

Issue of Aboriginal Heritage Impact Permit

National Parks and Wildlife Act 1974



Office of
Environment
& Heritage

Your reference:

Our reference: AHIMS No. 4171 / SF17/27395

Notice number: C0002930

Contact: Samantha Gibbins (02) 9895 6586

Perpetual Corporate Trust Limited as the Trustee for the LALV Marsden Park Trust

ABN: 99 000 341 533

Level 12, 123 Pitt Street

SYDNEY NSW 2000

NOTICE OF THE ISSUE OF ABORIGINAL HERITAGE IMPACT PERMIT C0002929

Issued pursuant to section 90C(4) of the *National Parks and Wildlife Act 1974*

BACKGROUND

- A. LOGOS Property Group trading as Perpetual Corporate Trust Limited as the Trustee for the LALV Marsden Park Trust (the applicant) applied to the Office of Environment and Heritage (OEH) under section 90A of the *National Parks and Wildlife Act 1974* (NPW Act) for an Aboriginal Heritage Impact Permit (AHIP). The AHIP application was in relation to the proposed development at 117 Hollinsworth Road, Marsden Park, NSW (Lots 23 and 24 DP 262886).
- B. OEH received the application on 16 June 2017. A Notice to Supply Further Information (NTSFI C0002938) was sent to the applicant on 9 August 2017 and a complete response to this was received on 21 September 2017. Further information in relation to the application was received on 12 October 2017 and 18 October 2017.

ISSUE OF ABORIGINAL HERITAGE IMPACT PERMIT

1. OEH has considered the application and supporting information provided, and matters under section 90K of the NPW Act and has decided to issue an AHIP C0002929 subject to conditions.
2. The AHIP is attached.
3. You should read the AHIP carefully and ensure you comply with its conditions.

It is an offence under section 90J NPW Act to fail to comply with the conditions of the AHIP. The maximum penalty that a court may impose on a corporation for failing to comply with this AHIP is \$1.1m. OEH can also issue penalty notices for this offence.

Issue of Aboriginal Heritage Impact Permit

National Parks and Wildlife Act 1974



Office of
Environment
& Heritage

S. Harrison

SUSAN HARRISON

Senior Team Leader Planning

Greater Sydney Branch

(by Delegation)

Date: 19/10/17

INFORMATION ABOUT THIS NOTICE

- Details provided in this notice will be available on OEH's Public Register in accordance with section 188F of the NPW Act.

Variation of this AHIP

- This AHIP may only be varied on application by the AHIP holder or by OEH to correct typographical errors or resolve inconsistencies between conditions of the AHIP. A permit can only be varied by subsequent variation notices.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

Aboriginal Heritage Impact Permit

Section 90 of the *National Parks and Wildlife Act 1974*



Office of
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AHIP number: C0002929

(AHIMS Permit ID: 4171)

AHIP Issued To:

Perpetual Corporate Trust Limited as the Trustee for the LALV Marsden Park Trust

ABN: 99 000 341 533

Level 12, 123 Pitt Street

SYDNEY NSW 2000

OEH Office issuing this AHIP

Office of Environment and Heritage

Regional Operations

Greater Sydney Branch

PO Box 644

PARRAMATTA NSW 2124

Telephone number: (02) 8837 6000

Additional details for public register

a) Name of development or project	Associated civil works for an industrial development for warehouses / logistics facilities
b) Location	117 Hollinsworth Road, Marsden Park (Lots 23 and 24 DP 262886)
c) Local Government Area(s)	Blacktown
d) Description of harm authorised	• Salvage excavations • Harm to certain Aboriginal objects through the proposed works
e) AHIP commencement date and duration	Commencement: 19 OCTOBER 2017 Duration: 5 years

AHIP TO HARM ABORIGINAL OBJECTS

A. Background

- (i) On 16 June 2017, an application was made to the Chief Executive of the Office of Environment and Heritage (OEH) for an Aboriginal Heritage Impact Permit (AHIP) pursuant to s.90 of the *National Parks and Wildlife Act 1974* (the Act).
- (ii) The application is for impact to all Aboriginal objects within the development area at 117 Hollinsworth Road, Marsden Park, NSW (Lots 23 and 24 DP 262886), including AHIMS sites 45-5-3744 (MPIP 15), 45-5-3745 (MPIP 15A), 45-5-3746 (MPIP 15B), 45-5-3743 (MPIP 14) and 45-5-4894 (Hollinsworth Industrial IF2). Mitigatory salvage excavation is proposed for AHIMS sites 45-5-3744 (MPIP 15) and 45-5-3745 (MPIP 15A).
- (iii) A Notice to Supply Further Information (NTSFI C0002938) was sent to the applicant on 9 August 2017 and a complete response to this was received on 21 September 2017. Further information in relation to the application was received on 12 October 2017 and 18 October 2017.
- (iv) OEH considered the application and supporting information provided, and matters under section 90K of the Act and decided to issue an AHIP subject to conditions.

B. AHIP issued subject to conditions

An AHIP is issued to harm Aboriginal objects identified in Schedules B and C, in accordance with the conditions of this AHIP.

This AHIP is issued pursuant to section 90 of the Act.

C. Commencement and duration of AHIP

This AHIP commences on the date it is signed unless otherwise provided by this AHIP.

Unless otherwise revoked in writing, this AHIP remains in force for **5 years** from the date of commencement.

D. Proposed Works

The proposed works involve subdivision and associated bulk earthworks, including, but not limited to, the installation of drainage infrastructure.

Note: A Dictionary at the end of the AHIP defines terms used in this document. Further information about this AHIP is also set out after the Dictionary.



SUSAN HARRISON
Senior Team Leader Planning
Greater Sydney Branch

(by Delegation)

DATED: 19/10/17

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LAND TO WHICH THIS AHIP APPLIES

Land as illustrated in **Attachment 1: Land to which this AHIP applies, outlined in red.**

CONDITIONS

The conditions of this AHIP specify the actions that are permitted and/or required in relation to areas and Aboriginal objects, which are detailed in the Schedules that follow.

Administrative Conditions

Responsibility for compliance with conditions of AHIP

1. The AHIP holder must ensure that all persons involved in actions or works covered by this AHIP (whether employees, contractors, sub-contractors, agents or invitees) are made aware of and comply with the conditions of this AHIP.

Project manager to oversee the actions relating to this AHIP

2. A suitably qualified and experienced individual must be appointed as a project manager who is responsible for overseeing, for and on behalf of the AHIP holder, all the actions relating to this AHIP.
3. The individual appointed as project manager must be the project manager nominated in the application form.
4. If an alternative to the nominated project manager is appointed, OEH must be notified of their contact details within **14 days** of this appointment.

Actions must be in accordance with AHIP application

5. All actions on the land must be carried out in accordance with the application except as otherwise expressly provided by a condition of this AHIP.

Operational Conditions

Certain Aboriginal objects must not be harmed

6. All human remains in, on or under the land must not be harmed, other than any human remains identified in Schedule B4.

Salvage excavations

7. Salvage excavations may be carried out in, on or under each salvage excavation area described in Schedule B2.
8. Aboriginal objects that are recovered during the excavations may be analysed on-site and/or may be taken off-site for further analysis.

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9. The excavations and analysis of Aboriginal objects must be carried out in accordance with the methodology specified in **Attachment 2: Archaeological Research Design – 117 Hollinsworth Road, Marsden Park**.
10. The excavations must be completed in an area before any harm of Aboriginal objects described in Schedule C can commence in that same area.

Harm of certain Aboriginal objects through the proposed works

11. The Aboriginal objects described in Schedule C may be harmed. Nothing in this condition authorises harm to Aboriginal objects described in Schedule A (whether human remains, Aboriginal objects or 'no-harm areas').
12. Aboriginal objects described in Schedule C must not be harmed unless:
 - (a) all excavations described in Schedule B2 have been completed in the area.

Temporary storage of certain Aboriginal objects

13. Any Aboriginal objects that are removed from the land by actions authorised by this AHIP, must be moved as soon as practicable to the temporary storage location in the table below, pending any agreement reached about the long term management of the Aboriginal objects.
14. The temporary storage location is as follows:

Location name:	Associates Archaeology & Heritage office
Address:	29 Hannan Street, Maroubra, NSW 2035
Storage particulars:	In a locked safe

15. Any Aboriginal objects stored at the temporary storage location must not be further harmed, except in accordance with the conditions of this AHIP.

Long term management of certain Aboriginal objects

16. Once all post-excavation analyses have been completed, Aboriginal objects must be lodged with the **Australian Museum, 6 College Street, Sydney, NSW 2010**. In the event that an alternative option is determined, the AHIP holder can apply to OEH to vary this condition.
17. Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (24 September 2010, available online at: <http://www.environment.nsw.gov.au/licences/archinvestigations.htm>) must be complied with.

Notification and Reporting Conditions

Notification of commencement and completion of actions

18. Written notice must be provided to the OEH office at least **7 days** prior to the commencement of actions authorised by this AHIP.
19. Written notice must be provided to the OEH office within **7 days** of the completion of actions authorised by this AHIP.

Copy of this AHIP and notices to be provided to Registered Aboriginal Parties

20. A copy of this AHIP must be provided to each Registered Aboriginal Party, within **14 days** of receipt of the AHIP from OEH.
21. Where this AHIP is varied or transferred, a copy of the AHIP variation or transfer notice must be provided to each Registered Aboriginal Party, within **14 days** of receipt of the notice.

Human remains

22. If any human remains (other than any human remains described in Schedule B4) are discovered and/or harmed in, on or under the land, the AHIP holder must:
 - (a) not further harm these remains
 - (b) immediately cease all work at the particular location
 - (c) secure the area so as to avoid further harm to the remains
 - (d) notify the local police and OEH's Environment Line on 131 555 as soon as practicable and provide any available details of the remains and their location, and
 - (e) not recommence any work at the particular location unless authorised in writing by OEH.

Incidents which may breach the Act or AHIP

23. The AHIP holder must notify the OEH office in writing as soon as practicable after becoming aware of:
 - (a) any contravention of s.86 of the Act not authorised by an AHIP, and/or
 - (b) any contravention of the conditions of this AHIP.

Reports about incidents which may breach the Act or AHIP

24. Where OEH suspects that an incident has occurred which may have breached the Act or AHIP, OEH may request a written incident report, which includes the following:
 - (a) the nature of the incident
 - (b) the actual or likely impact of the incident on Aboriginal objects and/or Aboriginal places
 - (c) the nature and location of these Aboriginal objects and/or Aboriginal places, referring to and providing maps and photos where appropriate
 - (d) any conditions of an AHIP which may have been breached, and
 - (e) the measures which have been taken or will be taken to prevent a recurrence of the incident.
25. The incident report must be provided to the OEH office within the timeframe specified in the request.

Provision of Aboriginal Site Impact Recording Form

26. An Aboriginal Site Impact Recording Form must be completed and submitted to the AHIMS Registrar, for each AHIMS site identified in Schedules B and C, within **4 months** of the completion of the actions authorised by this AHIP.

Note:

- (i) The Aboriginal Site Impact Recording Form can be found on the OEH website:
<http://www.environment.nsw.gov.au/licences/DECCAHIIMSSiteRecordingForm.htm>
- (ii) Contact details for the AHIMS Registrar can be found on the OEH website:
<http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm>

Report about harm to Aboriginal objects (Salvage Excavation Report)

27. A Salvage Excavation Report must be prepared about the actions relating to the harm of Aboriginal objects (as permitted by this AHIP). The report must:
- (a) include a short summary of the report
 - (b) describe any ongoing consultation with or involvement of representatives of Registered Aboriginal Parties in relation to this AHIP
 - (c) provide details of the Aboriginal objects which were fully or partially harmed in the course of undertaking the actions
 - (d) provide a description of the methods and results of the salvage excavation
 - (e) detail the results of the analysis of Aboriginal objects in relation to the research questions formulated prior to the excavation
 - (f) address the research questions specified in **Attachment 2: Archaeological Research Design – 117 Hollinsworth Road, Marsden Park**. The report should also address any additional relevant questions raised during the archaeological excavation and/or during the artefact analysis.
 - (g) provide analysis of the geomorphological context and site formation processes in relation to the results of the salvage excavation and analysis of the Aboriginal objects
 - (h) provide analysis of the local and regional context in relation to the results of the salvage excavation and analysis of the Aboriginal objects
 - (i) provide a revised archaeological significance assessment of AHIMS sites 45-5-3744 (MPIP 15) and 45-5-3745 (MPIP 15A) based on the results of the excavation
 - (j) provide a predictive model and avenues for future research and desirable conservation outcomes for the region based on the results of the salvage excavation and other work that has been completed in the region
 - (k) comment on the effectiveness of any mitigation measures that were implemented
 - (l) if any Aboriginal objects were moved to a temporary storage location, provide a description of the nature and types of Aboriginal objects which are now at that location
 - (m) detail the long term management arrangements for any Aboriginal objects, and
 - (n) include a statement confirming that all Aboriginal Site Impact Recording Forms have been completed and submitted to the AHIMS Registrar.
28. The Salvage Excavation Report must be submitted to the OEH office within **12 months** of the completion of the actions authorised by this AHIP.
29. A copy of the Salvage Excavation Report, including a summary of the report in plain English, must be sent by registered post to each Registered Aboriginal Party within **14 days** of the report being submitted to OEH.

General Conditions

Indemnity

30. The AHIP holder agrees to indemnify and keep indemnified, the Crown in right of NSW, the Minister administering the Act, the Chief Executive of OEH, and their employees, agents and contractors, in the absence of any willful misconduct or negligence on their part, from and against all actions, demands, claims, proceedings, losses, damages, costs (including legal costs), charges or expenses suffered or incurred by them resulting from:
- (a) any damage or destruction to any real or personal property; and

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- (b) injury suffered or sustained (including death) by any persons arising out of or in connection with any actions undertaken pursuant to this AHIP.

Release

- 31. The AHIP holder agrees to release to the full extent permitted by law, the Crown in right of NSW, the Minister administering the Act, the Chief Executive of OEHL, and their employees, agents and contractors, in the absence of any willful misconduct or negligence on their part, from all suits, actions, demands and claims of every kind resulting from:
 - (a) any damage or destruction to any real or personal property; and
 - (b) injury suffered or sustained (including death) by any persons arising from or in connection with any actions undertaken pursuant to this AHIP.

Written notice

- 32. Any requirement to provide written notice to the OEHL office in this AHIP may be complied with by sending by registered post to the OEHL office's address. The OEHL office's contact details are specified at the front of this AHIP.

SCHEDULES

The following schedules identify the areas and Aboriginal objects that are subject to the conditions of this AHIP.

Schedule A: Aboriginal objects which must not be harmed

A1 Human remains

All human remains in, on or under the land must not be harmed, other than any human remains identified in Schedule B4, as specified by the conditions of this AHIP.

A2 Aboriginal objects that are identified on AHIMS

Not applicable

A3 No-harm areas

Not applicable

Schedule B: Aboriginal objects that may be harmed through the certain actions

B1 Movement only

Not applicable

B2 Salvage excavations

Salvage excavations may be carried out in the areas marked "Salvage Excavation Areas" in **Figure 1 of Attachment 2: Archaeological Research Design – 117 Hollinsworth Road, Marsden Park**, but only in accordance with the conditions of this AHIP.

The salvage excavation area comprises the following known Aboriginal objects, as identified on AHIMS (excluding any Aboriginal objects described in Schedule A):

Portion of Site (whole or part)	AHIMS Site ID	Site Feature	Site Name	Information access restriction? (Y/N)	Easting	Northing	Datum
Whole	45-5-3744	Artefact	MPIP 15	N	299090	6266400	GDA
Whole	45-5-3745	Artefact	MPIP 15A	N	299072	6266474	GDA

B3 Community collection

Not applicable

B4 Other

Not applicable

Schedule C: Aboriginal objects which may be harmed through the proposed works

The Aboriginal objects described in this schedule may be harmed, but only in accordance with the conditions of this AHIP (excluding any Aboriginal objects described in Schedule A).

C1 Harm of Aboriginal objects identified on AHIMS

Portion of Site (whole or part)	AHIMS Site ID	Site Feature	Site Name	Information access restriction ? (Y/N)	Easting	Northing	Datum
Whole	45-5-3744	Artefact	MPIP 15	N	299090	6266400	GDA
Whole	45-5-3745	Artefact	MPIP 15A	N	299072	6266474	GDA
Whole	45-5-3746	Artefact	MPIP 15B	N	299277	6266270	GDA
Whole	45-5-3743	Artefact	MPIP 14	N	299307	6266221	GDA
Whole	45-5-4894	Artefact	Hollinsworth Industrial IF2	N	298648	6266553	GDA

C2 Areas where harm of Aboriginal objects is authorised

All Aboriginal objects in, on or under the land which is identified in **Attachment 1: Land to which this AHIP applies, outlined in red.**

DICTIONARY

In this AHIP, unless the contrary is indicated the terms below have the following meanings:

Aboriginal object	has the same meaning as in the Act.
Act	means the <i>National Parks and Wildlife Act 1974</i> .
AHIMS	means the Aboriginal Heritage Information Management System maintained by OEH, as defined in s.90Q of the Act.
AHIP	means Aboriginal Heritage Impact Permit
AHIP holder	means the entity or person listed on the cover page under the heading "AHIP issued to".
Application	means the completed application form and all other documents in written or electronic form which accompanied the application when it was lodged or which were subsequently submitted in support of the application.
Community collection	means the collection of Aboriginal objects by one or all Registered Aboriginal Parties or their representatives.
Community collection area	means an area described as a community collection area in Schedule B3
Harm	has the same meaning as in the Act. In relation to Aboriginal objects, harm means the movement, damage, defacement and/or destruction of Aboriginal objects. In relation to an Aboriginal place, harm means the damage, defacement and/or destruction of the Aboriginal place.
Land	means the land described under the heading "Land to which this AHIP applies".
No-harm areas	means those areas described in Schedule A3.
OEH	Office of Environment and Heritage (NSW).
OEH office	means the office listed on the cover page of this AHIP.
Proposed works	means the works described under the heading "D. Proposed Works" at the front of this AHIP.
Public register	means the public register established under s.188F of the Act, that contains details of AHIPs issued by the Chief Executive of OEH, as described under the heading "Information about this AHIP".
Registered Aboriginal Parties	means the Registered Aboriginal Parties listed in the application.
Salvage excavation	means an archaeological excavation carried out in accordance with the methodology accompanying the application, as modified by the conditions of this AHIP. The purpose of salvage excavation is to recover a sample of Aboriginal objects as an archival record of Aboriginal life from a site that will be destroyed.
Salvage excavation area	means any area described as a salvage excavation area in Schedule B2.
Test excavation	means an archaeological excavation carried out in accordance with

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methodology accompanying the application, as modified by the conditions of this AHIP. The purpose of test excavation is to collect a sample of Aboriginal objects, in order to establish the nature and extent of sub-surface Aboriginal objects and to assist in the assessment of management options for the site.

Test excavation area means any area described as a test excavation area in Schedule B2

INFORMATION ABOUT THIS AHIP

Public Register

Under section 188F of the Act, the Chief Executive of OEH is required to keep a public register containing the details of each AHIP issued. The details of this AHIP that will be published on the public register are outlined on the front page of this AHIP.

The public register is available online at www.environment.nsw.gov.au

Appeals

Under section 90L of the Act, the AHIP holder may appeal to the Land and Environment Court if they are dissatisfied with any condition of this AHIP. The appeal must be lodged within 21 days of the date this AHIP was issued.

Penalties for breach of the Act or AHIP condition

Significant penalties can be imposed by the Land and Environment Court for harm to an Aboriginal object or Aboriginal Place other than as authorised by a condition of an AHIP, or for a breach of an AHIP condition. OEH can also issue penalty notices for a breach of the Act or AHIP condition.

Responsibility for obtaining all approvals and compliance with applicable laws

The AHIP holder is responsible for obtaining and complying with all approvals necessary to lawfully carry out the work referred to in this AHIP, including but not limited to development consents.

Other relevant provisions of the *National Parks and Wildlife Act*

Newly identified Aboriginal objects must be notified to the Chief Executive of OEH under s.89A of the Act using the form available online at www.environment.nsw.gov.au

Stop work orders, interim protection orders and remediation directions may be issued in certain circumstances to protect Aboriginal objects or places.

Obligation to report Aboriginal remains under Commonwealth laws

The AHIP holder may have additional obligations to report any discovery of Aboriginal remains under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

Exercise of investigation and compliance powers

Officers appointed or authorised under the Act may exercise certain powers and functions, including the power to enter land.

Duration of AHIP

This AHIP remains in force for the period specified in the AHIP.

Variation of AHIP

The AHIP holder may apply to the OEH office for a variation of any conditions of an AHIP, using the AHIP variation application form available online at www.environment.nsw.gov.au. Requests for significant variations must be accompanied by evidence of further consultation with Registered Aboriginal Parties and may include payment of fees.

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The conditions of an AHIP may be varied at any time by the Chief Executive of OEH in order to correct a typographical error or to resolve an inconsistency between conditions. The AHIP holder may appeal a decision of the Chief Executive of OEH to vary the conditions of the AHIP.

Transfer of AHIP

The AHIP holder may apply to transfer this AHIP to another person by using the AHIP transfer application form available online at www.environment.nsw.gov.au.

Surrender of AHIP

The AHIP holder may apply to surrender this AHIP by using the AHIP surrender application form available online at www.environment.nsw.gov.au. The surrender must be approved by the Chief Executive of OEH and may be subject to conditions.

Suspension and revocation of AHIP

An AHIP may be suspended or revoked at any time at the discretion of the Chief Executive of OEH. Prior to suspending or revoking the AHIP, the AHIP holder will be given notice and an opportunity to make submissions. The AHIP holder will be notified in writing of the final decision. The AHIP holder may appeal a decision to revoke the AHIP.

Entry to land

An AHIP does not automatically entitle its holder to enter land for the purpose of conducting work related to the AHIP. The AHIP holder is responsible for obtaining permission to enter land from the owner and/or occupier of the land.

Disclosure of information pursuant to lawful requirement

This AHIP does not prevent the disclosure of any information or document in OEH's possession in accordance with any lawful requirement.

Making copies of reports

By providing a report, the AHIP holder acknowledges that OEH can use the information in that report to inform its regulatory functions, note details of that report in AHIMS and include a copy of the report in its library which may be available to members of the public.

OEH is able to make copies of any reports provided to OEH under this AHIP.

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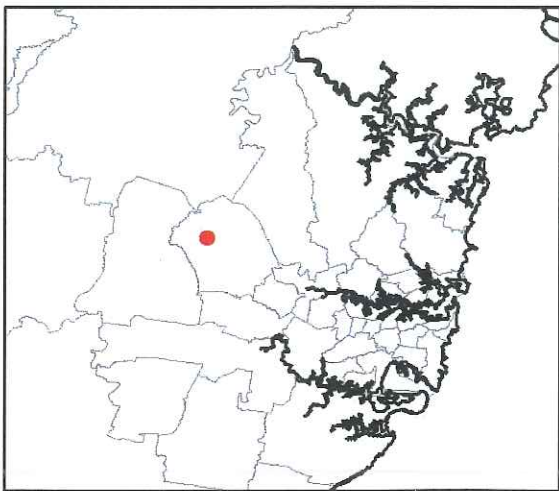
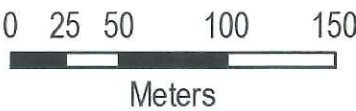
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Attachment 1: Land to which this AHIP applies, outlined in red

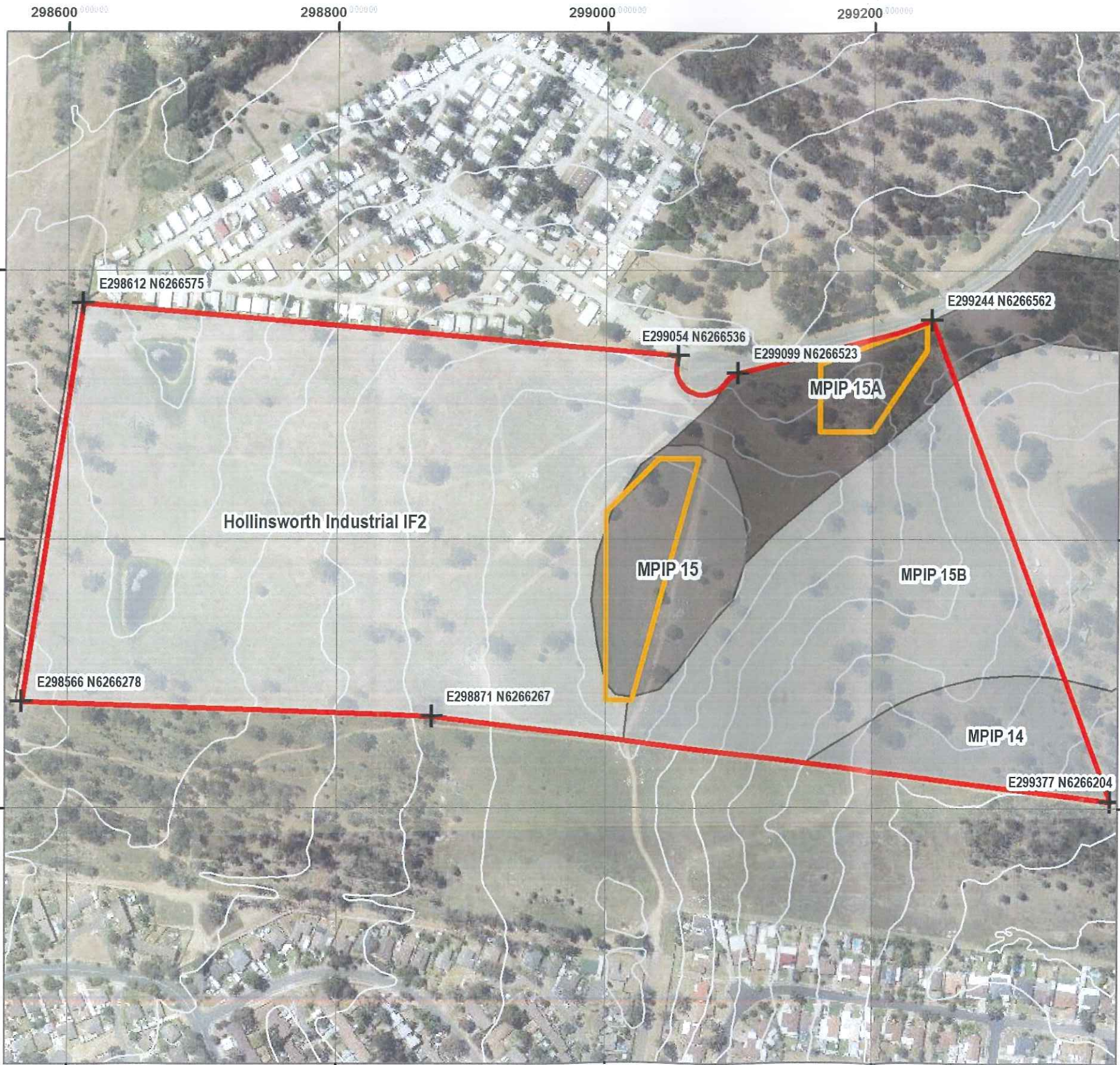
Lots 23 & 24 DP262886
117 Hollinsworth Rd
Marsden Park

Legend

- + Vertices
- AHIP Area
- Salvage Excavation Areas
- 2m Contour



Data: Dept of Lands, AA&H
Projection: GDA94 MGA Zone 56



Attachment 2: Archaeological Research Design – 117 Hollinsworth Road, Marsden Park

Justification and rationale

The reasons for undertaking salvage excavation of AHIMS sites 45-5-3744 (MPIP 15) and 45-5-3745 (MPIP 15A) are:

1. To mitigate the loss of Aboriginal cultural heritage material within the subject land. As noted by Associates Archaeology and Heritage (AAH 2017), there is not a site of sufficient archaeological or cultural significance to justify avoidance or minimisation of harm, but there is still an opportunity to obtain some relevant archaeological data to put on record.

This relates not so much to rareness or representativeness but the potential to address timely and significant research questions through the comparison of the archaeological signature of Aboriginal people undertaking mobile activities. In such assemblages, a compensating corollary of the lower number of flaked stone pieces is that this comes with less of the less informative background bulk dominance of rejected stone and debitage that occurs in primary stone manufacturing sites. Without being able to determine at this stage whether it applies to these sites (i.e. there may simply not be enough artefacts), Dispersed Lithic Sites can conceivably have something of a 'less is more' value related to their likely higher proportion of functional and previously functional (broken or exhausted through retouching) tools. Within the general class of Dispersed Lithic Sites with this potential, MPIP15 and MPIP15A are certainly not considered exceptional, but the previous recommendation by Kelleher and Nightingale (KNC 2015) that it is enough to justify at least some salvage excavation is reiterated here as a result.

2. To address these research aims through open area excavation in excess of the 3 m² maximum extent permissible under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ('the Code') (DECCW 2010). This is the reason for undertaking the excavation as a condition of the AHIP rather than prior to it. This is possible because the survey and surrounding test excavation data have established that sub-surface Aboriginal objects are likely to be present, without the need for prior testing.

Aims and research questions

The aim of the proposed salvage excavation, other than aspects of harm mitigation, is to obtain, if available, a representative sample of lithics from a Dispersed Lithic Site. By analysing the assemblage and comparing it with one or more relevant Complex Lithic Sites, the aim is to test assumptions made about the lithic characteristics of such sites as summarised in Table 1.

Table 1: Site classification system

Site type	Description
Complex Lithic Site	A site in which dedicated stone tool manufacture and maintenance was among the range of activities undertaken. The stone tool working will have led to areas with high densities of lithics and some representation of the earlier stages of lithic reduction. With likely repeated use over long periods, such sites may also be stratified. Accepting that such debitage densities may not be compatible with some residential activities such as sleeping and children's play, an apparent centre to a complex lithic site may actually mark an area marginal to most of the activity that may have occurred more generally (which can sometimes be used to explain why peak artefact densities may not occur in the areas of greatest amenity)
Dispersed Lithic Site	A concentration of lithic material away from a site likely to have been a 'residential

	base' (in Binford's terminology) and representing a range of lithic reduction evidence generally focused away from initial manufacture, other than small tool manufacture from small portable cores, and more on later stages such as tool maintenance/curation, discard of unwanted material and occasional loss of functioning tools. This is the site type predicted in this assessment for MPIP15 – as noted also in its assessment by KNC (2015).
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The comparison dataset(s) from Complex Lithic Site(s) should have been obtained through similar excavation methodologies to the methodology presented below, to ensure comparability of results. The essence of the question being asked is "how does this assemblage differ from a complex site and can it be interpreted as having characteristics predictable of people 'out and about' in the landscape, presumably sometimes stopping to work on a mobile working toolkit?"

Another aim of the proposed salvage excavation is to provide data to enable consideration of the following research question: How do the results of the salvage excavation methodology (Phase 1 dispersed excavation, followed by Phase 2 expansion) compare with those obtained through test excavation conducted in accordance with the Code within the properties adjacent to the subject land (see Brown 2015)?

Salvage excavation methodology

Phase 1

Phase 1 salvage will comprise excavation of a series of 1 m² pits placed on 2 to 3 north-south running transects separated by 20-25 m, within each excavation area specified in Figure 1 (Salvage excavation areas, outlined in orange). The pits on each transect of the grid will be offset from the pits on the adjacent transect by 45 degrees, providing broad coverage across each excavation area. The location of the pits will be determined in the field, dependent on localised conditions.

All excavation will be undertaken by hand in 10 cm spits. If a change or feature is encountered before 10 cm spit depth is reached, excavation will stop at the layer boundary and a new spit will be commenced. All deposit will be wet sieved through nested 5 mm and 3 mm screens. Excavation will continue until the basal layer or culturally sterile deposit is reached.

Phase 2

Phase 2 open area expansion will continue in either or both areas specified in Figure 1 (Salvage excavation areas, outlined in orange) to a minimum extent of 25 m², dependent on the presence of any one or combination of the following triggers identified during Phase 1 excavation:

- The relative density of artefact frequencies. If higher numbers of artefacts are identified in one or more parts of the initial excavation, they will be further explored;
- Variations of raw materials that warrant further investigation;
- Unusual artefact types are found, e.g. complete flakes, tools, cores, other types such as ground edged implements etc;
- Evidence of artefact manufacture is found, e.g. conjoining artefacts, flaking debitage, micro-debitage, complete flakes, broken flakes; tool manufacture or maintenance;
- Evidence of different activities, indicated by different artefact types e.g. backed artefacts, partly made backed artefacts and backing debitage, tool retouching debitage, debitage with dorsal grinding and retouched and/or used tools, different raw materials and raw materials with distinctive banding or inclusions;
- Chronological material (any materials that can be used to date artefactual materials);
- Taphonomic/site formation indicators; and

- h) Any other relevant features appropriate for further investigations, e.g. archaeological features such as evidence of burning in a hearth, stone features; clay features etc.

Phase 2 excavation will involve expansion in 1m² units, excavated by hand in spits or in bulk, as appropriate. The same sieving methodology employed in Phase 1 will be used in Phase 2. The cessation of Phase 2 excavation will be guided by the trigger(s) in question, so as to investigate the extent of that occurrence or feature, or when it has been determined that no new scientific information can be obtained through further excavation.

If no artefacts are found in the initial Phase 1 pits, the salvage program will be abandoned.

The decision on whether Phase 2 excavation expansion is warranted and the location of Phase 2 excavation expansion, if warranted, must be made in consultation with OEH. The decision on when to cease Phase 1 and Phase 2 excavation must be made in consultation with OEH.

The excavation director must provide the Planning Team, Greater Sydney Branch, OEH with a short written summary of the Phase 1 salvage excavation undertaken, within seven days of completion of the Phase 1 salvage excavation and prior to commencement of Phase 2 excavation. This summary must contain the following information:

- a) Summary of how much excavation occurred and where it was undertaken – maps should be included;
- b) Summary of what was found and where it was found. The summary should include a basic count of lithics, including raw material and significant technological characteristics (tools, evidence of bipolar flaking etc.);
- c) Any unusual or interesting evidence not expected during excavation;
- d) Summary of what triggers for Phase 2 expansion have been met, if any;
- e) Where it is anticipated Phase 2 expansion will take place and why (if warranted);
- f) Any recommended modifications to the archaeological approach based on the results to date.

Recording

For each pit that is excavated, the following information will be documented:

- Unique pit identification number
- GPS coordinates
- Deposit/soils encountered, including disturbances (if present)
- Amount, location and nature of cultural material present
- Photographic records
- Spit/stratigraphic records
- Section drawings

Artefact Analysis

Artefacts would be analysed on a comparable level with previous analyses of excavated assemblages. Lithic analysis should be undertaken by a relevant expert and should:

- i. Include the recording fields provided in the current AHIMS Site Recording Form; and
- ii. Include characteristics relevant to the site type and finding differences when compared to complex tool manufacture sites such as (but not limited to) cortex %, retouch, use wear and information relevant to any piece being a functional tool (or part thereof).

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Section 90 of the *National Parks and Wildlife Act 1974*



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Following analysis, the artefacts should be bagged and catalogued according to Requirement 26 of the Code (DECCW 2010).

Aboriginal Site Impact Recording Forms

Aboriginal Site Impact Recording Forms must be completed and submitted to the AHIMS Registrar, for AHIMS sites 45-5-3744 (MPIP 15) and 45-5-3745 (MPIP 15A), within 4 months of the completion of the salvage excavations.

Personnel

The excavation must be directed by an archaeologist who meets the minimum qualification requirements in Section 1.6 of the Code (DECCW, 2010).

References

Associates Archaeology and Heritage (AAH) 2017 Archaeological Report: 117 Hollinsworth Road, Marsden Park. Prepared for Logos Property Group, dated September 2017.

Brown, O. 2015 Aboriginal Cultural Heritage Assessment and Archaeological Report, 99 Hollinsworth Road, Marsden Park NSW. Associates Archaeology and Heritage. Report to Marsden Hollinsworth Pty Ltd.

DECCW (now OEH) 2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.

Kelleher Nightingale Consulting (KNC) 2015 117 Hollinsworth Road Development, Marsden Park, Lots 23 and 24 DP262886, Cultural Heritage Assessment Report. Report to EJC Corporate Services Pty Ltd.

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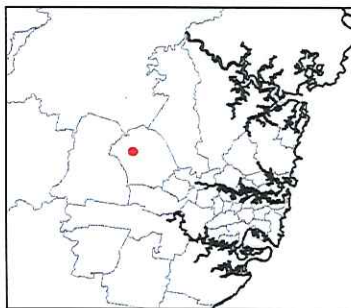
Figure 1: Salvage excavation areas, outlined in orange

Lots 23 & 24 DP262886
117 Hollinsworth Rd
Marsden Park

Legend

- + Vertices
- AHIP Area
- Salvage Excavation Areas
- 2m Contour

0 25 50 100 150
Meters



Data: Dept of Lands, AA&H
Projection: GDA94 MGA Zone 56

