

# EVERICK HERITAGE

## Mixed-Use Residential Flat Development

Aboriginal Cultural Heritage Assessment Report

Prepared for Alton Property Group

December 2024

The Hills Shire Local Government Area



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## Report Reference:

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## Executive summary

Alton Property Group (the Proponent) is proposing a mixed-use residential flat development comprising four buildings with commercial floor space, 616 apartments, and four levels of basement car parking. The proposed development is located at 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area) (Figure 1-1).

This development will involve constructing 616 residential apartments and 8,025 square metres of commercial floorspace, with basement parking facilities accessible via a driveway off Cecil Avenue. Additionally, the proposal will entail the demolition of existing residential dwellings within the Project Area. This proposal aligns with recent amendments to the SEPP Housing policy, leveraging the opportunity to designate 15 per cent of the gross floor space as affordable housing. Furthermore, the development will incorporate a pedestrian link, enhancing site connectivity between Roger Avenue and Cecil Avenue.

A State Significant Development (SSD) Application has been lodged for this Project (SSD-78156221). The Secretary's Environmental Assessment Requirements (SEARs) have been issued. Requirement 18 stipulates the requirement for the application to prepare an Aboriginal Cultural Heritage Assessment Report.

This ACHAR has been prepared as a response to this requirement. It has also been prepared according to the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010a) and aims to assess and document Aboriginal cultural values and outline the consultation process with Aboriginal stakeholders.

## Consultation

Everick Heritage undertook the consultation process in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010b). Registered Aboriginal Parties (RAPs) were identified, and outreach efforts were made to engage these groups throughout the assessment process. While we are awaiting feedback regarding the cultural significance of the Project Area, ongoing dialogue remains essential to ensure the perspectives and values of Aboriginal stakeholders are integrated into the assessment and development processes.

## Results of the ACHAR

A desktop assessment and subsequent archaeological survey were conducted within the Project Area. These efforts confirmed that no Aboriginal objects or sites have been identified. The significant historical disturbances resulting from prior development activities have compromised the landscape's integrity, concluding that the Project Area does not hold specific Aboriginal cultural values. However, it is

acknowledged that the broader context of the Cumberland Plain contains significant cultural heritage and connections to local Aboriginal communities.

## Recommendations

The preparation of the ACHAR has identified that the Project Area is of low archaeological potential and sensitivity. The proposed works are considered highly unlikely to result in impact to Aboriginal cultural heritage, therefore in accordance with the Due Diligence Code of Practice (Department of Environment, Climate Change and Water 2010c) the proposed works may proceed without further investigation.

The following recommendations have been made based on the results of the ACHA:

### Connecting with Country Framework

In accordance with the ESD intergenerational principle, it is recommended that Alton Property Group incorporate Aboriginal cultural heritage values that acknowledges the Darug people and the land on which the Project Area stands. For NSW built environment projects, this can be achieved through the use of the Connecting with Country framework (Government Architect New South Wales 2023) to help guide design principles. It is understood that the design has yet to be finalised for this Project, thereby offering ample opportunity for Aboriginal community consultation. Further engagement should be undertaken to adhere to the Connecting with country framework. The results of community engagement may be in the form of:

- Heritage interpretation boards – temporary or permanent, within or outside the Project Area.
- Cultural heritage awareness talks by Darug people.

It is acknowledged that Project Area may already implement the ESD intergenerational principle in some form or through the above strategies.

### Recommendation 1: Unexpected finds

Unexpected Aboriginal objects remain protected by the NPW Act. If any such objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease, and Heritage NSW, and Deerubbin LALC be contacted for advice.

### Recommendation 2: Discovery of human remains

If suspected human remains are discovered and/or harmed in, on or under the land within the Project Area, the following actions must be undertaken:

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- The remains must not be harmed/further harmed
- Immediately cease all works at that particular location
- Secure the area to avoid further harm to the remains
- Notify the NSW Police and the Environment Line (Heritage NSW) on 131 555 as soon as practicable and provide any details of the remains and their location
- Do not recommence any work at that particular location unless authorised in writing by Heritage NSW.

### **Recommendation 3: Continued consultation with the Registered Aboriginal stakeholders**

As per the 2010 Consultation Requirements (DECCW 2010b), the proponent should provide a draft report with Aboriginal stakeholders and take into account any feedback received. The proponent should also maintain consultation and keep these groups updated on the management of Aboriginal cultural heritage sites in the study area for the duration of the project.

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## Definitions and abbreviations

ACHAR	means Aboriginal Cultural Heritage Assessment Report
AHC	means Australian Heritage Council
Australian Heritage Council Act	means <i>Australian Heritage Council Act 2003</i> (Cth)
AHIMS	means Aboriginal Heritage Information Management System
AHIP	means Aboriginal Heritage Impact Permit
ALR Act	means <i>Aboriginal Land Rights Act 1983</i>
ASR	means Aboriginal Archaeological Survey Report
ASRF	means Aboriginal Site Recording Form
ATSIHP Act	means <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (Cth)
BP	means Before Present (that is 1950)
CHL	means Commonwealth Heritage List
Code of Practice	means Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales
Consultation Requirements	means Aboriginal cultural heritage consultation requirements for proponents 2010
DCCEEW	means Department of Climate Change, Energy, the Environment and Water
DECCW	means Department of Environment, Climate Change and Water (now Heritage NSW)
EIS	means Environmental Impact Statement
EP&A Act	means <i>Environmental Planning and Assessment Act 1979</i> (NSW)
EPBC Act	means <i>Environment Protection and Diversity Conservation Act 1999</i> (Cth)
ESD	means Ecologically Sustainable Development

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Everick Heritage means Everick Heritage Pty Ltd

GSV means ground surface visibility

GPS means Global Positioning System

ISEPP *State Environmental Planning Policy (Infrastructure) 2007* (NSW)

KNC Kelleher Nightingale

LALC means Local Aboriginal Land Council

LEP means Local Environmental Plan

LGA means Local Government Area

NHL means National Heritage List

NPW Act means *National Parks and Wildlife Act 1974* (NSW)

OEH means (former) New South Wales Office of Environment and Heritage

PAD means Potential Archaeological Deposit

Project Area means the area shown in Figure 1-1.

RAP means Registered Aboriginal Party

RNE means Register of the National Estate

s means section

SEARs means Secretary's Environmental Assessment Requirements

SEPP means State Environmental Planning Policy

SSD means State Significant Development

## 1. Introduction

### 1.1. Project background

Alton Property Group (the Proponent) is proposing a mixed-use residential flat development of four buildings comprising commercial floor space, 616 apartments and four levels of basement car parking. The proposed development is located at 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area) (Figure 1-1).

A State Significant Development (SSD) Application has been lodged for this Project (SSD-78156221). The Secretary's Environmental Assessment Requirements (SEARs) have been issued. Requirement 18 stipulates the requirement for the application to prepare an Aboriginal Cultural Heritage Assessment Report.

Everick Heritage Pty Ltd (Everick Heritage) has prepared this Aboriginal Cultural Heritage Assessment Report (ACHAR) in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment & Heritage [OEH] 2011, known as the Guide) and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (Department of Environment, Climate Change and Water [DECCW] 2010a, known as the Code of Practice). In accordance with the Guide (OEH 2011), an Aboriginal Technical Report (ATR) has been prepared to support this ACHAR (Appendix C – ATR).

### 1.2. Project Area

The Project Area is located within the Parish of The Field of Mars and County of Cumberland (Figure 1-1). The Project Area is located within The Hills Shire Local Government Area (LGA) and the Deerubbin Local Aboriginal Land Council (LALC). The Project comprises the following lots located between Cecil Avenue and Roger Avenue, Castle Hill:

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Table 1-1: Lot and DP numbers within the Project Area

DP and Lot Number		
Lot 1 DP531559	Lot 1 DP547897	Lot 2 DP591676
Lot 1 DP591676	Lot 1 DP581293	Lot 2 DP547897
Lot 2 DP5812193	Lot 4 DP531559	Lot 5 DP2914
Lot 5 DP705913	Lot 6 DP29141	Lot 6 DP705913
Lot 20 DP15399	Lot 21 DP778595	Lot 22 DP581293

## 1.3. Project description

This proposed development will include the construction of 616 residential apartments and 8,025 square metres of commercial floorspace, with basement parking facilities accessible via a driveway off Cecil Avenue. The proposal will also involve the demolition of existing residential dwellings within the Project Area. This proposal aligns with recent amendments to the SEPP Housing policy, leveraging the opportunity to designate 15 percent of the apartments as affordable housing. Additionally, the development will incorporate a pedestrian link, enhancing site connectivity between Roger Avenue and Cecil Avenue (Figure 1-2; Figure 1-3).

## 1.4. Study objectives

The objectives of this ACHAR are to present the results of an archaeological survey and identify whether Aboriginal cultural values will be impacted via consultation with the Registered Aboriginal Parties (RAPs) for the Project Area. This ACHAR has been undertaken in accordance with the following guidelines:

- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, known as the 'Code of Practice'* (DECCW 2010a).
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment & Heritage [OEH] 2011 (OEH 2011), known as 'The Guide')
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b, known as the 'Consultation Requirements').

- The Burra Charter 2013 (Australia ICOMOS 2013).

## 1.5. Authors and contributors

**Table 1-2: Authors and contributors**

Contributor	Affiliation	Role	Qualification	Tasks
Jason Giang	Everick Heritage	Senior Archaeologist,	BA (Hons) 5 years	Project management and report review.
Gareth Holes	Everick Heritage	Senior Archaeologist	MA BA (Hons) 18+ years	Report review
Amber Hewson	Everick Heritage	Archaeologist	BA (Hons), Dip. Heritage 2+ years	Background research and reporting.
Andrew Jenkins	Everick Heritage	Archaeologist	BSc (Hons)	Survey
Nestor Nicola	Everick Heritage	Archaeologist	BSc (Hons) 6+ years	Background research and reporting.
Maryam Hosseini	Everick Heritage	GIS Specialist	PhD, MA, BEng (Civ/Surv)	Mapping

## 1.6. Report structure

The purpose of this report is to document the results of an investigation of Aboriginal heritage for the Project Area. As such, the structure of this report includes the following.

**Table 1-3: Report structure and descriptions by chapter**

Section	Description
Section 1	Introduction providing information on the project background and legislative framework.

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Section	Description
Section 2	Statutory requirements: outlines relevant legislation for this assessment.  Consultation: provides information on the Aboriginal consultation process.
Section 3	Environmental context: provides an overview of the environmental conditions to provide context for the predictive model.
Section 4	Ethnohistoric and Archaeological context: presents the results of the background ethnohistoric and literature research, summary of relevant previous assessments, and database searches. This section also presents a predictive model as background to the survey sampling strategy
Section 5	Archaeological survey: discusses the aims, timing and personnel, constraints, survey sampling strategy, methodology and coverage.
Section 6	Cultural Values Assessment: presents the results of the cultural values assessment identifying Aboriginal cultural values and landscapes.
Section 7	Significance assessment: provides a scientific significance assessment and a cultural significance assessment for the Project Area.
Section 8	Impact assessment: assesses potential impacts to Aboriginal objects and places as well as discussion of ecologically sustainable principles.
Section 9	Recommendations
Section 10	References

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**Figure 1-1: Location of the Project Area**

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Figure 1-2: Location of proposed development (Source: Alton Property Group)

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Figure 1-3: Building Envelope Plan L00 & L01 (Source: Alton Property Group)

## 2. Legislative context

### 2.1. State legislation

#### 2.1.1. *National Parks and Wildlife Act 1974 (NSW)*

The *National Parks and Wildlife Act 1974* (NSW) (NPW Act) provides statutory protection to all Aboriginal places and objects. An Aboriginal object is defined as:

*any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.*

The Minister declares an Aboriginal Place under section (s) 86 of the NPW Act. Aboriginal Places are recognised for their special significance to Aboriginal culture. Aboriginal Places gazetted under the NPW Act are listed on the State Heritage Register established under the *Heritage Act 1977* (NSW).

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declares Aboriginal places by establishing harm offences. Harm is defined to mean:

*destroying, defacing, damaging or moving an object from the land.*

The protection provided to Aboriginal objects applies regardless of their significance or issues of land tenure. Aboriginal objects and places are afforded statutory protection in that it is an offence to knowingly or unknowingly desecrate an Aboriginal object or place under section (s) 86 of the NPW Act.

In accordance with s 89A, any person aware of the location of an Aboriginal object must notify the Chief executive in the prescribed manner within a reasonable time of becoming aware of that object. The prescribed manner is through preparation and submission of an Aboriginal Site Recording Form (ASRF) to the Aboriginal Heritage Information Management System (AHIMS) (DECCW 2010a: 14).

In order to undertake a proposed activity which is likely to involve harm to an Aboriginal object or Aboriginal Place it is necessary to apply to Heritage NSW (Department of Planning and Environment) for an Aboriginal Heritage Impact Permit (AHIP). AHIPs are issued by the Aboriginal Heritage Regulation Team (Heritage NSW) under section 90 of the NPW Act and permit harm to certain Aboriginal objects

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and Aboriginal Places. It is intended that the Project will be assessed as SSD under Part 4, Division 4.7, s 4.41 of the *Environmental Planning & Assessment Act 1979* (NSW) (EP&A Act); therefore, an Aboriginal Heritage Impact Permit (AHIP) is not required.

## 2.1.1.1. The Hills Local Environmental Plan 2019

The EP&A Act requires councils to consider environmental effects when assessing new developments. Heritage is one of the matters for consideration. Sites of environmental heritage (including historic heritage sites and sometimes Aboriginal heritage sites) are protected by gazetted Local Environment Plans (LEP) and Development Control Plans (DCP) which specify the constraints on development in the vicinity of these sites unless being assessed under Part 5 of the EP&A Act (see below). The Hills LEP 2019 has provided a Schedule (Schedule 5) of Environmental Heritage which provides statutory protection for those items listed. There are two sites located adjacent to the Project Area on Schedule 5 of the Hills LEP:

- Local significance - Christadelphian Church, 245 Old Northern Road (ID: I62)
- Local significance – St Pauls Cemetery, 247 Old Northern Road (ID: I61)

## 2.1.2. *Environmental Planning & Assessment Act 1979* (NSW)

Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) specifies that any State environmental policy may declare any development to be SSD as can the Minister, by a Ministerial planning order. It is intended that the Project will be assessed as a SSD under Part 4, Division 4.7, s 4.41 of the *Environmental Planning & Assessment Act 1979* (NSW) (EP&A Act).

Under Part 4, Division 4.7, s 4.41 the following authorisations are not required for SSD that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such an authority do not apply):

- 1 (c) an approval under Part 4, or an excavation permit under s 139 of the *Heritage Act 1977* (NSW)
- 1 (d) an Aboriginal heritage impact permit under s 90 of the NPW Act
- 2 Division 8 of Part 6 of the *Heritage Act 1977* (NSW) does not apply to prevent or interfere with the carrying out of SSD that is authorised by a development consent granted after the commencement of this Division.

The *State Environmental Planning Policy (State and Regional Development) 2011* (NSW) (Part 2 (11)) also excludes the application of development control plans for SSD.

Under Part 5, Division 5.1 (environmental impact assessment) the determining authority cannot carry out an activity or grant approval for an activity that is likely to significantly affect the environment unless an environmental impact statement (EIS) is prepared. An EIS is being prepared for the Project.

### *2.1.3. Native Title Act 1994 (NSW)*

The *Native Title Act 1994 (NSW)* was introduced to work in conjunction with the *Native Title Act 1993 (Cth)*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act. A search of National Native Title Tribunal was undertaken on 19 August 2024. The search showed that Native Title does not exist across the Project Area.

### *2.1.4. Aboriginal Lands Right Act 1983 (NSW)*

Aboriginal Land Councils (at the State and local level were established by the *Aboriginal Land Rights Act 1983 (NSW)* (ALR Act). Aboriginal Land Councils have a statutory obligation under the ALR Act to:

- a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and
- b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

The Project Area is within the boundary of the Deerubbin LALC who have been consulted for this ACHAR.

## 2.2. Commonwealth legislation

### *2.2.1. Environment Protection and Biodiversity Conservation Act 1999 (Cth)*

The *Environment and Heritage Legislation Amendment Act (No. 1) 2003 (Cth)* amends the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) to include 'national heritage' as a matter of National Environmental Significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

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The *Australian Heritage Council Act 2003* (Cth) (AHC Act) establishes the Australian Heritage Council (AHC), an advisory body to the Minister for the Environment and Heritage and retains the Register of the National Estate (RNE).

The *Australian Heritage Council (Consequential and Transitional Provisions) Act 2003* (Cth) (Australian Heritage Council Act) repeals the *Australian Heritage Commission Act 1975* (Cth), amends various Acts as a consequence of this repeal and allows the transition to the current heritage system.

Together, the above three Acts provide protection for Australia's natural, Indigenous and non-Indigenous heritage. Features include:

- The NHL of places of national heritage significance.
- The CHL of heritage places owned or managed by the Commonwealth.
- The creation of the AHC, an independent expert body to advise the Minister on the listing and protection of heritage places.
- Continued management of the Register of the National Estate (RNE).

## 2.2.1.1. National Heritage List

The NHL is a list of places with outstanding heritage value to our nation, including places overseas. The heritage values of these places are so important that they are protected under the EPBC Act. This means that a person cannot take an action that has, will have, or is likely to have a significant impact on the national heritage values of a national heritage place without the approval of the Australian Government Minister for the Environment and Heritage. Not complying with this law is a criminal offence, and significant penalties exist.

## 2.2.1.2. Commonwealth Heritage List

The CHL is a list of places managed or owned by the Australian Government and not of relevance to this project.

## 2.2.1.3. Register of the National Estate

The RNE is an evolving record of Australia's natural, cultural and Aboriginal heritage places that are worth keeping for the future. The AHC compiles and maintains the RNE under the *Australian Heritage Council Act*. Places on the RNE that are in Commonwealth areas, or subject to actions by the Australian

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Government, are protected under the EPBC Act by the same provisions that protect Commonwealth heritage places (see above).

Following amendments to the Australian Heritage Council Act, the RNE was frozen on 19 February 2007, meaning no new places can be added or removed. From 2012, all references to the RNE were removed from the EPBC Act and the AHC Act. The RNE is now maintained on a non-statutory basis as a publicly available archive.

## *2.2.2. Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)*

Most State Aboriginal heritage databases provide protection for those sites with physical evidence. The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)* (ATSIHP Act) deals with Aboriginal cultural property in a wider sense. Such cultural property includes any places, objects and folklore that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'. In most cases, archaeological sites and objects registered under the State Act will also be Aboriginal places subject to the provisions of the ATSIHP Act.

There is no cut-off date, and the ATSIHP Act may apply to contemporary Aboriginal cultural property as well as ancient sites. Where there is conflict, the ATSIHP Act takes precedence over State cultural heritage legislation. The responsible Minister may make a declaration under Section 10 of the ATSIHP Act in situations where state or territory laws do not adequately protect heritage places.

## 3. Consultation

Everick Heritage has conducted the community consultation process in accordance with the Consultation Requirements (DECCW 2010b), Code of Practice (DECCW 2010a) and the Burra Charter 2013 (Australia ICOMOS 2013).

### 3.1. Aboriginal Cultural Heritage Consultation Requirements

The Consultation Requirements (DECCW 2010b) set out requirements for conducting the Aboriginal community consultation process. It requires that Proponents must notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal Objects and Places in the area of the proposed Project. Aboriginal Parties who register to participate in the cultural heritage assessment process were provided with further information about the proposed Project. In accordance with the minimum consultation standards provided by the DPI&E ACHCRP, a methodology must be prepared for conducting the Cultural Heritage Assessment. This methodology outlines the basic steps that need to be undertaken to determine the nature of the site's cultural heritage and the approaches required to manage that heritage.

#### 3.1.1. Stage 1 Notification of project proposal and registration of interest

The following organisations were contacted to request names of Aboriginal people or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the Project Area or nearby as a part of Stage 1 (4.1.2) (Appendix A – Consultation Documentation; Appendix B – Consultation Log):

- Deerubbin LALC
- The Registrar, *Aboriginal Land Rights Act 1983* (NSW),
- National Native Title Tribunal,
- NTSCORP
- The Hills Shire Council
- Greater Sydney Local Land Services
- Aboriginal Heritage Regulation Team, Heritage NSW

In accordance with Stage 1(4.1.3) of the Consultation Requirements, letters and emails were sent to all Aboriginal people and organisations identified through the response by the agencies contacted as part of Stage 1 (4.1.2), primarily Heritage NSW. These letters and emails provided details about the location and nature of the project and invited those interested to register.

In accordance with Stage 1 (4.1.3) of the Consultation Requirements, an advertisement was placed in the Buy Search Sell website on 27 August 2024 seeking to consult with Aboriginal persons regarding the project and who hold cultural knowledge of the region to register their interest by 10 September 2024 (Appendix B).

Table 3-1 provides a list of registered Aboriginal parties. In accordance with Step 4.1.6 of the Consultation Requirements, a list of the Registered Aboriginal Parties (RAPs) and a copy of the advertisement (Step 4.1.3) were forwarded to Heritage NSW and Deerubbin LALC. Deerubbin Local Aboriginal Land Council did not explicitly register for the Project but were included in all consultation for the Project as a formality. One late registration of interest was received by Leanne Redpath on behalf of Dharug Custodian Aboriginal Corporation on 2 October 2024.

**Table 3-1: Registered Aboriginal parties**

Organisation	First name	Surname
Corroborree Aboriginal Corporation	Marilyn	Carroll-Johnson
Deerubbin Local Aboriginal Land Council	Kevin	Cavanagh
Dharug Custodian Aboriginal Corporation	Leanne	Watson Redpath

### 3.1.2. Stage 2 – Presentation of information about the proposed project and Stage 3 – Gathering information about cultural significance

A copy of the ACHA methodology was provided to the RAPs on the 18 September 2024 with a final comment date provided of the 16 October 2024. Due to the late registration, the ACHA methodology was provided to Dharug Custodian Aboriginal Corporation on the 2 October 2024 on the day of their registration. In addition to the presentation of information about the proposed project in the form the ACHA, all RAPs were also requested to provide any cultural knowledge they may have in relation to the Project Area. No comments were received in relation to the ACHA methodology or the cultural significance of the Project Area.

### 3.1.3. Stage 4 – Review of draft cultural heritage assessment report

A draft copy of the ACHAR was provided to the RAPs on the 1 November 2024 requesting final comments by 29 November 2024. No comments were received during this review period. A final copy of the ACHAR was provided to the RAPs on 4 December 2024.

## 4. Environmental context

### 4.1. Geomorphology and soils

The Project Area falls within the wider Cumberland Plain, which extends from Windsor in the north to Picton in the south and is located within the Sydney Basin. The region around Castle Hill is sometimes referred to as the Cumberland Lowlands and consists of low-lying undulating plains and gently rolling hills.

The Project Area is entirely situated within the Glenorie soil landscape (DCCEEW 2024), comprising shallow to moderately deep soils (under 1 m) on crests, moderately deep soils (0.7-1.5 m) on the upper slopes, and deep yellow and greyed soils along drainage lines. These deep and moderately deep soils have the potential to preserve subsurface artefacts despite surface disturbance.

The Project Area sits upon the Wianamatta Group of Ashfield Shale and Bringelly Shale formations. The Ashfield Shale consists of laminite and dark grey shale, while the Bringelly Shale comprises shale, calcareous claystone, laminate, and fine to medium-grained lithic-quartz sandstone (Chapman and Murphy 1989: 66). The Wianamatta Group shales are not known to have specific Aboriginal potential.

### 4.2. Vegetation

Extensively cleared tall open forest (dry sclerophyll forest) dominates the soil landscape. (Benson 1981 cited in DCCEEW 2024). Such a vegetation community would have provided a variety of edible plant species and plants suitable for resource subsistence. For example, the tall Grey Box and Red Gum's would have provided bark to make coolamons, shields or canoes, while the leaves from the Lomandra could have been used for weaving baskets. Eucalyptus flowers rich in nectar and acacia seeds rich in protein, with bark having medicinal applications, may also have been utilised by Aboriginal people (Low 1989 and Baker et al 1986: 136 cited in Comber Consultants 2021: 12). In addition, Cumberland Plain vegetation provided habitat for a variety of marsupials and birds whilst creeks would have provided fish, yabbies and eels. Today, the Cumberland Woodland has been extensively cleared, with only small communities remaining in protected areas. It is not expected that any mature native vegetation will remain within the Project Area.

## 4.3. Hydrology

The availability of water has significant implications for the range of resources available and the suitability of an area for human occupation. The creek closest to the Project Area, which has been the most significant based on past archaeological investigations in the area is Cattai Creek, 2.5 km to the west of the Project Area. There is an unnamed first-order tributary of Cattai Creek located 300 m southeast of the Project Area (Figure 4-1).

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Figure 4-1: Soil landscapes, Hydrology and Topography of the Project Area

## 4.4. Land use history

The first Europeans to settle in The Hills Area were members of an expedition led by Governor Phillip from Parramatta in April 1791. The group was searching for a new area for settlement and farming to support what was then a struggling colony in Sydney. The Castle Hill area has been selected as a Government Farm settlement for convicts.

In 1794, William Joyce, a pardoned convict, was granted the first parcel of land in Baulkham Hills and others began to follow, stocking their land with cattle and sheep and clearing bushland to plant crops of wheat and maize. The Hills District began to thrive with more settlers moving to the area and establishing viable farms (The Hills Shire Council 2008).

In 1801 a Government Farm was designated in the Castle Hill area between Castle Hill and Maroota. 50 convicts were organised by Governor King to clear the land for farming. However only a small portion of the land was cultivated and after 1810 it was abandoned as a Government Farm. Subsequently the convict barracks were converted into a lunatic asylum. Initially the lunatic asylum held 'deranged convicts' but later free citizens were also admitted. The asylum remained in operation until 1826 (Neil 1989).

The entire Project Area was part of a section of 100 acres of crown land granted to Andrew McDougall and Family. Andrew was born in Roxburgh, Scotland on the 9th of June 1759 to Thomas McDougall (1736-1792) and Elizabeth Taylor (1743-1816). Andrew was a chairmaker by trade and was chosen by Lt. Governor Philip Gidley King to migrate to the colony of NSW with John Smith and John Bowman and their families to build corn mills. They boarded the 'Barwell' on Tuesday, 12th September 1797 at Long Beach on the River Thames under John Cameron and arrived at Port Jackson on Friday, 18th May 1798 (*Andrew and Elizabeth McDougall : Immigration Place, 2024*).

In the early twentieth century (Figure 4-2) a rail line was established between Castle Hill and Parramatta, with 3.6km of track laid from Baulkham Hills connecting to Parramatta. The train line was used by pupils attending to Parramatta High School, with the line carrying a million passengers in 1922. The line was subsequently removed in the 1950s (Rowland 1970).

Historical imagery of the Project Area shows the development of the Castle Hill residential and commercial precincts. In the 1965 imagery, residential buildings along Cecil Ave can be seen and commercial buildings to the north of the Project Area (Figure 4-3). Further residential dwellings appear to have been constructed on the Project Area between the years 1977 and 1986 (Figure 4-4). This residential block appears to increase in density over time. The suburb of Castle Hill appears to have

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steadily grown in size and density between 1965 and 1986 (Figure 4-3 and Figure 4-5). Based on the historic aerial photographs, it has been assessed that the Project Area has been heavily disturbed.



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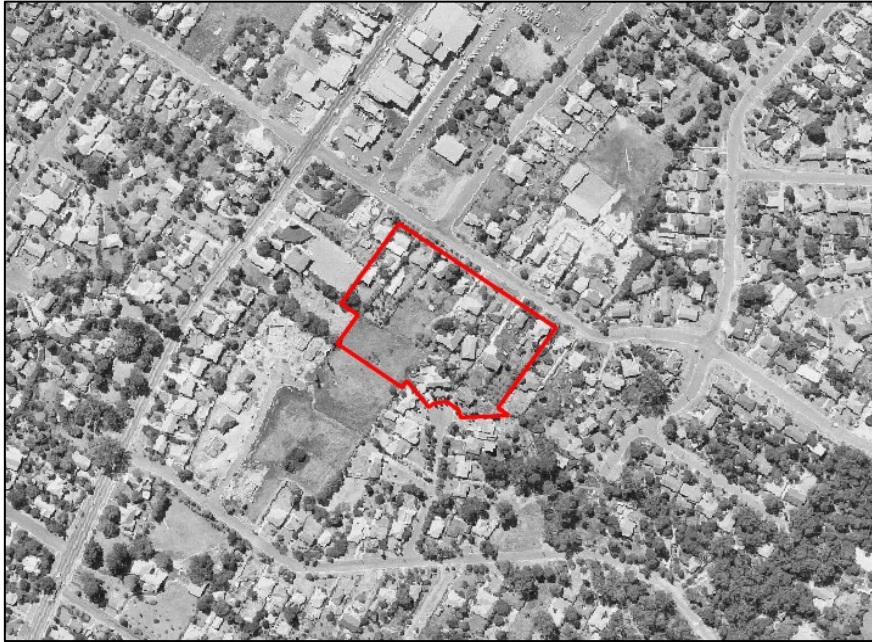


Figure 4-4: 1977 historical aerial, the approximate boundary of the Project Area is outlined in red.  
(Source: NSW Spatial Services)



Figure 4-5: 1986 historical aerial, the approximate boundary of the Project Area is outlined in red.  
(Source: NSW Spatial Services)

## 5. Ethnohistoric and archaeological context

### 5.1. Ethnohistoric context

Clans based on patrilineal or matrilineal descent were the basic unit of pre-colonial Aboriginal society. These clans had defined territories and ritual and economic responsibilities to each other and within their own systems. Clusters of neighbouring clans, which shared a common dialect and political and economic interest distinguished themselves from other clusters by use of a language name (Barwick 1984; Tindale 1974).

The area of Castle Hill and its surrounds became a desirable location for European settlers in the Nineteenth Century as this was one of the few regions in the area suitable for successful farming, as had been demonstrated previously at nearby Rose Hill, Parramatta (Heritage Study of Penrith 2007). As a result of this movement of settlers to the region, many of the Indigenous people of this area were assimilated into the new resident population or pushed to the fringes of society, damaging cultural continuity and access to lands that form such an important part of local customs. As a result, language and culture suffered, though aboriginal people of the area were resilient and maintained language and traditions in spite of this. During early exploration of the countryside, the first British colonists recorded differences in language and dialect of the Aboriginal people they encountered but this was neither systematic nor comprehensive (Attenbrow 2010: 8). It was not until the late 1800s that more rigorous and systematic attempts were made to record languages spoken in the Sydney Basin and surrounding regions but by this time Aboriginal society had already been disrupted and displaced through disease, warfare, and possession of traditional lands. It is understood that the Darug (Dharug or Dharruk) language group inhabited the area bounded by Port Jackson and Botany Bay in the east, the Georges River to the south and southwest, the Hawkesbury River in the northwest and as far west as the Blue Mountains. Three distinct dialects were noted in relation to the coastal (sometimes referred to as Eora), the hinterland (plains) and the mountains. The Castle Hill area would have been located within the hinterland region.

The location of the clan territory determined the resource base which was available to be exploited. The Hawkesbury and Nepean Rivers were a major resource and occupation focus for Aboriginal people. Yams were grown along the rich alluvial floodplain and formed an important staple for the Darug and Darkinjung people. The men hunted and fished while the woman gathered fruits and dug up yams and fern roots. When women gathered the yams, they often broke off the top part and reburied it, to ensure it would be there again the following year (Environmental Management Group Australia [EMGA] 2011:

11). Fire was regularly used as a land management tool. Regular low-intensity burning of the open woodlands across the Cumberland Plain maintained an environment particularly suitable for edible plant species. Fire-breaks were burnt near the margins of the rivers and creeks to ensure that the rich resources associated with the riverbanks were not lost due to the wildfires (EMGA 2011: 11). In the same way, new grass growing after a fire would attract wallabies, kangaroos and other herbivorous animals. Fires were also used for driving kangaroos and wallabies to be speared for food in what was known as 'walbunga' or wallaby kill.

## 5.2. Archaeological context

### 5.2.1. Regional context

The Cumberland Plain region of Western Sydney is one of the most studied regions in urban Australia, and there are over seven thousand sites registered with AHIMS in the region. Over half of the sites are artefact sites (artefact scatters or isolated finds), with Potential Archaeological Deposits (PAD) as the next most common feature. Axe grinding grooves are the next most common feature, followed by other undefined site types, including quarries, non-human bone, and shell (AHIMS 2015: 27).

In 1986, Kohen undertook a large-scale regional archaeological study of the Cumberland Plain and found that proximity to water was one of the defining factors in the location and density of surface artefact finds. The study demonstrated that proximity to water was important in site patterning. He recorded over 50 sites in western Sydney, including open artefact scatters, axe grinding grooves and rock shelters. More than 65 per cent of artefact scatters were located within 100 m of permanent fresh water, and only eight per cent of sites were greater than 500 m from a water source. Kohen also found that silcrete and chert are the most common raw materials used to manufacture stone artefacts. Other raw materials include quartz, basalt and quartzite. The distribution of raw materials associated with the manufacturer of stone tools suggests that chert and basalt were carried or traded east from the river gravels and that silcrete was traded or carried from sources near South Creek and Eastern Creek, west towards the Nepean Flood Plain (Kohen 1997: 7 cited in Comber 2021: 13).

Kohen's review of the ethnohistorical and environmental information suggested that the western Sydney Darug peoples moved with the seasons and were attracted to the alluvial floodplains of the Hawkesbury and Nepean Rivers.

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White and McDonald (2010) produced a predictive model which has been the base of much of the subsequent archaeological research in the Cumberland Plain. The model can broadly be summarised as follows:

*Topographic and stream order variables correlate with artefact density and distribution. High artefact density concentrations may have resulted from large number of artefact discard activities and/or from intensive stone flaking. Highest artefact densities occur on terraces and lower slopes associated with 4th and 2nd order streams, especially 50–100 metres from 4th order streams. Upper slopes have sparse discontinuous artefact distributions but artefacts are still found in these landscape settings (White and McDonald 2010)*

## 5.2.2. Local context

Previous assessments are shown in context to the Project Area in Figure 5-1.

5.2.2.1. 23A, 25, 27 and 29 Fairway Drive, Kellyville. Aboriginal Cultural Heritage Assessment & Test Excavation Report (Kelleher Nightingale 2017)

An Aboriginal Heritage Assessment and Test Excavation Report was prepared for 23A-29 Fairway Drive Kellyville by Kelleher Nightingale (2017) on behalf of Capital Fairway View Pty Ltd. The study area is approximately 4 km northwest of the Project Area.

KNC conducted test excavation of 23A, 25, 27 and 29 Fairway Drive, Kellyville. A due diligence assessment completed for the project identified four areas of PAD across the study area associated with the nature of the site and the proximity to Strangers Creek. Test excavation was undertaken in the four areas previously identified as PAD. PAD 1 was located on a gentle slope approximately 130 m west of Strangers Creek. PADs 2-4 were located on raised, relatively flat areas adjacent to Strangers Creek.

Artefacts were recovered from five of the 20 test squares. The Artefact distribution was characterised by a low-density deposit with localised high-density concentrations adjacent to Strangers Creek.

The artefacts recovered from the western side of the creek were limited to a gravel pathway and assessed as being imported during the establishment of the gravel track. The artefact scatter was considered to exhibit no archaeological potential.

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The test excavation results on the creek's eastern side indicated that the recovered artefacts were representative of an intact archaeological deposit. The artefacts recovered included three sets of conjoining artefacts, which were considered to indicate that the site was subject to limited horizontal movement. The geographic extent of the site was identified as the raised area adjacent to the creek bank, which does not extend within the current study area.

## 5.2.2.2. Showground Station Precinct, Castle Hill. Aboriginal Cultural Heritage Assessment (GML 2015)

SJB Planning engaged GML Heritage on behalf of the NSW Department of Planning and Environment to prepare an Aboriginal Heritage Assessment report for the proposed Showground Station Precinct. The study area is approximately 1.7 km northwest of the Project Area. A desktop assessment was completed with the results presented below:

Based on previous assessments and preliminary research, the following predictive statements were developed;

- Average artefact densities are highest within 100 m of a creek. Between 100 m and 200 m from the creek, higher artefact densities are generally found in clusters associated with discreet knapping floors (stone tool manufacture sites) amidst much lower density background artefact scatter.
- Grinding grooves can be found on landforms associated with the creek.
- Based on the highest artefact and site densities, lower to mid-slope landforms approximately 200 m from the creek with a northerly and northeasterly aspect were preferred occupation locations for Aboriginal people.
- Artefact densities decline with distances over 200 m from the creek, and in all low-lying areas adjacent to the creek, there are generally only low average artefact densities.
- Most stone artefacts are made from silcrete.
- Some sites can show specialisation, and the variety of activities undertaken between adjacent sites is apparent.

The desktop report identified that the Precinct contains one known Aboriginal site and another on the Precinct boundary. Eighteen Aboriginal sites are registered within 1 km of the study area. Based on previous investigations, including a search of the NSW Aboriginal Heritage Information Management System (AHIMS) and an analysis of the local environment, it was determined that the Precinct could contain unrecorded Aboriginal heritage sites. It is most likely that such sites will be open campsites,

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artefact concentrations, and/or isolated finds. These may be found anywhere within the Precinct as part of the typical Aboriginal archaeological signature present on the Cumberland Plain, often concentrated on slightly sloping to level ground, usually within 100 to 200 m of a watercourse.

The results of field surveys and test excavations in these previous study areas show that the likelihood of previously unknown sites being disturbed by proposed works is extremely low. This is due to the nature and extent of these disturbances in the topsoil levels. Locations disturbed through ground excavation works are unlikely to have any intact Aboriginal archaeological deposits.

### 5.2.2.3. Area 20 Precinct, Castle Hill. Aboriginal Cultural Heritage Assessment (Kelleher Nightingale 2010)

Kelleher Nightingale was engaged to undertake an Aboriginal Cultural Heritage Assessment on behalf of the NSW Department of Planning for the Area 20 precinct 1.8 km west of the Project Area. Based on previous assessments and preliminary research, Kelleher Nightingale developed the following predictive statements:

- Surface and subsurface stone artefacts occur at variable areal incidences in all landform types.
- Site frequency, artefact density, and diversity are strongly related to landscape variables determining access to fresh water and other exploitable resources.
- Low surface artefact incidences may not reflect the composition or density of subsurface archaeological deposits.
- Archaeological material may remain below the topsoil (surface 250 mm of soil).
- Artefact distributions will most likely be situated on locally elevated, well-drained ground.

A survey was undertaken of the Area 20 Precinct, comprised of 101 lots. Of those 101 Lots, 74 were accessible for the site inspection. In general, survey coverage was good. Substantial amounts of the study area were covered by either dense grass or regrowth woodland, leaving surface visibility generally low. Surface exposures were largely identified in areas of surface impact, such as earthworks, heavy machinery operations, erosion scours, and other areas of cleared vegetation. Depending on previous land uses within individual Lots, there was a relatively high degree of disturbance across the study area. The survey results include:

- 19 newly recorded Aboriginal archaeological sites within the precinct;
- Eight newly recorded PADs within the precinct, and
- revised conditions and boundaries for a number of the previously recorded sites and PADs

- The lower slope landform possessed 29 surface artefacts, most made of silcrete. The mid slopes contained five isolated silcrete artefact sites. The ridge crest contained two scatters and one isolated find—seven silcrete artefacts—while the creek flat had a scatter of five silcrete artefacts and one isolated quartz artefact.
- The surfaces of the lower slopes presented with a greater site and artefact density.

The predictive model supports the results of the survey where the majority of artefacts were found in proximity to water on elevated well drained ground.

## 5.3. Database searches

### 5.3.1. Aboriginal Heritage Information Management System

When using the Aboriginal Heritage Information Management System (AHIMS) database to reach conclusions about site prevalence or distribution, caution should be taken. For example, a lack of sites in a given area should not be seen as evidence that Aboriginal people did not occupy the area. It may simply indicate that it has not been surveyed for cultural heritage or that the surveys were undertaken in areas of poor surface visibility. Further to this, care needs to be taken when looking at the classification of sites. For example, the decision to classify a site as an artefact scatter containing shell rather than a midden can be a highly subjective exercise, the threshold for which may vary between archaeologists. It is also important to note that the nature and location of Aboriginal sites can be culturally sensitive information and should only be made publicly available with the consent of the Aboriginal community.

An extensive search of the Heritage NSW AHIMS was conducted on 19 August 2024 for the Project Area and its surrounds (ID: 920939), which returned 113 Aboriginal site listings. The nearest of these sites is located approximately 1.8 km south-southwest of the Project Area (Figure 5-2).

Heritage NSW lists 20 standard site features that can describe a site registration with AHIMS, and more than one feature can be used for each site. Several site feature categories were recorded for the 113 sites within the search area. Details of the occurrence of site features are provided in Table 5-1.

The most common designation for site features was 'Artefact' and Art (Pigment or Engraved). The predominance of this type of evidence is likely to be related to several factors:

- The production of a large number of items (both tools and waste) in the production, maintenance and use of flaked stone artefacts

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- The permanent nature of the material
- Proximity to permanent watercourses
- The destruction of other types of evidence through natural processes such as decomposition and post-colonisation land-use practices such as vegetation clearance and earthworks.

The distribution of registered sites is shown in Figure 5-2. Though there are several sites in the surrounding suburbs, Kellyville and Bella Vista, there are no sites within one kilometre of the Project Area. Many registered sites are located close to the Parramatta River, Cattai Creek and the many low-order creeks that feed into the river and surrounding lagoons. This is likely partly the result of Aboriginal land use, indicating a preference for repeated and/or long-term occupation of areas close to water and associated resources, but also results from patterns of development and land use following colonisation.

**Table 5-1: Frequency of site features within the search area.**

Site feature	Number	Percentage
Artefact	58	51.33
Art (Pigment or Engraved)	16	14.16
Grinding Groove	8	7.08
Potential Archaeological Deposit (PAD)	7	6.19
Artefact, Potential Archaeological Deposit (PAD)	5	4.42
Artefact, Art (Pigment or Engraved)	5	4.42
Aboriginal Resource Gathering	3	2.65
Artefact, Grinding Groove	3	2.65
Modified Tree (Carved or Scarred)	2	1.77
Art (Pigment or Engraved), Grinding Groove	2	1.77
Non-Human Bone and Organic Material, Potential Archaeological Deposit (PAD), Shell	1	0.88

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Site feature	Number	Percentage
Artefact, Hearth	1	0.88
Art (Pigment or Engraved), Artefact	1	0.88
<b>Total</b>	<b>113</b>	<b>100</b>

## 5.4. Other database searches

The following heritage registers were accessed on the 26 August 2024:

- ATSIHP. No declared places were identified within or adjacent to the Project Area.
- AHIP Public Register. A search of the current AHIP register has confirmed that no AHIPS cover the Project Area.
- World Heritage List (Australian Heritage Council/ UNESCO). No listed Aboriginal sites or objects.
- The National Heritage List (Australian Heritage Council). No listed Aboriginal sites or objects.
- Commonwealth Heritage List (Australian Heritage Council). No listed Aboriginal sites or objects.
- Register of the National Estate (Australian Heritage Council) The Register of the National Estate (RNE) is a non-statutory list retained as an archive of the previous listing process. No listed Aboriginal sites or objects.
- The State Heritage Register (NSW Heritage Office). No listed Aboriginal Places.
- The State Environmental Planning Policy (Precincts – Central River City) 2021 records no heritage items within the vicinity of the Project Area.
- The Hills LEP (2019):
  - Local significance - Christadelphian Church, 245 Old Northern Road (The Hills Shire LEP ID:162), located 40m west of the Project Area.
  - Local significance – St Pauls Cemetery, 247 Old Northern Road (The Hills Shire LEP ID:161), located to the west adjacent to the Project Area.

The LEP identifies both items as being locally significant, however no significance assessment is provided on the State Heritage Inventory. Therefore, it is unknown whether either heritage item has Aboriginal significance.

## 5.5. Summary and predictive model

The Project Area is situated on the Lowlands of the Cumberland Plain. Predictive models of site distribution and density on the Cumberland Plain highlight the relationship between proximity to freshwater and landscape with patterns of Aboriginal occupation. Additionally, Heritage NSW advises that Aboriginal objects will likely be present within 200 m of water where historical ground disturbance has not impacted their survival (DECCW 2010a: 12).

The general predictive model for the Cumberland Plain indicates that stream order and proximity to water sources are the primary determinants of the complexity of archaeological sites. The proximity to higher-order streams determines the number of sites within an area and their relative density. Artefact sites with high densities (>100 artefacts per site) are more likely to be associated with large permanent watercourses, such as the Nepean and Parramatta Rivers. Lower-density scatters, or artefacts redeposited by erosion and water discharge, may be reburied in fluvial sediments.

Although high-density sites typically occur on landforms associated with major water sources, low-density artefact sites can occur across almost all landforms within this soil landscape and even in disturbed contexts. Where found, artefact sites may predominantly comprise silcrete and chert, typically located in low-lying areas adjacent to the creeks.

Based on previous investigations in the Castle Hill Area, the predictive models align with the general Cumberland Plain predictive model, which states that Aboriginal sites are more likely to be found within 100 m of a creek or permanent watercourse, as well as on floodplains and elevated banks. The nearest permanent watercourse is Cattai Creek, located 2.5 km northeast of the Project Area on an alluvial floodplain. For these reasons, the Project Area is assessed as having low archaeological sensitivity.

Desktop research indicates that the Project Area is highly developed, with 18 residential lots with buildings and associated infrastructure located within the areas of proposed works. It is expected that the construction of these features has almost certainly resulted in significant ground disturbance, impacting any potential archaeological deposits within their footprint. Consequently, the Project Area is considered to have low archaeological potential.

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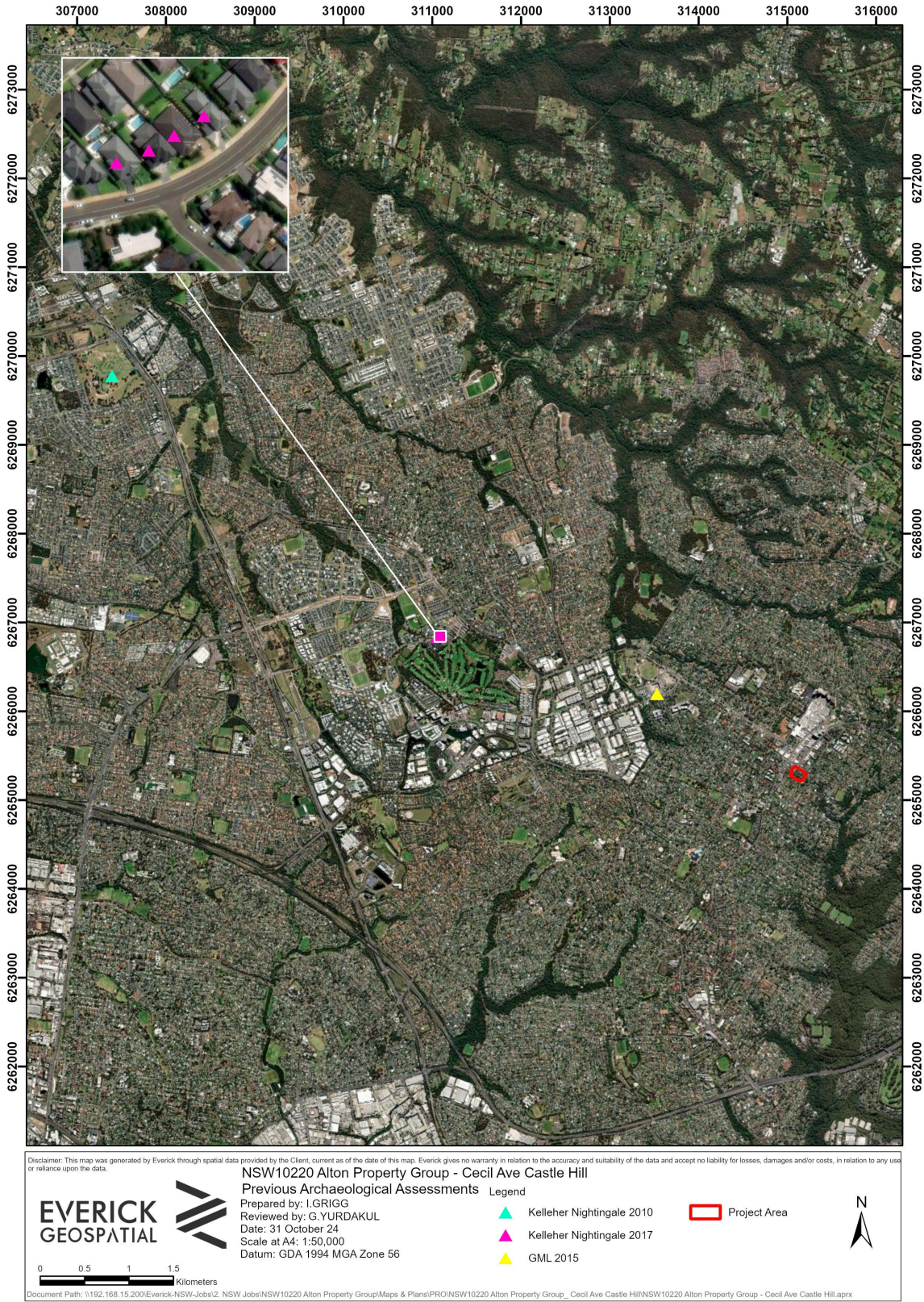


Figure 5-1: Previous assessments in the vicinity of the Project Area

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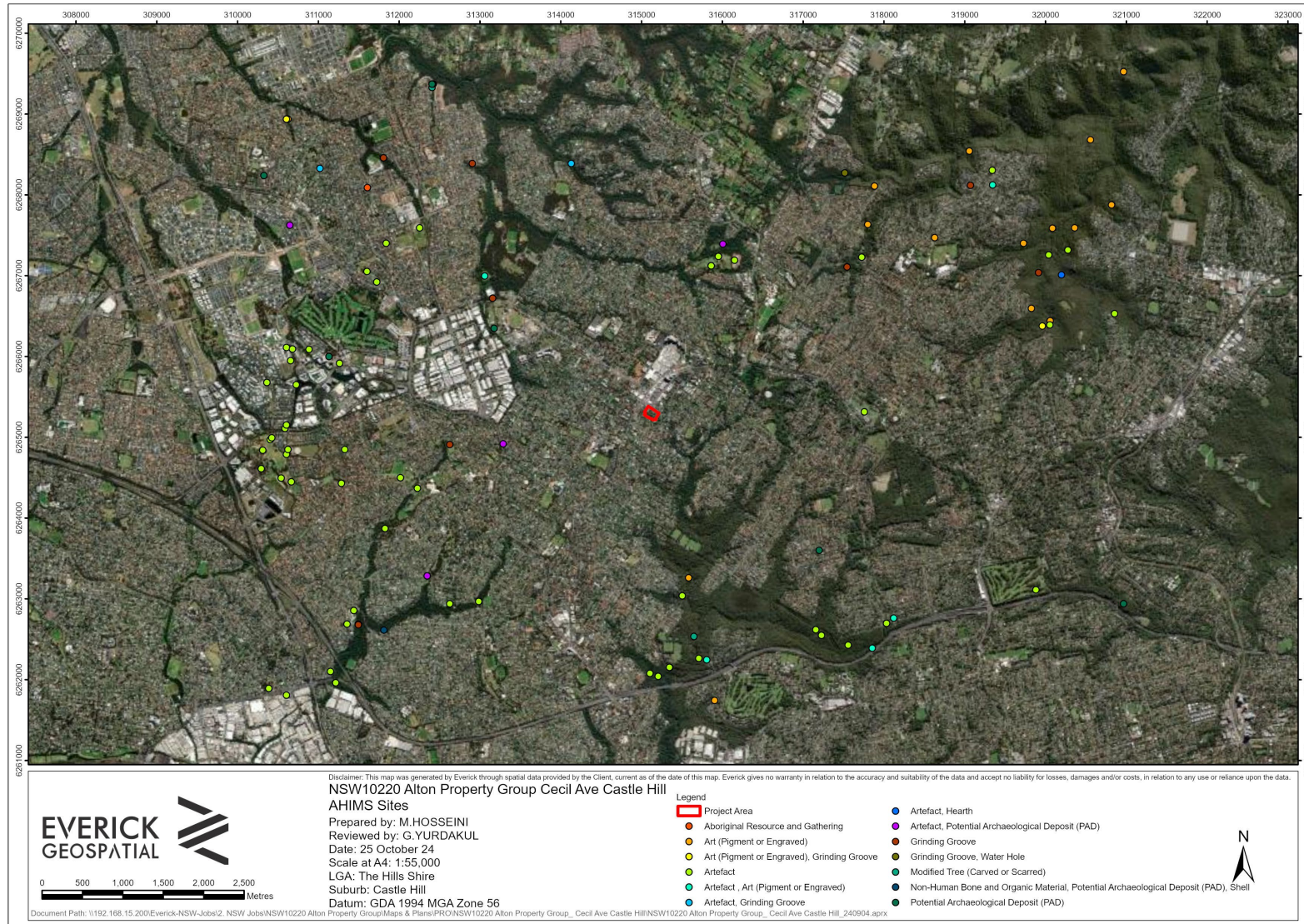


Figure 5-2: AHIMS search results

## 6. Archaeological survey

An archaeological survey was conducted on 15 October 2024 by Andrew Jenkins (Archaeologist, Everick Heritage). Deerubbin LALC and Leanne Watson Redpath were invited to attend the survey but ultimately did not attend.

A survey of the Project Area confirmed the findings of the desktop assessment, which found that the majority of the area has been heavily impacted by prior residential development and subsequent demolition. No Aboriginal sites, potential archaeological deposits (PADs), or archaeologically sensitive landforms were identified during the survey. Further details can be found in Appendix C – ATR.

### 6.1. Survey coverage

The Project Area totals approximately 17,623.6 square metres. The total coverage of the Project Area was estimated to be forty per cent. However, it is worth noting that concrete pads and buildings occupy fifty per cent of the Project area, bringing survey coverage to a minimum of ninety per cent of the Project Area. Vegetation cover across the Project Area was generally high apart from areas covered by brick or concrete and in areas of high ground disturbance along storm water drains. Given the low ground surface visibility (GSV) and exposure, around 1 per cent of the surveyed portion of the Project Area was estimated to be effectively covered. Table 6-1, Table 6-2 and Figure 6-1 provide the details of survey coverage.

**Table 6-1: Survey coverage**

Survey Unit	Landform	Survey Unit area (m <sup>2</sup> )	Exposure (%)	Visibility (%)	Effective coverage in m <sup>2</sup>	Effective coverage in %	New sites/PADs located
Survey Unit 1	Gentle Slope	17,623.6	10	10	176.2	1	N/A

**Table 6-2: Landform Summary – Sampled Areas**

Landform	Landform area (sq m)	Area effectively surveyed (sq m) (= effective coverage area)	% of landform effectively surveyed (= area effectively surveyed / landform area x 100)	Number of sites	Number of artefacts or features
Gentle Slope	17,623.6	7030.24	40%	0	0

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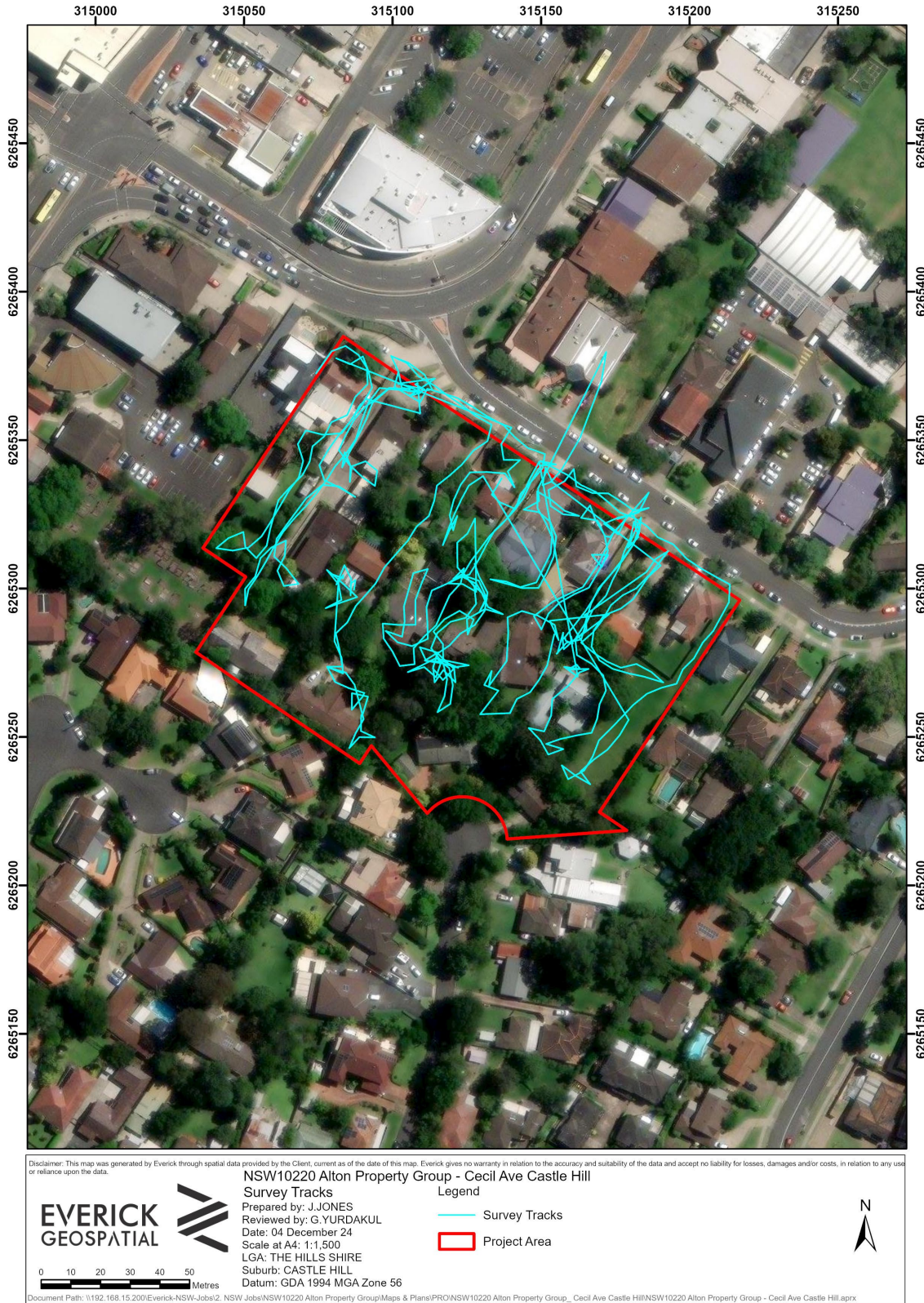


Figure 6-1: Results of archaeological survey

## 6.2. Summary of survey results

A survey of the Project Area confirmed the findings of the desktop assessment, which found that the majority of the area has been heavily impacted by prior residential development and subsequent demolition. No Aboriginal sites, potential archaeological deposits (PADs), or archaeologically sensitive landforms were identified during the survey.

The Project Area is predominantly positioned on a gentle slope with a southerly aspect. The site comprises a cleared surface that was repeatedly levelled at all instances of house lots. These are consistently held in place with retaining walls made of wood, indicating that the original surface has been subject to earthworks or infill (Figure 6-2; Plate A)

Additionally, a number of driveways are filled with foreign material (Figure 6-2; Plate B). Pieces of terra cotta pipe, metalised stone, concrete blocks, plastic and other construction materials were commonly identified on the ground surface, indicating a high degree of ground disturbance within the area (Figure 6-2; Plate C).

In summary, the survey results indicate that the Project Area has been subject to substantial ground disturbance relating to the demolition of residential buildings and vegetation clearing and that all existing vegetation is non-cultural. Additionally, redeposited soil and demolition waste from previous construction and water management activities on site has likely been deposited across all sections of the Project Area. The site inspection identified no Aboriginal sites or potentially archaeologically sensitive landforms. A full overview of the archaeological survey is provided within Appendix C.



**Figure 6-2: Example photographs of the archaeological survey depicting instances of ground surface disturbance.**

## 7. Cultural values assessment

### 7.1. Cultural landscapes

Cultural landscapes are defined as:

*A place or area valued by an Aboriginal group (or groups) because of their long and complex relationship with that land. It expresses their unity with the natural and spiritual environment. It embodies their traditional knowledge of spirits, places, land uses, and ecology. (US/ICOMOS 1996 in Andrews et al. 2006).*

Andrews et al. (2006) suggest guiding principles for evaluating Aboriginal cultural landscapes.

- The long-associated Aboriginal group, or groups, have participated in identifying the place and its significance through the consultation process. This principle ensures that Aboriginal peoples will be consulted, involved and participate in identifying frameworks and sites.
- Spiritual, cultural, economic, social and environmental aspects of the group's long attachment with the identified place, including continuity of use and traditions, social and kinship relationships, intimate knowledge of the area, and spiritual affiliations, illustrate its cultural value.
- The identified place's interrelated cultural and natural attributes make it a valued cultural landscape. Recognising the integrated nature of Aboriginal relationship to place, including the inseparability of cultural and natural values. Tangible evidence may be largely absent, with the attributes primarily in oral and spiritual traditions and activities related to the place. However, tangible attributes could include natural resources, archaeological sites, burials/graves, material culture, and written or oral records.
- This guiding principle also recognises natural components such as ecosystem, climate, geology, topography, water, soils, views, and dominant and culturally significant fauna and flora in the context of the associated Aboriginal people's relationship to the place.
- The cultural and natural attributes that embody the significance of the place are identified through traditional knowledge of the associated Aboriginal group(s), including traditional environmental knowledge, narratives, place names, language, traditional uses, rituals, and behaviour related to the identified place. It recognises that some knowledge cannot be shared, but available knowledge must be sufficient to demonstrate the significance of the place in the culture of the associated group.

- Academic studies, such as histories, including oral history and ethnohistory, archaeology, anthropology, and environmental sciences, may help us understand the cultural and natural attributes that embody the place's significance.

Aboriginal cultural knowledge was traditionally bequeathed through oral traditions from generation to generation. Within all Aboriginal communities, there was a time of dislocation and upheaval associated with the arrival of colonial settlers. This widespread disruption resulted in much of the detailed knowledge and understanding of many of the elements of the cultural landscape being lost from the Aboriginal community; nonetheless, many Aboriginal people maintain a strong connection to the land of their ancestors and collectively possess a wealth of knowledge passed down through the generations.

## 7.2. Methodology

This report's cultural assessment includes information collected through research and consultation during the survey and the consultation period for the RAP review. No comments were provided during the consultation for the Project.

## 7.3. Identified Aboriginal cultural heritage values

Aboriginal people have a deep and rich connection to Country, this may take the form of intangible cultural values, however no specific cultural values have been identified associated with the Project Area. Despite this Aboriginal people have, and continue, to live throughout the local area, and recognise the general cultural significance of Country as a whole. The Project Area has been identified as significantly disturbed due to extensive alterations from prior residential development and demolition activities. The area is not in proximity to any watercourses or landscapes that would typically indicate higher potential for Aboriginal cultural heritage values. As such, the likelihood of encountering Aboriginal sites or objects within the Project Area is low. Nonetheless, engaging with the Registered Aboriginal Party (RAP) representatives during the review stage is necessary to gather their insights and traditional knowledge, which may contribute to a more comprehensive understanding of the Project Area's cultural significance.

## 8. Significance assessment

### 8.1. Significance assessment criteria

An assessment of the cultural heritage significance of an item or place is required to form the basis of its management. The Guide (OEH 2011: 10) provides guidelines for the identification and assessment of cultural significance assessment with reference to the Burra Charter (Australia ICOMOS 2013) and the NSW Heritage Office guidelines (2001):

- Social values – does the area have a strong or special association with a particular community or cultural group for social, cultural, or spiritual reasons?
- Historic values – is the area important to the cultural or natural history of the local area and/or region and/or state?
- Scientific values - does the area have the potential to yield information that will contribute to understanding the cultural and natural history of the local area and/or region and/or state?
- Aesthetic values – is the area important in demonstrating aesthetic characteristics in the local and/or region and/or state?

Scientific values should be further considered in light of the following criteria (OEH 2011: 10) and rated low, moderate or high:

- Research potential - does the evidence suggest any potential to contribute to understanding the area and/or region and/or state's natural and cultural history?
- Representativeness - how much variability (outside and/or inside the subject area) exists, what is already conserved, and how much connectivity is there?
- Rarity - is the subject area important in demonstrating a distinctive way of life, custom, process, land use, function, or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential - does the subject area contain teaching sites or sites with teaching potential?

## 8.2. Scientific significance assessment

No Aboriginal objects or places have been identified within the Project Area, which has been assessed as having low archaeological potential and sensitivity and is of no scientific significance.

## 8.3. Social significance assessment

Despite conducting consultations and surveys, including outreach to RAPs, no direct feedback indicates that the Project Area holds particular social or cultural values. However, this absence of direct input does not negate the potential significance of the site, especially when considered within the broader cultural context. The Castle Hill area is situated within a region recognised for its cultural importance to Aboriginal people, particularly due to its historical ties to traditional land use and the surrounding landscape.

A fundamental aspect of Aboriginal heritage is the concept of the 'cultural landscape,' which encompasses the interconnectedness of land, natural resources, and places of historical and spiritual significance. This notion underscores the cultural values inherent in the broader region, even when specific sites do not have documented social or cultural recognition.

Although the AHIMS search did not reveal any registered Aboriginal sites within the immediate vicinity of the Project Area, the historical context suggests that Aboriginal communities once used the region. The absence of identified heritage sites does not diminish the potential for underlying social and cultural significance related to the area's broader landscape.

Ongoing engagement with the Aboriginal community remains vital to ensure their perspectives and values are respected and integrated into future assessments. Continued consultation may yield further insights into the Project Area's social and cultural significance. It is important to acknowledge that while the Castle Hill site may currently reflect low archaeological significance, it may still embody high cultural significance to local Aboriginal communities, serving as a testament to their enduring connection to the land.

## 8.4. Historic significance assessment

The Project Area is not known to hold historical significance to the local Aboriginal community. A review of available historical records indicates that no Aboriginal fringe camps, missions, or reserves are documented within the Project Area.

While the Project Area is not situated close to a waterway, the Cumberland Plain region has strong connections to Aboriginal cultural heritage, as evidenced by the AHIMS results. This underscores the potential for historical significance in areas that may not be immediately apparent.

## 8.5. Aesthetic significance assessment

The long-term use of the Project Area for development has significantly impacted its natural aesthetic values, particularly by removing trees and natural vegetation, which has altered the visual and sensory characteristics of the site. However, the broader context of the site's location within the culturally rich Cumberland Plain remains highly relevant.

The Project Area is situated within a region known for its scenic and culturally significant landscapes. The Cumberland Plain, including its surrounding features, holds historical and spiritual connections for local Aboriginal communities, contributing to the aesthetic values of the broader landscape. While the immediate Project Area has been significantly altered, it is nonetheless part of a wider cultural landscape associated with these communities. The historical connections of Aboriginal peoples to the Cumberland Plain suggest that, in its undisturbed state, the area may have contributed to the cultural and aesthetic narrative of the landscape.

Everick Heritage is awaiting feedback from the Aboriginal community during the review process, as none has been provided thus far. This absence of direct feedback does not necessarily diminish the site's potential aesthetic importance, especially considering its broader landscape context.

## 8.6. Summary statement of significance

The Project Area, located within the Cumberland Plain, has been assessed for its Aboriginal cultural heritage significance. Despite extensive surveying efforts, the area is not known to hold specific Aboriginal cultural values nor exhibit direct evidence of Aboriginal sites or artefacts. Significant historical disturbances resulting from prior development activities have compromised the landscape's integrity, limiting the area's archaeological potential.

While no immediate Aboriginal cultural or social significance has been identified for the Project Area, its broader context within the Cumberland Plain underscores its potential relevance to local Aboriginal communities. The Cumberland Plain is recognised for its historical and spiritual connections to Aboriginal

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peoples, who have long inhabited and utilised these landscapes. Additionally, no specific cultural values were identified through community consultation.

In summary, the Project Area is assessed to possess low archaeological significance due to extensive prior disturbance; however, its location within the culturally rich Cumberland Plain implies a potential for broader cultural and aesthetic values that merit further consideration through ongoing engagement with the Aboriginal community.

## 9. Impact assessment

The proposed development at the Project Area entails significant construction activities, including the erection of 616 residential apartments and 8,025 square metres of commercial floorspace, along with the establishment of basement parking facilities accessed via a driveway off Cecil Avenue. The undertaking will also necessitate the demolition of existing residential dwellings within the area.

The proposed works will result in extensive ground disturbance, encompassing a range of activities, including demolition and clearance of existing structures, earthworks such as cut and fill, and construction of buildings and related service infrastructure. These activities will necessitate the removal of original topsoils to create suitable building pads and accommodate sub-surface amenities, including sewerage systems, electrical services, and water infrastructure. The desktop assessment and subsequent archaeological survey have not identified Aboriginal objects or sites within the Project Area. Therefore, it is anticipated that the project is unlikely to result in impact to Aboriginal objects or sites and will not affect Aboriginal cultural values specific to the Project Area.

### 9.1. Commitment to Ethical Practices and Cultural Respect

Our proposed mitigation strategies are designed to comply with legal and ethical standards and respect and preserve the cultural significance of Aboriginal heritage within the Project Area. By engaging with local Aboriginal communities and incorporating their insights and preferences into our project planning and execution, we aim to ensure that all cultural heritage values are respected and protected throughout the project lifecycle.

### 9.2. Cumulative impact

A cumulative impact is the combined effects of environmental or social impacts that occur because of various activities or developments within a particular local area or region that impact Aboriginal cultural heritage. Ideally, cumulative impacts should be assessed from a baseline of data relating to the incremental impact of a development's actions when added to other past, present, and reasonably foreseeable future impacts.

The proposed development involves the redevelopment of an existing residential unit block to a mixed used residential flat. No Aboriginal objects, sites or cultural values specific to this Project Area were identified as a result of this assessment. Considering that the development is proposed in locations that

have already been subject to development and more widely intensive urbanisation, the development is considered to have no cumulative impact on Aboriginal cultural heritage.

It is recognized however that the ongoing development of Sydney's urban regions is located within the wider context of the Cumberland Plain, a highly culturally significant landscape. Ongoing development has continually changed the landscape's natural features, scenery, and intangible aspects which are all critical components to Aboriginal cultural values. Considering the setting of the development and the results of the ACHAR, it is assessed that the proposed development would not contribute any cumulative impacts to Aboriginal cultural heritage beyond what has already occurred within Castle Hill.

### 9.3. Ecologically Sustainable Development Principles

The Guide (OEH 2011) specifies that Ecological Sustainable Development (ESD) principles must be considered when assessing harm and recommending mitigation measures regarding Aboriginal objects.

The following relevant ESD principles are outlined in Section 3A of the *EPBC Act*:

- Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the 'integration principle')
- If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the Precautionary Principle)
- The present generation should ensure that the environment's health, diversity, and productivity are maintained or enhanced for the benefit of future generations (the Principle of Intergenerational Equity).
- The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (Conservation of Biodiversity).
- Improved valuation, pricing and incentive mechanisms should be promoted (Improved Valuation, Pricing and Incentive).

OEH (2011: 13) states that consideration of these principles should result in:

- An understanding of the cumulative impact of the proposal on Aboriginal objects or places in relation to other identified sites in the region.
- Ascertaining how, wherever possible or practicable, harm to significant Aboriginal objects or places can be avoided.

- Establishing and assessing the risks and consequences of various options.
- Assessing the costs and benefits of various options for future generations.
- Suggesting actions proposed to help promote intergenerational equality.

### 9.3.1. The Integration Principle

The Aboriginal heritage values of the Project Area and its place within the surrounding landscape have been fully considered in the ATR (Appendix C – ATR) and this ACHAR. These values have been considered in the planning and approvals process for the Project Area and, therefore, comply with the integration principle by considering long-term and short-term environmental and social effects.

### 9.3.2. The Precautionary Principle

A combination of background research (including review of historic land use, available geomorphic data and previous archaeological research), archaeological survey, and consultation has been undertaken as a part of the ACHAR. This research has allowed for a thorough investigation of the scientific and cultural qualities of the Project Area. As a consequence, the recommendations and conclusions of this assessment are thereby based on thorough scientific investigation.

### 9.3.3. The Principle of Intergenerational Equity

The principle of intergenerational equity has been investigated through the preparation of this ACHAR. The ACHAR has identified that no Aboriginal objects or potential archaeological deposits will be impacted by the proposed works. Furthermore, the Project Area is unlikely to retain intangible cultural value as the Project Area is located in a highly urbanised and developed location. The implementation of Aboriginal-led design options is one of the recommendations of this ACHAR. This would serve to enhance the potential for future generations to connect with Aboriginal culture to a greater degree than the current status of the Project Area.

### 9.3.4. Summary statement of ecologically sustainable principles

The likelihood of impact from the project on Aboriginal objects or places is extremely low. No Aboriginal objects or sites have been identified within the Project Area that will be subject to harm. This assessment of the Project Area is founded on thorough scientific research completed as a part of this ACHAR. The

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Project may potentially result in the enhancement of intergenerational equity in terms of connection with Aboriginal culture through the implementation of Aboriginal-led design.

## 10. Recommendations

The preparation of the ACHA has identified that the Project Area is of low archaeological potential and sensitivity. The proposed works are considered highly unlikely to result in impact to Aboriginal cultural heritage, therefore in accordance with the Due Diligence Code of Practice (Department of Environment, Climate Change and Water 2010c) the proposed works may proceed without further investigation.

The following recommendations have been made for the Project.

### 10.1. Guiding principles

The overall guiding principle for cultural heritage management is that Aboriginal sites should be conserved where possible. If conservation is not practicable, measures should be taken to mitigate impacts on Aboriginal sites.

The Project will harm no previously recorded Aboriginal sites; however, the following sections provide recommendations as a precaution and to harmonise the Project with surrounding cultural values:

- Site avoidance
- Aboriginal Heritage Interpretation Strategy
- Landscaping
- Discovery of human remains procedure

No Aboriginal objects or places were identified during the archaeological survey. The predictive model for the Project Area is one of low archaeological sensitivity and potential. Therefore, there is little likelihood of impact to any Aboriginal objects or places in the Project Area.

### 10.2. Designing with Connecting with Country Framework

In accordance with the ESD intergenerational principle, it is recommended that Alton Property Group incorporate Aboriginal cultural heritage values that acknowledges the Darug people and the land on which the Project Area stands. For NSW built environment projects, this can be achieved through the use of the Connecting with Country framework (Government Architect New South Wales 2023) to help guide design principles. It is understood that the design has yet to be finalised for this Project, thereby offering ample opportunity for Aboriginal community consultation. Further engagement should be undertaken to

adhere to the Connecting with country framework. The results of community engagement may be in the form of:

- Heritage interpretation boards – temporary or permanent, within or outside the Project Area.
- Cultural heritage awareness talks by Darug people.

It is acknowledged that Project Area may already implement the ESD intergenerational principle in some form or through the above strategies.

### 10.3. Recommendation 1: Unexpected finds

Unexpected Aboriginal objects remain protected by the *NPW Act*. If any such objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease, and Heritage NSW, and LALC be contacted for advice.

### 10.4. Recommendation 2: Discovery of human remains

If suspected human remains are discovered and/or harmed in, on or under the land within the Project Area, the following actions must be undertaken:

- The remains must not be harmed/further harmed
- Immediately cease all works at that particular location
- Secure the area to avoid further harm to the remains
- Notify the NSW Police and the Environment Line (Heritage NSW) on 131 555 as soon as practicable and provide any details of the remains and their location
- Do not recommence any work at that particular location unless authorised in writing by Heritage NSW.

### 10.5. Recommendation 3: Continued consultation with the Registered Aboriginal stakeholders

As per the 2010 Consultation Requirements (DECCW 2010b), the proponent should provide a draft report with Aboriginal stakeholders and take into account any feedback received. The proponent should

# EVERICK HERITAGE

also maintain consultation and keep these groups updated on the management of Aboriginal cultural heritage sites in the study area for the duration of the project.

## 11. References

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## Appendix A – Consultation Documentation

### STAGE 1

## EVERICK HERITAGE

19 August 2024

Our Ref: NSW10220

Kevin Cavanagh  
Deerubbin Local Aboriginal Land Council  
Level 1, Suite 3-291-295 High Street,  
Penrith NSW 2751  
(02) 4724 5600; (02) 4722 9713  
strandall@deerubbin.org.au

Dear Kevin,

**RE: 93-107 CECIL AVE & 9-10 ROGER AVE– CASTLE HILL  
ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

Everick Heritage Pty Ltd (Everick Heritage) wishes to advise that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment (ACHA), including an Archaeological Survey Report and optional Aboriginal Heritage Impact Permit (AHIP) for the proposed redevelopment of 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area). Alton Property Group is proposing a mixed use residential flat development of four buildings A, B, C and D comprising a minimum 8,025m2 of commercial floor space, approximately 500-600 apartments, with 4 levels of basement carparking accessible via two separate driveways off Cecil Avenue and Roger Avenue (Figures 1-2). The Project Area is located within the Hills Shire Local Government Area.

The proposed development will be considered a State Significant Development through Part 4, Division 4.7 of the Environmental Planning & Assessment Act 1979 (NSW).

Everick Heritage is seeking the assistance of the Aboriginal community in assessing potential impacts this Project may have on Aboriginal cultural values in the area. The consultation will be undertaken to inform the ACHA, which is required by Deerubbin Local Aboriginal Land Council and Heritage NSW.

1

6B Reserve Street, Annondale NSW 2038  
(02) 9552 2944 | ABN 78 102 206 682 | info@everick.net.au | www.everick.com.au

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The proponent details are as follows:

Brittney Schrader  
Design operations Coordinator  
Alton Property Group  
brittneys@aplusdg.com.au  
Level 3, 9 Barrack Street, Sydney NSW 2000

In consideration of the Heritage NSW, Department of Planning and Environment (DPE) *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011*, and in order to ensure that they fulfil their legal and ethical obligations to identify and protect Aboriginal cultural heritage, our client has instructed us to undertake the full community consultation process recommended by DPE in their *Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010)*.

Please note that details of the Aboriginal people or organisations who register an interest in consultation will be forwarded to Heritage NSW and Deerubbin LALC. Please advise at the time of registration if you do not wish for your details to be released to the relevant organisations. If you are interested, or know of persons who may be interested, we request that you contact us by **Tuesday 3 September 2024** to register your interest. Please write to:

Amber Hewson  
Archaeologist  
Everick Heritage Pty Ltd  
61 Renwick Street  
Redfern, NSW 2016  
E: [g.hewson@everick.net.au](mailto:g.hewson@everick.net.au)

If you have any questions about the Project, please contact Jason Giang (Senior Archaeologist, Everick Heritage) on 1300 124 356. If you wish to find out more about our qualifications and experience in this field, please visit our website [www.everick.com.au](http://www.everick.com.au). We look forward to hearing from you.

Yours sincerely,



Amber Hewson  
Archaeologist  
Everick Heritage

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Figure 1 – Project Area location highlighted in red



Figure 2 – Project Area location of buildings A, B, C and D

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20 August 2024

Our Reference: NSW10220

Senior Team Leader  
Heritage NSW  
PO Box 644 Parramatta NSW 2124  
[heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

Dear Sir/Madam

**RE: 93-107 CECIL AVE & 9-10 ROGER AVE– CASTLE HILL  
ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

Everick Heritage Pty Ltd (Everick Heritage) wishes to advise that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment (ACHA), including an Archaeological Survey Report and optional Aboriginal Heritage Impact Permit (AHIP) for the proposed redevelopment of 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area). Alton Property Group is proposing a mixed use residential flat development of four buildings A, B, C and D comprising a minimum 8,025m<sup>2</sup> of commercial floor space, approximately 600 apartments, with basement carparking accessible via driveway off Cecil Avenue (Figure 1; Figure 2). The Project Area is located within the Hills Shire Local Government Area.

The proposed development will be considered a State Significant Development (SSD), and it is assumed it will be a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). The application is yet to be submitted by Alton Property Group. It is likely the Secretary's Environmental Assessment Requirements (SEARs) will require an Aboriginal Cultural Heritage Assessment Report (ACHAR).

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## EVERICK HERITAGE

The proponent details for the Project are:

Brittney Schrader  
Design operations Coordinator  
Alton Property Group  
brittneys@aplusdg.com.au  
Level 3, 9 Barrack Street, Sydney NSW 2000

In consideration of the Heritage NSW *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (the Guide) 2011* (Office of Environment and Heritage 2011), and in order to ensure that they fulfill their legal and ethical obligations to identify and protect Aboriginal cultural heritage, our client has instructed us to undertake the full community consultation process recommended by Heritage NSW in their *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010).

We would welcome any input Heritage NSW wish to have in this process. In particular, we request that Heritage NSW please forward us the contact details for Aboriginal persons or organisations that may have an interest in the proposed Project Area and who may hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the Project Area. If we could please have your response by **4 September 2024**.

If you wish to find out more about our qualifications and experience in this field, please visit our website [www.everick.com.au](http://www.everick.com.au). We look forward to working with you further.

Yours sincerely,

Jason Giang  
Senior Archaeologist  
Everick Heritage





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26 August 2024

Our Reference: NSW10220

Greater Sydney Local Land Services (Penrith)

P: (02) 4724 2100

F: (02) 4724 2198

Level 4, 2-6 Station Street

Penrith NSW 2750

PO Box 4515

Westfield Penrith 2750

gs.service@lls.nsw.gov.au

Dear Sir/Madam

**RE: 93-107 CECIL AVE & 9-10 ROGER AVE– CASTLE HILL  
ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

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Brittney Schrader  
Design operations Coordinator  
Alton Property Group  
brittneys@aplusdg.com.au  
Level 3, 9 Barrack Street, Sydney NSW 2000

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Yours sincerely,

Jason Giang  
Senior Archaeologist  
Everick Heritage



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Figure 1: Project Area location highlighted in white



Figure 2: Project Area location of buildings A, B, C and D.

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26 August 2024

Our Reference: NSW10220

NTSCorp  
PO Box 2105  
Strawberry Hills NSW 2012  
information@ntscorp.com.au

Dear Sir/Madam

**RE: 93-107 CECIL AVE & 9-10 ROGER AVE– CASTLE HILL  
ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

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Yours sincerely,

Jason Giang  
Senior Archaeologist  
Everick Heritage



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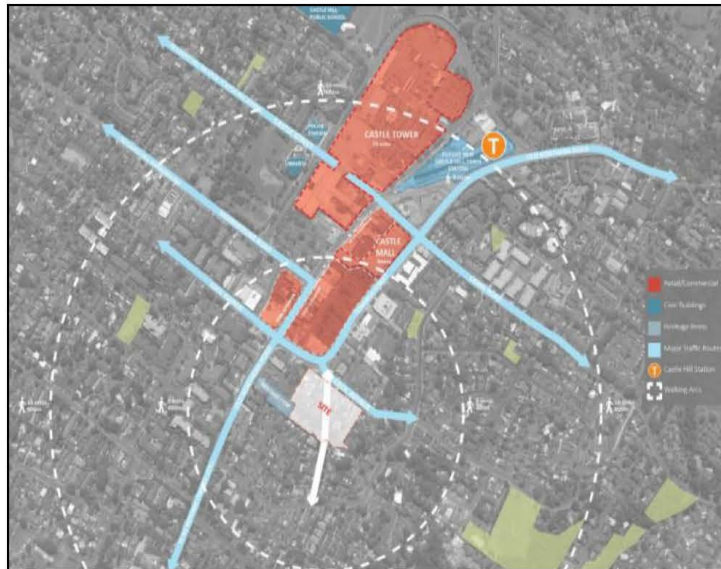


Figure 1: Project Area location highlighted in white



Figure 2: Project Area location of buildings A, B, C and D.

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26 August 2024

Our Reference: NSW10220

The Office of the Registrar  
Aboriginal Land Rights Act 1983  
PO Box 5068  
Parramatta NSW 2124  
adminofficer@oralra.nsw.gov.au

Dear Sir/Madam

**RE: 93-107 CECIL AVE & 9-10 ROGER AVE- CASTLE HILL  
ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

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Figure 1: Project Area location highlighted in white



Figure 2: Project Area location of buildings A, B, C and D.

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26 August 2024

Our Reference: NSW10220

The Hills Shire Council  
3 Columbia Ct,  
Norwest NSW 2153  
council@thehills.nsw.gov.au

Dear Sir/Madam

**RE: 93-107 CECIL AVE & 9-10 ROGER AVE– CASTLE HILL  
ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

Everick Heritage Pty Ltd (Everick Heritage) wishes to advise that we have been engaged to undertake an Aboriginal Cultural Heritage Assessment (ACHA), including an Archaeological Survey Report and optional Aboriginal Heritage Impact Permit (AHIP) for the proposed redevelopment of 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area). Alton Property Group is proposing a mixed use residential flat development of four buildings A, B, C and D comprising a minimum 8,025m<sup>2</sup> of commercial floor space, approximately 600 apartments, with basement carparking accessible via driveway off Cecil Avenue (Figure 1; Figure 2). The Project Area is located within the Hills Shire Local Government Area.

The proposed development will be considered a State Significant Development (SSD), and it is assumed it will be a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). The application is yet to be submitted by Alton Property Group. It is likely the Secretary's Environmental Assessment Requirements (SEARs) will require an Aboriginal Cultural Heritage Assessment Report (ACHAR).

# EVERICK HERITAGE

## EVERICK HERITAGE

The proponent details for the Project are:

Brittney Schrader  
Design operations Coordinator  
Alton Property Group  
brittneys@aplusdg.com.au  
Level 3, 9 Barrack Street, Sydney NSW 2000

In consideration of the Heritage NSW *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (the Guide) 2011* (Office of Environment and Heritage 2011), and in order to ensure that they fulfill their legal and ethical obligations to identify and protect Aboriginal cultural heritage, our client has instructed us to undertake the full community consultation process recommended by Heritage NSW in their *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water 2010).

We would welcome any input Heritage NSW wish to have in this process. In particular, we request that Heritage NSW please forward us the contact details for Aboriginal persons or organisations that may have an interest in the proposed Project Area and who may hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the Project Area. If we could please have your response by **9 September 2024**.

If you wish to find out more about our qualifications and experience in this field, please visit our website [www.everick.com.au](http://www.everick.com.au). We look forward to working with you further.

Yours sincerely,

Jason Giang  
Senior Archaeologist  
Everick Heritage



# EVERICK HERITAGE

## EVERICK HERITAGE



Figure 1: Project Area location highlighted in white



Figure 2: Project Area location of buildings A, B, C and D.

# EVERICK HERITAGE



## Request for Spatial Search of Tribunal Registers

### 1: Your details

Your name:	Amber Hewson		
Your company:	Everick Heritage Pty Ltd		
E-mail address:	a.hewson@everick.net.au	Phone:	02 9552 2944
Your reference:	NSW10220	Your state:	New South Wales
<input checked="" type="checkbox"/>	I have read and acknowledge the terms and conditions on the next page.		

### 2: Areas to be searched

Jurisdiction to be searched:	New South Wales	Tenure to be searched:	Non freehold parcel
------------------------------	-----------------	------------------------	---------------------

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


Parcel 1:	Lot 1 DP531559	Parcel 2:	Lot 1 DP547897
Parcel 3:	Lot 1 DP591676	Parcel 4:	Lot 1 DP581293
Parcel 5:	Lot 2 DP591676	Parcel 6:	Lot 2 DP547897
Parcel 7:	Lot 2 DP5812193	Parcel 8:	Lot 4 DP531559
Parcel 9:	Lot 5 DP2914	Parcel 10:	Lot 5 DP705913
Parcel 11:	Lot 6 DP29141	Parcel 12:	Lot 6 DP705913
Parcel 13:	Lot 20 DP15399	Parcel 14:	Lot 21 DP778595
Parcel 15:	Lot 22 DP581293	Parcel 16:	Click or tap here to enter text.
Parcel 17:	Click or tap here to enter text.	Parcel 18:	Click or tap here to enter text.
Parcel 19:	Click or tap here to enter text.	Parcel 20:	Click or tap here to enter text.

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

Click or tap here to enter text.

buy search sell  
.com.au

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT



Proposed redevelopment of 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154

Everick Heritage Pty Ltd invites Aboriginal people and Aboriginal groups who hold cultural knowledge relevant to determining the significance of Aboriginal objects and places for 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 to register to be consulted. Everick Heritage have been engaged to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) on behalf of Alton Property Group for the proposed mixed use residential flat development. The development consists of four buildings comprising a minimum 8,025m<sup>2</sup> of commercial floor space, approximately 600 apartments, with basement carparking accessible via driveway off Cecil Avenue.

The proposal will be designated as a State Significant Development through Part 4, Division 4.7 of the Environmental Planning & Assessment Act 1979 (NSW). The purpose of consultation with Aboriginal people is to assist the proponent in the preparation of an Aboriginal Cultural Heritage Assessment Report and if required, an application for an Aboriginal Heritage Impact Permit to assist the Executive Director of Heritage NSW's (Department of Planning and Environment) consideration and determination of the application.

Please note that details of the Aboriginal people or organisations who register an interest in consultation will be forwarded to Heritage NSW and Deerubbin Local

## Aboriginal Cultural Heritage Assessment

Proposed redevelopment of 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154

Everick Heritage Pty Ltd invites Aboriginal people and Aboriginal groups who hold cultural knowledge relevant to determining the significance of Aboriginal objects and places for 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 to register to be consulted. Everick Heritage have been engaged to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) on behalf of Alton Property Group for the proposed mixed use residential flat development. The development consists of four buildings comprising a minimum 8,025m<sup>2</sup> of commercial floor space, approximately 500-600 apartments, with 4 levels of basement carparking accessible via two separate driveways off Cecil Avenue and Roger Avenue.

The proposal will be designated as a State Significant Development through Part 4, Division 4.7 of the Environmental Planning & Assessment Act 1979 (NSW).

The purpose of consultation with Aboriginal people is to assist the proponent in the preparation of an Aboriginal Cultural Heritage Assessment Report and if required, an application for an Aboriginal Heritage Impact Permit to assist the Executive Director of Heritage NSW's (Department of Planning and Environment) consideration and determination of the application.

Please note that details of the Aboriginal people or organisations who register an interest in consultation will be forwarded to Heritage NSW and Deerubbin Local Aboriginal Land Council. Please advise at the time of registration if you do not wish for your details to be released to the relevant organisations.

The Proponent details for this Project are:

Brittney Schrader  
Design operations Coordinator  
Alton Property Group  
brittneys@aplusdg.com.au  
Level 3, 9 Barrack Street, Sydney NSW 2000

To register your interest, please contact:

Amber Hewson  
Archaeologist  
E: a.hewson@everick.net.au  
Everick Heritage Pty Ltd  
61 Renwick Street, Redfern, NSW 2016  
T: 02 9552 2944



02/09/2024, 08:15

Mail - Hannah Chow - Outlook

**Re: NSW10220 Cecil Ave ACHAR Register**

Marilyn Carroll-Johnson <corroboreecorp@outlook.com>

Sat 2024-08-31 11:52

To:Hannah Chow <h.chow@everick.net.au>

Hi Hannah

**Corroboree Aboriginal Corporation Registration of interest as required under Heritage NSW  
Aboriginal Cultural heritage**

We actually resided on Cecil Ave Castle Hill. We at Corroboree Aboriginal Corporation are identified First Nations people who hold cultural knowledge relevant to this project area and we wish to register an interest in the process of community consultation. We employ numerous clans for the betterments of our people. As such we send the relevant clan members to the relevant project areas. Baring in mind that as per legislation as long as we are Aboriginal and hold our culture connections and knowledge, etc, to the areas, as such we are stakeholders. We support participation of our stakeholders/members by providing employment in this field of employ on these projects that we have connections to and knowledge. As part of our registering we look forward to the opportunity to provide culturally appropriate information and to comment on the cultural heritage significance of Aboriginal Culture and heritage We are registering Corroboree Aboriginal Corporation in a full capacity. We have worked on a vast number of projects as Cultural Heritage Officers in the project area. We are currently involved on many projects in the subject area. My family and other family members have lived in the area and family currently reside in the surrounding areas.

We are registering in a full capacity. We are Aboriginal people who are culturally & heritage aware. We have the necessary ability, experience, skills, insight and the knowledge to identify artefacts on field work. And as Aboriginal People we connect thru the land, thru our Ancestors and our Heritage. Therefore we are able participate on all levels. We have worked with many archaeologists across a broad landscape. We have consulted with most archeological companies over many years on projects. We have all the relevant insurances and safety gear. We are all fit, capable and adapt to a vast landscape.

Contact is preferred via email: corroboreecorp@outlook.com The contact number, email and contact person is also listed in the signature.

Please do not disclose any of our details to LALC. We have responded for inclusion, to participate on all levels. Thanks.

Kind regards  
Marilyn Carroll  
Director  
Corroboree Aboriginal Corporation  
Mob: 0415911159  
E: corroboreecorp@outlook.com

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

<https://outlook.office.com/mail/inbox/id/AAMkADdlODhjMmNhLTBmZTktNDAyOS1hNjgwLTl3NmUzMmQxMzBkZQBGAADdmFFp57i3Qq5P...> 1/2

# EVERICK HERITAGE

The Dharug Custodian Aboriginal Corporation would like to register their interest in the ACHAR for 93-107 Cecil Avenue Castle Hill, we have connections to Bidyigal family lands and across Dharug country and beyond. Our culture is who we are and we are committed to telling our stories, sharing culture and revitalizing our language.

Didurigur  
Leanne Watson Redpath  
0415770163

I pay my respect to elders past present and emerging.  
*Yana muday nurawa diyi nangamili*  
Walk softly on country our dreaming is forever.

Explore [Dyarubbin: Mapping Aboriginal history, culture and stories of the Hawkesbury River, New South Wales \(nsw.gov.au\)](#)

Read [Real Secret River: Dyarubbin project | The Dictionary of Sydney](#)

Watch [Compass Sacred Sites Grace Karskens](#)

Listen [Yarramundi and the people of Dyarubbin](#)

Follow <https://www.oonaghsherrard.com/projects/11storiesfromtheriver/>

Learn/sing (17041) [Darug Lullaby - YouTube \(17041\)](#) [Budyari naami nurawa - YouTube](#)

<https://www.sl.nsw.gov.au/stories/dyarubbin/>

<https://youtu.be/-blgOraUuNs>



---

**From:** [Jason Giang](#)

**Sent:** Wednesday, 2 October 2024 12:19 PM

**To:** [mulgokiwi@bigpond.com](mailto:mulgokiwi@bigpond.com)

**Cc:** [Kylie Christian](#)

**Subject:** 93-107 Cecil Ave - ACHAR Invitation

Hi Leanne,

I am writing to you to invite you to register your interest for an ACHAR we are preparing for a proposed apartment development in Castle Hill. I believe Kylie has filled you in already. If you provide me with a written response I can include you in the project and provide you with the methodology we have prepared.

Regards,

**Jason Giang**

**Senior Archaeologist- Sydney**

Suite 2/61 Renwick Street, Redfern

Ph: 02 9552 2944

Mobile: 0433 692 386

## List of RAPs for Alton Property Group

Hannah Chow <h.chow@everick.net.au>

Mon 2024-09-16 14:24

To:heritagemailbox@environment.nsw.gov.au <heritagemailbox@environment.nsw.gov.au>

📎 1 attachments (297 KB)

NSW10220\_Castle\_Hill\_SSD\_Project\_ACHA\_Agency Letter\_HNSW..pdf;

Good morning,

I hope this email finds you well. Aside from the LALC, there was only one other RAP for the project, however they wish to withhold their details from Heritage NSW and the LALC. Attached is the agency letter send to the potential RAPs.

Kind regards,

**Hannah Chow**

Graduate Archaeologist - Sydney

2/61 Renwick St, Redfern, 2016

Ph: 02 9552 2944

**Everick Heritage Pty Ltd**

ABN 78 102 206 682

Brisbane - Cairns - Toowoomba - Sydney - Byron Bay - Melbourne - Perth

Web: [www.everick.com.au](http://www.everick.com.au)



## List of RAPS for Alton Property Group

Hannah Chow <h.chow@everick.net.au>

Wed 2024-09-18 09:38

To:Reception@deerubbin.org.au <Reception@deerubbin.org.au>

📎 1 attachments (235 KB)

NSW10220\_Castle\_Hill\_SSD\_Project\_ACHA\_Agency Letter\_DLALC.pdf;

Good morning,

I hope this email finds you well. Aside from the LALC, there was only one other RAP for the project (93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154), however they wish to withhold their details from Heritage NSW and the LALC. Attached is the agency letter sent to the potential RAPS.

Kind regards,

**Hannah Chow**

Graduate Archaeologist - Sydney

2/61 Renwick St, Redfern, 2016

Ph: 02 9552 2944

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# EVERICK HERITAGE

STAGE 2 & STAGE 3

**From:** [Amber Hewson](#)  
**To:** [Jason Gang](#)  
**Subject:** Fw: ABORIGINAL CULTURAL HERITAGE ASSESSMENT - METHODOLOGY 93-107 CECIL AVE & 9-10 ROGER AVE- CASTLE HILL  
**Date:** Tuesday, 3 December 2024 9:16:47 AM  
**Attachments:** image001.jpg  
NSW10220\_Cecil\_Roger\_Ave\_Castle\_Hill\_Methodology240909.docx

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---

**From:** Amber Hewson  
**Sent:** Wednesday, September 18, 2024 9:09:10 AM  
**To:** [corroboreecorp@outlook.com](mailto:corroboreecorp@outlook.com) <[corroboreecorp@outlook.com](mailto:corroboreecorp@outlook.com)>  
**Subject:** ABORIGINAL CULTURAL HERITAGE ASSESSMENT - METHODOLOGY 93-107 CECIL AVE & 9-10 ROGER AVE- CASTLE HILL

Good Morning,

Thank you for your interest in this Project. Please find attached the archaeological methodology as well as project background for the 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill ACHAR.

As a Registered Aboriginal Party, it is requested that the information contained within this document is reviewed and you provide comment on the archaeological methodology and provide cultural knowledge, where appropriate, which may be known to Aboriginal people within the Project Area. Your comments would be appreciated by **16 October 2024**.

We are proposing a one day of survey in late **October 2024**. Could you please send through your daily rates information and insurances for the upcoming fieldwork. We will be drafting a scheduled day in accordance with your responses. Note: you are not guaranteed scheduling for the fieldwork.

Looking forward to hearing from you.

Kind regards,

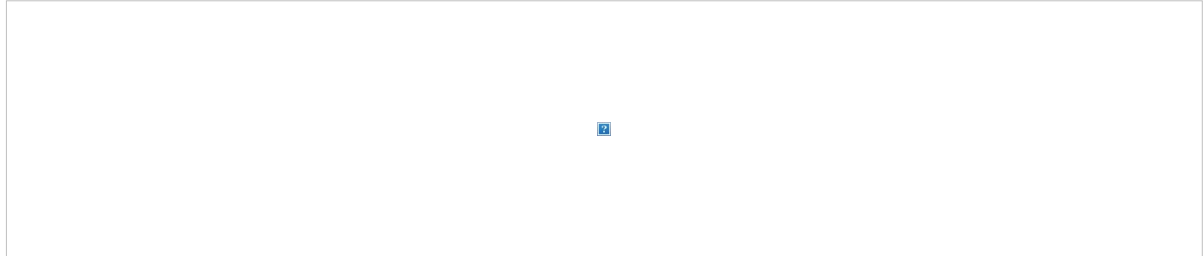
Amber Hewson

Archaeologist  
Ph: 02 9552 2944

Mon	Tue	Wed	Thu	Fri
✓	X	✓	✓	X

61 Renwick Street  
Redfern NSW 2016

Everick Heritage Pty Ltd  
ABN 78 102 206 682  
Brisbane - Sydney - Melbourne - Toowoomba - Townsville - Coffs Harbour - Tweed Heads  
Web: [www.everick.com.au](http://www.everick.com.au)



**From:** [Amber Hewson](#)  
**To:** [Jason Gang](#)  
**Subject:** Fw: ABORIGINAL CULTURAL HERITAGE ASSESSMENT - METHODOLOGY 93-107 CECIL AVE & 9-10 ROGER AVE- CASTLE HILL  
**Date:** Tuesday, 3 December 2024 9:16:09 AM  
**Attachments:** image001.jpg  
NSW10220\_Cecil\_Roger\_Ave\_Castle\_Hill\_Methodology240909.docx

---

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---

**From:** Amber Hewson  
**Sent:** Wednesday, September 18, 2024 9:10:44 AM  
**To:** Deerubbin Reception <[reception@deerubbin.org.au](mailto:reception@deerubbin.org.au)>  
**Subject:** ABORIGINAL CULTURAL HERITAGE ASSESSMENT - METHODOLOGY 93-107 CECIL AVE & 9-10 ROGER AVE- CASTLE HILL

Good Morning,

Thank you for your interest in this Project. Please find attached the archaeological methodology as well as project background for the 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill ACHAR.

As a Registered Aboriginal Party, it is requested that the information contained within this document is reviewed and you provide comment on the archaeological methodology and provide cultural knowledge, where appropriate, which may be known to Aboriginal people within the Project Area. Your comments would be appreciated by **16 October 2024**.

We are proposing a one day of survey in late **October 2024**. Could you please send through your daily rates information and insurances for the upcoming fieldwork. We will be drafting a scheduled day in accordance with your responses. Note: you are not guaranteed scheduling for the fieldwork.

Looking forward to hearing from you.

Kind regards,

Amber Hewson

Archaeologist

Ph: 02 9552 2944

Mon	Tue	Wed	Thu	Fri
✓	X	✓	✓	X

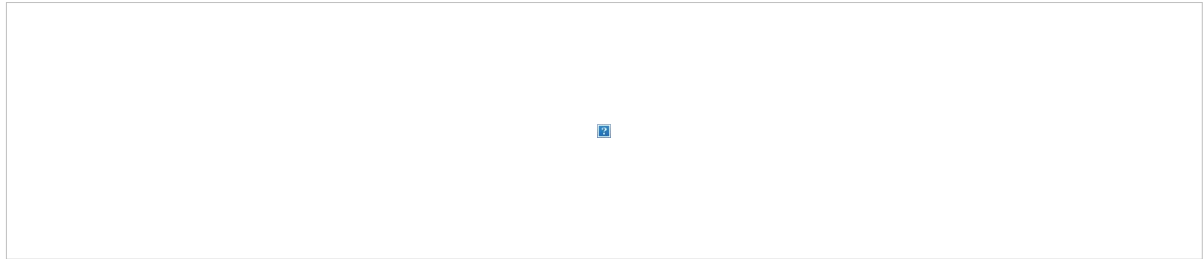
61 Renwick Street  
Redfern NSW 2016

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Web: [www.everick.com.au](http://www.everick.com.au)



**From:** [Jason Giang](#)  
**To:** [Leanne Watson Redpath](#)  
**Cc:** [Amber Hewson](#); [Kylie Christian](#)  
**Subject:** RE: 93-107 Cecil Ave - ACHAR Invitation  
**Date:** Wednesday, 2 October 2024 1:07:00 PM  
**Attachments:** image001.png  
image003.png  
image004.png  
image005.png  
NSW10220\_Cecil\_Roger\_Ave\_Castle\_Hill\_Methodology.pdf

---

Hi Leanne,

Dharug Custodian Aboriginal Corporation is now registered for the Project. I have attached the methodology we have prepared for the Project. Can you please let me know if you had any comments on the methodology for compliance purposes?

We are planning to complete the site inspection on the 15<sup>th</sup> October 2024 with a meeting time of 11:00 am. Kylie and my colleague Andrew will be out there on the day.

Regards,

Jason Giang

Senior Archaeologist - Sydney

Suite 2/61 Renwick Street, Redfern  
Ph: 02 9552 2944  
Mobile: 0433 692 386

### Everick Heritage Pty Ltd

ABN 78 102 206 682

Brisbane - Townsville - Sydney - Coffs Harbour - Tweed Heads - Canberra - Alice Springs

Web: [www.everick.com.au](http://www.everick.com.au)



---

**From:** Leanne Watson Redpath <mulgokiwi@bigpond.com>  
**Sent:** Wednesday, 2 October 2024 1:03 PM  
**To:** Jason Giang <j.giang@everick.net.au>  
**Cc:** Kylie Christian <k.christian@everick.net.au>  
**Subject:** RE: 93-107 Cecil Ave - ACHAR Invitation

Warami Jason

The Dharug Custodian Aboriginal Corporation would like to register their interest in the ACHAR for 93-107 Cecil Avenue Castle Hill, we have connections to Bidyigal family lands and across Dharug country and beyond.

Our culture is who we are and we are committed to telling our stories, sharing culture and revitalizing our language.

Didurigur  
Leanne Watson Redpath  
0415770163

I pay my respect to elders past present and emerging.  
*Yana muday nurawa diyi nangamili*  
Walk softly on country our dreaming is forever.

Explore [Dyarubbin: Mapping Aboriginal history, culture and stories of the Hawkesbury River, New South Wales \(nsw.gov.au\)](#)

Read [Real Secret River: Dyarubbin project | The Dictionary of Sydney](#)

Watch [Compass Sacred Sites\\_Grace Karskens](#)

Listen [Yarramundi and the people of Dyarubbin](#)

Follow <https://www.oonaghsherrard.com/projects/11storiesfromtheriver/>

Learn/sing [\(17041\) Darug Lullaby - YouTube](#) [\(17041\) Budyari naami nurawa - YouTube](#)

<https://www.sl.nsw.gov.au/stories/dyarubbin/>

<https://youtu.be/-blgOraUuNs>



---

**From:** [Jason Giang](#)

**Sent:** Wednesday, 2 October 2024 12:19 PM

**To:** [mulgokiwi@bigpond.com](mailto:mulgokiwi@bigpond.com)

**Cc:** [Kylie Christian](#)

**Subject:** 93-107 Cecil Ave - ACHAR Invitation

Hi Leanne,

I am writing to you to invite you to register your interest for an ACHAR we are preparing for a proposed apartment development in Castle Hill. I believe Kylie has filled you in already. If you provide me with a written response I can include you in the project and provide you with the methodology we have prepared.

Regards,

Jason Giang

Senior Archaeologist - Sydney

Suite 2/61 Renwick Street, Redfern

Ph: 02 9552 2944  
Mobile: 0433 692 386

## Everick Heritage Pty Ltd

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Web: [www.everick.com.au](http://www.everick.com.au)



# EVERICK HERITAGE

STAGE 4

**From:** [Jason Giang](#)  
**To:** [Jason Giang](#)  
**Cc:** [Hannah Chow](#)  
**Bcc:** [Corroboree Aboriginal Corporation](#); [Reception@deerubbin.org.au](mailto:Reception@deerubbin.org.au); [Leanne Watson Redpath](#)  
**Subject:** Cecil Avenue Draft ACHAR  
**Date:** Thursday, 31 October 2024 3:58:00 PM  
**Attachments:** NSW10220\_CastleHill\_ACHAR\_Draft.pdf

---

Hi all,

Please find attached a copy of the draft ACHAR for the development of a new apartment building at Cecil Avenue. Please provide any comments you may have on the ACHAR by **29 November 2024 (28 days from day)**.

Regards,  
Jason Giang  
Senior Archaeologist

Ph: 1300 124 356

Mob: 0433 692 386

**Everick Heritage Pty Ltd**

ABN 78 102 206 682

Brisbane | Sydney | Melbourne | Perth | Toowoomba | Townsville | Byron Bay | Cairns

Web: [www.everick.com.au](http://www.everick.com.au)

**Everick Heritage**



I acknowledge the traditional owners and custodians of country throughout Australia and their continuing connection to land, culture and community. I pay my respect to Elders past, present and future.



# EVERICK HERITAGE

## Appendix B – Consultation log

Date	Type (email/phone call)	Contact (from)	Contact details	Organisation (from)	Contact (to)	Contact Details	Organisation (to)	Discussion
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	NNTT	<a href="mailto:GeospatialSearch@NNTT.gov.au">GeospatialSearch@NNTT.gov.au</a>	National Native Title Tribunal	Request for Spatial Search of Tribunal Registers
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	DLALC	<a href="mailto:Reception@deerubbin.org.au">Reception@deerubbin.org.au</a>	Deerubbin Local Aboriginal Land Council	Request for information of RAPS
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	HNSW	<a href="mailto:heritagemailbox@environment.nsw.gov.au">heritagemailbox@environment.nsw.gov.au</a>	Heritage NSW	Request for information of RAPS
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	GSLLS	<a href="mailto:gs.service@lts.nsw.gov.au">gs.service@lts.nsw.gov.au</a>	Greater Sydney Local Land Services	Request for information of RAPS
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	NTSCorp	<a href="mailto:information@ntscorp.com.au">information@ntscorp.com.au</a>	Native Title Services Corporation	Request for information of RAPS
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	ORALRA	<a href="mailto:adminofficer@oralra.nsw.gov.au">adminofficer@oralra.nsw.gov.au</a>	Office of the Registrar Aboriginal Land Rights Act	Request for information of RAPS
26/08/2024	Email	Amber Hewson	<a href="mailto:a.hewson@everick.net.au">a.hewson@everick.net.au</a>	Everick Heritage	The Hills Shire Council	<a href="mailto:council@thehills.nsw.gov.au">council@thehills.nsw.gov.au</a>	The Hills Shire Council	Request for information of RAPS
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Carolyn Hickey	<a href="mailto:cazadirect@live.com">cazadirect@live.com</a>	A1 Indigenous Services	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Amanda Hickey	<a href="mailto:amandahickey@live.com.au">amandahickey@live.com.au</a>	Amanda Hickey Cultural Services	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Jamie Eastwood	<a href="mailto:James.eastwood@y7mail.com">James.eastwood@y7mail.com</a>	Aragung Aboriginal Cultural Heritage Site Assessments	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.

# EVERICK HERITAGE

Date	Type (email/phone call)	Contact (from)	Contact details	Organisation (from)	Contact (to)	Contact Details	Organisation (to)	Discussion
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Ralph Hampton	<a href="mailto:hamptonralph46@gmail.com">hamptonralph46@gmail.com</a>	B.H. Heritage Consultants	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Nola Hampton	<a href="mailto:kinghampton77@gmail.com">kinghampton77@gmail.com</a>	B.H. Heritage Consultants	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Mrs Jody Kulakowski (Director)	<a href="mailto:barkingowlcorp@gmail.com">barkingowlcorp@gmail.com</a>	Barking Owl Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Lee Field (Manager)	<a href="mailto:barrabyculturalservices@gmail.com">barrabyculturalservices@gmail.com</a>	Barraby Cultural Services	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	James Carroll	<a href="mailto:jrcarroll888@gmail.com">jrcarroll888@gmail.com</a>	Bidjawong Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	James Carroll	<a href="mailto:bidjawong@gmail.com">bidjawong@gmail.com</a>	Bidjawong Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Jennifer Beale	<a href="mailto:butuheritage@gmail.com">butuheritage@gmail.com</a>	Butucarbin Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Mark Dyer	<a href="mailto:markdyer2009@live.com.au">markdyer2009@live.com.au</a>	Darug Aboriginal Land Care	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.

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Date	Type (email/phone call)	Contact (from)	Contact details	Organisation (from)	Contact (to)	Contact Details	Organisation (to)	Discussion
								to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Paul Hand (chairperson)	<a href="mailto:paulhand1967@gmail.com">paulhand1967@gmail.com</a>	Darug Boorooberongal Elders Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Justine Coplin	<a href="mailto:justinecoplin@optusnet.com.au">justinecoplin@optusnet.com.au</a>	Dharug Custodian Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Jamie Workman; Anna Workman; Anna O'Hara	<a href="mailto:daruglandobservations@gmail.com">daruglandobservations@gmail.com</a>	Darug Land Observations	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Kevin Cavanagh	<a href="mailto:srandall@deerubbin.org.au">srandall@deerubbin.org.au</a>	Deerubbin Local Aboriginal Land Council	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Kevin Cavanagh	<a href="mailto:Reception@deerubbin.org.au">Reception@deerubbin.org.au</a>	Deerubbin Local Aboriginal Land Council	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Stephen Fields	<a href="mailto:dhinawan.ch@gmail.com">dhinawan.ch@gmail.com</a>	Dhinawan Culture & Heritage Pty Ltd	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Darren Duncan	<a href="mailto:darrenjohnduncan@gmail.com">darrenjohnduncan@gmail.com</a>	DJMD Consultancy	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.

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28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Steven Johnson; Krystle Carroll	<a href="mailto:Ginninderra.corp@gmail.com">Ginninderra.corp@gmail.com</a>	Ginninderra Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Shayne Dickson	<a href="mailto:gunjeewongculturalheritage21@hotmail.com">gunjeewongculturalheritage21@hotmail.com</a>	Gunjeewong Cultural Heritage Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Julia Narayan	<a href="mailto:juliaannnarayan2018@gmail.com">juliaannnarayan2018@gmail.com</a>	Julia Narayan	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Phil Khan	<a href="mailto:philipkhan.acn@live.com.au">philipkhan.acn@live.com.au</a>	Kamilaroi Yankuntjatjara Working Group	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Phillip Carroll	<a href="mailto:mura.cultureservices@gmail.com">mura.cultureservices@gmail.com</a>	Mura Indigenous Corporation (icn:8991)	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Kaarina Slater	<a href="mailto:ngambaa.culturalconnections@gmail.com">ngambaa.culturalconnections@gmail.com</a>	Ngambaa Cultural Connections	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Pemulwuy Johnson	<a href="mailto:pemulwuyd@gmail.com">pemulwuyd@gmail.com</a>	Pemulwuy (Murrin Clan/Peoples)	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you

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Date	Type (email/phone call)	Contact (from)	Contact details	Organisation (from)	Contact (to)	Contact Details	Organisation (to)	Discussion
								to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Marilyn Carroll-Johnson	corroboreecorp@outlook.com	Corroboree Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Corey Smith	cullendullachts@gmail.com	Cullendulla (Murrin Clan/Peoples)	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Andrew Bond	<a href="mailto:धारुगचत्स@gmail.com">धारुगचत्स@gmail.com</a>	Dharug (Murrin Clan/Peoples)	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Wendy Smith	<a href="mailto:gulagachts@gmail.com">gulagachts@gmail.com</a>	Gulaga	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Nathan Moran	<a href="mailto:officeadmin@metrolalc.org.au">officeadmin@metrolalc.org.au</a>	Metropolitan Local Aboriginal Land Council	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Roxanne Smith	<a href="mailto:murramarangchts@gmail.com">murramarangchts@gmail.com</a>	Murramarang (Murrin Clan/Peoples)	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Shane Carriage	<a href="mailto:thauairachts@gmail.com">thauairachts@gmail.com</a>	Thauaira	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.

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Date	Type (email/phone call)	Contact (from)	Contact details	Organisation (from)	Contact (to)	Contact Details	Organisation (to)	Discussion
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Lillie Carroll ; Paul Boyd	<a href="mailto:didgengunawalclan@yahoo.com.au">didgengunawalclan@yahoo.com.au</a>	Didge Ngunawal Clan	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Caine Carroll	<a href="mailto:goodradigbee1@outlook.com">goodradigbee1@outlook.com</a>	Goodradigbee Cultural & Heritage Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Wendy Morgan	<a href="mailto:wenlissa01@hotmail.com">wenlissa01@hotmail.com</a>	Guntawang Aboriginal Resources Incorporated	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
28/08/2024	Email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Darleen Johnson; Ryan Johnson	<a href="mailto:murrabidgeemullangari@yahoo.com.au">murrabidgeemullangari@yahoo.com.au</a>	Murra Bidgee Mullangari Aboriginal Corporation	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
2/09/2024	email	Marilyn Caroll	<a href="mailto:corroboreecorp@outlook.com">corroboreecorp@outlook.com</a>	Corroboree Aboriginal Corporation	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Corroboree Aboriginal Corporation registers their interest
4/09/2024	letter	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Gordon Morton	0422 865 831	Darug Aboriginal Cultural Heritage Assessments	Everick Heritage is seeking to undertake an Aboriginal Cultural Heritage Assessment of Cecil Ave and Roger Ave, Castle Hill. We are emailing to invite you to register your interest in the consultation process.
18/09/2024	email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	HNSW	<a href="mailto:heritagemailbox@environment.nsw.gov.au">heritagemailbox@environment.nsw.gov.au</a>	Heritage NSW	List of registered RAPs for the project
18/09/2024	email	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	DLALC	<a href="mailto:Reception@deerubbin.org.au">Reception@deerubbin.org.au</a>	Deerubbin Local Aboriginal Land Council	List of registered RAPs for the project
19/09/2024	email	Anna Preize	<a href="mailto:support@zendesk.environment.nsw.gov.au">support@zendesk.environment.nsw.gov.au</a>	Heritage NSW	Hannah Chow	<a href="mailto:h.chow@everick.net.au">h.chow@everick.net.au</a>	Everick Heritage	Thank you for your email. This information has been placed on file. A member of the Aboriginal Cultural Heritage Assessment Team will contact

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Date	Type (email/phone call)	Contact (from)	Contact details	Organisation (from)	Contact (to)	Contact Details	Organisation (to)	Discussion
								you if further information is required. Your reference: DOC24/771421
2/10/2024	email	Jason Giang	<a href="mailto:j.giang@everick.net.au">j.giang@everick.net.au</a>	Everick Heritage	Leanne Watson Redpath	<a href="mailto:mulgokiwi@bigpond.com">mulgokiwi@bigpond.com</a>	Darug Custodian Aboriginal Corporation	Invited Leanne Redpath to register interest in the Project. Leanne was invited late into the process as her organisation was identified through discussion with local community members
31/10/2024	email	Jason Giang	<a href="mailto:j.giang@everick.net.au">j.giang@everick.net.au</a>	Everick Heritage	Marilyn Carroll; Kevin Cavanagh; Leanne Watson Redpath	<a href="mailto:corroboreecorp@outlook.com">corroboreecorp@outlook.com</a> ; <a href="mailto:Reception@deerubbin.org.au">Reception@deerubbin.org.au</a> ; <a href="mailto:Reception@deerubbin.org.au">Reception@deerubbin.org.au</a> ; <a href="mailto:mulgokiwi@bigpond.com">mulgokiwi@bigpond.com</a>	Corroboree Aboriginal Corporation; Deerubbin Local Aboriginal Land Council; Darug Custodian Aboriginal Corporation	A final draft copy of the ACHAR is sent to the RAPs

## Appendix C – ATR

# EVERICK HERITAGE

## Mixed-Use Residential Flat Development

Archaeological Technical Report

Prepared for Alton Property Group

December 2024

The Hills Shire Local Government Area



# EVERICK HERITAGE

## Report Reference:

Everick Heritage 2024. *Mixed Use Residential Flat Development: Archaeological Technical Report*. Everick Heritage Pty Ltd unpublished report prepared for Alton Property Group.



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2	Jason. G	Final Review	All	4.12.24	K. Christian
3					

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## Executive summary

Alton Property Group (the Proponent) is proposing a mixed-use residential flat development comprising four buildings with commercial floor space, 616 apartments, and four levels of basement car parking. The proposed development is located at 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area) (Figure 1.1).

This development will involve constructing 616 residential apartments and 8,025 square metres of commercial floorspace, with basement parking facilities accessible via a driveway off Cecil Avenue. Additionally, the proposal will entail the demolition of existing residential dwellings within the Project Area. This proposal aligns with recent amendments to the SEPP Housing policy, leveraging the opportunity to designate 15 per cent of the gross floor space as affordable housing. Furthermore, the development will incorporate a pedestrian link, enhancing site connectivity between Roger Avenue and Cecil Avenue.

A State Significant Development (SSD) Application has been lodged for this Project (SSD-78156221). The Secretary's Environmental Assessment Requirements (SEARs) have been issued. Requirement 18 stipulates the requirement for the application to prepare an Aboriginal Cultural Heritage Assessment Report.

This Aboriginal Technical Report (ATR) has been prepared to support the ACHAR and presents the results of the background research and archaeological survey.

### Results of archaeological survey

Background research and subsequent archaeological survey were conducted within the Project Area. These efforts confirmed that no Aboriginal objects or sites have been identified. The significant historical disturbances resulting from prior development activities have compromised the landscape's integrity, concluding that the Project Area does not hold specific Aboriginal cultural values. However, it is acknowledged that the broader context of the Cumberland Plain contains significant cultural heritage and connections to local Aboriginal communities.

In summary, the survey results indicate that the Project Area has been subject to substantial ground disturbance relating to the demolition of residential buildings and vegetation clearing and that all existing vegetation is non-cultural. Additionally, redeposited soil and demolition waste from previous construction and water management activities on site has likely been deposited across all sections of the Project Area.

The site inspection identified no Aboriginal sites or potentially archaeologically sensitive landforms.

## Recommendations

The preparation of the ACHAR has identified that the Project Area is of low archaeological potential and sensitivity. The proposed works are considered highly unlikely to result in impact to Aboriginal cultural heritage, therefore in accordance with the Due Diligence Code of Practice (Department of Environment, Climate Change and Water 2010c) the proposed works may proceed without further investigation.

The following recommendations have been made based on the results of the ACHA:

### Connecting with Country Framework

In accordance with the ESD intergenerational principle, it is recommended that Alton Property Group incorporate Aboriginal cultural heritage values that acknowledges the Darug people and the land on which the Project Area stands. For NSW built environment projects, this can be achieved through the use of the Connecting with Country framework (Government Architect New South Wales 2023) to help guide design principles. It is understood that the design has yet to be finalised for this Project, thereby offering ample opportunity for Aboriginal community consultation. Further engagement should be undertaken to adhere to the Connecting with country framework. The results of community engagement may be in the form of:

- Heritage interpretation boards – temporary or permanent, within or outside the Project Area.
- Cultural heritage awareness talks by Darug people.

It is acknowledged that Project Area may already implement the ESD intergenerational principle in some form or through the above strategies.

### Recommendation 1: Unexpected finds

Unexpected Aboriginal objects remain protected by the NPW Act. If any such objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease, and Heritage NSW, and Deerubbin LALC be contacted for advice.

### Recommendation 2: Discovery of human remains

If suspected human remains are discovered and/or harmed in, on or under the land within the Project Area, the following actions must be undertaken:

- The remains must not be harmed/further harmed

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- Immediately cease all works at that particular location
- Secure the area to avoid further harm to the remains
- Notify the NSW Police and the Environment Line (Heritage NSW) on 131 555 as soon as practicable and provide any details of the remains and their location
- Do not recommence any work at that particular location unless authorised in writing by Heritage NSW.

### **Recommendation 3: Continued consultation with the Registered Aboriginal stakeholders**

As per the 2010 Consultation Requirements (DECCW 2010b), the proponent should provide a draft report with Aboriginal stakeholders and take into account any feedback received. The proponent should also maintain consultation and keep these groups updated on the management of Aboriginal cultural heritage sites in the study area for the duration of the project.

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## Definitions and abbreviations

ACHAR means Aboriginal Cultural Heritage Assessment Report

AHC means Australian Heritage Council

Australian Heritage Council Act means *Australian Heritage Council Act 2003* (Cth)

AHIMS means Aboriginal Heritage Information Management System

AHIP means Aboriginal Heritage Impact Permit

ALR Act means *Aboriginal Land Rights Act 1983*

ASR means Aboriginal Archaeological Survey Report

ASRF means Aboriginal Site Recording Form

ATSIHP Act means *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth)

BP means Before Present (that is 1950)

CHL means Commonwealth Heritage List

Code of Practice means Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales

Consultation Requirements means Aboriginal cultural heritage consultation requirements for proponents 2010

DCCEEW means Department of Climate Change, Energy, the Environment and Water

DECCW means Department of Environment, Climate Change and Water (now Heritage NSW)

EIS means Environmental Impact Statement

EP&A Act means *Environmental Planning and Assessment Act 1979* (NSW)

EPBC Act means *Environment Protection and Diversity Conservation Act 1999* (Cth)

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ESD	means Ecologically Sustainable Development
Everick Heritage	means Everick Heritage Pty Ltd
GSV	means ground surface visibility
GPS	means Global Positioning System
ISEPP	<i>State Environmental Planning Policy (Infrastructure) 2007</i> (NSW)
KNC	Kelleher Nightingale
LALC	means Local Aboriginal Land Council
LEP	means Local Environmental Plan
LGA	means Local Government Area
NHL	means National Heritage List
NPW Act	means <i>National Parks and Wildlife Act 1974</i> (NSW)
OEH	means (former) New South Wales Office of Environment and Heritage
PAD	means Potential Archaeological Deposit
Project Area	means the area shown in Figure 1-1.
RAP	means Registered Aboriginal Party
RNE	means Register of the National Estate
s	means section
SEARs	means Secretary's Environmental Assessment Requirements
SEPP	means State Environmental Planning Policy
SSD	means State Significant Development

## 1. Introduction

### 1.1. Project background

Alton Property Group (the Proponent) is proposing a mixed-use residential flat development of four buildings comprising commercial floor space, 616 apartments and four levels of basement car parking. The proposed development is located at 93-107 Cecil Ave & 9-10 Roger Ave, Castle Hill, NSW 2154 (the Project Area) (Figure 1-1).

A State Significant Development (SSD) Application has been lodged for this Project (SSD-78156221). The Secretary's Environmental Assessment Requirements (SEARs) have been issued. Requirement 18 stipulates the requirement for the application to prepare an Aboriginal Cultural Heritage Assessment Report.

Everick Heritage Pty Ltd (Everick Heritage) has prepared this Aboriginal Technical Report (ATR) has been prepared to support the ACHAR. This ATR has been prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (Department of Environment, Climate Change and Water [DECCW] 2010a, known as the Code of Practice).

### 1.2. Project Area

The Project Area is located within the Parish of The Field of Mars and County of Cumberland (Figure 1-1). The Project Area is located within The Hills Shire Local Government Area (LGA) and the Deerubbin Local Aboriginal Land Council (LALC). The Project comprises the following lots located between Cecil Avenue and Roger Avenue, Castle Hill:

**Table 1-1: Lot and DP numbers within the Project Area**

DP and Lot Number		
Lot 1 DP531559	Lot 1 DP547897	Lot 2 DP591676
Lot 1 DP591676	Lot 1 DP581293	Lot 2 DP547897
Lot 2 DP5812193	Lot 4 DP531559	Lot 5 DP2914

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DP and Lot Number		
Lot 5 DP705913	Lot 6 DP29141	Lot 6 DP705913
Lot 20 DP15399	Lot 21 DP778595	Lot 22 DP581293

## 1.3. Project descriptions

This proposed development will include the construction of 616 residential apartments and 8,025 square metres of commercial floorspace, with basement parking facilities accessible via a driveway off Cecil Avenue. The proposal will also involve the demolition of existing residential dwellings within the Project Area. This proposal aligns with recent amendments to the SEPP Housing policy, leveraging the opportunity to designate 15 percent of the apartments as affordable housing. Additionally, the development will incorporate a pedestrian link, enhancing site connectivity between Roger Avenue and Cecil Avenue (Figure 1-2; Figure 1-3).

## 1.4. Study objectives

The objectives of this ATR are to:

- Document the findings of an Aboriginal archaeological survey of the Project Area.
- Inspect and assess registered Aboriginal sites located within or in close proximity to the Project Area.
- Consult with the Deerubbin Local Aboriginal Land Council (LALC) and registered Aboriginal parties (RAPs) regarding archaeological and cultural values identified for the Project Area, as well as any mitigation strategies.
- Provide recommendations and management strategies for any Aboriginal sites or objects potentially impacted by the proposed Project.
- Provide guidance to the Proponent as to the requirements for any further archaeological assessment or consultation which might be required.

## 1.5. Author and contributors

Amber Hewson (Archaeologist, Everick Heritage) and Gareth Holes (Senior Archaeologist, Everick Heritage) were responsible for the preparation of this report and undertook the literature review and background research for this report.

Field survey was undertaken by Andrew Jenkins (Archaeologist, Everick Heritage).

Andrew Robins (GIS, Everick Heritage) undertook GIS mapping for this Project

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Figure 1-1: Location of the Project Area



Figure 1-2: Location of proposed development (Source: Alton Property Group)



Figure 1-3: Building Envelope Plan L00 & L01 (Source: Alton Property Group)

## 2. Legislative context

### 2.1. State legislation

#### 2.1.1. *National Parks and Wildlife Act 1974 (NSW)*

The *National Parks and Wildlife Act 1974* (NSW) (NPW Act) provides statutory protection to all Aboriginal places and objects. An Aboriginal object is defined as:

*any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.*

The Minister declares an Aboriginal Place under section (s) 86 of the NPW Act. Aboriginal Places are recognised for their special significance to Aboriginal culture. Aboriginal Places gazetted under the NPW Act are listed on the State Heritage Register established under the *Heritage Act 1977* (NSW).

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declares Aboriginal places by establishing harm offences. Harm is defined to mean:

*destroying, defacing, damaging or moving an object from the land.*

The protection provided to Aboriginal objects applies regardless of their significance or issues of land tenure. Aboriginal objects and places are afforded statutory protection in that it is an offence to knowingly or unknowingly desecrate an Aboriginal object or place under section (s) 86 of the NPW Act.

In accordance with s 89A, any person aware of the location of an Aboriginal object must notify the Chief executive in the prescribed manner within a reasonable time of becoming aware of that object. The prescribed manner is through preparation and submission of an Aboriginal Site Recording Form (ASRF) to the Aboriginal Heritage Information Management System (AHIMS) (DECCW 2010a: 14).

In order to undertake a proposed activity which is likely to involve harm to an Aboriginal object or Aboriginal Place it is necessary to apply to Heritage NSW (Department of Planning and Environment) for an Aboriginal Heritage Impact Permit (AHIP). AHIPs are issued by the Aboriginal Heritage Regulation Team (Heritage NSW) under section 90 of the NPW Act and permit harm to certain Aboriginal objects

and Aboriginal Places. It is intended that the Project will be assessed as SSD under Part 4, Division 4.7, s 4.41 of the *Environmental Planning & Assessment Act 1979* (NSW) (EP&A Act); therefore, an Aboriginal Heritage Impact Permit (AHIP) is not required.

## 2.1.2. The Hills Local Environmental Plan 2019

The EP&A Act requires councils to consider environmental effects when assessing new developments. Heritage is one of the matters for consideration. Sites of environmental heritage (including historic heritage sites and sometimes Aboriginal heritage sites) are protected by gazetted Local Environment Plans (LEP) and Development Control Plans (DCP) which specify the constraints on development in the vicinity of these sites unless being assessed under Part 5 of the EP&A Act (see below). The Hills LEP 2019 has provided a Schedule (Schedule 5) of Environmental Heritage which provides statutory protection for those items listed. There are two sites located adjacent to the Project Area on Schedule 5 of the Hills LEP:

- Local significance - Christadelphian Church, 245 Old Northern Road (ID: I62)
- Local significance – St Pauls Cemetery, 247 Old Northern Road (ID: I61)

## 2.1.3. *Environmental Planning & Assessment Act 1979* (NSW)

Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) specifies that any State environmental policy may declare any development to be SSD as can the Minister, by a Ministerial planning order. It is intended that the Project will be assessed as a SSD under Part 4, Division 4.7, s 4.41 of the *Environmental Planning & Assessment Act 1979* (NSW) (EP&A Act).

Under Part 4, Division 4.7, s 4.41 the following authorisations are not required for SSD that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such an authority do not apply):

- 1 (c) an approval under Part 4, or an excavation permit under s 139 of the *Heritage Act 1977* (NSW)
- 1 (d) an Aboriginal heritage impact permit under s 90 of the NPW Act
- 2 Division 8 of Part 6 of the *Heritage Act 1977* (NSW) does not apply to prevent or interfere with the carrying out of SSD that is authorised by a development consent granted after the commencement of this Division.

The *State Environmental Planning Policy (State and Regional Development) 2011* (NSW) (Part 2 (11)) also excludes the application of development control plans for SSD.

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Under Part 5, Division 5.1 (environmental impact assessment) the determining authority cannot carry out an activity or grant approval for an activity that is likely to significantly affect the environment unless an environmental impact statement (EIS) is prepared. An EIS is being prepared for the Project.

## 2.1.4. *Native Title Act 1994 (NSW)*

The *Native Title Act 1994 (NSW)* was introduced to work in conjunction with the *Native Title Act 1993 (Cth)*. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act. A search of National Native Title Tribunal was undertaken on 19 August 2024. The search showed that Native Title does not exist across the Project Area.

## 2.1.5. *Aboriginal Lands Right Act 1983 (NSW)*

Aboriginal Land Councils (at the State and local level were established by the *Aboriginal Land Rights Act 1983 (NSW)* (ALR Act). Aboriginal Land Councils have a statutory obligation under the ALR Act to:

- a) take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law, and
- b) promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

The Project Area is within the boundary of the Deerubbin LALC who have been consulted for this ACHAR.

## 2.2. Commonwealth legislation

### 2.2.1. *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*

The *Environment and Heritage Legislation Amendment Act (No. 1) 2003 (Cth)* amends the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) to include 'national heritage' as a matter of National Environmental Significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

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The *Australian Heritage Council Act 2003* (Cth) (AHC Act) establishes the Australian Heritage Council (AHC), an advisory body to the Minister for the Environment and Heritage and retains the Register of the National Estate (RNE).

The *Australian Heritage Council (Consequential and Transitional Provisions) Act 2003* (Cth) (Australian Heritage Council Act) repeals the *Australian Heritage Commission Act 1975* (Cth), amends various Acts as a consequence of this repeal and allows the transition to the current heritage system.

Together, the above three Acts provide protection for Australia's natural, Indigenous and non-Indigenous heritage. Features include:

- The NHL of places of national heritage significance.
- The CHL of heritage places owned or managed by the Commonwealth.
- The creation of the AHC, an independent expert body to advise the Minister on the listing and protection of heritage places.
- Continued management of the Register of the National Estate (RNE).

## 2.2.1.1. National Heritage List

The NHL is a list of places with outstanding heritage value to our nation, including places overseas. The heritage values of these places are so important that they are protected under the EPBC Act. This means that a person cannot take an action that has, will have, or is likely to have a significant impact on the national heritage values of a national heritage place without the approval of the Australian Government Minister for the Environment and Heritage. Not complying with this law is a criminal offence, and significant penalties exist.

## 2.2.1.2. Commonwealth Heritage List

The CHL is a list of places managed or owned by the Australian Government and not of relevance to this project.

## 2.2.1.3. Register of the National Estate

The RNE is an evolving record of Australia's natural, cultural and Aboriginal heritage places that are worth keeping for the future. The AHC compiles and maintains the RNE under the *Australian Heritage Council Act*. Places on the RNE that are in Commonwealth areas, or subject to actions by the Australian

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Government, are protected under the EPBC Act by the same provisions that protect Commonwealth heritage places (see above).

Following amendments to the Australian Heritage Council Act, the RNE was frozen on 19 February 2007, meaning no new places can be added or removed. From 2012, all references to the RNE were removed from the EPBC Act and the AHC Act. The RNE is now maintained on a non-statutory basis as a publicly available archive.

## *2.2.2. Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)*

Most State Aboriginal heritage databases provide protection for those sites with physical evidence. The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)* (ATSIHP Act) deals with Aboriginal cultural property in a wider sense. Such cultural property includes any places, objects and folklore that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'. In most cases, archaeological sites and objects registered under the State Act will also be Aboriginal places subject to the provisions of the ATSIHP Act.

There is no cut-off date, and the ATSIHP Act may apply to contemporary Aboriginal cultural property as well as ancient sites. Where there is conflict, the ATSIHP Act takes precedence over State cultural heritage legislation. The responsible Minister may make a declaration under Section 10 of the ATSIHP Act in situations where state or territory laws do not adequately protect heritage places.

## 3. Environmental context

### 3.1. Geomorphology and soils

The Project Area falls within the wider Cumberland Plain, which extends from Windsor in the north to Picton in the south and is located within the Sydney Basin. The region around Castle Hill is sometimes referred to as the Cumberland Lowlands and consists of low-lying undulating plains and gently rolling hills.

The Project Area is entirely situated within the Glenorie soil landscape, as mapped and described by the Soil Landscapes of Central and Eastern NSW (DCCEEW 2024) (Figure 4-2). These soil-landscape maps provide a comprehensive inventory and detailed descriptions of the landscape properties of the Project Area, identifying major soil and landscape qualities as well as constraints. Such descriptions can assist in the archaeological assessment of the area by highlighting the presence of archaeologically sensitive landscape features.

The Glenorie soil landscape comprises shallow to moderately deep red podzolic soils (under 1 m) on crests, moderately deep (0.7-1.5 m) red and brown podzolic soils on upper slopes, and deep yellow and greyed podzolic soils along drainage lines. The moderately deep soils have the potential to preserve subsurface artefacts despite surface disturbance.

The Project Area sits upon the Wianamatta Group of Ashfield Shale and Bringelly Shale formations. The Ashfield Shale consists of laminite and dark grey shale, while the Bringelly Shale comprises shale, calcareous claystone, laminate, and fine to medium-grained lithic-quartz sandstone (Chapman and Murphy 1989: 66).

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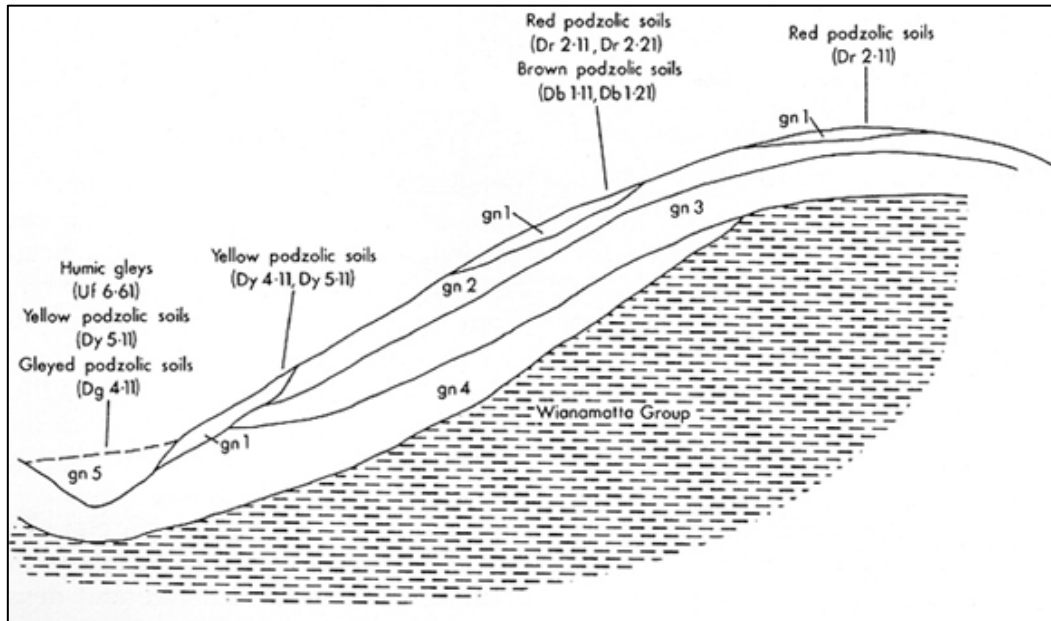


Figure 3-1: Distribution diagram of the Glenorie soil landscape showing the occurrence and relationship of dominant soil materials.

## 3.2. Vegetation

This area would once have been characterised by tall open forest (dry sclerophyll forest) but has been subsequently extensively cleared. Dominant tree species include Spotted Gum (*Eucalyptus maculata*) and Grey Box (*E. moluccana*). Lesser occurrences of Broad-leaved Ironbark (*E. fibrosa*), Narrow-leaved Ironbark (*E. crebra*), Forest Red Gum (*E. tereticornis*) and Woollybutt (*E. longifolia*). Understorey species include Blackthorn (*Bursaria spinosa*), Coffee Bush (*Breynia oblongifolia*), Forest Oak (*Allocasuarina torulosa*), Hickory (*Acacia implexa*) and Hairy Clerodendrum (*Clerodendrum tomentosum*), while grassy understorey includes Speargrass (*Aristida vagans*), Bordered Panic (*Entolasia marginata*), Paddock Lovegrass (*Eragrostis leptostachya*) and Kangaroo Grass (*Themeda australis*) are native to the region (Benson1981 cited in DCCEEW 2024).

Such a vegetation community would have provided a variety of edible plant species and plants suitable for resource subsistence. For example, the tall Grey Box and Red Gum's would have provided bark to make coolamons, shields or canoes, while the leaves from the Lomandra could have been used for weaving baskets. Eucalyptus flowers rich in nectar and acacia seeds rich in protein, with bark having medicinal applications, may also have been utilised by Aboriginal people (Low 1989 and Baker et al

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1986: 136 cited in Comber Consultants 2021: 12). In addition, Cumberland Plain vegetation provided habitat for a variety of marsupials and birds whilst creeks would have provided fish, yabbies and eels. Today, the Cumberland Woodland has been extensively cleared, with only small communities remaining in protected areas. It is not expected that any mature native vegetation will remain within the Project Area.

## 3.3. Hydrology

The availability of water has significant implications for the range of resources available and the suitability of an area for human occupation. The creek closest to the Project Area, which has been the most significant based on past archaeological investigations in the area is Cattai Creek, 2.5 km to the west of the Project Area. There is an unnamed first-order tributary of Cattai Creek located 300 m southeast of the Project Area (Figure 4-2). These waterways would have provided a source of fresh water and attracted game animals and supported vegetation.

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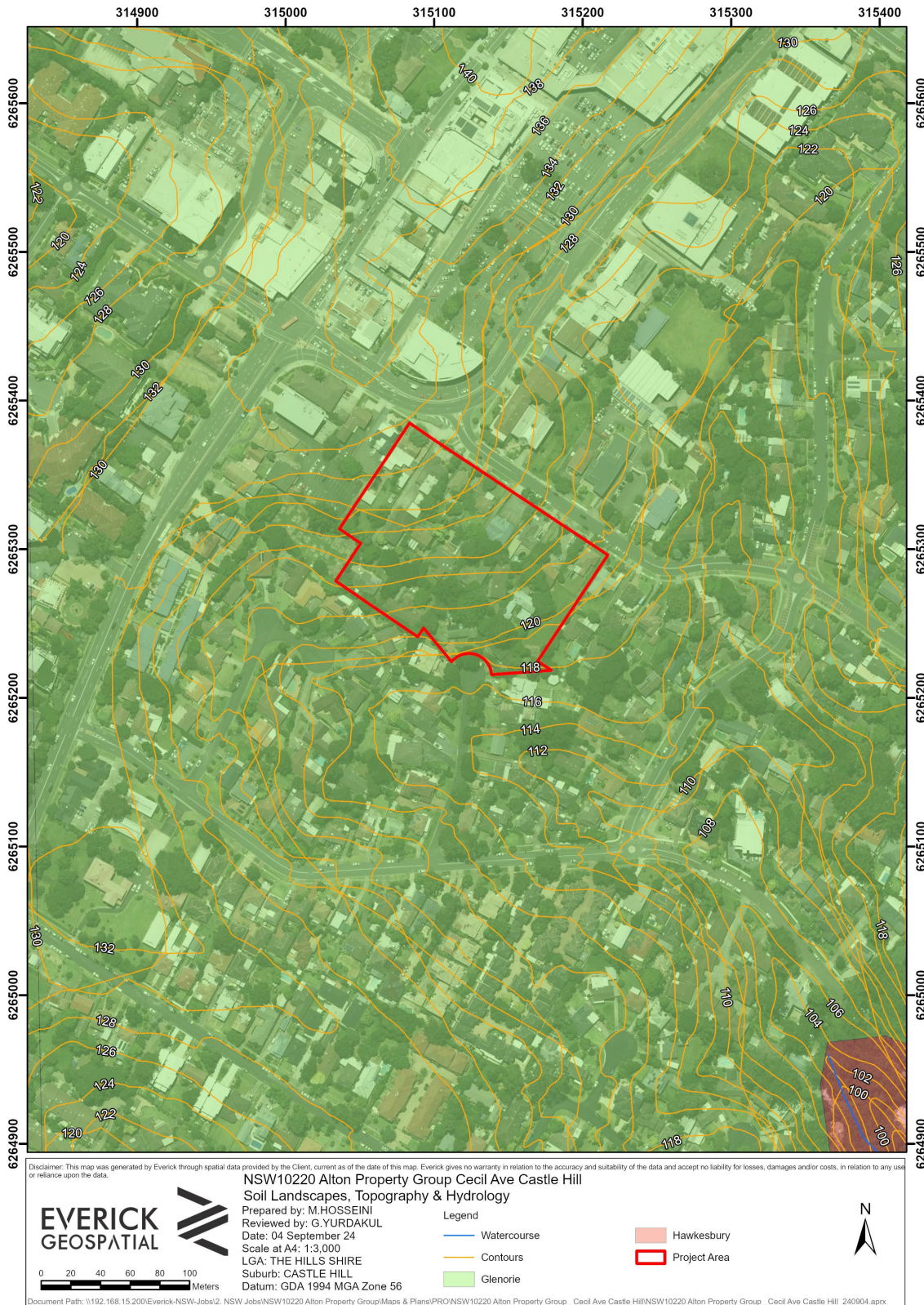


Figure 3-2: Soil landscapes, Hydrology and Topography of the Project Area

## 3.4. Land use history

The first Europeans to settle in The Hills Area were members of an expedition led by Governor Phillip from Parramatta in April 1791. The group was searching for a new area for settlement and farming to support what was then a struggling colony in Sydney. The Castle Hill area has been selected as a Government Farm settlement for convicts.

In 1794, William Joyce, a pardoned convict, was granted the first parcel of land in Baulkham Hills and others began to follow, stocking their land with cattle and sheep and clearing bushland to plant crops of wheat and maize. The Hills District began to thrive with more settlers moving to the area and establishing viable farms (The Hills Shire Council 2008).

In 1801 a Government Farm was designated in the Castle Hill area between Castle Hill and Maroota. 50 convicts were organised by Governor King to clear the land for farming. However only a small portion of the land was cultivated and after 1810 it was abandoned as a Government Farm. Subsequently the convict barracks were converted into a lunatic asylum. Initially the lunatic asylum held 'deranged convicts' but later free citizens were also admitted. The asylum remained in operation until 1826 (Neil 1989).

The entire Project Area was part of a section of 100 acres of crown land granted to Andrew McDougall and Family. Andrew was born in Roxburgh, Scotland on the 9th of June 1759 to Thomas McDougall (1736-1792) and Elizabeth Taylor (1743-1816). Andrew was a chairmaker by trade and was chosen by Lt. Governor Philip Gidley King to migrate to the colony of NSW with John Smith and John Bowman and their families to build corn mills. They boarded the 'Barwell' on Tuesday, 12th September 1797 at Long Beach on the River Thames under John Cameron and arrived at Port Jackson on Friday, 18th May 1798 (*Andrew and Elizabeth McDougall : Immigration Place, 2024*).

In the early twentieth century a rail line was established between Castle Hill and Parramatta, with 3.6km of track laid from Baulkham Hills connecting to Parramatta. The train line was used by pupils attending to Parramatta High School, with the line carrying a million passengers in 1922. The line was subsequently removed in the 1950s (Rowland 1970).

Historical imagery of the Project Area shows the development of the Castle Hill residential and commercial precincts. In the 1965 imagery, residential buildings along Cecil Ave can be seen and commercial buildings to the north of the Project Area (Figure 4-4). Further residential dwellings appear to have been constructed on the Project Area between the years 1977 and 1986 (Figure 4-5). This residential block appears to increase in density over time. The suburb of Castle Hill appears to have

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steadily grown in size and density between 1965 and 1986 (Figure 4-4 and Figure 4-6). Based on the historic aerial photographs, it has been assessed that the Project Area has been heavily disturbed.



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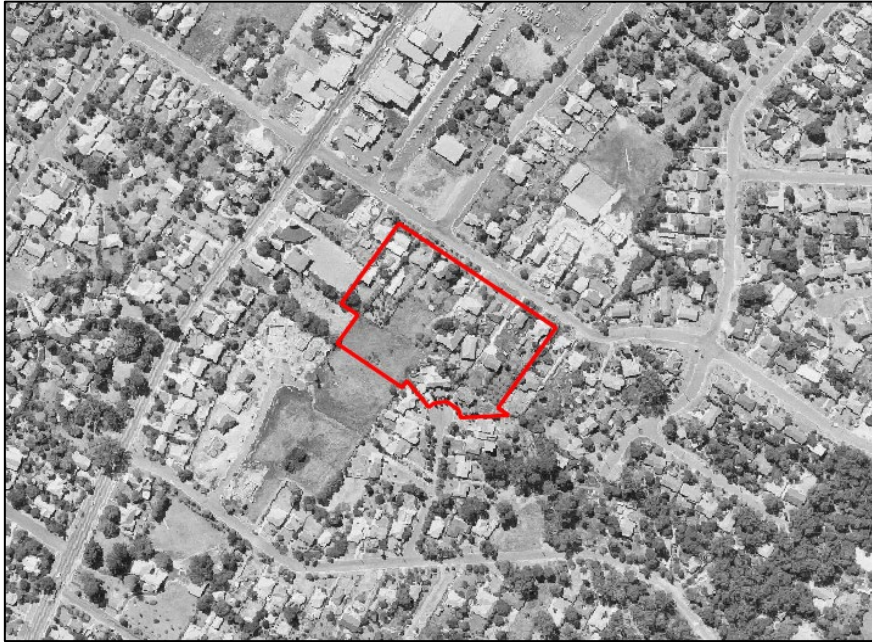


Figure 3-5: 1977 historical aerial, the approximate boundary of the Project Area is outlined in red.  
(Source: NSW Spatial Services)



Figure 3-6: 1986 historical aerial, the approximate boundary of the Project Area is outlined in red.  
(Source: NSW Spatial Services)

## 4. Ethnohistoric and archaeological context

### 4.1. Ethnohistoric context

Clans based on patrilineal or matrilineal descent were the basic unit of pre-colonial Aboriginal society. These clans had defined territories and ritual and economic responsibilities to each other and within their own systems. Clusters of neighbouring clans, which shared a common dialect and political and economic interest distinguished themselves from other clusters by use of a language name (Barwick 1984; Tindale 1974).

The area of Castle Hill and its surrounds became a desirable location for European settlers in the Nineteenth Century as this was one of the few regions in the area suitable for successful farming, as had been demonstrated previously at nearby Rose Hill, Parramatta (Heritage Study of Penrith 2007). As a result of this movement of settlers to the region, many of the Indigenous people of this area were assimilated into the new resident population or pushed to the fringes of society, damaging cultural continuity and access to lands that form such an important part of local customs. As a result, language and culture suffered, though aboriginal people of the area were resilient and maintained language and traditions in spite of this. During early exploration of the countryside, the first British colonists recorded differences in language and dialect of the Aboriginal people they encountered but this was neither systematic nor comprehensive (Attenbrow 2010: 8). It was not until the late 1800s that more rigorous and systematic attempts were made to record languages spoken in the Sydney Basin and surrounding regions but by this time Aboriginal society had already been disrupted and displaced through disease, warfare, and possession of traditional lands. It is understood that the Darug (Dharug or Dharruk) language group inhabited the area bounded by Port Jackson and Botany Bay in the east, the Georges River to the south and southwest, the Hawkesbury River in the northwest and as far west as the Blue Mountains. Three distinct dialects were noted in relation to the coastal (sometimes referred to as Eora), the hinterland (plains) and the mountains. The Castle Hill area would have been located within the hinterland region.

The location of the clan territory determined the resource base which was available to be exploited. The Hawkesbury and Nepean Rivers were a major resource and occupation focus for Aboriginal people. Yams were grown along the rich alluvial floodplain and formed an important staple for the Darug and Darkinjung people. The men hunted and fished while the woman gathered fruits and dug up yams and fern roots. When women gathered the yams, they often broke off the top part and reburied it, to ensure it would be there again the following year (Environmental Management Group Australia [EMGA] 2011:

11). Fire was regularly used as a land management tool. Regular low-intensity burning of the open woodlands across the Cumberland Plain maintained an environment particularly suitable for edible plant species. Fire-breaks were burnt near the margins of the rivers and creeks to ensure that the rich resources associated with the riverbanks were not lost due to the wildfires (EMGA 2011: 11). In the same way, new grass growing after a fire would attract wallabies, kangaroos and other herbivorous animals. Fires were also used for driving kangaroos and wallabies to be speared for food in what was known as 'walbunga' or wallaby kill.

## 4.2. Archaeological context

### 4.2.1. Regional context

The Cumberland Plain region of Western Sydney is one of the most studied regions in urban Australia, and there are over seven thousand sites registered with AHIMS in the region. Over half of the sites are artefact sites (artefact scatters or isolated finds), with Potential Archaeological Deposits (PAD) as the next most common feature. Axe grinding grooves are the next most common feature, followed by other undefined site types, including quarries, non-human bone, and shell (AHIMS 2015: 27).

In 1986, Kohen undertook a large-scale regional archaeological study of the Cumberland Plain and found that proximity to water was one of the defining factors in the location and density of surface artefact finds. The study demonstrated that proximity to water was important in site patterning. He recorded over 50 sites in western Sydney, including open artefact scatters, axe grinding grooves and rock shelters. More than 65 per cent of artefact scatters were located within 100 m of permanent fresh water, and only eight per cent of sites were greater than 500 m from a water source. Kohen also found that silcrete and chert are the most common raw materials used to manufacture stone artefacts. Other raw materials include quartz, basalt and quartzite. The distribution of raw materials associated with the manufacturer of stone tools suggests that chert and basalt were carried or traded east from the river gravels and that silcrete was traded or carried from sources near South Creek and Eastern Creek, west towards the Nepean Flood Plain (Kohen 1997: 7 cited in Comber 2021: 13).

Kohen's review of the ethnohistorical and environmental information suggested that the western Sydney Darug peoples moved with the seasons and were attracted to the alluvial floodplains of the Hawkesbury and Nepean Rivers.

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White and McDonald (2010) produced a predictive model which has been the base of much of the subsequent archaeological research in the Cumberland Plain. The model can broadly be summarised as follows:

*Topographic and stream order variables correlate with artefact density and distribution. High artefact density concentrations may have resulted from large number of artefact discard activities and/or from intensive stone flaking. Highest artefact densities occur on terraces and lower slopes associated with 4th and 2nd order streams, especially 50–100 metres from 4th order streams. Upper slopes have sparse discontinuous artefact distributions but artefacts are still found in these landscape settings (White and McDonald 2010)*

## 4.2.2. Local context

4.2.2.1. 23A, 25, 27 and 29 Fairway Drive, Kellyville. Aboriginal Cultural Heritage Assessment & Test Excavation Report (Kelleher Nightingale 2017)

An Aboriginal Heritage Assessment and Test Excavation Report was prepared for 23A-29 Fairway Drive Kellyville by Kelleher Nightingale (2017) on behalf of Capital Fairway View Pty Ltd. The study area is approximately 4 km northwest of the Project Area.

KNC conducted test excavation of 23A, 25, 27 and 29 Fairway Drive, Kellyville. A due diligence assessment completed for the project identified four areas of PAD across the study area associated with the nature of the site and the proximity to Strangers Creek. Test excavation was undertaken in the four areas previously identified as PAD. PAD 1 was located on a gentle slope approximately 130 m west of Strangers Creek. PADs 2-4 were located on raised, relatively flat areas adjacent to Strangers Creek.

Artefacts were recovered from five of the 20 test squares. The Artefact distribution was characterised by a low-density deposit with localised high-density concentrations adjacent to Strangers Creek.

The artefacts recovered from the western side of the creek were limited to a gravel pathway and assessed as being imported during the establishment of the gravel track. The artefact scatter was considered to exhibit no archaeological potential.

The test excavation results on the creek's eastern side indicated that the recovered artefacts were representative of an intact archaeological deposit. The artefacts recovered included three sets of conjoining artefacts, which were considered to indicate that the site was subject to limited horizontal

movement. The geographic extent of the site was identified as the raised area adjacent to the creek bank, which does not extend within the current study area.

#### 4.2.2.2. Showground Station Precinct, Castle Hill. Aboriginal Cultural Heritage Assessment (GML 2015)

SJB Planning engaged GML Heritage on behalf of the NSW Department of Planning and Environment to prepare an Aboriginal Heritage Assessment report for the proposed Showground Station Precinct. The study area is approximately 1.7 km northwest of the Project Area. A desktop assessment was completed with the results presented below:

Based on previous assessments and preliminary research, the following predictive statements were developed;

- Average artefact densities are highest within 100 m of a creek. Between 100 m and 200 m from the creek, higher artefact densities are generally found in clusters associated with discreet knapping floors (stone tool manufacture sites) amidst much lower density background artefact scatter.
- Grinding grooves can be found on landforms associated with the creek.
- Based on the highest artefact and site densities, lower to mid-slope landforms approximately 200 m from the creek with a northerly and northeasterly aspect were preferred occupation locations for Aboriginal people.
- Artefact densities decline with distances over 200 m from the creek, and in all low-lying areas adjacent to the creek, there are generally only low average artefact densities.
- Most stone artefacts are made from silcrete.
- Some sites can show specialisation, and the variety of activities undertaken between adjacent sites is apparent.

The desktop report identified that the Precinct contains one known Aboriginal site and another on the Precinct boundary. Eighteen Aboriginal sites are registered within 1 km of the study area. Based on previous investigations, including a search of the NSW Aboriginal Heritage Information Management System (AHIMS) and an analysis of the local environment, it was determined that the Precinct could contain unrecorded Aboriginal heritage sites. It is most likely that such sites will be open campsites, artefact concentrations, and/or isolated finds. These may be found anywhere within the Precinct as part of the typical Aboriginal archaeological signature present on the Cumberland Plain, often concentrated on slightly sloping to level ground, usually within 100 to 200 m of a watercourse.

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The results of field surveys and test excavations in these previous study areas show that the likelihood of previously unknown sites being disturbed by proposed works is extremely low. This is due to the nature and extent of these disturbances in the topsoil levels. Locations disturbed through ground excavation works are unlikely to have any intact Aboriginal archaeological deposits.

#### 4.2.2.1. Area 20 Precinct, Castle Hill. Aboriginal Cultural Heritage Assessment (Kelleher Nightingale 2010)

Kelleher Nightingale was engaged to undertake an Aboriginal Cultural Heritage Assessment on behalf of the NSW Department of Planning for the Area 20 precinct 1.8 km west of the Project Area. Based on previous assessments and preliminary research, Kelleher Nightingale developed the following predictive statements:

- Surface and subsurface stone artefacts occur at variable areal incidences in all landform types.
- Site frequency, artefact density, and diversity are strongly related to landscape variables determining access to fresh water and other exploitable resources.
- Low surface artefact incidences may not reflect the composition or density of subsurface archaeological deposits.
- Archaeological material may remain below the topsoil (surface 250 mm of soil).
- Artefact distributions will most likely be situated on locally elevated, well-drained ground.

A survey was undertaken of the Area 20 Precinct, comprised of 101 lots. Of those 101 Lots, 74 were accessible for the site inspection. In general, survey coverage was good. Substantial amounts of the study area were covered by either dense grass or regrowth woodland, leaving surface visibility generally low. Surface exposures were largely identified in areas of surface impact, such as earthworks, heavy machinery operations, erosion scours, and other areas of cleared vegetation. Depending on previous land uses within individual Lots, there was a relatively high degree of disturbance across the study area. The survey results include:

- 19 newly recorded Aboriginal archaeological sites within the precinct;
- Eight newly recorded PADs within the precinct, and
- revised conditions and boundaries for a number of the previously recorded sites and PADs
- The lower slope landform possessed 29 surface artefacts, most made of silcrete. The mid slopes contained five isolated silcrete artefact sites. The ridge crest contained two scatters and one isolated

find—seven silcrete artefacts—while the creek flat had a scatter of five silcrete artefacts and one isolated quartz artefact.

- The surfaces of the lower slopes presented with a greater site and artefact density.

The predictive model supports the results of the survey where the majority of artefacts were found in proximity to water on elevated well drained ground.

## 4.3. Database searches

### 4.3.1. Aboriginal Heritage Information Management System

When using the Aboriginal Heritage Information Management System (AHIMS) database to reach conclusions about site prevalence or distribution, caution should be taken. For example, a lack of sites in a given area should not be seen as evidence that Aboriginal people did not occupy the area. It may simply indicate that it has not been surveyed for cultural heritage or that the surveys were undertaken in areas of poor surface visibility. Further to this, care needs to be taken when looking at the classification of sites. For example, the decision to classify a site as an artefact scatter containing shell rather than a midden can be a highly subjective exercise, the threshold for which may vary between archaeologists. It is also important to note that the nature and location of Aboriginal sites can be culturally sensitive information and should only be made publicly available with the consent of the Aboriginal community.

An extensive search of the Heritage NSW AHIMS was conducted on 19 August 2024 for the Project Area and its surrounds (ID: 920939), which returned 113 Aboriginal site listings. The nearest of these sites is located approximately 1.8 km south-southwest of the Project Area (Figure 5-1).

Heritage NSW lists 20 standard site features that can describe a site registration with AHIMS, and more than one feature can be used for each site. Several site feature categories were recorded for the 113 sites within the search area. Details of the occurrence of site features are provided in Table 5-1.

The most common designation for site features was 'Artefact' and Art (Pigment or Engraved). The predominance of this type of evidence is likely to be related to several factors:

- The production of a large number of items (both tools and waste) in the production, maintenance and use of flaked stone artefacts
- The permanent nature of the material

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- Proximity to permanent watercourses
- The destruction of other types of evidence through natural processes such as decomposition and post-colonisation land-use practices such as vegetation clearance and earthworks.

The distribution of registered sites is shown in . Though there are several sites in the surrounding suburbs, Kellyville and Bella Vista, there are no sites within one kilometre of the Project Area. Many registered sites are located close to the Parramatta River, Cattai Creek and the many low-order creeks that feed into the river and surrounding lagoons. This is likely partly the result of Aboriginal land use, indicating a preference for repeated and/or long-term occupation of areas close to water and associated resources, but also results from patterns of development and land use following colonisation.

**Table 5-1: Frequency of site features within the search area.**

Site feature	Number	Percentage
Artefact	58	51.33
Art (Pigment or Engraved)	16	14.16
Grinding Groove	8	7.08
Potential Archaeological Deposit (PAD)	7	6.19
Artefact, Potential Archaeological Deposit (PAD)	5	4.42
Artefact, Art (Pigment or Engraved)	5	4.42
Aboriginal Resource Gathering	3	2.65
Artefact, Grinding Groove	3	2.65
Modified Tree (Carved or Scarred)	2	1.77
Art (Pigment or Engraved), Grinding Groove	2	1.77
Non-Human Bone and Organic Material, Potential Archaeological Deposit (PAD), Shell	1	0.88
Artefact, Hearth	1	0.88

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Site feature	Number	Percentage
Art (Pigment or Engraved), Artefact	1	0.88
<b>Total</b>	<b>113</b>	<b>100</b>

## 4.4. Other database searches

The following heritage registers were accessed on the 26 August 2024:

- ATSIHP. No declared places were identified within or adjacent to the Project Area.
- AHIP Public Register. A search of the current AHIP register has confirmed that no AHIPS cover the Project Area.
- World Heritage List (Australian Heritage Council/ UNESCO). No listed Aboriginal sites or objects.
- The National Heritage List (Australian Heritage Council). No listed Aboriginal sites or objects.
- Commonwealth Heritage List (Australian Heritage Council). No listed Aboriginal sites or objects.
- Register of the National Estate (Australian Heritage Council) The Register of the National Estate (RNE) is a non-statutory list retained as an archive of the previous listing process. No listed Aboriginal sites or objects.
- The State Heritage Register (NSW Heritage Office). No listed Aboriginal Places.
- The Hills LEP (2019):
  - Local significance - Christadelphian Church, 245 Old Northern Road (The Hills Shire LEP ID:162), located 40m west of the Project Area.
  - Local significance – St Pauls Cemetery, 247 Old Northern Road (The Hills Shire LEP ID:161), located to the west adjacent to the Project Area.

The LEP identifies both items as being locally significant, however no significance assessment is provided on the State Heritage Inventory. Therefore, it is unknown whether either heritage item has Aboriginal significance.

## 4.5. Summary and predictive model

The general predictive model for the Cumberland Plain indicates that stream order and proximity to water sources are the primary determinants of the complexity of archaeological sites. The proximity to higher-order streams determines the number of sites within an area and their relative density. Artefact sites with high densities (>100 artefacts per site) are more likely to be associated with large permanent watercourses, such as the Nepean and Parramatta Rivers. Lower-density scatters, or artefacts redeposited by erosion and water discharge, may be reburied in fluvial sediments. Where found, artefact sites may predominantly comprise silcrete and chert, typically located in low-lying areas adjacent to the creeks.

The Project Area is situated on the Lowlands of the Cumberland Plain. Predictive models of site distribution and density on the Cumberland Plain highlight the relationship between proximity to freshwater and landscape with patterns of Aboriginal occupation. Additionally, Heritage NSW advises that Aboriginal objects will likely be present within 200 m of water where historical ground disturbance has not impacted their survival (DECCW 2010a: 12).

Based on previous investigations in the Castle Hill Area, the predictive models align with the general Cumberland Plain predictive model, which states that Aboriginal sites are more likely to be found within 100 m of a creek or permanent watercourse, as well as on floodplains and elevated banks. The nearest permanent watercourse is Cattai Creek, located 2.5 km northeast of the Project Area on an alluvial floodplain. The Project Area is therefore not located in an archaeological sensitive landform.

Desktop research indicates that the Project Area is highly developed, with 18 residential lots with buildings and associated infrastructure located within the areas of proposed works. It is expected that the construction of these features has almost certainly resulted in significant ground disturbance, impacting any potential archaeological deposits within their footprint. Consequently, the Project Area is considered to have low archaeological potential.

The considerable distance from water sources and the high degree of historical ground disturbance suggest that the Project Area is of low archaeological potential.

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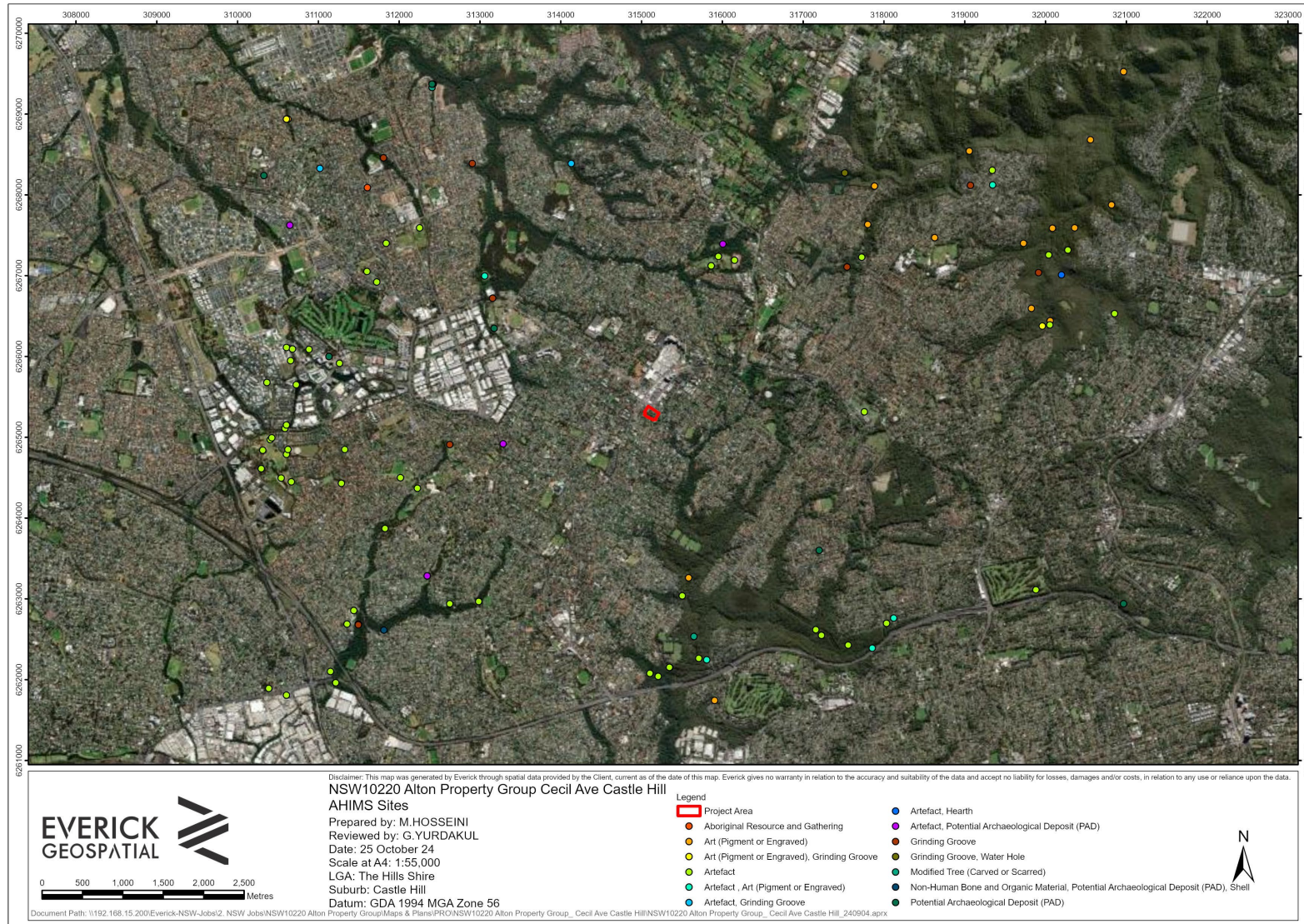


Figure 4-1: AHIMS search results

## 5. Archaeological survey

### 5.1. Aims

The primary aims of the archaeological survey were to:

- To conduct an archaeological survey in accordance with the Code of Practice
- To locate and record any Aboriginal objects or PAD located in the Project Area
- Consult with RAPs regarding the cultural significance of the area and discuss recommendations for the management and mitigation of any Aboriginal archaeological or cultural values

### 5.2. Survey methodology

This survey aims to identify and document any Aboriginal cultural heritage within the site, ensuring that the perspectives and insights of the RAP are integral to the process. The purpose of the archaeological survey will be to:

- **Conduct Systematic Transects:** Undertake systematic pedestrian transects across the Project Area, covering all landforms that may be potentially impacted.
- **GPS Logging:** Log pedestrian transects using GPS to record coverage details accurately.
- **Identification of Sites:** Identify any new Aboriginal sites and objects, and areas of Potential Archaeological Deposits (PADs) and areas of archaeological sensitivity.
- **Ground Disturbance Documentation:** Record the nature and location of ground disturbances, including information obtained from "Dial Before You Dig."
- **Cultural Values Recording:** Document cultural values as provided by RAP representatives during the survey.
- **Background Studies:** Prior to the survey, detailed background studies will be undertaken to establish the environmental, ethnographic, and archaeological context.
- **Reporting:** The survey methodology, coverage, and results will be compiled into an ATR to accompany the ACHAR as an appendix.

## 5.3. Timing and personnel

A survey of the Project Area was undertaken over one day on 15 October 2024. The survey was conducted by Andrew Jenkins (Archaeologist, Everick Heritage). Prior to the archaeological survey, Everick Heritage proactively reached out to Kevin Cavanagh, Marilyn Carroll-Johnson and Leanne Watson Redpath, inviting their participation in the survey process. Unfortunately, no RAP representatives were present on the day of the site inspection. Despite this, RAPs were kept informed by sending photographs of the site along with a comprehensive report detailing his observations and findings from the inspection. Details of correspondence can be found in the accompanying ACHAR.

## 5.4. Constraints

The primary constraints to the archaeological survey were access and ground visibility. Many of the lots within the Project Area are unoccupied; therefore, tall grass and overgrown vegetation limited access and accurate surveying. Overgrown vegetation was concentrated within Lot DP 581293 & Lot DP 581293. Due to the Project Area being within a residential area, sections where vegetation was not overgrown were covered in thick grass or mulch/chip bark. Additionally, as some Lots were not vacant and occupied, time restrictions were in place at several of these locations. This did not prevent survey ability; however, it restricted time to take photographs.

## 5.5. Survey

Due to some lots still being occupied, the methodology was to conduct a pedestrian survey of each lot in a pre-determined order to allow site visitation without trespassing. Due to the sporadic nature of this method and the scale of the Project Area, it was combined into one survey unit. Areas with higher ground visibility or noticeable disturbances were targeted to increase the likelihood of identifying Aboriginal objects, if present, and to better understand the extent of disturbance and infill. A Global Positioning System (GPS) was used to record the transects; however, due to time-limited access at several sites, the transects are non-uniform and frequently double back on themselves.

Where sites and/or objects were identified during the archaeological survey, their location was recorded with a GPS (using GDA 94 datum) using an iPad. The platform used for this data mapping is called Fieldmaps, which records the GPS points and track-logs, and enables photographs to be taken with the GPS data. Survey notes were then described using the Fulcrum digital recording platform. Within Fulcrum,

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notes were made of visible disturbances, vegetation communities, and visible soil exposures. Hand-written survey notes were also made.

A photographic record of all survey units was kept to record aspects such as surface exposures, vegetation, disturbance and areas of archaeological potential. Scales were used for photographs where appropriate.

## 5.6. Results

### 5.6.1. Survey coverage

The Project Area totals approximately 17623.6 square metres. The total coverage of the Project Area was estimated to be forty per cent (Figure 6-11). However, it is worth noting that concrete pads and buildings occupy fifty per cent of the Project area, bringing survey coverage to a minimum of ninety per cent of the Project Area. Vegetation cover across the Project Area was generally high apart from areas covered by brick or concrete and in areas of high ground disturbance along storm water drains. Given the low ground surface visibility (GSV) and exposure, around 1 per cent of the surveyed portion of the Project Area was estimated to be effectively covered. Table 6-1 and Table 6-2 provide the details of survey coverage.

**Table 6-1: Survey coverage**

Survey Unit	Landform	Survey Unit area (m <sup>2</sup> )	Exposure (%)	Visibility (%)	Effective coverage in m <sup>2</sup>	Effective coverage in %	New sites/PADs located
Survey Unit 1	Gentle Slope	17623.6	10	10	176.2	1	N/A

**Table 6-2: Landform Summary – Sampled Areas**

Landform	Landform area (sq m)	Area effectively surveyed (sq m) (= effective coverage area)	% of landform effectively surveyed (= area effectively surveyed / landform area x 100)	Number of sites	Number of artefacts or features
Gentle Slope	17623.6	7030.24	40%	0	0

## 5.6.2. Summary

A survey of the Project Area confirmed the findings of the desktop assessment, which found that the majority of the area has been heavily impacted by prior residential development and subsequent demolition. No Aboriginal sites, potential archaeological deposits (PADs), or archaeologically sensitive landforms were identified during the survey.

The Project Area is predominantly positioned on a gentle slope with a southerly aspect. The site comprises a cleared surface that was repeatedly levelled at all instances of house lots. These are consistently held in place with retaining walls made of wood, indicating that the original surface has been subject to earthworks or infill (Figure 6-1 and Figure 6-2).

Additionally, a number of driveways are filled with foreign material (Figure 6-3). Pieces of terra cotta pipe, metalised stone, concrete blocks, plastic and other construction materials were commonly identified on the ground surface, indicating a high degree of ground disturbance within the area (Figure 6-4 and Figure 6-5).

Areas not occupied by concrete or brick are often utilised as lawn space, which limits ground surface visibility (GSV). These were identified as regrowth and are not representative of the original ground surface (Figure 6-6). Large portions of the Project Area are overgrown and covered in vegetation litter, further reducing GSV (Figure 6-7 and Figure 6-8).

The Project Area also encompasses a gully that has been developed into a stormwater runoff (Figure 6-9, Figure 6-10). This trench looked at the soils beneath the retaining walls, vegetation, and buildings. A number of foreign sandstone pieces were identified mixed with the soil, suggesting that the soils are predominantly infill rather than undisturbed.

In summary, the survey results indicate that the Project Area has been subject to substantial ground disturbance relating to the demolition of residential buildings and vegetation clearing and that all existing vegetation is non-cultural. Additionally, redeposited soil and demolition waste from previous construction and water management activities on site has likely been deposited across all sections of the Project Area (Figure 6-9). The site inspection identified no Aboriginal sites or potentially archaeologically sensitive landforms.

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Photograph

Description



Figure 5-1:  
Retaining wall  
present in Lot  
DP547897. Note  
ground surface  
visibility is 0%.  
Height of  
the retaining wall is  
40 mm.



Figure 5-2: Infill  
and disturbed soils  
are present at Lot  
DP778595. Scale at  
one metre.

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Photograph

Description



Figure 5-3:  
Driveway at Lot  
DP547897.



Figure 5-4:  
Construction debris  
present at Lot  
DP15399. Scale at  
one metre.

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## Photograph

## Description



**Figure 5-5:**  
Construction debris  
found infill at Lot  
DP778595. Scale at  
90 millimetres.



**Figure 5-6:** Lawn  
present at Lot  
DP531559. Scale at  
one metre.

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Photograph

Description



Figure 5-7:  
Overgrown  
vegetation and  
vegetation litter at  
Lot DP581293.  
Scale at one metre.



Figure 5-8: Rabbit  
warren under root  
showing soil. Depth  
at 20 mm.

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Photograph

Description



**Figure 5-9:**  
Stormwater overflow  
channel at Lot  
DP531559. Scale at  
one metre.



**Figure 5-10:**  
Stormwater drain at  
Lot DP15399.

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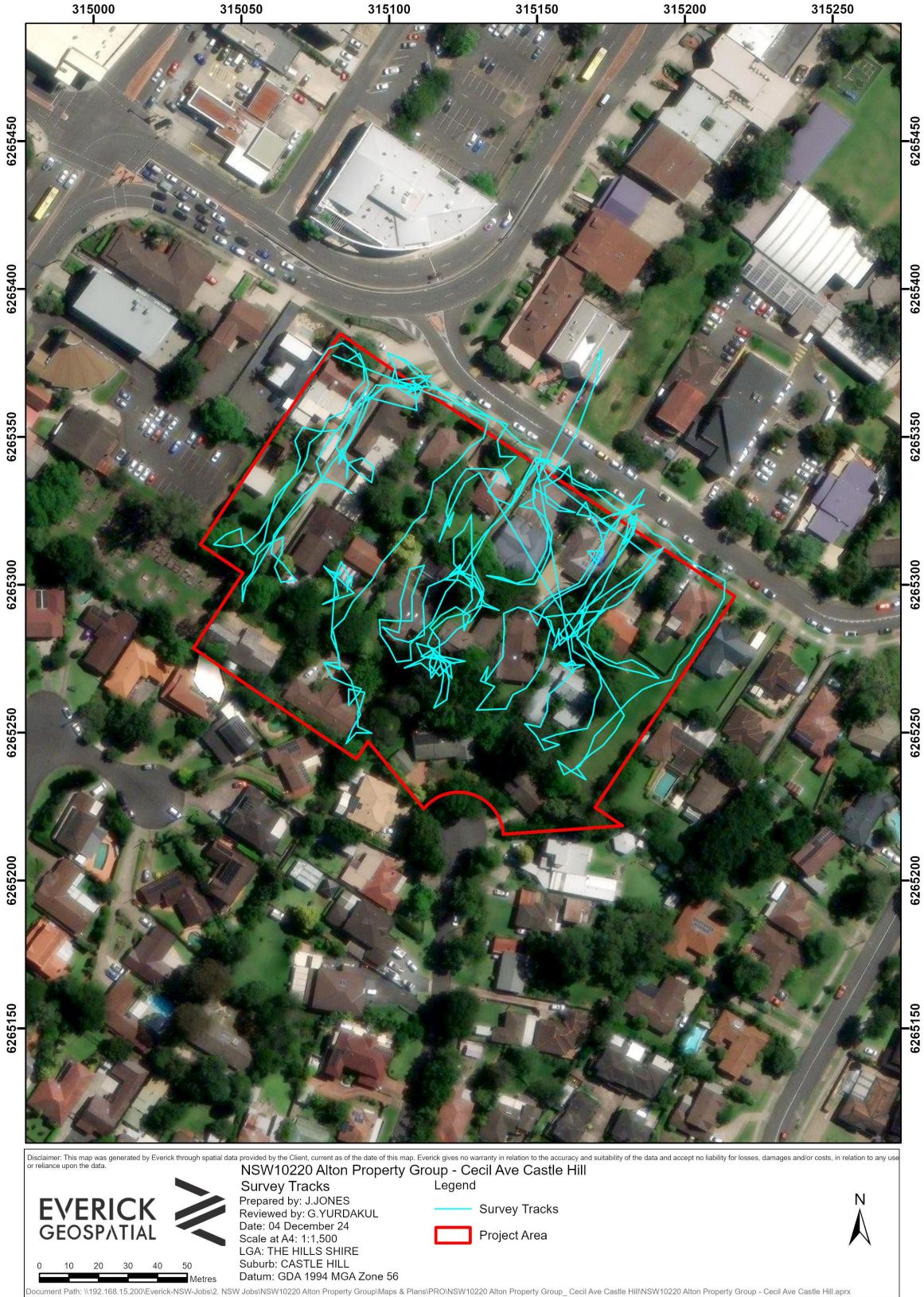


Figure 5-11: Results of archaeological survey

## 6. Significance assessment

### 6.1. Significance assessment criteria

An assessment of the cultural heritage significance of an item or place is required to form the basis of its management. The *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (Office of Environment & Heritage [OEH] 2011:10, known as the Guide) provides guidelines for the identification and assessment of cultural significance assessment with reference to the Burra Charter (Australia ICOMOS 2013) and the NSW Heritage Office guidelines (2001):

- Social values – does the area have a strong or special association with a particular community or cultural group for social, cultural, or spiritual reasons?
- Historic values – is the area important to the cultural or natural history of the local area and/or region and/or state?
- Scientific values - does the area have the potential to yield information that will contribute to understanding the cultural and natural history of the local area and/or region and/or state?
- Aesthetic values – is the area important in demonstrating aesthetic characteristics in the local and/or region and/or state?

This report provides an assessment of Scientific values. Scientific values should be further considered in light of the following criteria (OEH 2011: 10) and rated low, moderate or high:

- Research potential - does the evidence suggest any potential to contribute to understanding the area and/or region and/or state's natural and cultural history?
- Representativeness - how much variability (outside and/or inside the subject area) exists, what is already conserved, and how much connectivity is there?
- Rarity - is the subject area important in demonstrating a distinctive way of life, custom, process, land use, function, or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential - does the subject area contain teaching sites or sites with teaching potential

This ATR primarily considers the scientific values of the sites and objects. Social, historic and aesthetic values will be considered within the ACHAR following discussion of cultural values with the registered Aboriginal parties for the Project. Scientific values should be considered in light of the following criteria:

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- Research potential - does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history
- Representativeness - how much variability (outside and/or inside the subject area) exists; what is already conserved; how much connectivity is there
- Rarity - is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised; Is it in danger of being lost or of exceptional interest
- Education potential - does the subject area contain teaching sites or sites that might have teaching potential

## 6.2. Scientific significance assessment

No Aboriginal objects or places have been identified within the Project Area, which has been assessed as having low archaeological potential and sensitivity and is of no scientific significance.

## 7. Impact assessment

The proposed development at the Project Area entails significant construction activities, including the erection of 616 residential apartments and 8,025 square metres of commercial floorspace, along with the establishment of basement parking facilities accessed via a driveway off Cecil Avenue. The undertaking will also necessitate the demolition of existing residential dwellings within the area.

The proposed works will result in extensive ground disturbance, encompassing a range of activities, including demolition and clearance of existing structures, earthworks such as cut and fill, and construction of buildings and related service infrastructure. These activities will necessitate the removal of original topsoils to create suitable building pads and accommodate sub-surface amenities, including sewerage systems, electrical services, and water infrastructure.

The desktop assessment and subsequent archaeological survey have not identified Aboriginal objects or sites within the Project Area. Therefore, it is anticipated that the project will have no impacts on Aboriginal objects or sites.

## 8. Recommendations

The preparation of the ACHA has identified that the Project Area is of low archaeological potential and sensitivity. The proposed works are considered highly unlikely to result in impact to Aboriginal cultural heritage, therefore in accordance with the Due Diligence Code of Practice (Department of Environment, Climate Change and Water 2010c) the proposed works may proceed without further investigation.

The following recommendations have been made for the Project.

### 8.1. Guiding principles

The overall guiding principle for cultural heritage management is that Aboriginal sites should be conserved where possible. If conservation is not practicable, measures should be taken to mitigate impacts on Aboriginal sites.

The Project will harm no previously recorded Aboriginal sites; however, the following sections provide recommendations as a precaution and to harmonise the Project with surrounding cultural values:

- Site avoidance
- Aboriginal Heritage Interpretation Strategy
- Landscaping
- Discovery of human remains procedure

No Aboriginal objects or places were identified during the archaeological survey. The predictive model for the Project Area is one of low archaeological sensitivity and potential. Therefore, there is little likelihood of impact to any Aboriginal objects or places in the Project Area.

### 8.2. Designing with Connecting with Country Framework

In accordance with the ESD intergenerational principle, it is recommended that Alton Property Group incorporate Aboriginal cultural heritage values that acknowledges the Darug people and the land on which the Project Area stands. For NSW built environment projects, this can be achieved through the use of the Connecting with Country framework (Government Architect New South Wales 2023) to help guide design principles. It is understood that the design has yet to be finalised for this Project, thereby offering ample opportunity for Aboriginal community consultation. Further engagement should be undertaken to

adhere to the Connecting with country framework. The results of community engagement may be in the form of:

- Heritage interpretation boards – temporary or permanent, within or outside the Project Area.

Cultural heritage awareness talks by Darug people.

It is acknowledged that Project Area may already implement the ESD intergenerational principle in some form or through the above strategies.

### 8.3. Recommendation 1: Unexpected finds

Unexpected Aboriginal objects remain protected by the *NPW Act*. If any such objects, or potential objects, are uncovered in the course of the activity, work in the vicinity must cease, and Heritage NSW, and LALC be contacted for advice.

### 8.4. Recommendation 2: Discovery of human remains

If suspected human remains are discovered and/or harmed in, on or under the land within the Project Area, the following actions must be undertaken:

The remains must not be harmed/further harmed

Immediately cease all works at that particular location

Secure the area to avoid further harm to the remains

Notify the NSW Police and the Environment Line (Heritage NSW) on 131 555 as soon as practicable and provide any details of the remains and their location

Do not recommence any work at that particular location unless authorised in writing by Heritage NSW.

### 8.5. Recommendation 3: Continued consultation with the Registered Aboriginal stakeholders

As per the 2010 Consultation Requirements (DECCW 2010b), the proponent should provide a draft report with Aboriginal stakeholders and take into account any feedback received. The proponent should

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also maintain consultation and keep these groups updated on the management of Aboriginal cultural heritage sites in the study area for the duration of the project.

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