

From: Phil Khan <[redacted]>
Sent: Tuesday, 16 April 2024 10:24 AM
To: Brent Koppel
Subject: RE: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register
Attachments: Public Liability 2024 to 2025.pdf; Icare 2024.pdf

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Hi Brent,

Thank you for informing us that **Umwelt** will be involved in an Aboriginal Cultural Heritage Assessment at **49 Stephen Rd, Banksmeadow Development** &,that you are inviting Aboriginal organisations to register, if they wish too be involved in the community consultation process.

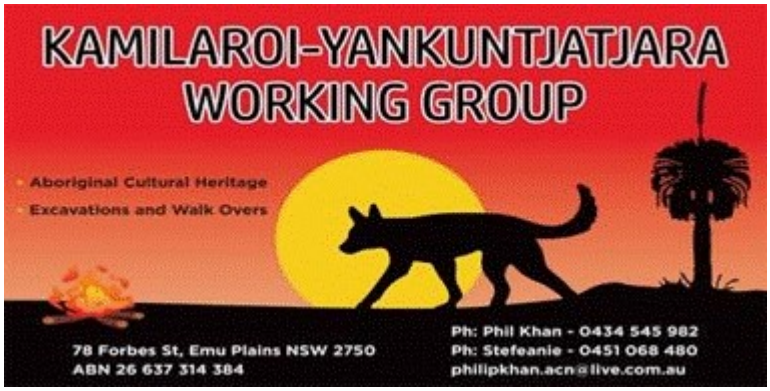
As a senior Aboriginal person for over 50yrs, I actively participate in the protection of the Aboriginal Cultural Heritage throughout the Sydney Basin, & particularly throughout Western Sydney, on behalf of Kamilaroi Yankuntjatjara Working Group I wish to provide to you my organisation's registration 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 RAPS have up to 16yrs 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 (Focus groups, CwC, interpretation).

Should you wish me to provide further information, please do not hesitate to contact me on [redacted] or Stefeanie on [redacted].

Kind Regards
Phil Khan – Director
P [redacted]
E [redacted]
ABN 26 637 314 384



Sent from Mail for Windows

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Friday, April 12, 2024 1:04:29 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: grace_Macdonald@esr.com <grace_Macdonald@esr.com>; Luke Wolfe <lwolfe@umwelt.com.au>
Subject: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

Good afternoon,

Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.

Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.

Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.

If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

Brent Koppel

From: Rodney Gunther <[redacted]>
Sent: Monday, 22 April 2024 10:30 AM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register
Attachments: Public liability 2023 to 2024.pdf; Workers comp CERTIFICATE-OF-CURRENCY-196613291.pdf

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Hi Brent,

Please register Waawaar Awaa Aboriginal Corporation for the Aboriginal Cultural Heritage Assessment for 49 Stephen Road, Banksmeadow.

In order for our members to provide professional cultural responses to the Methodology and ACHAR, **we would like to be involved in all aspects of fieldwork, survey and excavations to assist our understanding of the cultural values for the project area.**

Relevant insurances attached for future reference.

Your understanding is appreciated.

regards

Rodney Gunther
[redacted]

On Fri, Apr 12, 2024 at 1:04 PM Brent Koppel <BKoppel@umwelt.com.au> wrote:

> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
>
> Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.

Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the

Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). Please advise if you do not wish for your details to be released.

If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

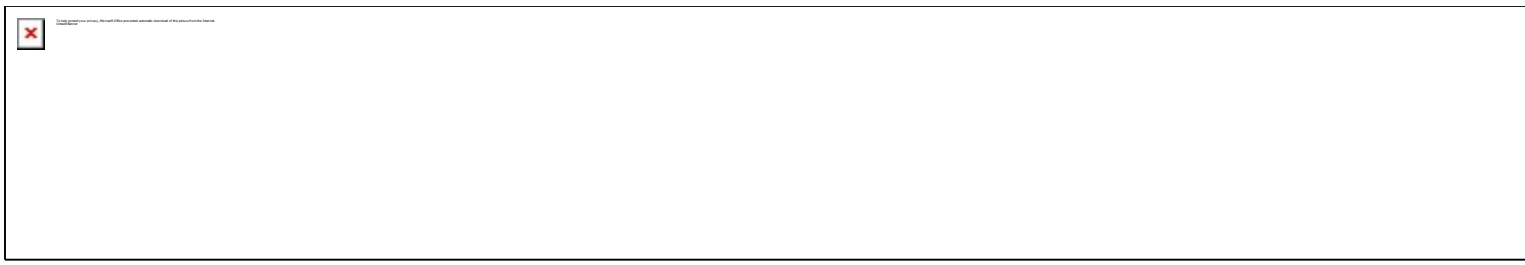
Brent Koppel

Archaeologist

p. **1300 793 267**

m. **0400 124 244**

w. **www.umwelt.com.au**



Brent Koppel

From: Thomas Dahlstrom <[redacted]>
Sent: Saturday, 20 April 2024 7:02 PM
To: Brent Koppel
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

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Hi Brent

Thanks for your email.

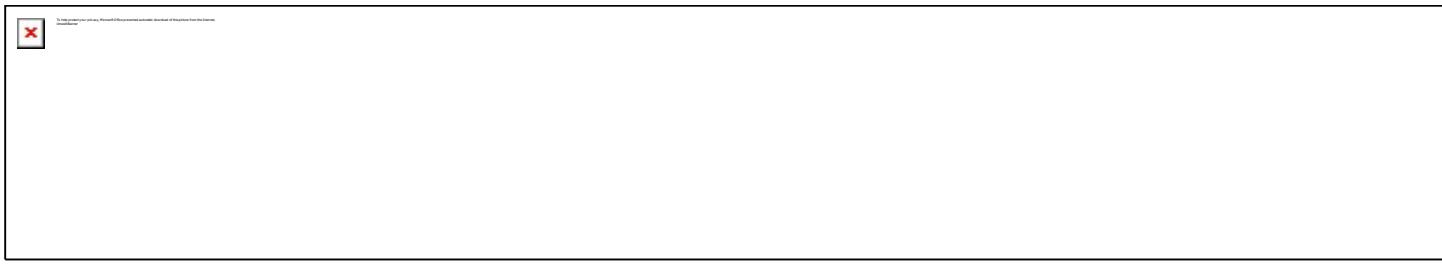
Can you please register me as a RAP for this.

Regards

Thomas

> On 12 Apr 2024, at 1:04 pm, Brent Koppel <BKoppel@umwelt.com.au> wrote:
>
> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the *Aboriginal Heritage Consultation Requirements for Proponents* (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
>
> Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.
>
> Please also be aware if you are registering an interest, your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010). Please advise if you do not wish for your details to be released.
>
> If there is anything further than I can provide or clarify, let me know and I will do what I can.
>
> Cheers,
>
> Brent
>
> **Brent Koppel**
> Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



<23513 - 49 Stephen Road, Banksmeadow - EOI invitation to register letter_20240412.pdf>

Brent Koppel

From: Scott Franks <[redacted]>
Sent: Friday, 12 April 2024 3:00 PM
To: Brent Koppel
Cc: grace_Macdonald@esr.com; Luke Wolfe
Subject: Re: 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register

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Team,

Please register our interest in this project.

Regards
Scott Franks

Consultant
Yarrawalk Pty Ltd
[redacted]

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> On 12 Apr 2024, at 1:04 pm, Brent Koppel <BKoppel@umwelt.com.au> wrote:
>
> Good afternoon,
>
> Umwelt, on behalf of ERS and in accordance with Section 4.1.2 of the Aboriginal Heritage Consultation Requirements for Proponents (2010), is writing to determine if you wish to be consulted as part of the Aboriginal Cultural Heritage Assessment for the warehouse redevelopment project proposed for 49 Stephen Road, Banksmeadow. If you would like to register your interest and participation in this Project, we ask that you respond by 26 April 2024.
>
> Attached is a letter containing the relevant Project information, as well as contact details of Project personnel.
>
> Please also be aware if you are registering an interest, your details will be forwarded to

Heritage NSW and the Local Aboriginal Land Council (LALC) in accordance with Section 4.1.6 of the
Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). Please advise if you do not wish for your details to be released.

If there is anything further than I can provide or clarify, let me know and I will do what I can.

Cheers,

Brent

Brent Koppel
Archaeologist

p. 1300 793 267<tel:1300793267>
m. 0400 124 244
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[LinkedIn]<https://www.linkedin.com/company/umwelt-environmental-&-social-consultants>
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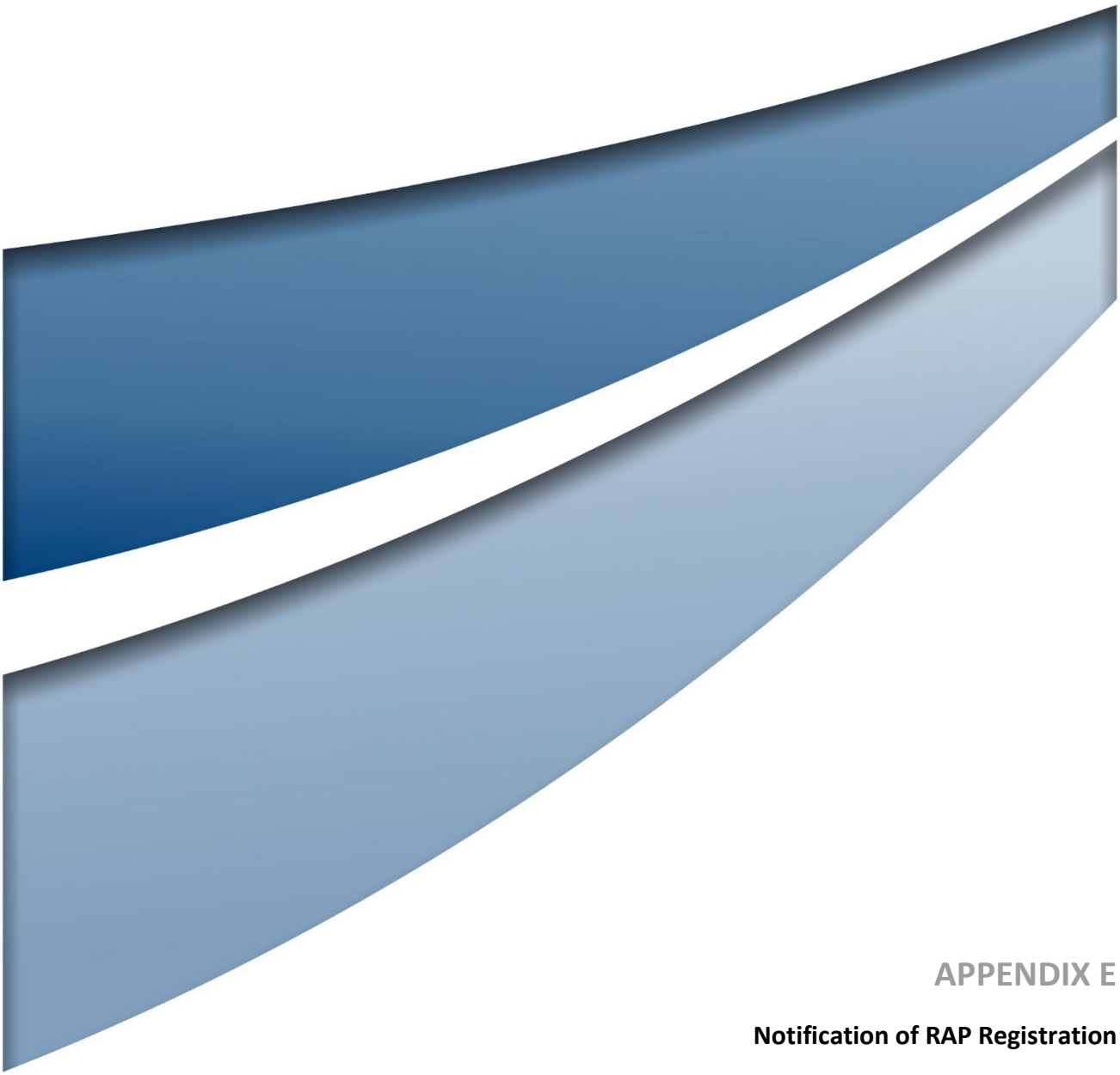


APPENDIX E

Notification of RAP Registration

Brent Koppel

From: Brent Koppel
Sent: Monday, 29 July 2024 2:39 PM
To: heritagemailbox@environment.nsw.gov.au
Subject: 23513 (31043) 49 Stephen Road, Banksmeadow Project - Notification of RAP participation in Project consultation
Attachments: 23513 (31043)_49 Stephen Road, Banksmeadow Project_RAP list_20240729.pdf; 23513 - Advertisment 27 March 2024.pdf; 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register ; 23513 - 49 Stephen Road, Banksmeadow - EOI invitation to register letter_20240412.pdf

Good afternoon,

This email relates to the 49 Stephen Road, Banksmeadow redevelopment project being undertaken by ESR Australia Pty Ltd, with Umwelt (Australia) Pty Ltd engaging in consultation with Aboriginal stakeholders. In accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010), please find attached to this email the following documents relating to the consultation process for the

- Newspaper advertisement to the St George & Sutherland Shire Leader inviting Aboriginal stakeholders to register for Project consultation
- Email invitation to register for Project consultation distributed to individuals and agencies identified by Heritage NSW
- Project information attached to above email
- The list of RAPs who indicated their participation in the Project's consultation process.

Please feel free to get in contact with me if there is anything else I can provide.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

Brent Koppel

From: Brent Koppel
Sent: Monday, 29 July 2024 2:40 PM
To: La Perouse Admin
Subject: 23513 (31043) 49 Stephen Road, Banksmeadow Project - Notification of RAP participation in Project consultation
Attachments: 23513 - Advertisment 27 March 2024.pdf; 23513 - 49 Stephen Road, Banksmeadow development - Invitation to register ; 23513 - 49 Stephen Road, Banksmeadow - EOI invitation to register letter_20240412.pdf; 23513 (31043)_49 Stephen Road, Banksmeadow Project_RAP list_20240729.pdf

Good afternoon,

This email relates to the 49 Stephen Road, Banksmeadow redevelopment project being undertaken by ESR Australia Pty Ltd, with Umwelt (Australia) Pty Ltd engaging in consultation with Aboriginal stakeholders. In accordance with Section 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010), please find attached to this email the following documents relating to the consultation process for the

- Newspaper advertisement to the St George & Sutherland Shire Leader inviting Aboriginal stakeholders to register for Project consultation
- Email invitation to register for Project consultation distributed to individuals and agencies identified by Heritage NSW
- Project information attached to above email
- The list of RAPs who indicated their participation in the Project's consultation process.

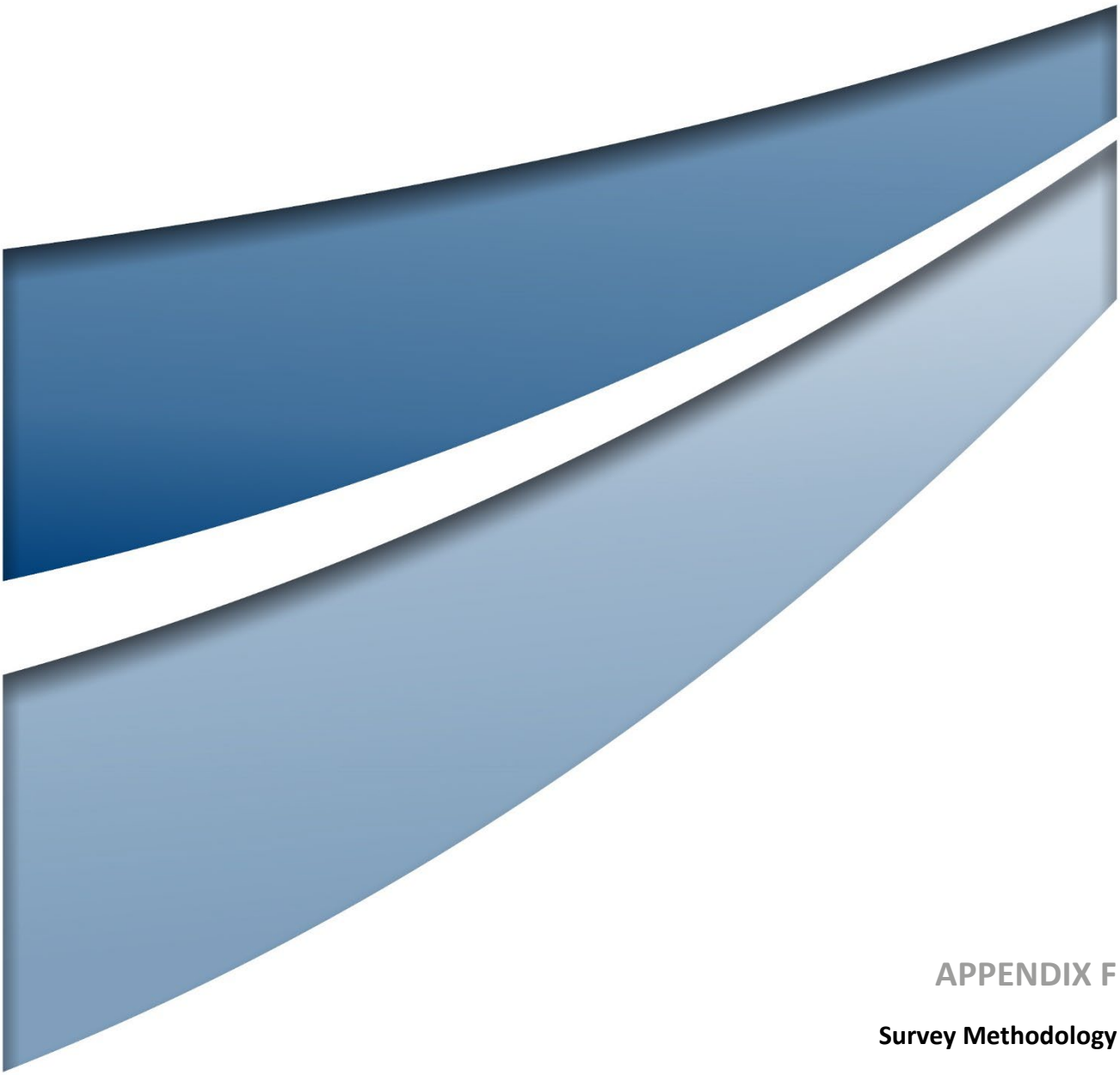
Please feel free to get in contact with me if there is anything else I can provide.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



APPENDIX F

Survey Methodology

Brent Koppel

From: Brent Koppel
Sent: Wednesday, 8 May 2024 10:01 AM
To: Brent Koppel
Cc: Andrew Crisp; Luke Wolfe; Grace Macdonald
Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology
Attachments: 30934_Aboriginal Cultural Heritage Assessment Methodology_V1_DRAFT_20240507.pdf

Good morning,

Thank you for your continuing interest in this Project. Umwelt, on behalf of ESR and in accordance with Sections 4.3.1 and 4.3.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010), invites you to review and provide comment on the draft Aboriginal Cultural Heritage Assessment methodology proposed for the 49 Stephen Road, Banksmeadow Project Area.

A brief review of existing environmental and archaeological data for the Project Area is also provided to give context for the proposed assessment methodology. In addition to providing our draft methodology, Umwelt would also like to take this opportunity to request from you any initial comments regarding the cultural values of the Project Area. Umwelt acknowledges that cultural values may incorporate a wide range of values such as stories, traditions, and cultural practices, and we welcome advice from the Aboriginal community about tangible and intangible cultural values relevant to the Project Area and its surrounds. Umwelt is available to discuss any information are willing to share and will respect confidentiality where requested.

We would appreciate any information regarding the following:

1. Are there any other knowledge-holders or Aboriginal stakeholder groups we should be contacting to obtain cultural information on the Project Area?
2. Are there any protocols in relation to community interaction and/or cultural heritage that you would like adopted during the Project?
3. Are you aware of any Aboriginal objects, places, sites, or stories of cultural significance and/or importance that you are aware of within the Project Area and/or local environs? If so, please provide guidance on the most culturally appropriate ways in which these Aboriginal objects and/or places can be managed during the assessment process.
5. Is the information you are providing culturally-sensitive, gender specific, etc? If so, how would you like the information you provide to Umwelt to be managed? Noting that some documentation for the Aboriginal Cultural Heritage Assessment process may be required.
6. Do you require any further information prior to Umwelt proceeding with the Aboriginal Cultural Heritage Assessment?

Please provide feedback or comments on the draft assessment methodology by **Tuesday 5 June 2024**.

If there is anything further that I can provide or clarify, please feel free to reach out.

Kind regards,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

umwelt
Environmental & Social Consultants

ESR

49 STEPHEN ROAD, BANKSMEADOW WAREHOUSE REDEVELOPMENT

Aboriginal Cultural Heritage Assessment –
Archaeological Survey Design and Methodology

DRAFT

May 2024

49 STEPHEN ROAD, BANKSMEADOW WAREHOUSE REDEVELOPMENT

Aboriginal Cultural Heritage Assessment – Archaeological Survey Design and Methodology

DRAFT

Prepared by
Umwelt (Australia) Pty Limited
on behalf of
ESR

Project Director:	Luke Wolfe
Project Manager:	Andrew Crisp
Technical Director:	Luke Wolf
Technical Manager:	Brent Koppel
Report No.	30934
Date:	May 2024

Environmental & Social Consultants

This report was prepared using Umwelt's ISO 9001 certified Quality Management System.

Acknowledgement of Country

Umwelt would like to acknowledge the traditional custodians of the country on which we work and pay respect to their cultural heritage, beliefs, and continuing relationship with the land. We pay our respect to the Elders – past, present, and future.

Disclaimer

This document has been prepared for the sole use of the authorised recipient and this document may not be used, copied or reproduced in whole or part for any purpose other than that for which it was supplied by Umwelt (Australia) Pty Ltd (Umwelt). No other party should rely on this document without the prior written consent of Umwelt.

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Document Status

Rev No.	Reviewer		Approved for Issue	
	Name	Date	Name	Date
1	Luke Wolfe	7 May 2024	Luke Wolfe	7 May 2024

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1.0 Introduction

Umwelt (Australia) Pty Ltd (Umwelt) was engaged by ESR Australia Pty Ltd (ESR) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) relating to the redevelopment of a warehouse at 49 Stephen Street, Banksmeadow, New South Wales (hereafter 'the Project'). The Project was classified as State Significant Development (SSD) (SSD-65924461) and will require development consent under *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and Part 4 of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act), meaning that the need for approvals under the *National Parks and Wildlife Act 1974* (NPW Act) are not applicable (i.e., Section 90A).

This draft assessment methodology details Umwelt's proposed approach to the Aboriginal Cultural Heritage Assessment and is being provided to all Registered Aboriginal Parties (RAPs) in accordance with Sections 4.3.1 and 4.3.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010a). This assessment methodology is intended to provide Aboriginal and other Project stakeholders with an understanding of the proposed future steps in the assessment process and framework for providing input. A brief review of existing environmental and archaeological data for the Project Area is also provided to give context to Umwelt's proposed assessment methodology.

1.1 Project Area

The Project is located approximately 10 km south of the Sydney Central Business District (CBD), approximately 2 km to the southeast of Sydney Airport (Error! Reference source not found.), within the Botany Industrial Park at 49 Stephen Street, Banksmeadow. The Project Area is situated within the Bayside Council Local Government Area (LGA). The Project Area encompasses 48,160 m^2, and includes the following curtilages:

- Lot A on Deposited Plan (DP) 190526;
- Lot 1 on DP1095110; and
- Lot 1 on DP311767.

The Project Area is zoned IN1 'General Industrial', as is the area to the east of Stephen Road per the Bayside Local Environmental Plan (2021). Immediately west of the Project Area is zoned R2 'Low Density Residential'.

Originally built in the 1950's, use of the Project Area has changed over time, and is currently in use as a chemical manufacturing facility containing a combination of office buildings, warehouses, and chemical storage structures. The Project Area's history in the manufacture, storage, and distribution of resins and chemicals has resulted in site contamination requiring management strategies including the construction of a stormwater retention/remediation treatment pond located along the eastern boundary of the Project Area.

1.2 Project Description

The Project proposes the demolition of all extant built infrastructure at the Project Area to facilitate extensive site remediation to mitigate and manage hazards associated with the Project Area's known

contamination concerns. Bulk earthworks and site preparation works will then underpin the construction and eventual operation of a three-storey warehouse encompassing 24 total warehouse tenancies, a distribution centre, as well as office facilities, car parking, and landscaping.

1.3 Assessment Objectives

The overarching objectives of the Aboriginal Cultural Heritage Assessment are as follows:

- To identify the Aboriginal cultural heritage values of the Project area by way of background research, archaeological survey (test excavation, if required) and consultation with registered RAPs;
- To assess the potential impact of the Project on the identified Aboriginal cultural heritage values of the Project Area, by way of Aboriginal community consultation;
- To provide an appropriate management strategy to avoid or minimise potential harm to Aboriginal cultural values identified within the Project Area; and
- To compile an Aboriginal Cultural Heritage Assessment report that will assist in development consent for the Project.

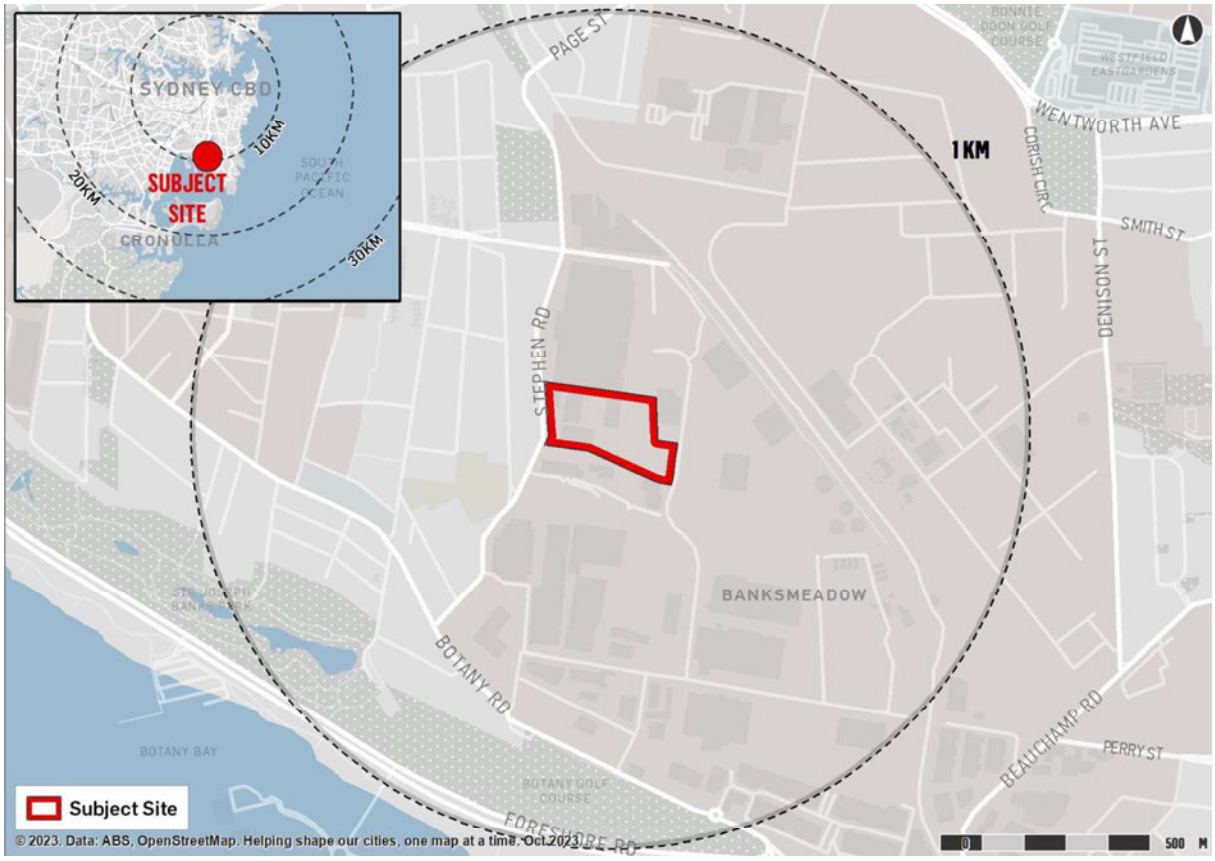

Figure 1.1 Locality Plan (Urbis, 2023: 4)

2.0 Background Information

2.1 Environmental Context

The Project Area falls within the Sydney Basin Bioregion and Pittwater sub-region per the Interim Biogeographic Regionalisation for Australia (IBRA) classification. The Sydney Basin Bioregion is characterised by a temperate climate featuring warm summers, with a sub-humid climate in the northeast. Summers are typically warm with relatively mild winters and no discernible wet season, though areas of higher altitudes and those being closer to the coastline experiencing higher rainfall than other areas. The Sydney Basin Bioregion encompasses catchments of the Hawkesbury, Nepean, Hunter, and Shoalhaven rivers, including the smaller catchments of Lake Macquarie, Lake Illawarra, Hacking, Georges, and Parramatta Rivers (National Parks and Wildlife Service [NPWS], 2003).

Several national parks are located nearby the Project Area. These include Malabar Headland National Park 5 km to the southeast, and Kamay Botany Bay National Park located 6 km to the south on the Kurnell headland on the opposite side of Botany Bay.

2.1.1 Topography

The topography of the Project Area and its environs is predominantly flat, with a gentle rise in elevation trending north-eastwards. The Project Area is situated less than 1 km from Botany Bay and sea level. The Project Area and surrounding environs is an entirely built environment so only broad topographical patterns can be interpreted as natural.

2.1.2 Hydrology

Hydrological regimes within the Project Area and its environs centres around Botany Bay and the Pacific Ocean to the southeast. Mill Stream flows approximately 1 km to the north and northwest of the Project Area, which flows in a south westerly direction into Mill Pond and then discharging into Botany Bay. Bunnerong Creek is situated approximately 2.5 km to the southeast of the Project Area, also discharging into Botany Bay from the northeast. Alexandria Canal located approximately 4.5 km to the northeast drains into Cooks River along with Muddy Creek, draining into the northwestern corner of Botany Bay.

The Project Area and its surrounds represent a nearly entirely developed landscape. As such, hydrological regimes would have been modified during the process of industrial developments and landscape modification. The route of extant waterways such as Mill Stream and Cooks River remain largely unmodified, however lower order streams and channels would have bene replaced by artificial drainage and sewerage networks and canals. Barring the outermost extremity of Cape Banks, the coastline along Botany Bay appears completely modified from a natural state. Impacts to local natural hydrological processes would have been unavoidable through the industrialisation process of the area.

2.1.3 Geology and Soils

The geology of the Pittwater subregion within the Sydney Basin Bioregion is characterised by Triassic-aged Hawkesbury Sandstone capped by thin Ashfield Shales along ridgelines, and underlain by Narrabeen sandstones exposed in deeper valleys and gullies (NPWS, 2003: 193), dating to approximately 200 million years in age (Haworth, 2003: 43). Quaternary quartz sands are ubiquitous along natural coastlines. Mapped

geologies (Raymond *et al.,* 2012) of the Project Area and surrounding environs identify medium- to coarse-grained quartz sandstone with minor shale and laminate lenses typical of the Hawkesbury Sandstone. Surrounding this are rock units of the Wianamatta Group characterised by sedimentary units including sandstone, siltstone, and shale.

Soils of the Pittwater subregion are characterised by deep yellow earths at higher elevations, contrast texture soils on slopes, and loamy sands in alluvium along waterways (NPWS, 2003: 193). Quartz sands with varying degrees of shell content characterise coastlines (NPWS, 2003). Within the broader region of the Project Area and its surrounding environs, acid peats, sandy lithosols, and yellow and sand podozolic soils are also recorded (Corbett, 1972; Maggs *et al.*, 1977; Haworth, 2003).

Mapped soil landscapes identify the Project Area being situated on the aeolian Tuggerah soil landscape (tg), characterised by gently undulating coastal dunefields, featuring deep podzols. Immediately adjacent to the mapped Tuggerah soil landscape and partially incorporating the Project Area is the more representative Disturbed Terrain (xx), characterised by total clearance of natural vegetation and extensive anthropogenic disturbance and urban/industrial development (Department of Climate Change, Energy, the Environment and Water, 2024).

2.2 Database Searches

2.2.1 Native Title

A search of the spatial data on the Native Title Tribunal's Native Title Vision website identified that the Project Area and environs are not currently subject to any registered Native Title claims.

2.2.2 Aboriginal Heritage Information Management System (AHIMS)

The Aboriginal Heritage Information System (AHIMS) database, administered by Heritage NSW, contains records of all Aboriginal objects reported to Heritage NSW in accordance with Section 89A of the NPW Act. It also contains information about Aboriginal places, which have been declared to have Aboriginal cultural significance. Recorded Aboriginal objects and declared Aboriginal places are defined under the NPW Act as 'Aboriginal sites'.

A search of the AHIMS database undertaken on 3 May 2024 (AHIMS search ID #889042) identified four (4) Aboriginal sites were recorded within a buffer area of approximately 2 km surrounding the Project Area, all four (4) of which were listed as 'valid'. The closest Aboriginal site (Buoy; Botany Shell Midden, AHIMS ID# 45-6-0629) located approximately 1.4 km to the southwest. A summary of Aboriginal site types is presented in **Table 2-1** below.

Table 2-1 AHIMS search results

Site Type	Count (n)	Percentage
Burial/s, midden, shelter	2	50%
Shell, artefact	1	25%
Potential Archaeological Deposit (PAD)	1	25%
Total	**4**	**100%**

As is typical of Aboriginal sites close to the coastline, shell middens were the most common Aboriginal site type within the AHIMS search area, accounting for 75% (n=2) of registered sites within the AHIMS search area. Of the four (4) Aboriginal sites reported in the AHIMS search results, none are located within the Project Area. It should be noted that the four (4) AHIMS-registered Aboriginal sites within the Project Area and surrounding environs are recorded in relatively undeveloped areas including shoreline-adjacent parks and woodlands with urban/industrial environs.

3.0 Archaeological Potential

3.1.1 Regional Archaeological Context

3.1.1.1 Chronology

Aboriginal habitation of the broader Sydney region is considered to extend back to approximately 35,000 years before present (BP) (Jo McDonald Cultural Heritage management [JMDCHM], 2005), with continuous occupation of the area being acknowledged through to contact with Europeans in 1788 (Williams, *et al*., 2021). More regionally, Aboriginal occupation of nearby Parramatta and Nepean River has returned ages to between 30,000 and 36,000 years BP (AHMS, 2015; Williams *et al.*, 2012; 2014). These Pleistocene ages, however, are in the minority of dated samples originating from the Sydney region, with the vast majority being within the late-Holocene, and most occurring within the last 2,000 years BP (Przywolnik, 2007). This directional trend in ages can possibly be attributed to steadily increasing Aboriginal population through the late-Pleistocene and Holocene, however, is more like due to preferential preservation of more recent archaeological material and Aboriginal sites (*sensu* Hiscock, 2008). The Sydney Basin bioregion has also been posited to be a refugium during and prior to the last glacial maximum when resource availability was scarce (Williams *et al*., 2013).

3.1.1.2 Common site types

Archaeological sites in the region are dominated by stone artefacts and artefact scatters, particularly adjacent to waterbodies and creeklines (e.g. Kohen, 1986; Artefact Heritage, 2020). Silcrete is the dominant raw material type, with smaller proportions of chert, tuff, quartz, quartzite, petrified wood and igneous rocks such as basalt and latite (e.g. JMDCHM, 2005; Austral, 2007; Haglund and Associates, 2007; AECOM, 2019). Common tool types include backed blades, as well as edge ground axes being identified (Comber, 2015).

It is important to note that a consistent message across archaeological reports is that the presence or absence of Aboriginal sites cannot be adequately characterised based on surface representation alone (*sensu* JMDCHM, 1997).

Shell middens are relatively common, featuring Sydney Rock Oyster (*Saccostrea glomerata*) and cockle species (e.g. *Anadara* spp.) (Attenbrow, 1990; 1994a; 1994b) however natural shell beds have been identified, potentially complicating archaeological interpretations in some instances (Attenbrow, 1984; McIntyre-Tamwoy, 2003). Middens are common close to estuary mouths or areas of fresh and marine water confluence. A slight deviation from middens which are typically characterised by molluscan shell is the recording of skeletal remains of a dugong (*Dugong dugon*) exhibiting evidence of Aboriginal butchery approximately 4 km to the west of the Project Area (Etheridge *et al.*, 1896), and dated to 5,520±70 years BP (Haworth *et al.,* 2004).

Warranting specific mention is a midden that was recorded in the early 20th century which identified ancestral Aboriginal remains of two individuals, amongst a midden of *Andara* sp. shell (Buoy; Botany Shell Midden, AHIMS ID# 45-6-0629). More recent investigations and surveys conducted by Coast History and Heritage identified the original location described from 1936-7 accounts is incorrect, with the AHIMS site card providing spatial coordinates in line with the described site location. Relocation of the site was not successful during in-field surveys.

While artefacts, scatters and shell middens are the most abundant Aboriginal site types within the broader cultural landscape, other types are sites have been recorded in smaller numbers. These include rock shelters featuring art, scarred trees, quarries, and grinding grooves (e.g. JMDCHM, 2005; AECOM, 2019).

3.2 Preliminary predictive model

The review of existing environmental and archaeological context for the Project Area and regional environs presented in earlier sections of this methodology provides context for the generation of a preliminary predictive model for the potential Aboriginal archaeological resource of the Project Area. The predictive model presented below in **Table 3-1** has been drawn from publicly accessible information and technical studies undertaken across the Sydney region.

Table 3-1 Predictive model for Aboriginal sites

Site Type	Potential
Modified Trees (scarred or carved)	Low: No culturally modified trees are recorded within the Project Area and its surrounding environs. The Project Area and its surrounds is an entirely built landscape. A distance away from the Project Area (>1 km) are mature trees, however these are likely ornamental plantings rather than naturally occurring vegetation.
Earth Mounds	Low: Earth mounds have not been recorded within the Project Area and its surrounding environs, nor its surrounds. The landscape surrounding the Project Area is an entirely built landscape with extensive vegetation clearing and landscape modification.
Hearths	Low: No hearths have not been recorded within the Project Area and its surrounding environs. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Shell Middens	Moderate: Shell midden sites have been recorded near the Project Area and regionally are common in coastal environments. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Quarries	Low: No hearths have been recorded within the Project Area and its surrounding environs, and are rarely recorded on a regional scale. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Area of Potential Archaeological Deposit	Moderate: Areas of PAD have been recorded within the Project Area and its surrounding environs, and are consistently recorded near to freshwater. Areas of PAD are common in raised topographies and in areas of minimal land disturbance. The Project Area and its surrounds is an entirely built landscape, with low relief and extensive vegetation clearing and landscape modification.
Open Artefact Sites	Low: Stone artefact sites have been previously recorded in the Project Area and its surrounding environs. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Grinding Grooves	Low: No grinding grooves have been recorded within the Project Area and its surrounding environs, and are rarely recorded on a regional scale. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.

Site Type	Potential
Ancestral Aboriginal Remains	Low: Sites containing ancestral Aboriginal remains have been recorded near the Project Area. Sites containing ancestral Aboriginal remains are typically associated with rock shelters, or other cultural deposit such as shell midden. The Project Area and its surrounds is an entirely built landscape with extensive vegetation clearing and landscape modification.
Rock Shelters with art and/or deposit	Low: Rock shelter sites will only occur where suitable sandstone exposures or overhangs possessing sufficient sheltered space exist, which are not present in the Project Area.
Aboriginal Ceremony and Dreaming Sites	Low: Aboriginal Ceremony and Dreaming Sites can only be determined during the consultation phase of the Aboriginal Cultural Heritage Assessment. There are currently no recorded mythological stories for the Project Area however they are known to occur in the region.
Contact Sites	Moderate: There are currently no recorded post-contact sites recorded in the Project Area however they are known to occur in the region.

3.3 Summary

Based on the extant publicly available literature, and **Table 3-1** above, the following predictive statements regarding the likelihood of Aboriginal sites being present within the Project Area can be made:

1. The survival of Aboriginal objects in their *in situ* depositional context is dependent on the extent and nature of historical development and land surface modification;
2. Isolated artefacts and low-density artefact scatters are the most likely object of Aboriginal heritage to be encountered;
3. Stone artefacts and shell midden material is more likely to be found closer to water bodies including fresh and salt water sources;
4. The lack of visible surface Aboriginal objects is not indicative of sub-surface Aboriginal objects; and
5. Relatively undisturbed sections of soil profiles make retain Aboriginal objects.

4.0 Proposed Assessment Approach

4.1 Social/Cultural Values Assessment

In accordance with *the Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), each private Aboriginal organisation or individual who responded with a written request to be registered for consultation (i.e., RAPs).

Aboriginal community consultation for the assessment will be undertaken in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010a). RAP representatives are in the best position to provide information on the Aboriginal social/cultural heritage values of the Project Area. During the assessment process, Umwelt will continue to consult with RAPs regarding the cultural heritage values of the Project Area. This will include as a minimum:

- A request for any initial comments regarding the Aboriginal cultural heritage values of the Project Area in the letter accompanying this draft methodology.
- Discussion of cultural heritage values during fieldwork.
- Provision of a draft Aboriginal Cultural Heritage Assessment report to all RAPs for their review and comment. The draft Aboriginal Cultural Heritage Assessment report will assess the importance of Aboriginal cultural heritage values within the Project Area. In addition, the draft Aboriginal Cultural Heritage Assessment report will assess the potential impact of the proposed development on identified Aboriginal cultural heritage values and identify appropriate mitigation and management strategies to avoid or minimise potential harm to such values. Umwelt will incorporate any comments made within the submission period prior to finalisation of the report.

4.2 Proposed Archaeological Survey Methodology

Umwelt propose to conduct a pedestrian archaeological field survey of the Project Area. The primary aims of the survey will be to:

- Identify surface evidence of Aboriginal occupation and/or areas of cultural significance; and
- Characterise the landscape to aid predictions of surface and sub-surface archaeological potential.

The pedestrian surveys will be informed by the predictive model presented in **Section 3.0** of this report, as well as landscape data such as the identification of all watercourses and water bodies (both permanent and ephemeral), and known AHIMS-registered Aboriginal sites within the Project environs.

Both survey stages will be undertaken using the following general methodology:

- 100% of the accessible portions of the Project Area will be surveyed;
- The proposed survey will consist of the survey team evenly spaced walking transects across the Project Area, where possible;

- The survey team will consist of a combined team of an Umwelt archaeologist, as well as RAP representatives;
- Survey and recording according to landform element units and/or other changes in landscape characteristics;
- Recording of beginning and end points of transects or the boundaries of survey units, and the spacing between the survey team;
- Recording of landform, soil information, land surface, vegetation conditions, visibility and exposure, and survey coverage;
- Recording of any identified Aboriginal sites identified according to Requirements 6-8, and recording of any identified Aboriginal objects in accordance with Requirements 18-24 of the Code of Practice;
- If any Aboriginal objects and/or sites are identified in the course of the survey, site cards will be completed and submitted to the AHIMS registrar; and
- All Aboriginal objects and/or landforms of interest would be mapped and documented using hand-held GPS, photographs, written description and sketches if relevant.

4.3 Aboriginal Cultural Heritage Assessment Report

An Aboriginal Cultural Heritage Assessment report will be prepared to support approval for development consent under the EP&A Act sought by ESR, and inform an Aboriginal Cultural Heritage Management Plan (if required). The Aboriginal Cultural Heritage Assessment will be prepared in accordance with the following statutory guidelines:

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

The Aboriginal Cultural Heritage Assessment will involve the following key components:

- Consultation with RAPs to identify socio-cultural values of the Project area and places of special significance that should be considered;
- An updated search of the AHIMS register for records of previously registered Aboriginal sites;
- A review of past Aboriginal heritage reports covering the Project Area;
- Environmental landscape analysis to identify past Aboriginal resources and suitable occupation areas;
- Synthesis of background research to develop a predictive model of Aboriginal site location;

- Field investigation to validate the findings of the desktop and identify any previously undocumented cultural material. This would include surface inspection and may extend to test excavations of areas of archaeological interest;
- An assessment of significance for Aboriginal cultural heritage values in the Project Area with input from the registered Aboriginal stakeholders;
- An impact assessment of how the Project will affect Aboriginal cultural heritage values; and
- Development of management recommendations based on the results of the assessment and input from RAPs during the consultation process and particularly from the draft Aboriginal Cultural Heritage Assessment review period.

4.4 Research Questions

The aim of the proposed fieldwork program is to investigate the archaeological potential of the Project Area and document associated cultural values. If Aboriginal objects are identified, then the investigation will aim to address a series of research questions. These are provided below:

- Does the Project Area contain, or has the potential to contain, surface and/or subsurface Aboriginal cultural objects, and what is the level of stratigraphic integrity?
- What does the identified assemblage reveal about past Aboriginal land use?
- Is the identified cultural material able to provide further information regarding the types of activities that Aboriginal people were undertaking within the area?
- Is it possible to define discrete areas of activity and/or variability in the nature of occupation based on the artefact assemblage?
- Is the assemblage able to provide information on how past Aboriginal land use changed through time and during variations in environmental conditions?
- What is the age of any identified Aboriginal objects *(if present)*?
- How does the identified material and its distribution compare to the evidence recovered from excavations in the local area for which data is available?

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umwelt
Environmental & Social
Consultants

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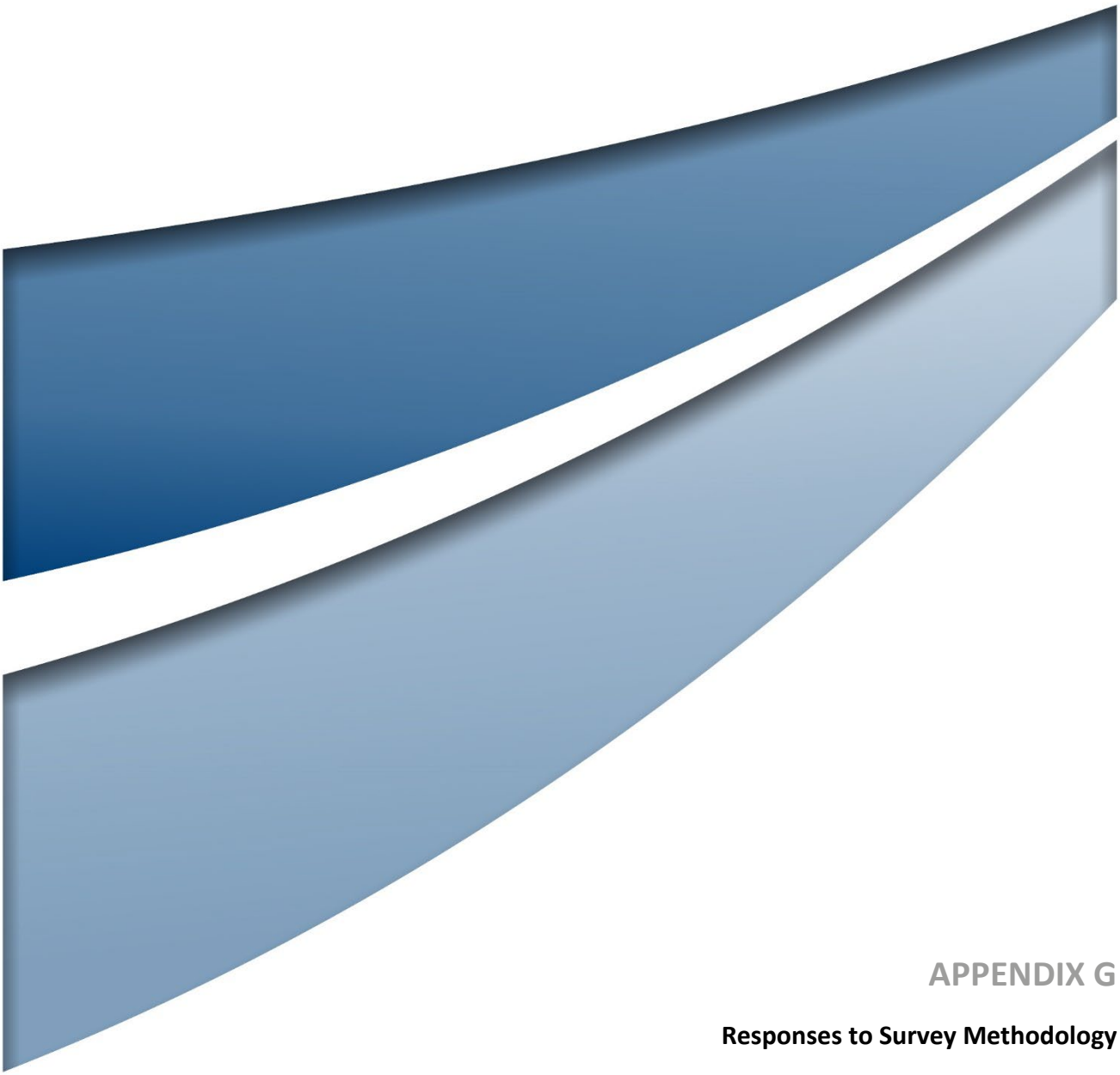


APPENDIX G

Responses to Survey Methodology

Brent Koppel

From: Carolyn .H <[redacted]>
Sent: Thursday, 6 June 2024 9:07 AM
To: Brent Koppel
Subject: Re: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology
Attachments: A1.PL.2025.pdf; A1.WC.2025.pdf

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

Contact: Carolyn Hickey
Mobile: [redacted]
Email: [redacted]
Address: [redacted]
ABN: : 20 616 970 327

Hi,
I have reviewed the document and support the Information and Methodology.
I Would like to be included in all Meetings, Reports, Sharing Cultural Information, and Field Work

About Carolyn Hickey
I am a Traditional Owner and Custodian with over 25 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.

A1 INDIGENOUS SERVICES, Represents over 100 Indigenous Locals

When Selecting Groups for Engagement;
Please consider that **A1 INDIGENOUS SERVICES** is a member of the **NSW INDIGENOUS CHAMBER OF COMMERCE.**
We carry the NSWICC Assured logo showing that **A1 Indigenous Services** has met National Policy requirements as upheld by the First Australians Chamber of Commerce and Industry (FACCI) for being identified as a **100% First Nations Owned Indigenous Business** That has demonstrate compliance with Government and Industry Regulators.

I agree to my details being supplied to OEH and the LALC

Please feel free to contact me on details supplied

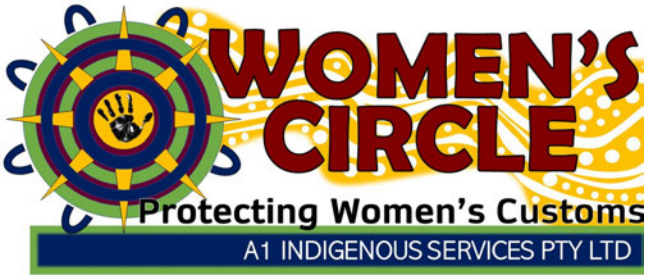
Kind Regards,
Carolyn Hickey

A1 INDIGENOUS SERVICES is now a member of the NSW INDIGENOUS CHAMBER OF COMMERCE

A business or enterprise carrying the NSWICC Assured logo has met National Policy requirements as upheld by the First Australians Chamber of Commerce and Industry (FACCI) for being identified as a First Nations Business Owner or Entrepreneur and the business must demonstrate compliance with Government and Industry Regulators.

(Certificate attached) A certificate confirms that the Enterprise listed above has met all requirements of the NSWICC's Assured Program , operating as a100% Aboriginal Owned, Operated and Controlled Business. The NSW Indigenous Chamber of Commerce (NSWICC) is the Peak body for Aboriginal Business in New South Wales and a member of the First Australians Chamber of Commerce and Industry (FACCI)

A1 Indigenous Services is 100%, Indigenous Owned Australian Company which offers a range of services to the construction industry.
It is our mission to commit to an innovative approach to a better future for Indigenous employment and community.
While improving ways to close the gap in Aboriginal participation in the construction Industry.
Building strength in aboriginal communities and our Indigenous labour force.



NSWICC ASSURED | FACCI AFFILIATE

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Wednesday, 8 May 2024 10:00 AM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: Andrew Crisp <ACrisp@umwelt.com.au>; Luke Wolfe <lwolfe@umwelt.com.au>; Grace Macdonald <Grace.Macdonald@esr.com>
Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology

Good morning,

Thank you for your continuing interest in this Project. Umwelt, on behalf of ESR and in accordance with Sections 4.3.1 and 4.3.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010), invites you to review and provide comment on the draft Aboriginal Cultural Heritage Assessment methodology proposed for the 49 Stephen Road, Banksmeadow Project Area.

A brief review of existing environmental and archaeological data for the Project Area is also provided to give context for the proposed assessment methodology. In addition to providing our draft methodology, Umwelt would also like to take this opportunity to request from you any initial comments regarding the cultural values of the Project Area. Umwelt acknowledges that cultural values may incorporate a wide range of values such as stories, traditions, and cultural practices, and we welcome advice from the Aboriginal community about tangible and intangible cultural values relevant to the Project Area and its surrounds. Umwelt is available to discuss any information are willing to share and will respect confidentiality where requested.

We would appreciate any information regarding the following:

1. Are there any other knowledge-holders or Aboriginal stakeholder groups we should be contacting to obtain cultural information on the Project Area?

2. Are there any protocols in relation to community interaction and/or cultural heritage that you would like adopted during the Project?

3. Are you aware of any Aboriginal objects, places, sites, or stories of cultural significance and/or importance that you are aware of within the Project Area and/or local environs? If so, please provide guidance on the most culturally appropriate ways in which these Aboriginal objects and/or places can be managed during the assessment process.

5. Is the information you are providing culturally-sensitive, gender specific, etc? If so, how would you like the information you provide to Umwelt to be managed? Noting that some documentation for the Aboriginal Cultural Heritage Assessment process may be required.

6. Do you require any further information prior to Umwelt proceeding with the Aboriginal Cultural Heritage Assessment?

Please provide feedback or comments on the draft assessment methodology by **Tuesday 5 June 2024**.

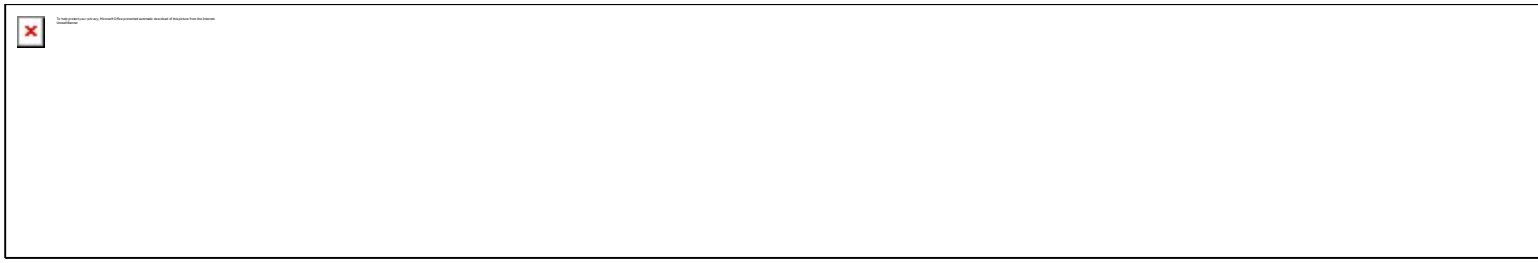
If there is anything further that I can provide or clarify, please feel free to reach out.

Kind regards,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



Brent Koppel

From: Robert Young <[redacted]>
Sent: Friday, 7 June 2024 5:03 PM
To: Brent Koppel; Pamela Young
Cc: Luke Wolfe; Andrew Crisp; Melissa Moritz; Grace Macdonald; Will Dwyer; Nick Godfrey-Smith
Subject: Re: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology
Attachments: 30934_Aboriginal Cultural Heritage Assessment Methodology_V1_DRAFT_20240507.pdf

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*
Good afternoon all,

Hope your all well and we appreciate the email

KACHS has reviewed the draft assessment methodology and acknowledge all processes

Thanks for the invite as Aunty Pam will be the KACHS representative to attend the site visit on Friday 14 June at 13:30pm, at 49 Stephen Road, Banksmeadow

Have a great long weekend all

Yours in Culture,

Robert Young
Konanggo Aboriginal Cultural Heritage Services
[redacted]
Email: [redacted]
Phone: [redacted]

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Thursday, 6 June 2024 2:07 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: Luke Wolfe <lwolfe@umwelt.com.au>; Andrew Crisp <ACrisp@umwelt.com.au>; Melissa Moritz <mmoritz@umwelt.com.au>; Grace Macdonald <Grace.Macdonald@esr.com>; Will Dwyer <Will.Dwyer@esr.com>; Nick Godfrey-Smith <nicholas.godfrey-smith@environment.nsw.gov.au>
Subject: FW: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology

Good afternoon,

Thank you for your continued interest in this Project.

We have just been approved to progress to the next stage of the Aboriginal Cultural Heritage Assessment of the 49 Stephen Road, Banksmeadow Project Area. Umwelt, on behalf of ESR, invites you to attend an inspection of the site on **Friday 14 June at 13:30**. Details of the site inspection are provided below:

- Survey approach and methodology will follow the draft Aboriginal Cultural Heritage Assessment Methodology provided for registered Aboriginal stakeholder review on 8 May 2024, and provided in this email.
- Surveys will be conducted within the afternoon of 14 June, with the payment of $500 for the half-day survey being offered by the client;
- Appropriate PPE is a requirement, and includes sturdy shoes, high-vis clothing and safety glasses; and
- If you have not already, please provide proof of valid insurances for the undertaking of fieldwork.

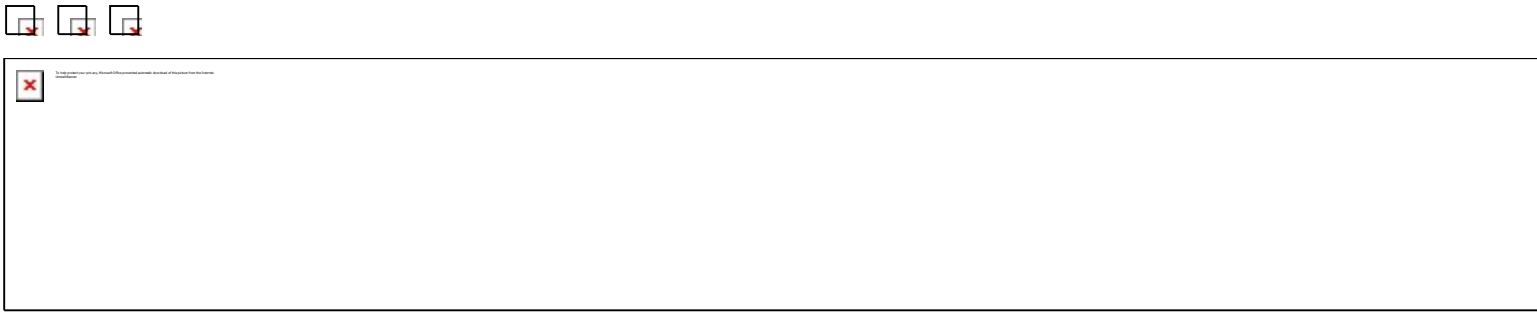
Please let me know if you are planning on attending the site inspection by **COB Wednesday 12 June**. If you have any questions or queries regarding the site inspection or the Project, please reach out to me via email or using the details below.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



From: Brent Koppel
Sent: Wednesday, May 8, 2024 10:01 AM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: Andrew Crisp <ACrisp@umwelt.com.au>; Luke Wolfe <lwolfe@umwelt.com.au>; Grace Macdonald <Grace.Macdonald@esr.com>
Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology

Good morning,

Thank you for your continuing interest in this Project. Umwelt, on behalf of ESR and in accordance with Sections 4.3.1 and 4.3.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010), invites you to review and provide comment on the draft Aboriginal Cultural Heritage Assessment methodology proposed for the 49 Stephen Road, Banksmeadow Project Area.

A brief review of existing environmental and archaeological data for the Project Area is also provided to give context for the proposed assessment methodology. In addition to providing our draft methodology, Umwelt would also like to take this opportunity to request from you any initial comments regarding the cultural values of the Project Area. Umwelt acknowledges that cultural values may incorporate a wide range of values such as stories, traditions, and cultural practices, and we welcome advice from the Aboriginal community about tangible and intangible cultural values relevant to the Project Area and its surrounds. Umwelt is available to discuss any information are willing to share and will respect confidentiality where requested.

We would appreciate any information regarding the following:

1. Are there any other knowledge-holders or Aboriginal stakeholder groups we should be contacting to obtain cultural information on the Project Area?

2. Are there any protocols in relation to community interaction and/or cultural heritage that you would like adopted during the Project?

3. Are you aware of any Aboriginal objects, places, sites, or stories of cultural significance and/or importance that you are aware of within the Project Area and/or local environs? If so, please provide guidance on the most culturally appropriate ways in which these Aboriginal objects and/or places can be managed during the assessment process.

5. Is the information you are providing culturally-sensitive, gender specific, etc? If so, how would you like the information you provide to Umwelt to be managed? Noting that some documentation for the Aboriginal Cultural Heritage Assessment process may be required.

6. Do you require any further information prior to Umwelt proceeding with the Aboriginal Cultural Heritage Assessment?

Please provide feedback or comments on the draft assessment methodology by **Tuesday 5 June 2024**.

If there is anything further that I can provide or clarify, please feel free to reach out.

Kind regards,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

Brent Koppel

From: Phil Khan <[redacted]>
Sent: Wednesday, 8 May 2024 1:44 PM
To: Brent Koppel
Subject: RE: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology
Attachments: Public Liability 2024 to 2025.pdf; Icare 2024.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

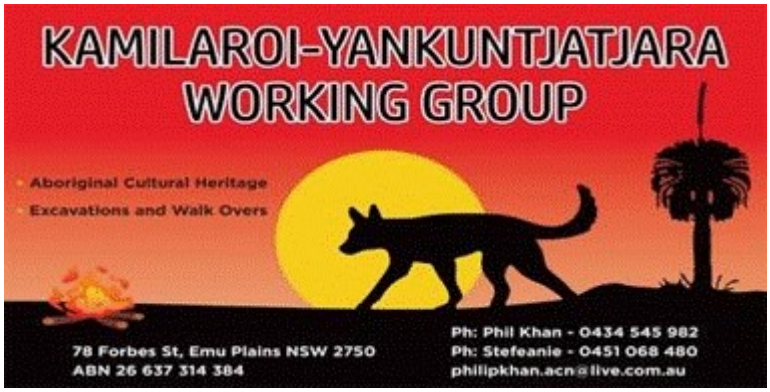
*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

Hi Brent,

Thank you for your Draft Assessment Methodology for 49 Stephen Rd, Banksmeadow. We would like to agree and support your recommendations to investigate further and conduct test excavations. We look forward to working alongside you on this project.

We would like to express our interest in the fieldwork.

Kind Regards
Phil Khan – Director
P [redacted]
E [redacted]
ABN 26 637 314 384



Sent from Mail for Windows

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Wednesday, May 8, 2024 10:00:50 AM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: Andrew Crisp <ACrisp@umwelt.com.au>; Luke Wolfe <lwolfe@umwelt.com.au>; Grace Macdonald <Grace.Macdonald@esr.com>

Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft assessment methodology

Good morning,

Thank you for your continuing interest in this Project. Umwelt, on behalf of ESR and in accordance with Sections 4.3.1 and 4.3.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010), invites you to review and provide comment on the draft Aboriginal Cultural Heritage Assessment methodology proposed for the 49 Stephen Road, Banksmeadow Project Area.

A brief review of existing environmental and archaeological data for the Project Area is also provided to give context for the proposed assessment methodology. In addition to providing our draft methodology, Umwelt would also like to take this opportunity to request from you any initial comments regarding the cultural values of the Project Area. Umwelt acknowledges that cultural values may incorporate a wide range of values such as stories, traditions, and cultural practices, and we welcome advice from the Aboriginal community about tangible and intangible cultural values relevant to the Project Area and its surrounds. Umwelt is available to discuss any information are willing to share and will respect confidentiality where requested.

We would appreciate any information regarding the following:

1. Are there any other knowledge-holders or Aboriginal stakeholder groups we should be contacting to obtain cultural information on the Project Area?
2. Are there any protocols in relation to community interaction and/or cultural heritage that you would like adopted during the Project?
3. Are you aware of any Aboriginal objects, places, sites, or stories of cultural significance and/or importance that you are aware of within the Project Area and/or local environs? If so, please provide guidance on the most culturally appropriate ways in which these Aboriginal objects and/or places can be managed during the assessment process.
5. Is the information you are providing culturally-sensitive, gender specific, etc? If so, how would you like the information you provide to Umwelt to be managed? Noting that some documentation for the Aboriginal Cultural Heritage Assessment process may be required.
6. Do you require any further information prior to Umwelt proceeding with the Aboriginal Cultural Heritage Assessment?

Please provide feedback or comments on the draft assessment methodology by **Tuesday 5 June 2024**.

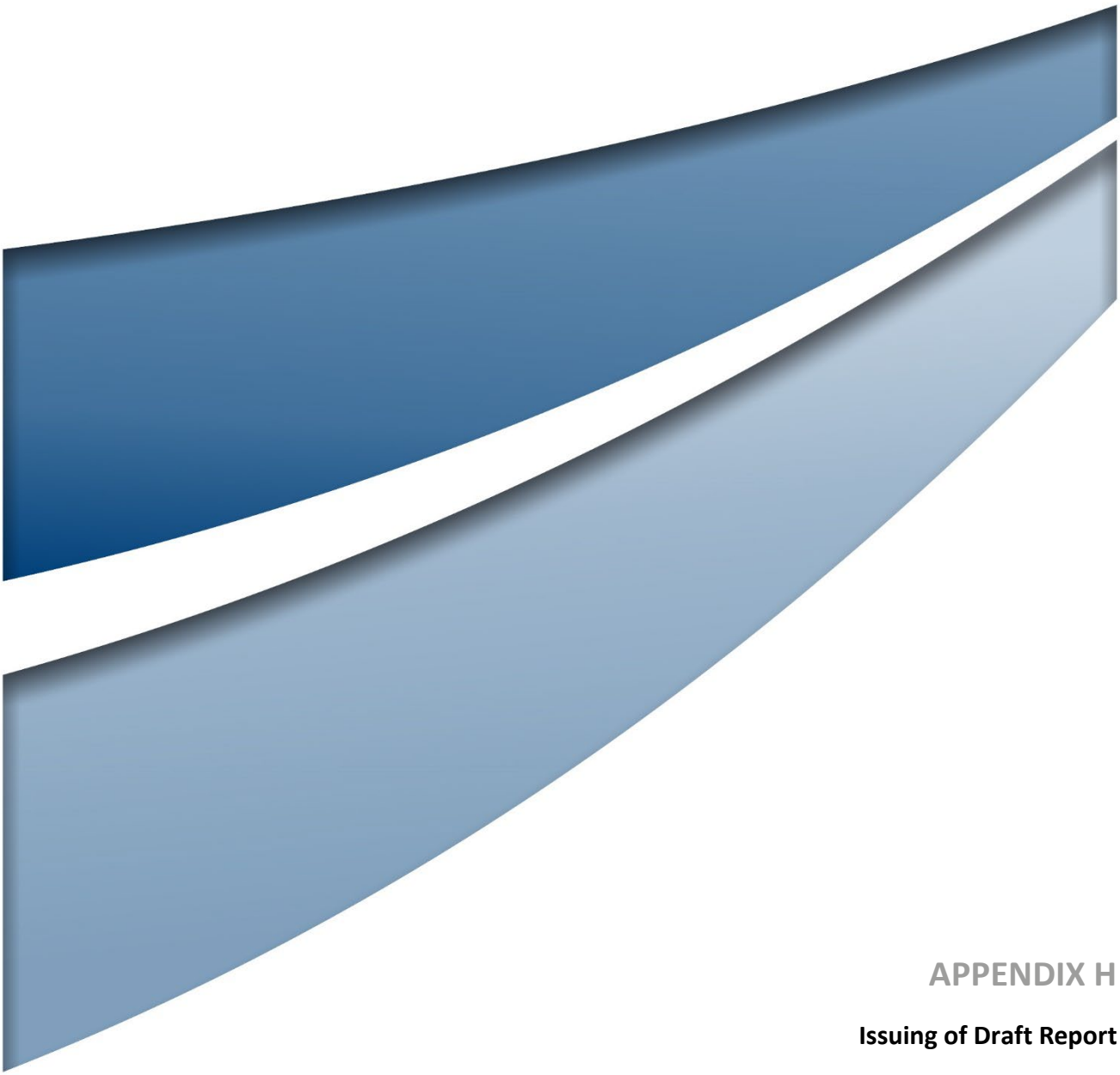
If there is anything further that I can provide or clarify, please feel free to reach out.

Kind regards,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



APPENDIX H

Issuing of Draft Report

Brent Koppel

From: Brent Koppel
Sent: Tuesday, 17 September 2024 2:59 PM
To: Brent Koppel
Cc: Luke Wolfe; Nick Mullins; Grace Macdonald; Will Dwyer
Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft ACHA
Attachments: 31043_R01_Aboriginal Cultural Heritage Assessment_V2.pdf

Good afternoon,

Thank you for your continued interest and involvement in the Aboriginal cultural heritage investigations at the 49 Stephen Road, Banksmeadow warehouse redevelopment Project Area.

Umwelt, on behalf of ESR and in accordance with Sections 4.4.2 and 4.4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010), invites you to review and provide comment on the draft Aboriginal Cultural Heritage Assessment of the 49 Stephen Road, Banksmeadow Project Area.

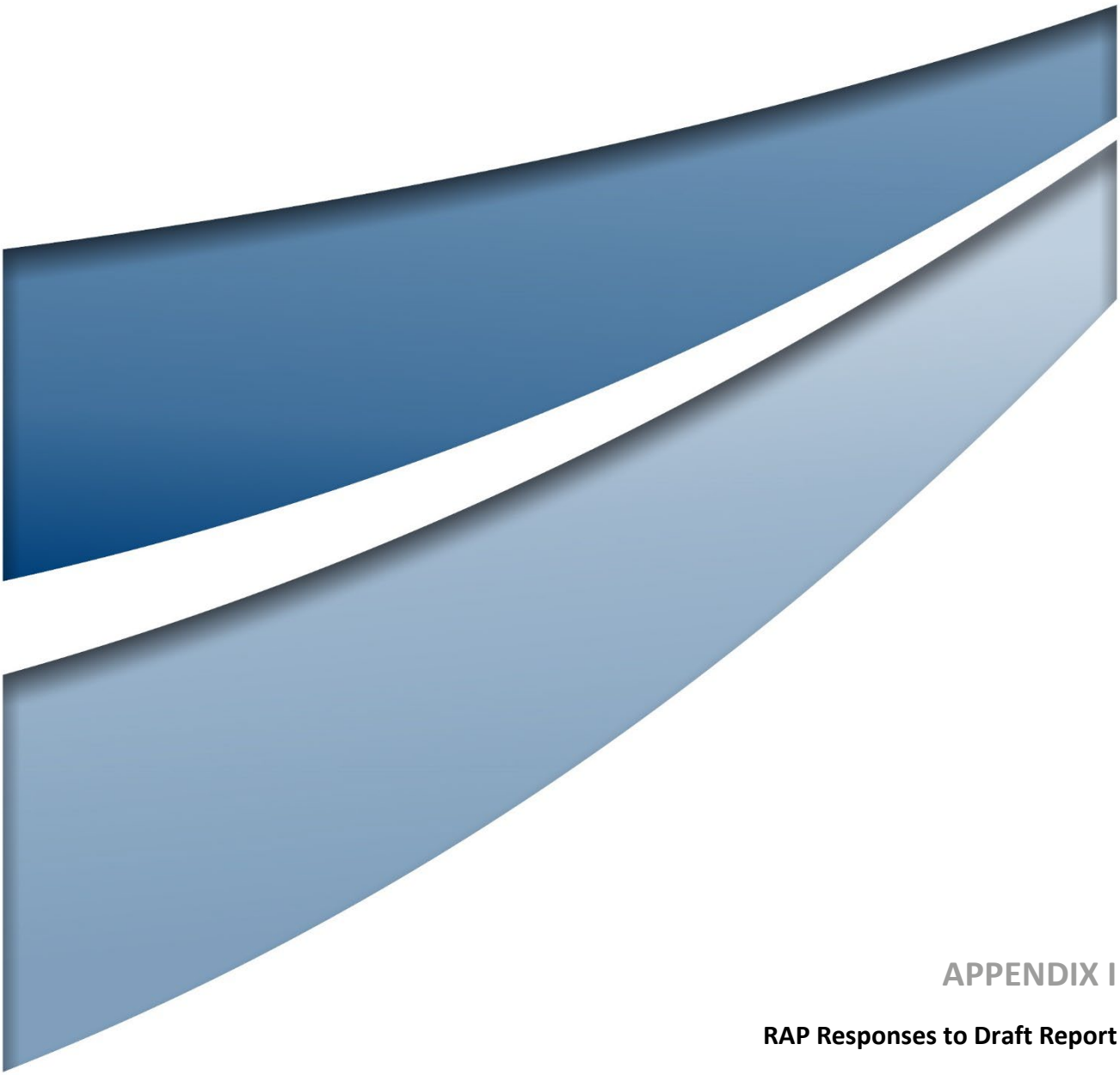
Umwelt requests that you provide a response by **Tuesday 15 October**, and if you have any comments or questions regarding the draft report, please reply to this email or phone me using the number provided below.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**



APPENDIX I

RAP Responses to Draft Report

Brent Koppel

From: Amanda De Zwart <[redacted]>
Sent: Tuesday, 8 October 2024 12:08 PM
To: Brent Koppel
Subject: Re: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft ACHA

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*

Hi Brent
Thank you for your email AHCS support 49 Stephen Road, Banksmeadow development draft ACHA if you need anything else please don't hesitate to contact me Have a great day

Get Outlook for Android

From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Tuesday, September 17, 2024 2:59:14 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: Luke Wolfe <lwolfe@umwelt.com.au>; Nick Mullins <Nick.Mullins@esr.com>; Grace Macdonald <Grace.Macdonald@esr.com>; Will Dwyer <Will.Dwyer@esr.com>
Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft ACHA

Good afternoon,

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Umwelt requests that you provide a response by **Tuesday 15 October**, and if you have any comments or questions regarding the draft report, please reply to this email or phone me using the number provided below.

Cheers,

Brent

Brent Koppel
Archaeologist

p. **1300 793 267**
m. **0400 124 244**
w. **www.umwelt.com.au**

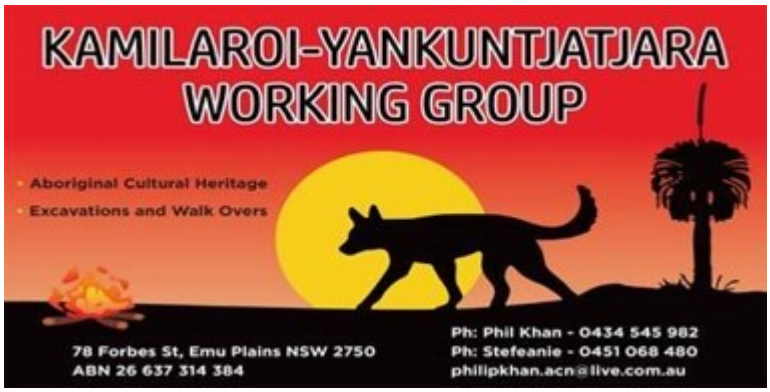
Brent Koppel

From: Phil Khan <[redacted]>
Sent: Thursday, 26 September 2024 5:07 PM
To: Brent Koppel
Subject: Re: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft ACHA

*This message originated from outside of Umwelt - **BE CAUTIOUS** opening any link or attachment.*
Hi Brent,

Thank you for your Draft ACHA for 49 Stephen Rd, Banksmeadow, we would like to agree and support your management recommendations. We look forward to working alongside you on this project.

Kind Regards
Phil Khan – Director
P [redacted]
E [redacted]
ABN 26 637 314 384



From: Brent Koppel <BKoppel@umwelt.com.au>
Sent: Tuesday, 17 September 2024 2:59 PM
To: Brent Koppel <BKoppel@umwelt.com.au>
Cc: Luke Wolfe <lwolfe@umwelt.com.au>; Nick Mullins <Nick.Mullins@esr.com>; Grace Macdonald <Grace.Macdonald@esr.com>; Will Dwyer <Will.Dwyer@esr.com>
Subject: 23513 (31043) - 49 Stephen Road, Banksmeadow development - Invitation to comment on draft ACHA

Good afternoon,

Thank you for your continued interest and involvement in the Aboriginal cultural heritage investigations at the 49 Stephen Road, Banksmeadow warehouse redevelopment Project Area.

Umwelt, on behalf of ESR and in accordance with Sections 4.4.2 and 4.4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010), invites you to review and provide comment on the draft Aboriginal Cultural Heritage Assessment of the 49 Stephen Road, Banksmeadow Project Area.

Umwelt requests that you provide a response by **Tuesday 15 October**, and if you have any comments or questions regarding the draft report, please reply to this email or phone me using the number provided below.

Cheers,

Brent

Brent Koppel
Archaeologist

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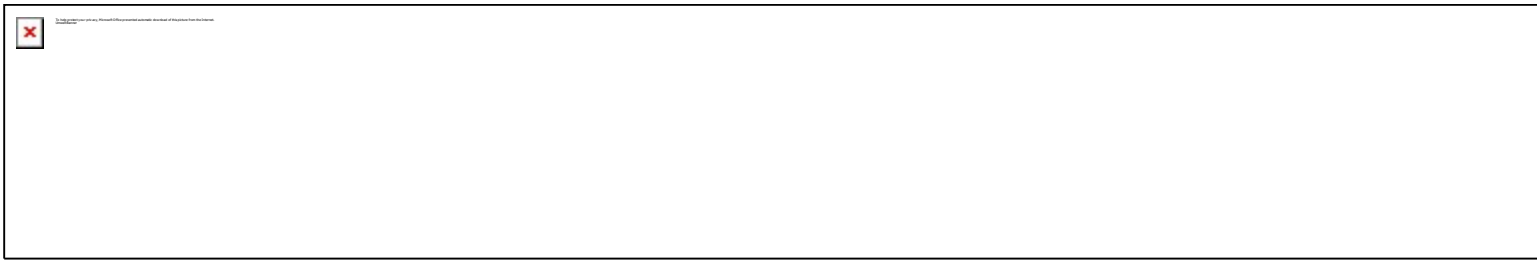
w. **www.umwelt.com.au**



umwelt
Environmental & Social
Consultants

Umwelt (Australia) Pty Limited

T| 1300 793 267 E| info@umwelt.com.au www.umwelt.com.au