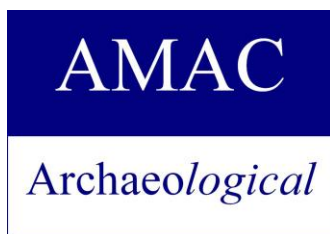


ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

Hurlstone Agricultural High School
(Hawkesbury)
2 College Road
Richmond NSW
(Hawkesbury LGA)



Benjamin Streat & Yolanda Pavincich

Archaeological Management & Consulting Group
& Streat Archaeological Services

**for
Conrad Gargett Ancher Mortock Woolley**

**On behalf of
NSW Department of Education**

**Version 2
April 2018**

Disclaimer

The veracity of this report is not guaranteed unless it is a complete and original copy.

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*Benjamin Streat
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Cover Image

Study area
AMAC (2017) Image DSCN1151.

ACKNOWLEDGEMENT OF COUNTRY

NSW Department of Education would like to acknowledge the Traditional Custodians of the Western Sydney Area– the Darug peoples– and pay respect to their cultural heritage, beliefs and continuing relationship with the land.

NSW Department of Education would also like to acknowledge the post contact experiences of Aboriginal peoples who have attachment to the Sydney area.

“We pay our respect to the Elders – past, present and future – for they hold the memories, traditions, culture and hopes of Aboriginal Peoples in the area”.

NSW Department of Education recognises the role of the registered Aboriginal parties in the management of the Aboriginal cultural heritage sites, landscape features and values of this project.

NSW Department of Education would like to thank the Registered Aboriginal Parties for their participation in this project and for their valuable contribution to this Aboriginal Cultural Heritage Assessment which has been enriched by their willingness to share valuable aspects of their cultural knowledge especially in respect of Caring for Country

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24/04/18	Finalised document – Version 2 (April 2018)	Conrad Gargett – Phil Baigent and Registered Aboriginal Parties

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EXECUTIVE SUMMARY

Background

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd (SAS) was commissioned by Conrad Gargett Ancher Mortlock Woolley on behalf of the NSW Department of Education (DoE) in October 2017, to prepare an Aboriginal Cultural Heritage Assessment for the proposed State Significant Development #8614 Hurlstone Agricultural High School at 2 College Road (Hawkesbury), Richmond, New South Wales.

In response to the recommendations outlined in the Aboriginal Cultural Heritage Assessment (AMAC, 2018) a programme of test excavation was undertaken, the results of which can be seen in the *Aboriginal Test Excavation Report* (AMAC, 2018). Test excavation resulted in no Aboriginal archaeological material being uncovered however intact soils were evident.

An Aboriginal Heritage Impact Permit (AHIP) and associated documentation are not needed as part of this development and its status as a State Significant Development. All such conditions and procedures which, were the domain of an AHIP, have now been replaced by this Aboriginal Cultural Heritage Management Plan (ACHMP), as required as part of Development Consent (Section 89E Environmental Planning and Assessment Act 1999).

Aboriginal Consultation

Consultation for this report has been undertaken in accordance with the Office of Environment and Heritage and National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010).

A mandatory 28-day period for the Aboriginal stakeholders to review and comment on this document has taken place. These comments have been included in this final version of this document.

Plan of action

The aims of this ACHMP are to facilitate in the implementation of mitigation and conservation strategies for the study area. The proposed development will impact on intact soil profiles and potential Aboriginal archaeological deposits and/or objects and as such this document outlines the processes that are to be set in place to manage this impact on the Aboriginal cultural heritage of the site, prior to the proposed development taking place.

A Contractor Briefing Document contains a heritage induction to be given to all workers on site, in order to make them aware of their responsibilities they have regarding any unidentified Aboriginal cultural objects and/or deposits, that are or may be located within the study area. This may be modified outside the review procedures set out in this document (Section 8.0).

Sections 6 contains information on the appropriate course of action to manage the discovery of any unexpected human remains or unexpected Aboriginal objects on site, as well as the contact details of OEH, NSW Police, the archaeologist and all RAPs.

1.0 INTRODUCTION

1.1 BACKGROUND

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd (SAS) was commissioned by Conrad Gargett Ancher Mortlock Woolley on behalf of the NSW Department of Education (DoE) in October 2017, to prepare an Aboriginal Cultural Heritage Assessment for the proposed State Significant Development #8614 Hurlstone Agricultural High School at 2 College Road (Hawkesbury), Richmond, New South Wales.

In response to the recommendations outlined in the Aboriginal Cultural Heritage Assessment (AMAC, 2018) a programme of test excavation was undertaken, the results of which can be seen in the *Aboriginal Test Excavation Report* (AMAC, 2018). Test excavation resulted in no Aboriginal archaeological material being uncovered however intact soils were evident.

This report conforms to the reporting process, conditions and requirements of Aboriginal Cultural Heritage Standards and Guidelines Kit (NPWS 1998) and Part 6; National Parks and Wildlife Act *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). This assessment also conforms to requirement 10 of the Secretary's Environmental Assessment Requirements for SSD #8614;

Requirement 10. Aboriginal Heritage
Address Aboriginal Cultural Heritage in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) and Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).

An Aboriginal Heritage Impact Permit (AHIP) and associated documentation are not needed as part of this development and its status as a State Significant Development. All such conditions and procedures which, were the domain of an AHIP, have now been replaced by this Aboriginal Cultural Heritage Management Plan (ACHMP), as required as part of Development Consent (Section 89E Environmental Planning and Assessment Act 1999).

1.2 STUDY AREA

The study site is that piece of land described as Lot 2 of the Land and Property Information Deposited Plan 1051798 forming the following street address 2 College Road, Richmond, within the Western Sydney University, Hawkesbury Campus, in the Parish of Ham Common, County of Cumberland (Figure 1.1 – 1.2).

Lot	Deposited Plan
2	1051798

1.3 SCOPE

The aims of this ACHMP are to facilitate in the implementation of mitigation and conservation strategies for the study area. The proposed development will impact on intact soil profiles and potential Aboriginal archaeological deposits and/or objects

and as such this document outlines the processes that are to be set in place to manage this impact on the Aboriginal cultural heritage of the site, prior to the proposed development taking place.

Appendix One: A copy of the Secretary's Environmental Assessment Requirements for SSD #8614 which encompasses the study area and proposed development.

Appendix Two: Hurlstone Agricultural High School (Hawkesbury); Contractor Briefing Document contains a heritage induction to be given to all workers on site, in order to make them aware of their responsibilities they have regarding any unidentified Aboriginal cultural objects and/or deposits, that are and may be located within the study area. This may be modified outside the review procedures set out in this document (Section 8.0).

Sections 6 contains information on the appropriate course of action to manage the discovery of any human remains or previously unidentified Aboriginal objects on site, including the contact details of OEH, NSW Police, the archaeologist and all RAPs.

1.4 AUTHOR IDENTIFICATION

The analysis of the archaeological background and the reporting were undertaken by Mr. Benjamin Streat (BA, Grad Dip Arch Her, Grad Dip App Sc), archaeologist and Director of Streat Archaeological Services Pty Ltd in association with archaeologist Ms. Yolanda Pavincich (B. Arch, Grad Dip Cul Her) and under the guidance of Mr. Martin Carney archaeologist and Managing Director of AMAC Group.

1.5 ACKNOWLEDGEMENTS

The author would like to thank the following for advice and/or input into this assessment:

- Mr P. Baigent from Conrad Gargett;
- Mr S Randall from Deerubbin LALC;
- Mr P. Khan from Kamilaroi-Yankuntjatjara Woring Group;
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- Ms J. Coplin from Darug Custodian Aboriginal Corporation;
- Mr S. Hickey from Widescope Indigenous Group;
- Mr P. Boyd and Ms L. Carroll from Didge Ngunawal Clan;
- Ms. C Carroll from Gunjeewong Cultural Heritage Aboriginal Corporation;
- Mr D. Dyer from Darug Aboriginal Land Care;
- Cullendulla;
- Murramarang;
- Biamanga;
- Mr B. Smith from Goobah Developments;



Figure 1.1 Aerial of study area
Study area outlined in red. Six Maps, LPI Online (accessed 11/10/17).

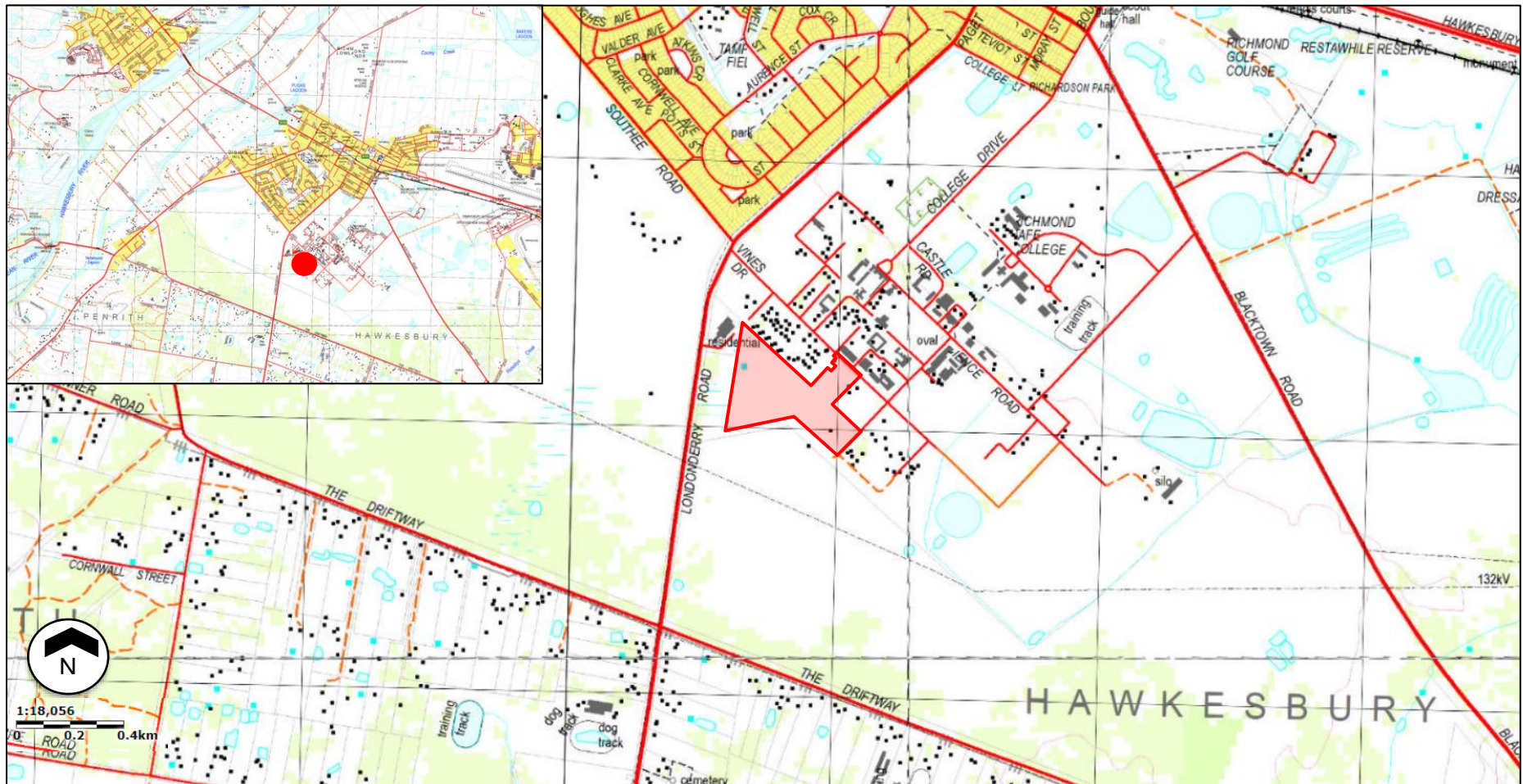


Figure 1.2 Topographic map with site location.
Study area outlined in black. Six Maps, LPI Online, accessed 11/10/2017.

2.0 LEGISLATIVE CONTEXT AND STATUTORY CONTROLS

This section of the report provides a brief outline of the relevant legislation and statutory instruments that protect Aboriginal archaeological and cultural heritage sites within the state of New South Wales. Some of the legislation and statutory instruments operate at a federal or local level and as such are applicable to Aboriginal archaeological and cultural heritage sites in New South Wales. This material is not legal advice and is based purely on the author's understanding of the legislation and statutory instruments. This document seeks to meet the requirements of the legislation and statutory instruments set out within this section of the report.

2.1 COMMONWEALTH HERITAGE LEGISLATION AND LISTS

One piece of legislation and two statutory lists and one non-statutory list are maintained and were consulted as part of this report; the National Heritage List and the Commonwealth Heritage List.

2.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) offers provisions to protect matters of national environmental significance. This act establishes the National Heritage List and the Commonwealth Heritage List which can include natural, Indigenous and historic places of value to the nation. This Act helps ensure that the natural, Aboriginal and historic heritage values of places under Commonwealth ownership or control are identified, protected and managed (Australian Government 1999).

2.1.2 National Heritage List

The National Heritage List is a list which contains places, items and areas of outstanding heritage value to Australia; this can include places, items and areas overseas as well as items of Aboriginal significance and origin. These places are protected under the Australian Government's EPBC Act.

2.1.3 Commonwealth Heritage List

The Commonwealth Heritage List can include natural, Indigenous and historic places of value to the nation. Items on this list are under Commonwealth ownership or control and as such are identified, protected and managed by the Federal Government.

2.2 NEW SOUTH WALES STATE HERITAGE LEGISLATION AND LISTS

The state (NSW) based legislation that is of relevance to this assessment comes in the form of the acts which are outlined below.

2.2.1 National Parks and Wildlife Act 1974

The NSW National Parks and Wildlife Act 1974 (as amended) defines Aboriginal objects and provides protection to any and all material remains which may be evidence of the Aboriginal occupation of lands continued within the state of New South Wales. The relevant sections of the Act are sections 84, 86, 87 and 90.

An Aboriginal object, formerly known as a relic 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’ (NSW Government, 1974).

It is an offence to harm or desecrate an Aboriginal object or places under Part 6, Section 86 of the NPW Act:

Part 6, Division 1, Section 86: Harming or desecrating Aboriginal objects and Aboriginal places:

- (1) *A person must not harm or desecrate an object that the person knows is an Aboriginal object.*

Maximum penalty:

- (a) *in the case of an individual—2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or*
- (b) *in the case of a corporation—10,000 penalty units.*

- (2) *A person must not harm an Aboriginal object.*

Maximum penalty:

- (a) *in the case of an individual—500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or*
- (b) *in the case of a corporation—2,000 penalty units.*

- (3) *For the purposes of this section, **circumstances of aggravation** are:*

- (a) *that the offence was committed in the course of carrying out a commercial activity, or*
- (b) *that the offence was the second or subsequent occasion on which the offender was convicted of an offence under this section.*

This subsection does not apply unless the circumstances of aggravation were identified in the court attendance notice or summons for the offence.

- (4) *A person must not harm or desecrate an Aboriginal place.*

Maximum penalty:

- (a) *in the case of an individual—5,000 penalty units or imprisonment for 2 years, or both, or*
- (b) *in the case of a corporation—10,000 penalty units.*
- (5) *The offences under subsections (2) and (4) are offences of strict liability and the defence of honest and reasonable mistake of fact applies.*
- (6) *Subsections (1) and (2) do not apply with respect to an Aboriginal object that is dealt with in accordance with section 85A.*
- (7) *A single prosecution for an offence under subsection (1) or (2) may relate to a single Aboriginal object or a group of Aboriginal objects.*
- (8) *If, in proceedings for an offence under subsection (1), the court is satisfied that, at the time the accused harmed the Aboriginal object concerned, the accused did not know that the object was an Aboriginal object, the court may find an offence proved under subsection (2).*

2.2.2 Environmental Planning & Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) states that environmental impacts of proposed developments must be considered in land use planning procedures. Four parts of this act relate to Aboriginal cultural heritage.

- Part 3, divisions 3, 4 and 4A refer to Regional Environmental Plans (REP) and Local Environmental Plans (LEP) which are environmental planning instruments and call for the assessment of Aboriginal heritage among other requirements.
- Part 4 determines what developments require consent and what developments do not require consent. Section 79C calls for the evaluation of
The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality (NSW Government 1979).
- Part 5 of this Act requires that impacts on a locality which may have an impact on the aesthetic, anthropological, architectural, cultural, historic, scientific, recreational or scenic value are considered as part of the development application process (NSW Government, 1979).

2.2.3 The Aboriginal Land Rights Act 1983

The NSW *Aboriginal Land Rights Act 1983* (ALR Act), administered by the NSW Department of Aboriginal Affairs, established the NSW Aboriginal Land Council (NSWALC) and Local Aboriginal Land Councils (LALCs). The ALR Act requires these bodies to:

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

These requirements recognise and acknowledge the statutory role and responsibilities of New South Wales Aboriginal Land Council and Local Aboriginal Land Councils. The ALR Act also establishes the Office of the Registrar whose functions include but are not limited to, maintaining the Register of Aboriginal Land Claims and the Register of Aboriginal Owners.

Under the ALR Act the Office of the Registrar is to give priority to the entry in the Register of the names of Aboriginal persons who have a cultural association with:

- lands listed in Schedule 14 to the NPW Act;
- lands to which section 36A of the ALR Act applies (NSW Government, 1974 & DECCW 2010).

2.2.4 The Native Title Act 1993

The *Native Title Act 1993* (NTA) provides the legislative framework to:

- recognise and protect native title;
- establish ways in which future dealings affecting native title may proceed, and to set standards for those dealings, including providing certain procedural rights for registered native title claimants and native title holders in relation to acts which affect native title;
- establish a mechanism for determining claims to native title;

- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The National Native Title Tribunal has a number of functions under the NTA including maintaining the Register of Native Title Claims, the National Native Title Register and the Register of Indigenous Land Use Agreements and mediating native title claims (NSW Government, 1974 & DECCW 2010).

2.2.5 New South Wales Heritage Register and Inventory 1999

The State Heritage Register is a list of places and objects of particular importance to the people of NSW. The register lists a diverse range of over 1,500 items, in both private and public ownership. Places can be nominated by any person to be considered to be listed on the Heritage register. To be placed an item must be significant for the whole of NSW. The State Heritage Inventory lists items that are listed in local council's local environmental plan (LEP) or in a regional environmental plan (REP) and are of local significance.

2.2.6 Register of Declared Aboriginal Places 1999

The NPW Act protects areas of land that have recognised values of significance to Aboriginal people. These areas may or may not contain Aboriginal objects (i.e. any physical evidence of Aboriginal occupation or use). Places can be nominated by any person to be considered for Aboriginal Place gazettal. Once nominated, a recommendation can be made to EPA/OEH for consideration by the Minister. The Minister declares an area to be an 'Aboriginal place' if the Minister believes that the place is or was of special significance to Aboriginal culture. An area can have spiritual, natural resource usage, historical, social, educational or other type of significance. Under section 86 of the NPW Act it is an offence to harm or desecrate a declared Aboriginal place. Harm includes destroying, defacing or damaging an Aboriginal place. The potential impacts of the development on an Aboriginal place must be assessed if the development will be in the vicinity of an Aboriginal place (DECCW 2010).

2.3 LOCAL PLANNING INSTRUMENTS

2.3.1 Hawkesbury Local Environmental Plan 2012

The Hawkesbury City Council Local Environment Plan was endorsed in 2012. Heritage Conservation is discussed in Part 5; Clause 5.10. The following section highlights the archaeological considerations of a site in relation to developments:

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

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

(2) Requirement for consent

Development consent is required for any of the following:

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

(3) When consent not required

However, development consent under this clause is not required if:

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

- (ii) *would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*
- (c) *the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*
- (d) *the development is exempt development.*

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

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

(10) Conservation incentives

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

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

2.3.2 Hawkesbury Development Control Plan 2002

The Hawkesbury Development Control Plan was prepared by the Hawkesbury City Council in 2002. Part C; Chapter 10 deals with heritage of which the following sections address Aboriginal Cultural Heritage;

10.3.1 Indigenous Heritage

“Indigenous heritage consists of places and items that are of significance to Aboriginal people because of their traditions, observations, lore, customs, beliefs and history. It provides evidence of the lives and existence of Aboriginal people before European settlement through to the present.

Long before European settlement the Aboriginal people inhabited the Hawkesbury region. The Darug people are known to have occupied the area for more than 40,000 years. Before 1788 it is believed that up to 3000 Darug people lived in the Hawkesbury River Valley.

The Darug People of the Hawkesbury, the Marramarra clan, subsided around the rich and diverse Hawkesbury River, known as the Deerubbin. The Hawkesbury River played a significant role in the Darug People's day to day subsistence and ceremonies, as such Aboriginal heritage sites occur throughout the Hawkesbury LGA.

The effective protection and conservation of this heritage is important in maintaining the identity, health and wellbeing of Aboriginal people.

10.6 Submission Requirements

If a development involving the excavation or filling of land or the erection (involving disturbance of land) or demolition of buildings on land which is an archaeological site that has Aboriginal significance or a potential archaeological site that is reasonably likely to have Aboriginal significance, an archaeological report adequately and appropriately addressing relevant issues is to be prepared by a suitably qualified professional.

2.4 DUE DILIGENCE CODE OF PRACTICE FOR THE PROTECTION OF ABORIGINAL OBJECTS IN NEW SOUTH WALES

This assessment conforms to the parameters set out in *the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974*, (DECCW 2010).

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* states that if;

- a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely, then further archaeological investigation and impact assessment is necessary.

2.5 CODE OF PRACTICE FOR ARCHAEOLOGICAL INVESTIGATION OF ABORIGINAL OBJECTS IN NEW SOUTH WALES

Any further work resulting from recommendations should be carried out conforming to the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010).

2.6 GUIDELINES

This report has been carried out in consultation with the following documents which advocate best practice in New South Wales:

- Aboriginal Archaeological Survey, Guidelines for Archaeological Survey Reporting (NSW NPWS 1998);
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);

- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);
- Aboriginal Cultural Heritage Standards and Guidelines Kit (NPWS 1998);
- Australia ICOMOS 'Burra' Charter for the conservation of culturally significant places (Australia ICOMOS 1999);
- Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010);
- Protecting Local Heritage Places: A Guide for Communities (Australian Heritage Commission 1999).

3.0 ABORIGINAL CONSULTATION

Consultation for this document was undertaken in accordance with the *Office of Environment and Heritage and National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), for test excavation under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974*, (DECCW 2010). However some deviation from these guidelines has occurred as a result of the implementation of Development Consent (Section 89E Environmental Planning and Assessment Act 1999), SSD # 8614. This deviation constituted a lowering of the response timeframe for the RAPs to the ACHMP from 28 days to a total of 21 days due to time constraints imposed by the proponent.

3.1 OVERVIEW OF ABORIGINAL COMMUNITY CONSULTATION

Consultation for this report has been undertaken in accordance with the *Office of Environment and Heritage and National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010).

All registered stakeholders were given a copy of a proposed Aboriginal Cultural Heritage research and testing methodology and given 28 days to respond with comments.

Archaeological test excavation was undertaken and resulted in no Aboriginal archaeological and cultural objects and/or deposits being located. The findings of this investigation were synthesised into a report *Aboriginal Test Excavation Report, New Hurlstone Agricultural High School, Hawkesbury Campus, 2 College Road, Richmond (Hawkesbury LGA)*. All registered parties were given 28 days to review and comment on this document. A full consultation log containing documented evidence and submissions can be available on request however as the testing programme resulted in no archaeological and/or cultural material, only a summary of the consultation has been supplied and a full log is not required.

All registered stakeholders were given a copy of the Aboriginal Cultural Heritage Assessment. All registered parties had the opportunity to review and comment on this document. All comments were incorporated into the report.

All registered stakeholders were given a copy of this Aboriginal Cultural Heritage Management Plan (ACHMP). All registered parties have had the opportunity to review and comment on this document. All comments have been incorporated into this report.

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Table 3.1 Consultation Summary

STAGE 1						
Authority Letters & Advertisement						
Authority Body/ Organisation	Contact Person	Contact Details	Date Sent	Method	Response Rcc.	Date
Hawkesbury City Council	Heritage Officer	Po Box 146, Windsor NSW 2012	11/10/2017	Mail	No	
Greater Sydney LLS	Heritage Officer	PO BOX 4515, Westfield Penrith NSW 2750	11/10/2017	Mail	No	
Deerubbin Local Aboriginal Land Council	Heritage Officer	PO BOX 40, Penrith BC NSW 2751	11/10/2017	Mail	No	
NSW Native Title Services	Heritage Officer	PO BOX 2105, Strewberry Hills NSW 2012	11/10/2017	Mail	No	
NNTT	Heritage Officer	GPO BOX 9973, Sydney NSW 2001	11/10/2017	Mail	Yes	16/10/17
NTSCORP	Heritage Officer	PO BOX 2105, Strewberry Hills NSW 2012	11/10/2017	Mail	No	
OEH	Archaeologist	PO BOX 644, Parramatta NSW 2124	11/10/2017	Mail	Yes	19/10/17
Office of Registrar	Heritage Officer	PO BOX 112, Glebe NSW 2037	11/10/2017	Mail	Yes	19/10/17
Newspaper Advertisement:		Hawkesbury Gazette	Printed: 01/11/17		End Period: 18/11/17	
Stakeholders Contacted		Minimum 14 days to register (25/10/2017) - (08/11/2017)				
Name/Organisation	Contact Person	Contact Details	Date Sent	Method	Notes	
Deerubbin LALC	Steve Randall	PO BOX 40, Penrith NSW 2750	25/10/2017	Mail		
Darug Custodian Aboriginal Corp (DCAC)	Justin Coplin	justinecoplin@optusnet.com.au	25/10/2017	Mail	Requested not to be mailed anymore material	
Darug Tribal Aboriginal Corp		PO BOX 441, Blacktown NSW 2148	25/10/2017	Mail		
Darug Aboriginal Cultural Heritage Assessments	Celestine Everingham	Unit 9/ 6 Chapman Ave, Chatswood NSW 2067	25/10/2017	Mail		
Darug Land Observations	Gordon Workman	PO BOX 2006, Bendalong NSW 2539	25/10/2017	Mail		
Darug Aboriginal Land Care	Des Dyer	18a Perigee Cl, Doonside NSW 2767	25/10/2017	Mail		
Gunjeewong Cultural Heritage Aboriginal Corp	Cherie Carroll Turrise	1 Bellvue Pl, Portland NSW 2847	25/10/2017	Mail		
Merrigarn Indigenous Corporation	Shaun Carroll	GPO BOX 158, Canberra City, ACT 2601	25/10/2017	Mail		
Murri bidee Mullangari Aboriginal Corporation	Darleen Johnson	PO BOX 246, Seven Hills NSW 2155	25/10/2017	Mail		

Bidjawang Aboriginal Corp	James Carroll	PO BOX 124, Round Corner NSW 2158	25/10/2017	Mail	
Kamilaroi-Yankuntjatjara Working Group	Phil Khan	78 Forbes St, Emu Plains NSW 2750	25/10/2017	Mail	
Wurrumay Consultancy	Kerrie Slater	89 Pyramid St, Emu Plains NSW 2750	25/10/2017	Mail	
Warragil Cultural Services	Aaron Slater	warragil_c.s@hotmail.com	25/10/2017	Email	
Kawul Cultural Services	Vicky Slater	89 Pyramid St, Emu Plains NSW 2750	25/10/2017	Mail	
Tocumwall	Scott Franks	PO BOX 76 Caringbah NSW 1495	25/10/2017	Mail	
Amanda Hickey Cultural Services	Amanda Hickey	41 Dempsey St, Emu Heights NSW 2750	25/10/2017	Mail	
Widescope Indigenous Group	Steven Hickey	73 Russell St, Emu Plains NSW 2750	25/10/2017	Mail	
HSB Consultants	Patricia Hampton	62 Ropes Crossing Boulevard, Ropes crossing NSW 2760	25/10/2017	Mail	
Rane Consulting	Tony Williams	1 Pyrenees Way Beaumont Hills NSW 2155	25/10/2017	Mail	
Aboriginal Archaeological Services	Andrew Williams	Unit 2/ 24 Goodwin St, Narrabeen NSW 2101	25/10/2017	Mail	
Dhinawan-Dhigaraa Culture & Heritage	Ricky Fields	16 Yantara Pl, Woodcroft NSW 2767	25/10/2017	Mail	
Gunyu	Kylie ann bell	gunyuuchs@gmail.com	25/10/2017	Email	
Walbunga	Hika te Kowhai	walbunga@gmail.com	25/10/2017	Email	
Badu	Karia Lea Bond	11 Jeffery Pl, Moruya NSW 2537	25/10/2017	Mail	
Goobah Developments	Basil Smith	66 Grantham Rd, Batehaven NSW 2536	25/10/2017	Mail	
Wullung	Lee-Roy James Boota	54 Blackwood St, Gerringong NSW 2534	25/10/2017	Mail	
Yerramurra	Robert Parson	Yerramurra@gmail.com	25/10/2017	Email	
Nundagurri	Newton Carriage	Nundagurri@gmail.com	25/10/2017	Email	
Murrumbul	Mark Henry	murrumbul@gmail.com	25/10/2017	Email	
Jerringong	Joanne Anne Stewart	Jerringong@gmail.com	25/10/2017	Email	
Pemulwuy CHTS	Pemulwuy Johnson	pemulwuyd@gmail.com	25/10/2017	Email	

Bilinga	Simalene Carriage	bilingachts@gmail.com	25/10/2017	Email	
Munyunga	Kaya Dawn Bell	munyungachts@gmail.com	25/10/2017	Email	
Wingikara	Hayley Bell	wingikarachts@gmail.com	25/10/2017	Email	
Minnamunnung	Aaron Broad	1 Waratah Ave, Albion Park Rail NSW 2527	25/10/2017	Email	
Jerringong	Joanne Anne Stewart	Jerringong@gmail.com	25/10/2017	Email	
Gundungurra Tribal Technical Services	Christopher Payne	22 Burns Rd, Leumeah NSW 2560	25/10/2017	Mail	
Walgalu	Ronald Stewart	walgaluchts@gmail.com	25/10/2017	Email	
Thauaira	Shane Carriage	thauairachts@gmail.com	25/10/2017	Email	
Dharug	Andrew Bond	dharugchts@gmail.com	25/10/2017	Email	
Bilinga Cultural Heritage Technical Services	Robert Brown	bilinga@mirramaja.com	25/10/2017	Email	Email bounced - Invalid Address
Gunyuu Cultural Heritage Technical Services	Darlene Hoskins-McKenzie	gunyuu@mirramajah.com	25/10/2017	Email	Email bounced - Invalid Address
Munyunga Cultural Heritage Technical Services	Suzannah McKenzie	munyunga@mirrmajah.com	25/10/2017	Email	Email bounced - Invalid Address
Murrumbul Cultural Heritage Technical Services	Levi McKenzie-Kirkbright	murrumbul@mirramajah.com	25/10/2017	Email	Email bounced - Invalid Address
Wingikara Cultural Heritage Technical Services	Wandai Kirkbright	wingikarachts@gmail.com	25/10/2017	Email	
Gulaga	Wendy Smith	gulagachts@gmail.com	25/10/2017	Email	
Biamanga	Seli Storer	biamangachts@gmail.com	25/10/2017	Email	
Cullendulla	Corey Smith	cullendullachts@gmail.com	25/10/2017	Email	
Murramarang	Roxanne Smith	murramarangchts@gmail.com	25/10/2017	Email	
DJMD Consultancy	Darren Duncan	darrenjohnduncan@gmail.com	25/10/2017	Email	
Butucarbin Aboriginal Corporation	Jennifer Beale	PO BOX E18, Emerton NSW 2770	25/10/2017	Mail	
Didge Ngunawal Clan	Lillie Carroll	7 Siskin St, Quakers Hill NSW 2763	25/10/2017	Mail	
Ginninderra Aboriginal Corp	Steven Johnson	PO BOX 3143, Grose Vale NSW 2754	25/10/2017	Mail	
Nerringundah	Newton Carriage	nerrigundachts@gmail.com	25/10/2017	Email	

Sharaon Hodgetts	Sharon Hodgetts	21/29 Central Coast HWY West, Gosford 2250	25/10/2017	Mail	
Registered Organisations/Individuals	Contact Person	Email Address	Date	Method	Notes
KYWG	Phil Khan	philipkhan.acn@live.com.au	12/10/2017	phone	
DACHA	Celestine Everingham	94103665	12/10/2017	phone	
Deerubbin LALC	Steve Randall	srandall@deerubbin.org.au	12/10/2017	email	
A1 Indigenous Service	Carolyn Hickey	cazadirect@live.com	30/10/2017	email	
Amanda Hickey Cultural Services	Amanda Hickey	amandahickey@live.com	30/10/2017	email	
AAS	Andrew Williams	aas.info@bigpond.com	29/10/2017	email	
Widescope	Steven Hickey	widescope.group@live.com	27/10/2017	email	
Didge Ngunawal Clan	Paul Boyd	didgengunawalclan@yahoo.com.au	27/10/2017	email	
Gunjeewong Cultural Heritage Aboriginal Corp	Cherie Carroll - Turrise	cheriecarroll68@yahoo.com	30/10/2017	mail	
Darug Aboriginal Land Care	Des Dyer	desmond4552@hotmail.com	27/10/2017	email	
Cullendulla		cullendullachts@gmail.com	08/11/2017	email	
Murramarang		murramarangchts@gmail.com	08/11/2017	email	
Biamanga		biamangachts@gmail.com	08/11/2017	email	
Goobah	Basil Smith	goobahchts@gmail.com	08/11/2017	email	
Darug Custodian Aboriginal Corp (DCAC)	Justin Coplin	justinecoplin@optusnet.com.au	08/11/2017	email	

STAGE 2 & 3

ACHA Methodology (/Test Excavation Methodology)	Minimum 28 days to respond (20/11/2017) - (18/12/2017)		Tender Due (20/11/17 - 04/12/17)		
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All RAPs	Yolanda Pavincich/ AMAC	ACHA Methodology & Tender	20/11/2017	Email	Posted to DACHA, Gunjeewong and KYWG
Yolanda Pavincich/ AMAC	Des Dyer	Agrees to Methodology	23/11/2017	Phone	Agrees to recommendations
Yolanda Pavincich/ AMAC	DLALC	Agrees to Methodology	27/11/2017	Phone	Agrees to recommendations
Yolanda Pavincich/ AMAC	Didge Ngunawal Clan	Agrees to Methodology	23/11/2017	Email	Agrees to recommendations

Yolanda Pavincich/ AMAC	Phil Khan	Agrees to Methodology	22/11/2017	Phone	Agrees to recommendations
Yolanda Pavincich/ AMAC	A1 Indigenous	Agrees to Methodology	20/11/2017	Email	Agrees to recommendations
Yolanda Pavincich/ AMAC	Amanda Hickey	Agrees to Methodology	20/11/2017	Email	Agrees to recommendations
Yolanda Pavincich/ AMAC	Widescope	Agrees to Methodology	20/11/2017	Email	Agrees to recommendations
Yolanda Pavincich/ AMAC	Goobah	Agrees to Methodology	27/11/2017	Phone	Agrees to recommendations
Ben Streat/ AMAC	AAS	Agrees to Methodology	27/11/2017	Email	Agrees to recommendations
Yolanda Pavincich/ AMAC	DACHA	Agrees to Methodology	27/11/2017	Phone	Agrees to recommendations
Yolanda Pavincich/ AMAC	Gunjeewong	Agrees to Methodology	27/11/2017	Mail	Agrees to recommendations
DCAC	Ben Streat/ AMAC	Agrees to Methodology	29/11/2017	Phone	Agrees to recommendations
Goobah	Ben Streat/ AMAC	Agrees to Methodology	29/11/2017	Phone	Agrees to recommendations
Biamanga	Ben Streat/ AMAC	Agrees to Methodology	29/11/2017	Phone	B. Smith from Goobah spoke on behalf of Biamanga, Cullendulla & Murramarang
Cullendulla	Ben Streat/ AMAC	Agrees to Methodology	29/11/2017	Phone	B. Smith from Goobah spoke on behalf of Biamanga, Cullendulla & Murramarang
Murramarang	Ben Streat/ AMAC	Agrees to Methodology	29/11/2017	Phone	B. Smith from Goobah spoke on behalf of Biamanga, Cullendulla & Murramarang

Test Excavation

06/12/2017 - 13/12/2017

STAGE 4

ACHA Report

Minimum 28 days to respond (20/12/2017) - (21/01/2018)

Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All RAPs	Consultation/ AMAC	Dispatch ACHA and test excavation report	20/12/2017	Email	
Consultation/AMAC	Des Dyer /DALC	ACHA and test report	06/01/2018	Email	Agrees to recommendations
Consultation/AMAC	Phil Khan/KYWG	ACHA and test report	05/01/2018	Mail	Agrees to recommendations
Consultation/AMAC	Justin Coplin/ DCAC	ACHA and test report	12/01/2018	Email	Agrees to recommendations
All RAPs	Consultation/ AMAC	Revised review period date	12/01/2018	Email	initially said 21/1/17 instead of 17/1/17

All RAPs	Consultation/ AMAC	Reminder for review period	16/01/2018	Email	
ACHMP Minimum 28 days to respond (20/03/2018) - (17/04/2018)					
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All Raps	Consultation/ AMAC	Dispatch ACHMP Document for review and comment	20/03/2018	Email	Copy mailed to DACHA and KYWG
Consultation/AMAC	Andrew Williams/AAS	ACHMP review	20/03/2018	Email	Agrees to management plan (included letter)
Consultation/AMAC	Desmond Dyer/Darug Aboriginal Land Care	ACHMP review	23/03/2018	Email	Agrees to management plan (included letter)
Consultation/AMAC	Phil Khan/ KYWG	ACHMP review	04/04/2018	Email	Agrees to management plan (included letter)
All Raps	Consultation/ AMAC	Reminder that ACHMP review period if ending	04/04/2018	Email	
Consultation/ AMAC	Justine Coplin/ DCAC	ACHMP review	06/04/2018	Email	Agrees to management plan

3.2 SUMMARY OF TEST EXCAVATION

Test excavation was undertaken over six days 06/12/17 – 13/12/17. The investigation was conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) and consisted of the excavation of 51 test trenches (50cm x 50cm).

The footprint of the proposed development will encompass the majority of the site. The locale for the building development will be towards the central and south-eastern end of the study site, with no exclusion zones proposed. The south-eastern area will accommodate the schools boarding accommodation facilities, while the central area will encompass the school grounds. A bridge will link the school grounds to the agricultural enterprise land on the north-western side of the stormwater drainage channel. The proposed development and associated infrastructure will impact the study area.

In review of the test excavation results, of which although intact soils were found to be present, the study area was however absent of any Aboriginal objects and/or deposits or features of cultural significance. Therefore, further investigation is not warranted and works may proceed with caution.

All RAPs present on site were informed of the status of the investigation and condition of the study area. They acknowledged the sterility of the A2 horizon and likelihood of the investigation resulting in no objects being location. They had no objections to the development taking place with caution.

3.3 STRATIGRAPHIC ANALYSIS

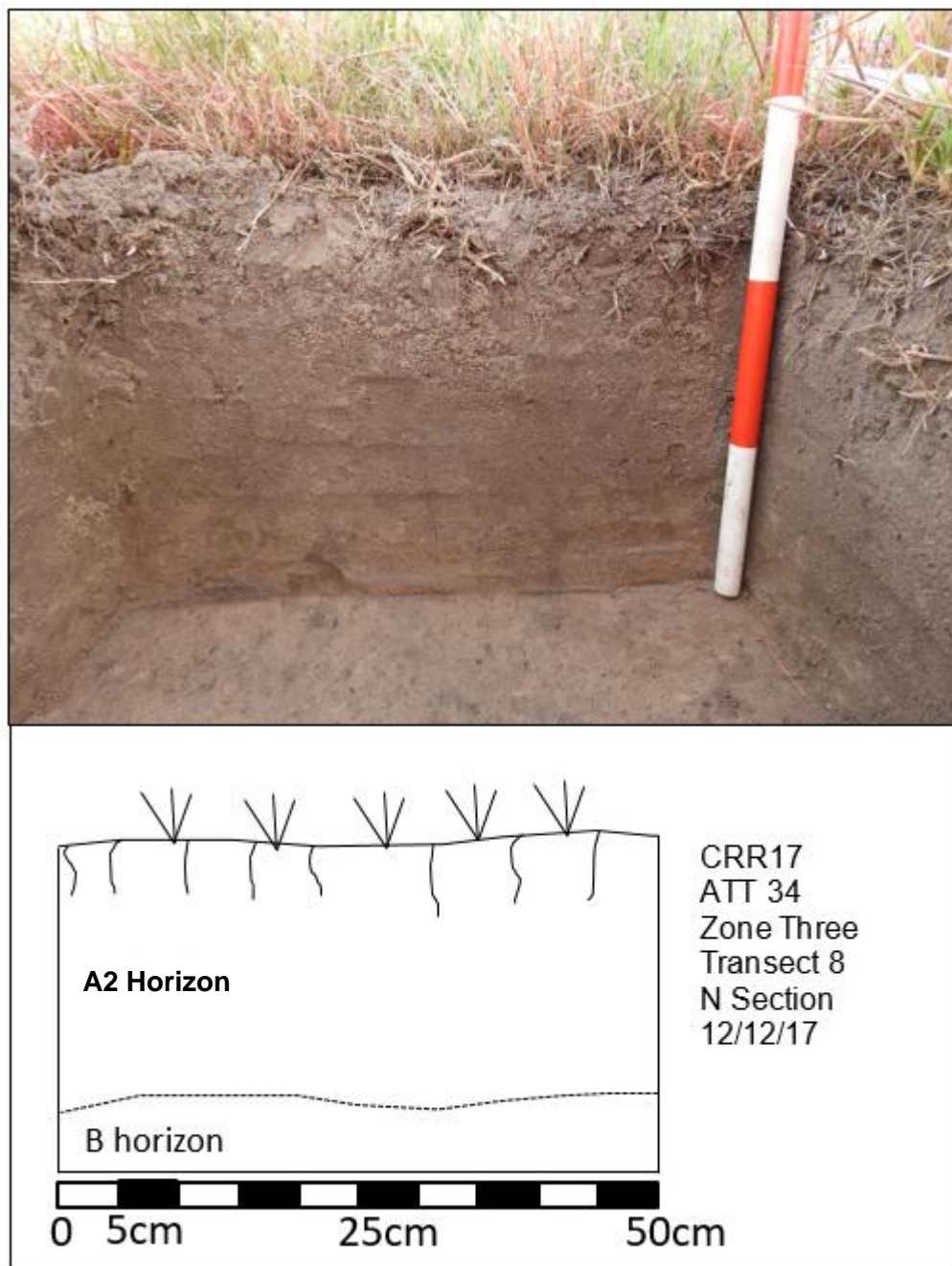
This section of the report is a summary of the soil profiles encountered. It aims to identify and ascertain the stratigraphic integrity of the site.

The soil landscape for the study area consists of the Berkshire Park (bp) Soil Profile. The geology of the study area consists of three depositional phases of Tertiary alluvial/colluvial origin. This includes the following sandstone and clay formations; St Mary's overlain by the Rickabys Creek gravel formation, which varies in thickness across the region, and is found to be topped by the Londonderry Clay.

The landform of the study area is a floodplain/ flats. The soils observed through testing are consistent with the Berkshire Park soil landscape (bp), in which on flats and small drainage lines, 50cm of sandy clay loam A2 horizon (bp2) can be found overlaying <50cm B horizon made up of sandy clay with iron nodules (bp3).

- bp2 (A2 horizon) reddish brown – yellowish brown sandy to fine sandy clay loam with a porous sandy fabric, however can be hardsetting.no inclusions.
- bp3 (B horizon) brown sandy (slightly silty) clay with porous sandy fabric. It has a weak structure and may contain mottles, usually orange in colour, ironstone nodules are common.

Test trenches remained relatively shallow with a maximum excavation depth of 55cm. Excavation of the test trenches ceased once the sterility of the soil could be confirmed and the B horizon located.



3.4 REGISTERED SITES

There are no registered sites within the study area that the author of this report is aware of. Test excavation resulted in no Aboriginal archaeological and cultural objects and/or deposits being located.

4.0 PROPOSED ACTIVITY

The proposed activity is for SSD # 8614 of a new agricultural high school building complete with four new buildings and boarding accommodation. The design will include greenhouse horticultural enclosure, gym, learning facilities and recreational areas, solar panelling as well as landscaping. The building heights vary slightly, the highest point is 14.34m. No basement has been proposed however the plans incorporate a lift shaft, of which the construction of will have a higher impact.

The building development will encompass half the surface area with no exclusion zones proposed. One side will be the school divided by a water channel with a bridge connecting to the agricultural enterprise area.

An early works package has been compiled in order to complete the civil works and services associated with the proposed school development. (Figure 4.7 – 4.12). This includes the formalisation of access ways/upgrade of pre-existing access roads as well as drainage and service connections and a retention basin.

The proposed development will impact and harm any objects and/or deposits of Aboriginal cultural and archaeological significance. Test excavation was completed under the Code of Practice (DECCW 2010), to assess the level of disturbance of the site and the potential harm that may be the result of the proposed activity. The results of said excavation aim to assist in minimising harm to Aboriginal objects and/or places, if present.

No formal areas of exclusion have been identified in the current plans.

4.1 POTENTIAL HARM TO ABORIGINAL OBJECTS AND CULTURAL HERITAGE

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A2 horizon was found to be present and intact over the site. However, in review of the results and level of sterility of the soil, there is a low- nil possibility of their being artefacts present and works may proceed with caution.

4.2 ASSESSING HARM

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A2 horizon was found to be present and intact over the site. However, in review of the results and level of sterility of the soil, there is a low- nil possibility of their being artefacts present and works may proceed with caution.

4.3 INTERPRETATION AND ACTION OF IMPACTS

Test excavation did not result in the location of any Aboriginal objects and/or deposits and as such the development will not be impacting on any Aboriginal objects and/or deposits, therefore an interpretation and action of impacts programme is not required.

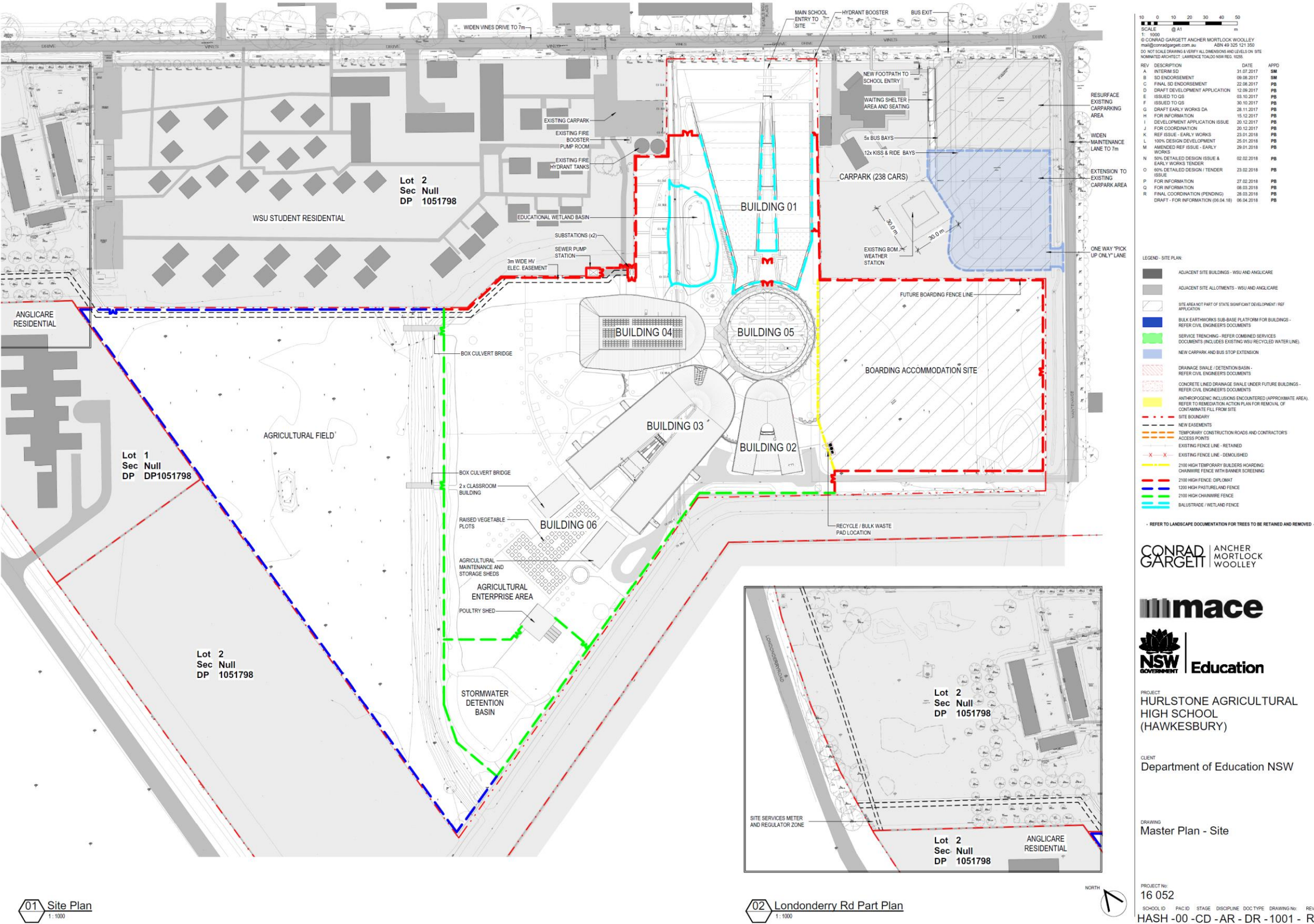


Figure 4.1 Master Site Plan
Conrad Gargett Ancher Mortlock Woolley (2018) HASH-00-CD-AR-DR-1001-R



e Plan
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Figure 4.2: Proposed Site Plan
Conrad Gargett Ancher Mortlock Woolley (2017) HASH-00-DD-AR-DR-1001-C

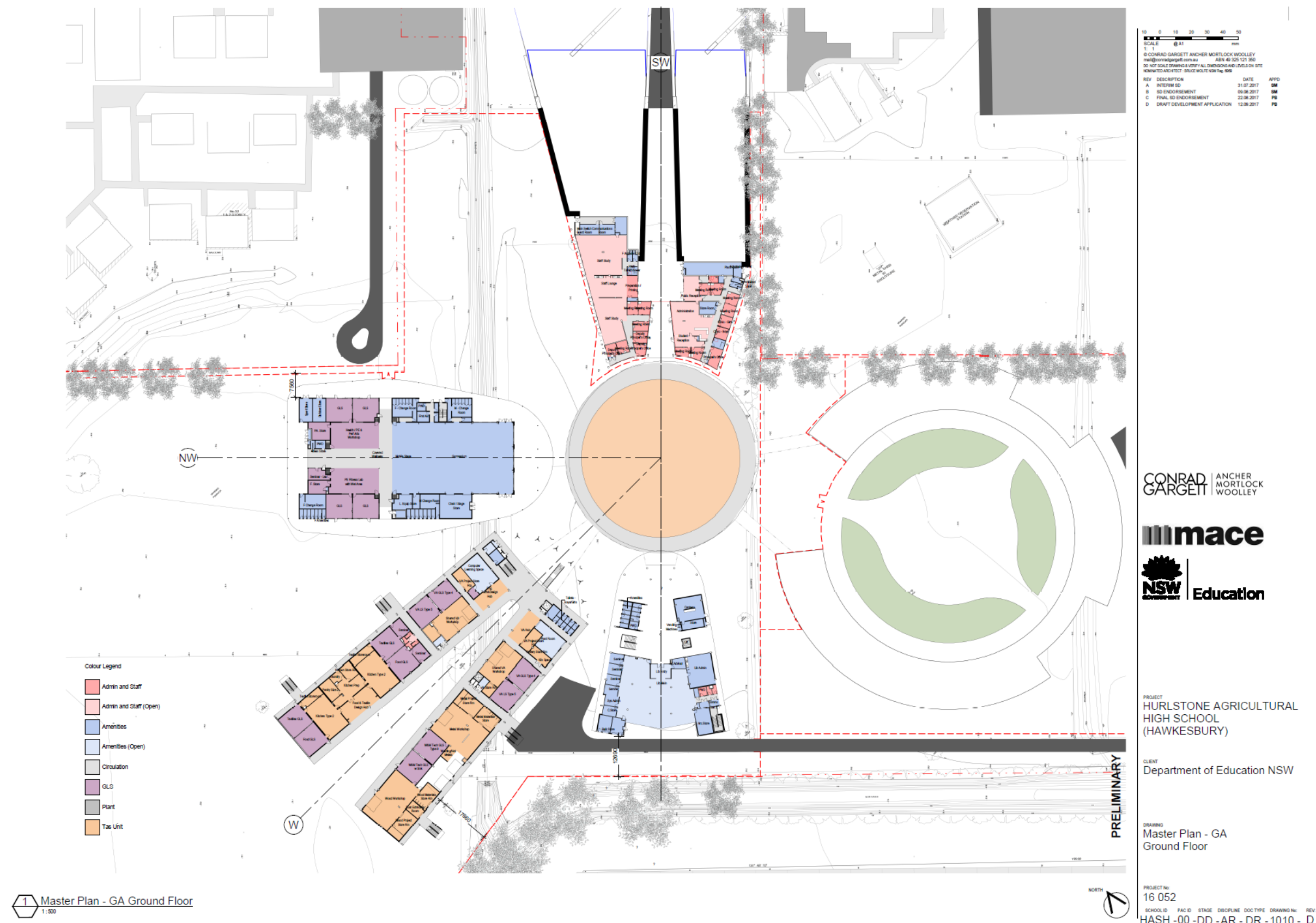


Figure 4.3 Proposed Master Plan – GA, Ground Floor
Conrad Gargett Ancher Mortlock Woolley (2017) HASH-00-DD-AR-DR-1010-C

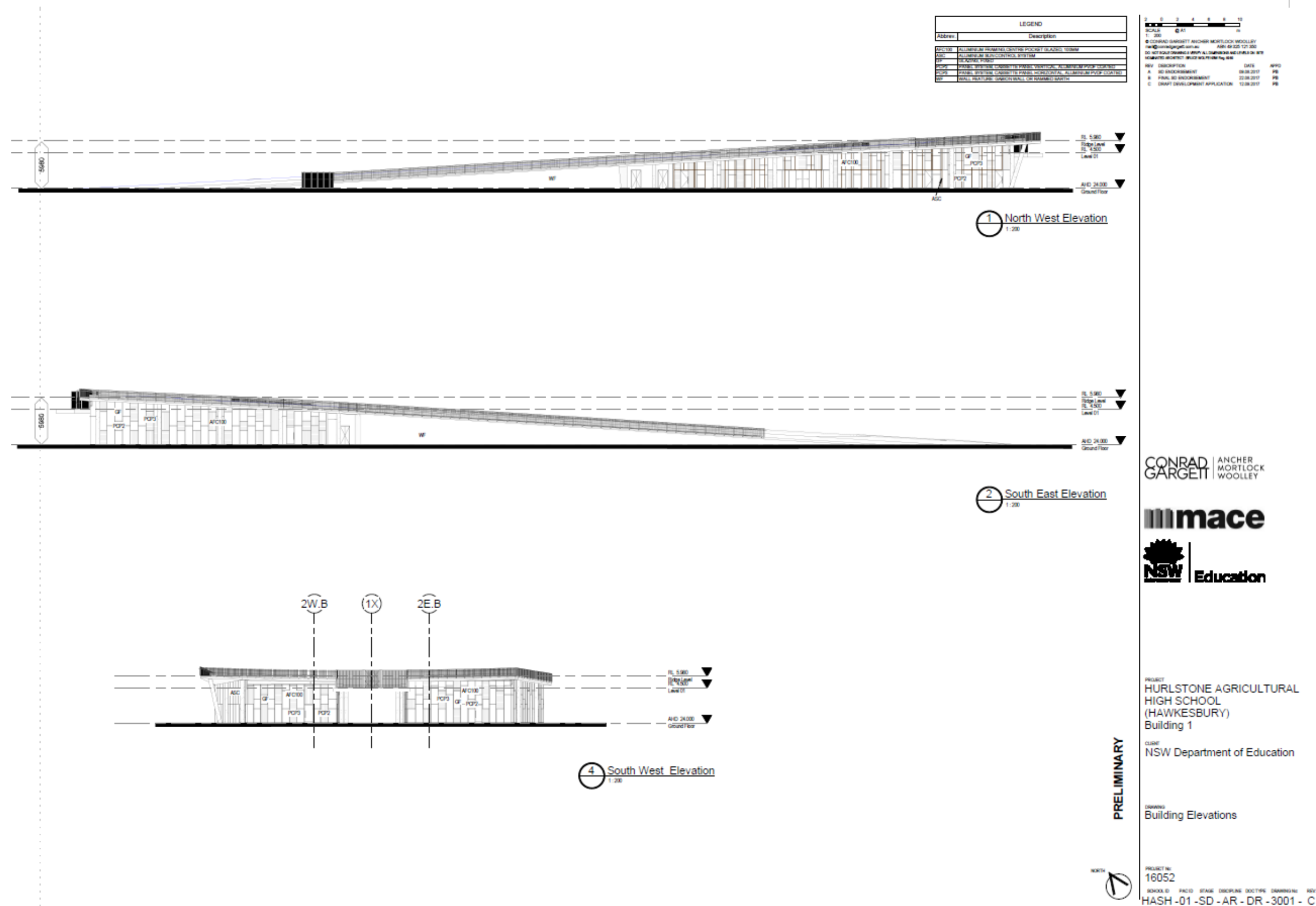


Figure 4.4 Proposed Sections Building 1
Conrad Gargett Ancher Mortlock Woolley (2017) HASH-01-SD-AR-DR-3001-C

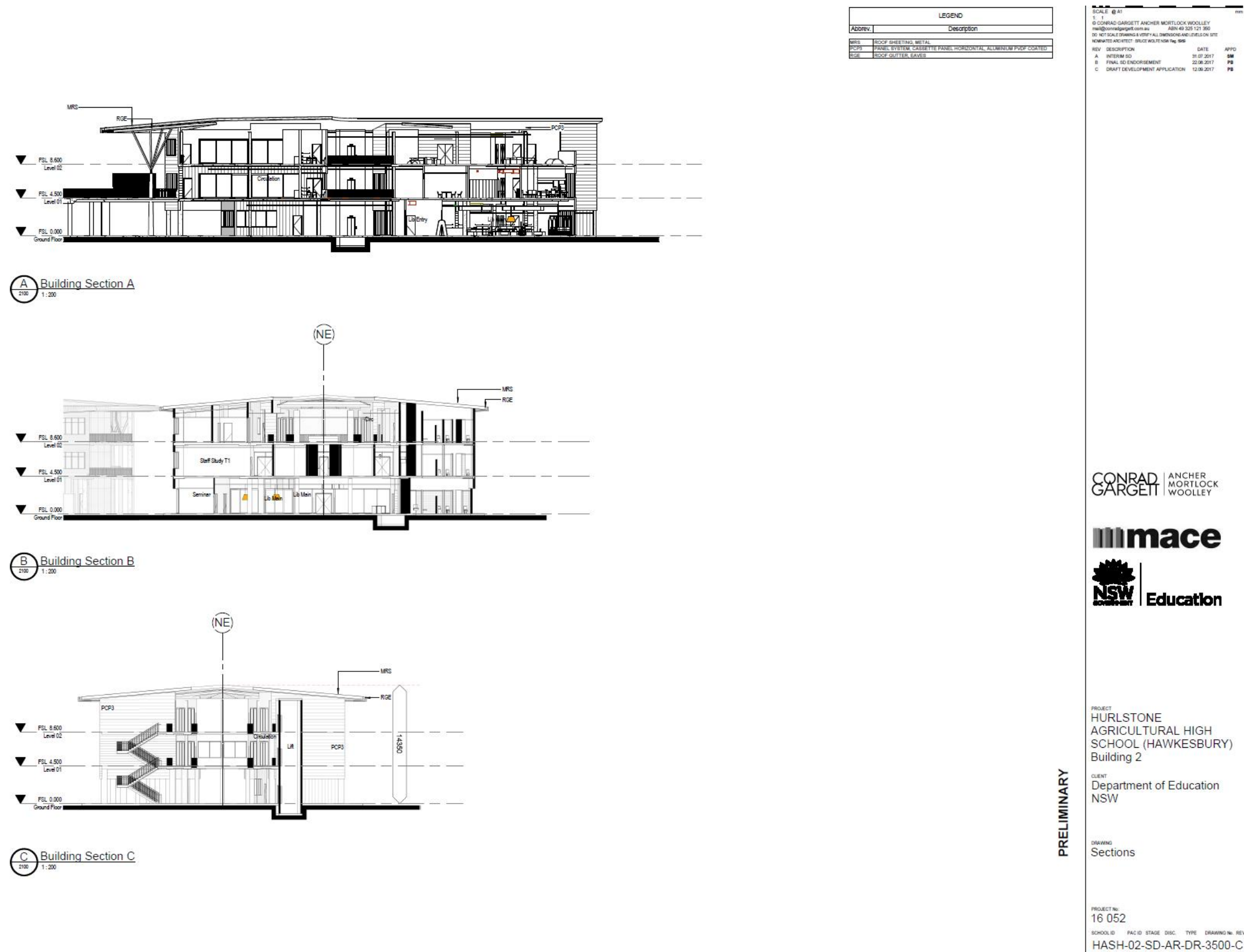


Figure 4.5: Proposed Sections Building 2
Conrad Gargett Ancher Mortlock Woolley (2017) HASH-02-SD-AR-DR-3500-C

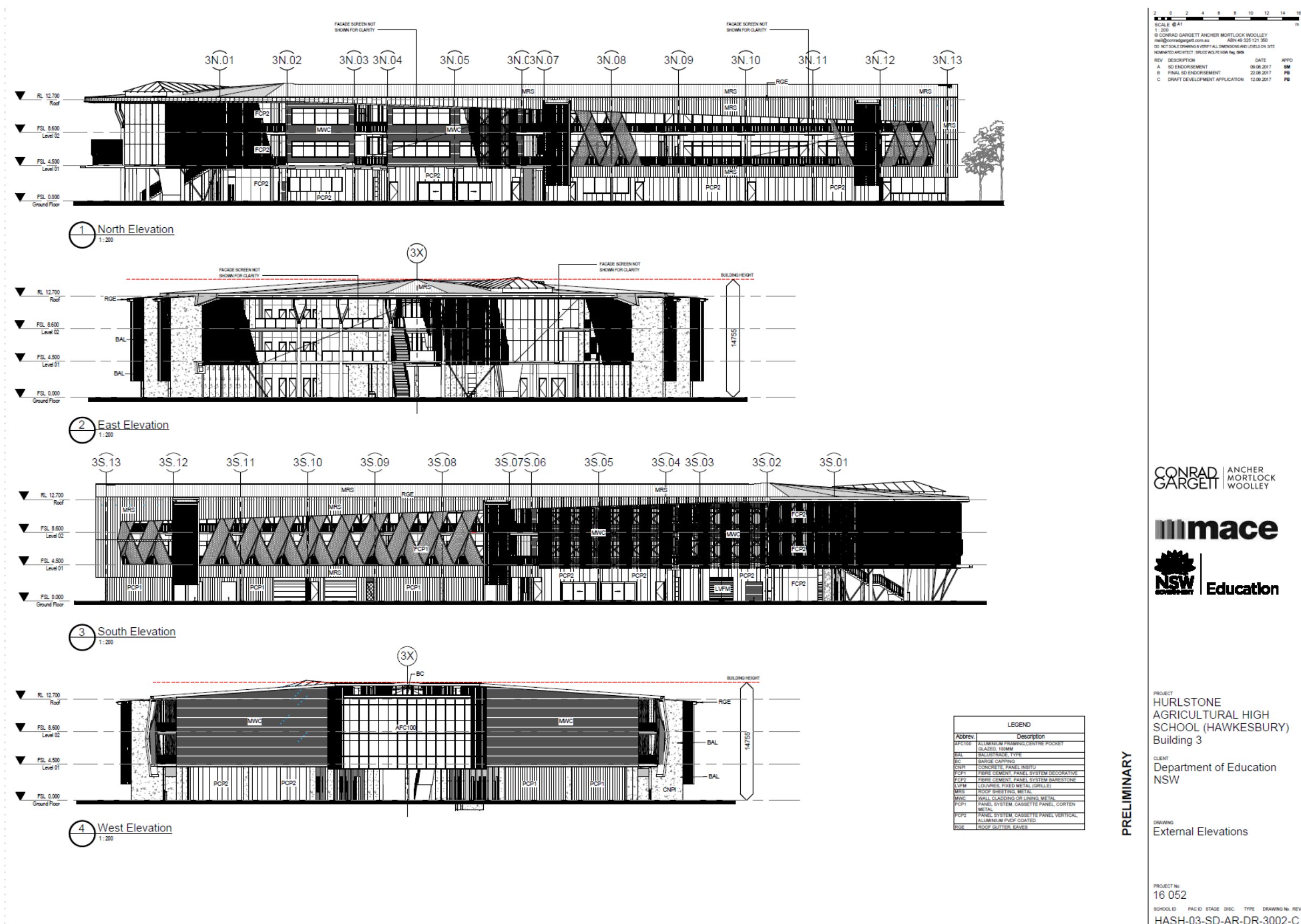


Figure 4.6 Proposed Sections Building 3
Conrad Gargett Ancher Mortlock Woolley (2017) HASH-03-SD-AR-DR-3002-C

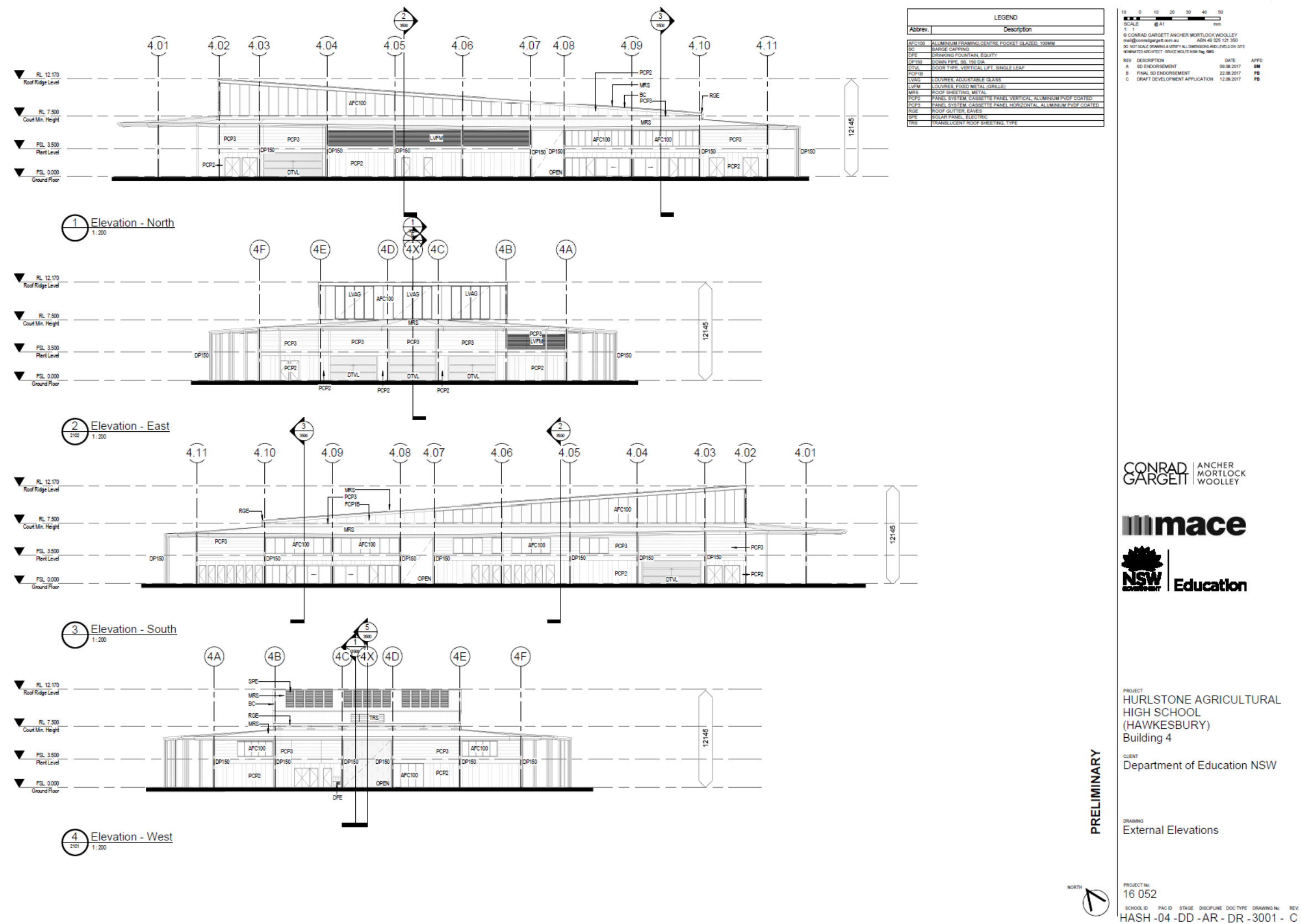
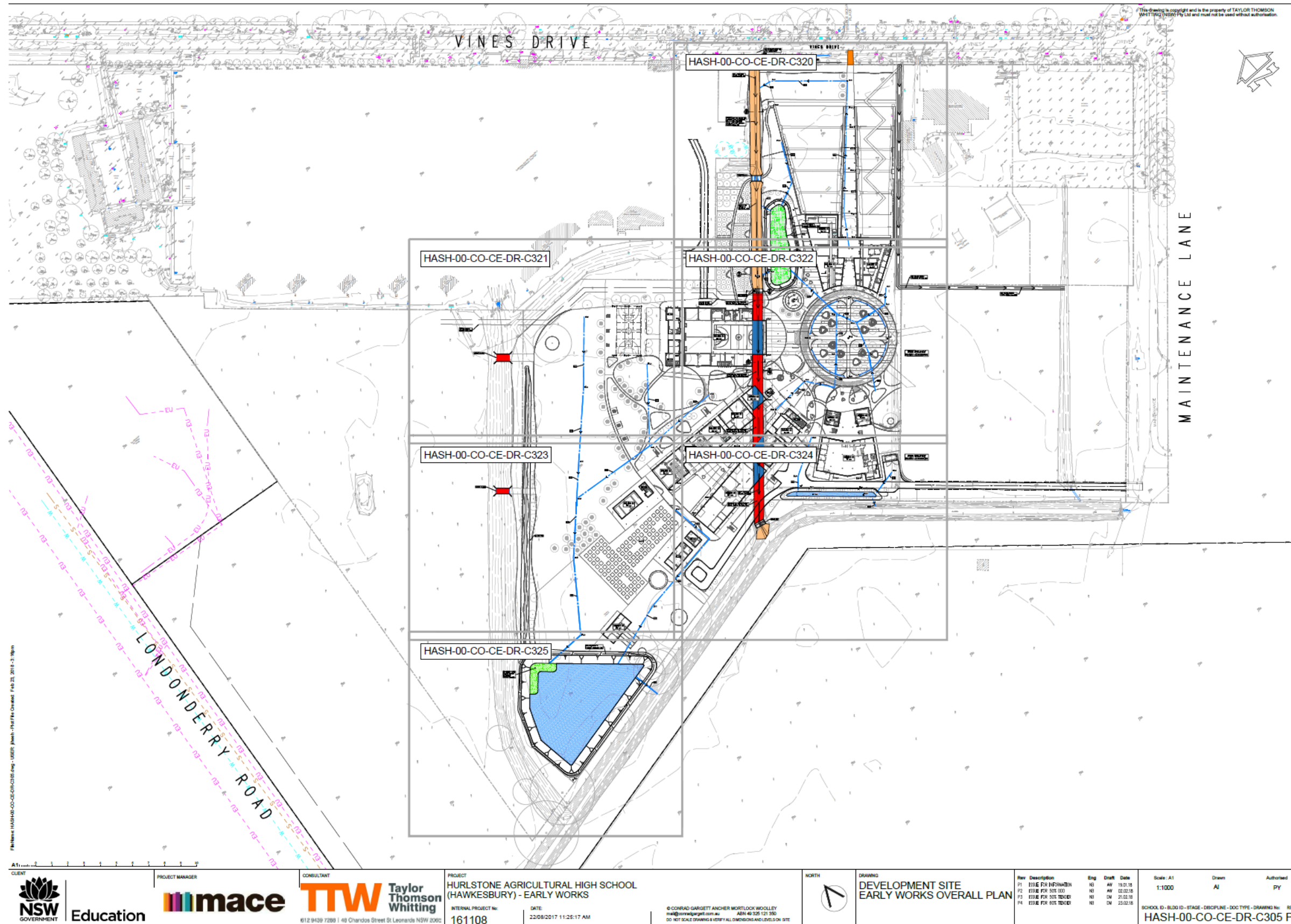


Figure 4.7 Proposed Sections Building 4
Conrad Gargett Ancher Mortlock Woolley (2017) HASH-04-DD-AR-DR-3001-C



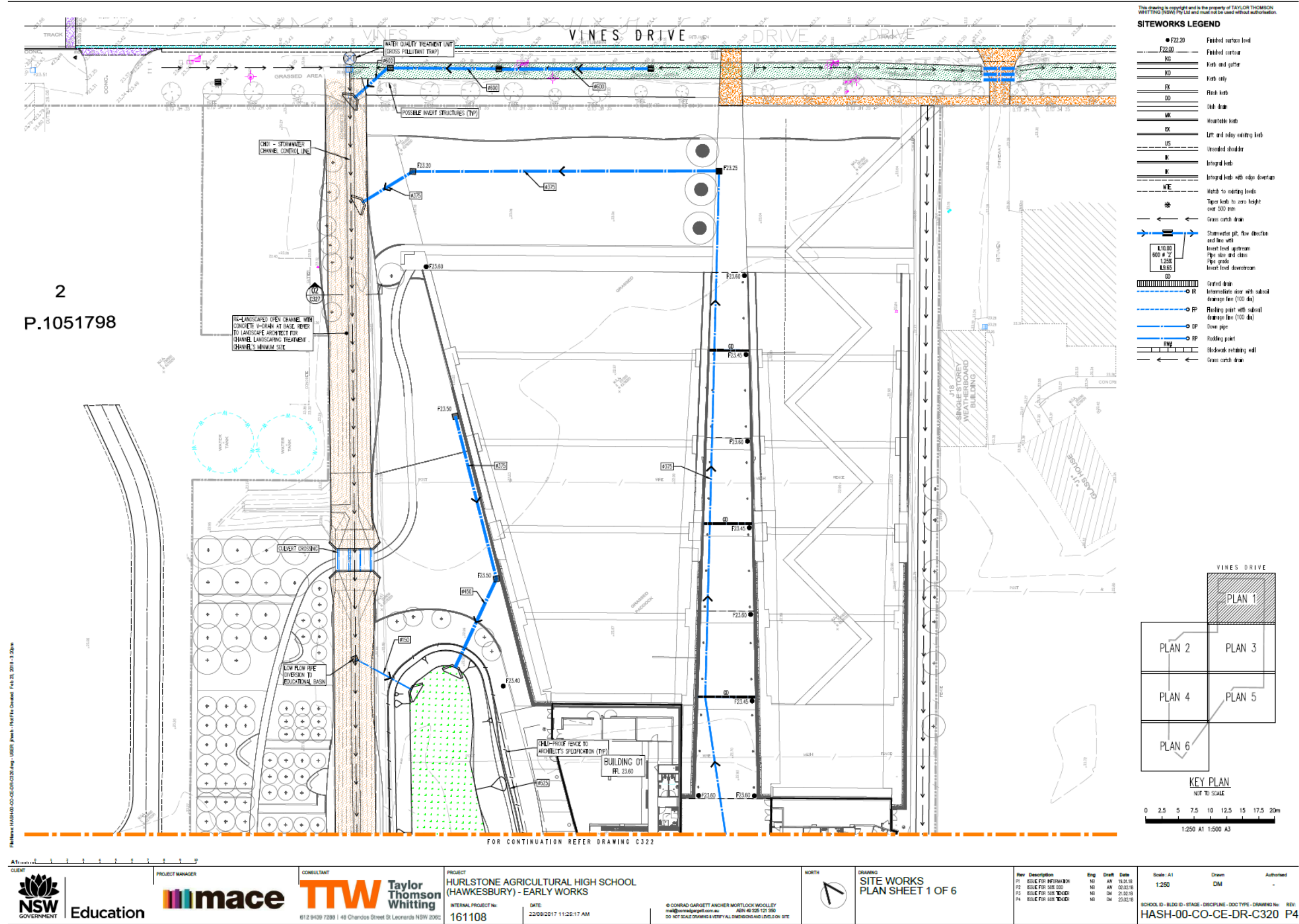
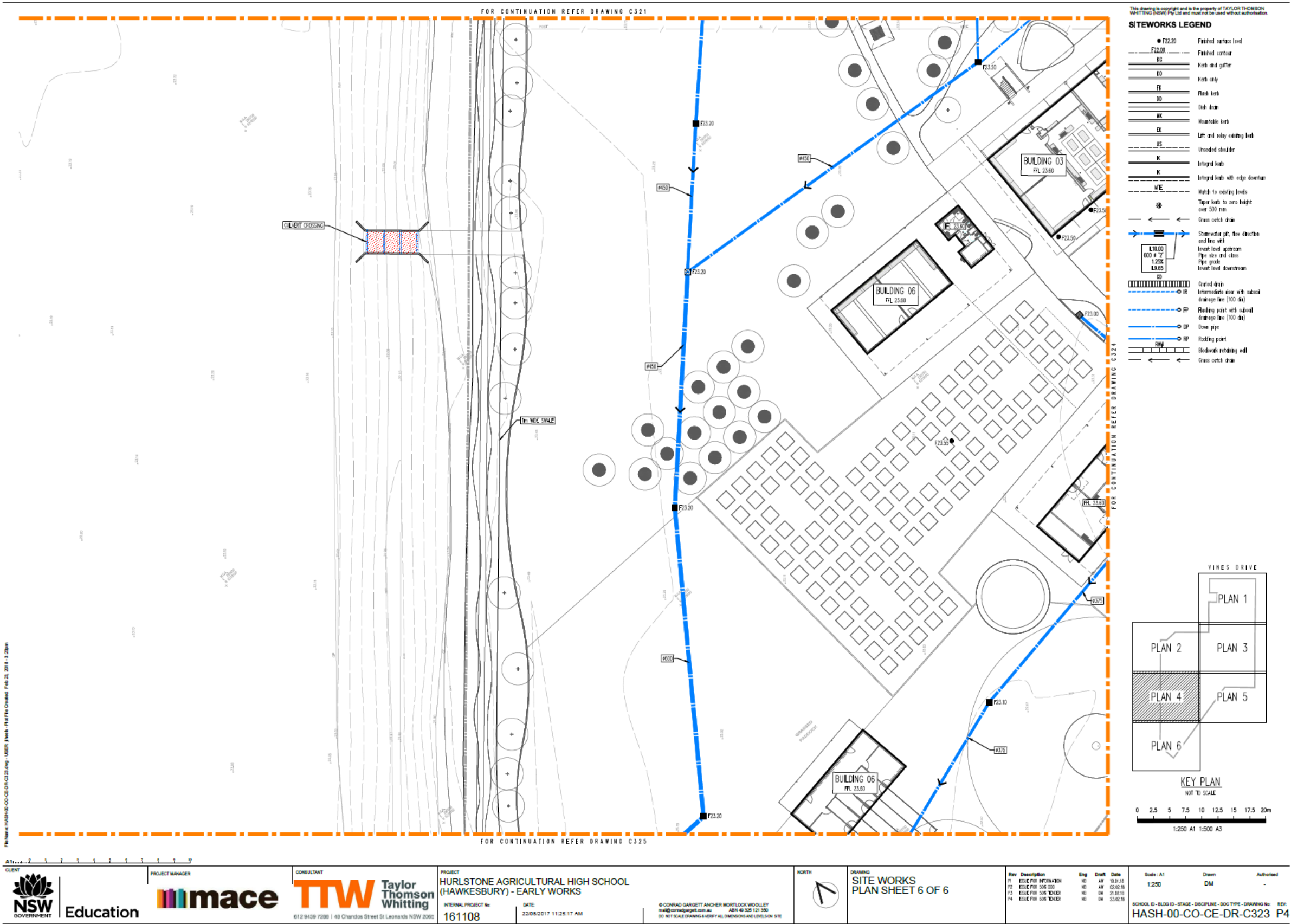


Figure 4.9 Site works plan sheet 1 of 6
Conrad Gargett Ancher Mortlock Woolley (2018) HASH-00-CO-CE-DR-C320 P4









5.0 SIGNIFICANCE ASSESSMENT

The processes of assessing significance for items of cultural heritage value are set out in *The Australian ICOMOS Charter for the Conservation of Places of Cultural Significance: the Burra Charter* (amended 1999) formulated in 1979 and based largely on the Venice Charter of International Heritage established in 1966.

Archaeological sites may be significant according to four criteria, including scientific or archaeological significance, cultural significance to Aboriginal people, representative significance which is the degree to which a site is representative of archaeological and/or cultural type, and value as an educational resource. In New South Wales the nature of significance relates to the scientific, cultural, representative or educational criteria and sites are also assessed on whether they exhibit historic or cultural connections.

The criteria for assessing significance values are set out below;

- a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
- b) An item has strong or special association with the life or works of a person, or groups of persons, of importance in the cultural or natural history of NS (or the cultural or natural history of the local area).
- c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
- d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- e) natural history of the local area

5.1 ARCHAEOLOGICAL SIGNIFICANCE

5.1.1 Educational Significance

The educational value of any given location will depend on the importance of any archaeological material located, on its rarity, quality and the contribution this material can have on any educational process (Australia ICOMOS, 1999 p. 11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no educational significance can be assigned to the study area

5.1.2 Scientific Significance

The scientific value of any given location will depend on the importance of the data that can be obtained from any archaeological material located, on its rarity, quality and on the degree to which this may contribute further substantial information to a scientific research process. (Australia ICOMOS, 1999 p.11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no scientific significance can be assigned to the study area.

5.1.3 Representative Significance

The representative value of any given location will depend on rarity and quality of any archaeological material located and on the degree to which this

representativeness may contribute further substantial information to an educational or scientific research process. (Australia ICOMOS, 1999 p.11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no representative significance can be assigned to the study area.

5.2 SOCIAL AND CULTURAL SIGNIFICANCE

As defined in the 'Burra Charter' (ICOMOS, 1999) cultural significance is broken into three parts: aesthetic, historic and scientific value for past, present or future generations. Cultural significance is a concept which assists in estimating the value of any given place. Places that are likely to be of significance are those which can contain information which may assist with the understanding of the past or enrich the present, and which will be of value to future generations. The meaning of these terms in the context of cultural significance is outlined below. It should be noted that they are not mutually exclusive, (Australia ICOMOS, 1999 p.12).

5.2.1 Historic Significance

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. (Australia ICOMOS, 1999 p.11).

No specific historic significance has been assigned by registered Aboriginal parties.

5.2.2 Scientific Significance

The scientific value of any given location will depend on the importance of the data that can be obtained from any archaeological material located, on its rarity, quality and on the degree to which this may contribute further substantial information to a scientific research process. (Australia ICOMOS, 1999 p.11).

No specific scientific significance has been assigned by registered Aboriginal parties.

5.2.3 Aesthetic Significance

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with the place and its use. (Australia ICOMOS, 1999 p.11).

No specific Aesthetic significance has been assigned by registered Aboriginal parties.

5.3 STAKEHOLDER SUBMISSIONS

The following responses were received by stakeholders. No other comments were made.

5.3.1 Aboriginal Archaeology Service INC.



Aboriginal Archaeology Service
INC: 1400988
P O Box 6283 Rouse Hill NSW 2155
Mobile: 0456 399 687
Email: aas.info@bigpond.com

20^h March 2018

AMAC Archaeological

Attention: Yolanda Pavincich

Aboriginal Cultural Heritage Management Plan – Hurlstone Agricultural High School

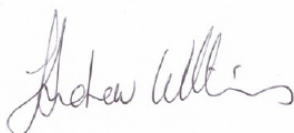
A.A.S agrees with the recommendations as documented by AMAC Archaeological in the Aboriginal Cultural Heritage Management Plan. AAS would like to see any artefacts collected displayed for all to see in the museum, local library or local government building or reburied in close proximity of the area.

Aboriginal Archaeology Service is seeking *involvement* in all consultation meetings and fieldwork for the above-mentioned project, as we are registered traditional owners of the area. AAS immediate family has lived in the area from 1897 and retains local and oral history on behalf of its first nation people. We have no objection to our information being provided to the Office of Environment and Heritage and the Local Aboriginal Land Council.

AAS can assist with input that can be incorporated into a written assessment of cultural values of the area. We are also able to provide fit staff to assist with work that may involve physical labour. We can provide our schedule of rates and copies of relevant certificates of currency for business insurances on request.

All correspondence should be emailed to AAS.info@bigpond.com and. The area is an important part of our culture and valued by our family.

Yours truly



Andrew Williams

5.3.2 Darug Aboriginal Land Care

Darug Aboriginal Land care

Uncle Des Dyer



18 a Perigee Close
Doonside
NSW 2767
ABN 71 301 006 047

Yolanda Pavincich
Archaeologist
AMAC Pty Ltd
122c Percival Road
Stanmore 2048
NSW

Re: HAHS .

Dear, Yolanda ,

The Darug Aboriginal Land care/ Uncle Des Dyer, has no objections to the planned development.

We have read your report and agree with the recommendations, Methodology and test excavation , salvage in your report.

We ask that while the development is in progress if any Artefacts are uncovered that work stops until the Artefacts can be moved.

We make Recommendation that this is strongly heard to for projects !!!!!

we ask that all artefacts be reburied on site out of harm's way, that any rock cravens, and scared tree be preserved, were possible, and be recorded.

Or Artefacts are put in the local museum with signage on where they came from.

The Darug Aboriginal Land care have and always will holds all land specific social, spiritual and cultural values to our organisation.

We are Traditional Owner, our members have lived on Darug land for most of their lives and worked in the area. We have been doing Cultural Heritage Assessments for over 20 years and still do today.

Respectfully yours,
Uncle Des Dyer
Darug Elder
Darug Aboriginal Land Care
Mobile 0408 360 814

5.3.3 Darug Custodian Aboriginal Corporation

From: Justine Coplin <justinecoplin@optusnet.com.au>
Sent: Friday, 6 April 2018 15:26
To: AMAC consultation
Subject: Re: FW: HAHS - Aboriginal Cultural Heritage Management Plan (Draft)

Can u correct my name please

5.3.4 Kamilaroi- Yankuntjatjara Working Group

Pollowan Phillip Khan
78 Forbes Street
Emu Plains NSW 2750
Email philipkhan.acn@live.com.au
mobile: 0434545982

AMAC
122c Percival Rd
Stanmore, NSW 2048



27/03/18

Dear Yolanda Pavincich

Thank you for the Thank you for the Aboriginal Cultural Heritage Management Plan for Hurlstone Agricultural High School. I have read your report and support all your recommendations and looking forward to be working with you and your team on the project in protecting our culture and heritage.

Regards Phillip Khan

As Senior Aboriginal person who has for the past forty of so years (40) actively participated in the Protection Aboriginal Cultural Heritage throughout the Sydney Basin, and particularly throughout Western Sydney, I, on behalf of the Kamilaroi Yankuntjatjara Working Group, wish to provide to you my organisations' registration of interest.

Information in my registration of interest:

1. I am a Senior Aboriginal and Principal of the Kamilaroi -Yankuntjatjara Working Group, and all Aboriginal entity (ABN33979702507).
2. I prefer communicating by, Mail, Telephone, and; and I am, the Principal, person to contact, and;
My contact details are:
Phillip Khan
78 Forbes Street, Emu Plains NSW 2750
Mobile 043 4545 982 email philipkhan.acn@live.com.au
3. I wish to be involved and participate in all levels of consultation/project involvement. I wish to attend all meetings, and, participate in available field work; and would receive a copy of the report hard copy if possible.
4. I attach to this letter a copy of Kamilaroi- Yankuntjatjara Working Group's; GIO Public Liability Insurance; GIO Workers Compensation Certificate.

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

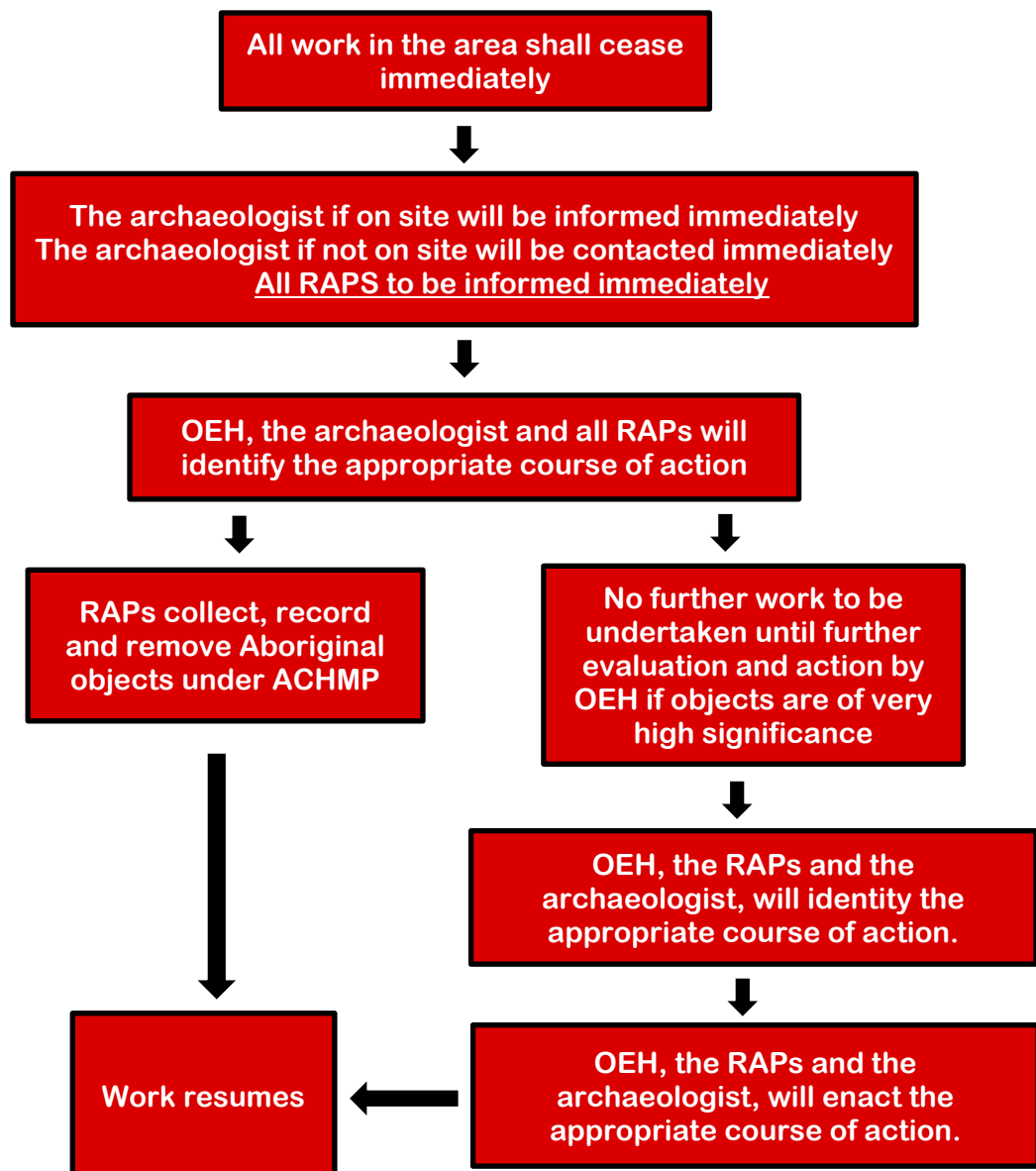
Yours Sincerely,

Pollowan Phillip Khan

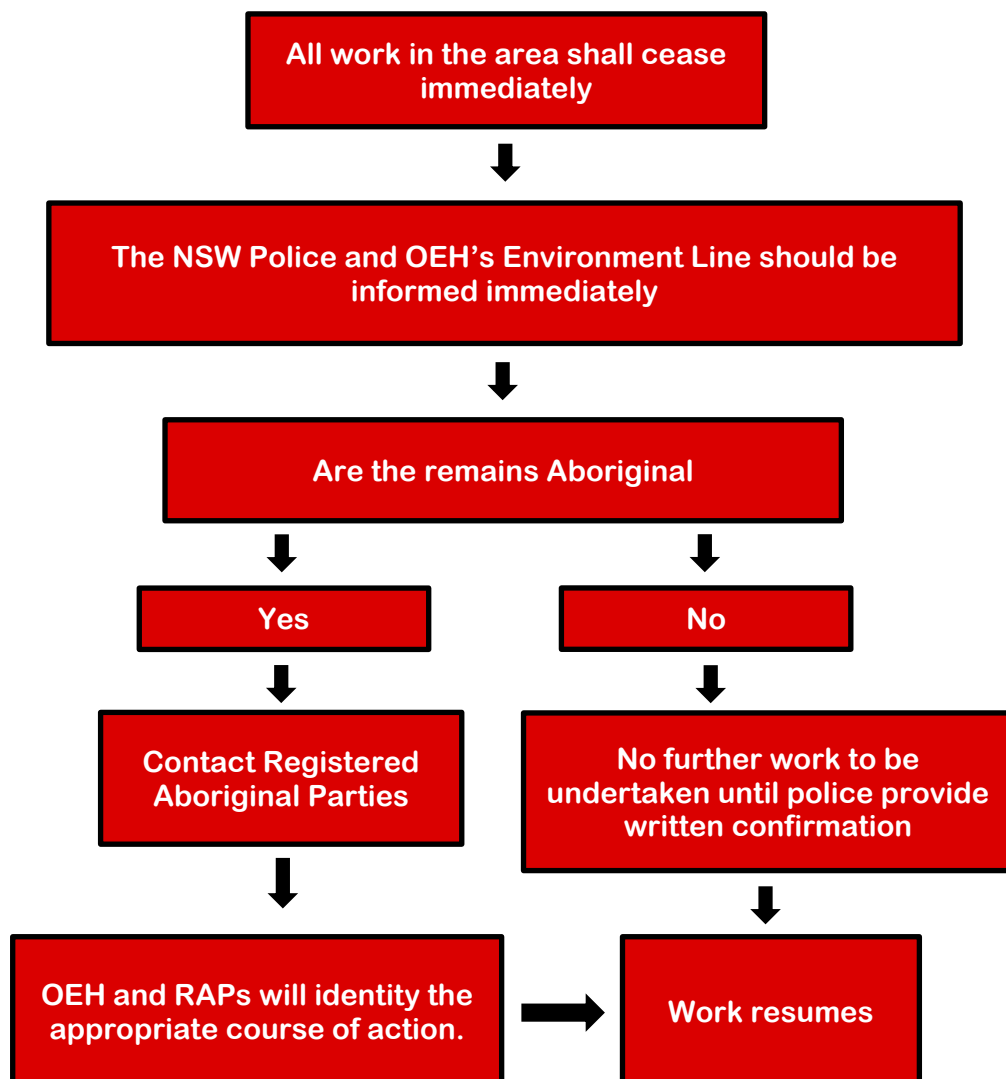
6.0 PLAN OF ACTION

The following are flow charts for the course of action for the listed potential archaeological constraints that have been reviewed and agreed to.

6.1 FLOW CHART FOR THE DISCOVERY OF UNEXPECTED ABORIGINAL ARCHAEOLOGICAL MATERIAL



6.2 FLOW CHART FOR THE PROCEDURE FOR THE DISCOVERY OF HUMAN REMAINS



6.3 CONTACT DETAILS

The contact details for the following archaeologist, NSW Police, OEH and Registered Aboriginal Parties are as follows:

Organisation	Contact	Contact Details
NSW Environment Line NSW Hawkesbury Local Area Command		131 555 LAC Office: 13 Mileham Street Windsor NSW 2756 Ph: (02) 4587 4099 Fax: (02) 4587 4011
Archaeological Management & Consulting Group Pty Ltd	Mr. Benjamin Streat or Mr. Martin Carney	122c-d Percival Road Stanmore NSW 2048 Ph:(02) 9568 6093 Fax:(02) 9568 6093 Mob: 0405 455 869 Mob: 0411 727 395 benjaminstreat@archaeological.com.au
Office of Environment & Heritage NSW Department of Planning and Environment	Archaeologist – Head Office	PO Box A290 Sydney South NSW 1232 Ph: (02) 9995 5000 info@environment.nsw.gov.au
Deerubbin Local Aboriginal Land Council (DLALC)	Cultural Heritage Officer	Po Box 40 Penrith, NSW 2750 (02) 4724 5600 srandall@deerubbin.org.au
Kamilaroi-Yankuntjatjara Working Group	Phil Khan	Philipkhan.acn@live.com.au
Darug Aboriginal Cultural Heritage Assessments	Celestine Everingham	Unit 9/ 6 Chapman Ave Chatswood NSW 2067
Darug Custodian Aboriginal Corp.	Justine Coplin	justinecoplin@optusnet.com.au
A1 Indigenous Services	Carolyn Hickey	cazadirect@live.com
Amanda Hickey Cultural Services	Amanda DeZwart	amandahickey@live.com
Aboriginal Archaeological Services	Andrew Williams	Aas.info@bigpond.com
Widescope Indigenous Group	Steven Hickey	Widescope.group@live.com
Didge Ngunawal Clan	Paul Boyd	didgengunawalclan@yahoo.com.au
Gunjeewong Cultural Heritage Aboriginal Corp.	Cherie Carroll Turrise	Cheriecarroll68@yahoo.com
Darug Aboriginal Land Care	Des Dyer	Desmond4552@hotmail.com
Cullendulla		cullendullachts@gmail.com
Murramarang		murramarangchts@gmail.com
Biamanga		biamangachts@gmail.com
Goobah Developments	Basil Smith	goobahchts@gmail.com

7.0 REPORTING

All ACHMP works carried out during the Hurlstone Agricultural School (Hawkesbury) Project will be documented to a standard comparable to that required by the *Code of Practice for Archaeological Investigation of Aboriginal Objects* 2010 and in consultation with Registered Aboriginal Parties as listed in Section 6.3.

8.0 REVIEW PROCEDURE

Once the ACHMP has been reviewed by all parties. The document is to be reviewed and endorsed by the DoP and the OEH. No alteration of procedures shall take place without the involvement of all parties. All stakeholders and their organisations shall be informed in writing of the proposed review and all parties and their respective organisations must be given 28 days to review and comment on any changes..

APPENDICES

APPENDIX ONE: SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS SSD #8614

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 8614
Proposal Name	Hurlstone Agricultural High School (Hawkesbury)
Location	Western Sydney University (2 College Street, Richmond)
Applicant	Department of Education
Date of Issue	8 August 2017
General Requirements	<p>The Environmental Impact Statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i> (the Regulation).</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> adequate baseline data; consideration of potential cumulative impacts due to other development in the vicinity (completed, underway or proposed); and measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment. <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and certification that the information provided is accurate at the date of preparation.
Key Issues	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context – including: Address the statutory provisions contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> <i>State Environmental Planning Policy (State & Regional Development) 2011</i>; <i>State Environmental Planning Policy (Infrastructure) 2007</i>; <i>State Environmental Planning Policy No.55 – Remediation of Land</i>; <i>State Environmental Planning Policy No. 64 – Advertising and Signage</i>; <i>Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i>; and <i>Hawkesbury Local Environmental Plan 2012</i>.

	<p><i>Permissibility</i> Detail the nature and extent of any prohibitions that apply to the development.</p> <p><i>Development Standards</i> Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.</p> <p>2. Policies Address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> • NSW State Priorities; • A Plan for Growing Sydney; • NSW Long Term Transport Master Plan 2012; • Sydney's Cycling Future 2013; • Sydney's Walking Future 2013; • Sydney's Bus Future 2013; • Crime Prevention Through Environmental Design (CPTED) Principles; • Healthy Urban Development Checklist, NSW Health; and • Greater Sydney Commission's Draft West District Plan. <p>3. Built Form and Urban Design</p> <ul style="list-style-type: none"> • Address the height, density, bulk and scale, setbacks of the proposal in relation to the surrounding development, topography, streetscape and any public open spaces. • Address design quality, with specific consideration of the overall site layout, streetscape, open spaces, façade, rooftop, massing, setbacks, building articulation, materials, colours and Crime Prevention Through Environmental Design Principles. • Detail how services, including but not limited to waste management, loading zones, and mechanical plant are integrated into the design of the development. <p>4. Environmental Amenity</p> <ul style="list-style-type: none"> • Detail amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential land uses must be demonstrated. • Detail any proposed use of the school grounds out of school hours (including weekends) and any resultant amenity impacts on the immediate locality and proposed mitigation measures. <p>5. Transport and Accessibility Include a transport and accessibility impact assessment, which details, but not limited to the following:</p> <ul style="list-style-type: none"> • accurate details of the current daily and peak hour vehicle, public transport, pedestrian and cycle movement and existing traffic and transport facilities provided on the road network located adjacent to the proposed development; • an assessment of the operation of existing and future transport networks including the bus network and their ability to accommodate the forecast number of trips to and from the development; • details of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips based on surveys of the existing and similar schools within the local area; • the adequacy of public transport, pedestrian and bicycle networks and infrastructure to meet the likely future demand of the proposed development;
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	<ul style="list-style-type: none"> the impact of the proposed development on existing and future public transport infrastructure within the vicinity of the site in consultation with Roads and Maritime Services and Transport for NSW and identify measures to integrate the development with the transport network; details of any upgrading or road improvement works required to accommodate the proposed development; details of travel demand management measures to minimise the impact on general traffic and bus operations and to encourage sustainable travel choices and details programs for implementation; the impact of trips generated by the development on nearby intersections, with consideration of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for upgrading or road improvement works, if required. Traffic modelling, using, but not limited to, SIDRA network modelling for current and future years, is to be undertaken of the following signalised intersections: <ul style="list-style-type: none"> Londonderry Road at Vines Drive and Southee Road; Lennox Street/Paget Street; Blacktown Road/Bourke Street; the proposed active transport access arrangements and connections to public transport services; details of any proposed school bus routes along bus capable roads (i.e. travel lanes of 3.5 m minimum) and infrastructure (bus stops, bus layovers etc.); the proposed access arrangements, including car and bus pick-up/drop-off facilities, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones; measures to maintain road and personal safety in line with CPTED principles; proposed bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance; proposed number of on-site car parking spaces and corresponding compliance with existing parking codes and justification for the level of car parking provided on-site; details of emergency vehicle access arrangements; an assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures; service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times); in relation to construction traffic: <ul style="list-style-type: none"> assessment of cumulative impacts associated with other construction activities (if any); an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity; details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process; details of anticipated peak hour and daily construction vehicle movements to and from the site; details of access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle; details of temporary cycling and pedestrian access during construction;
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	<ul style="list-style-type: none"> ○ details of proposed construction vehicle access arrangements at all stages of construction; and ○ traffic and transport impacts during construction, including cumulative impacts associated with other construction activities, and how these impacts will be mitigated for any associated traffic, pedestrian, cyclists, parking and public transport, including the preparation of a draft Construction Traffic Management Plan to demonstrate the proposed management of the impact. <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> • <i>Guide to Traffic Generating Developments (Roads and Maritime Services)</i> • <i>EIS Guidelines – Road and Related Facilities (DoPI)</i> • <i>Cycling Aspects of Austroads Guides</i> • <i>NSW Planning Guidelines for Walking and Cycling</i> • <i>Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development</i> • <i>Standards Australia AS2890.3 (Bicycle Parking Facilities)</i> <p>6. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> • Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design and ongoing operation phases of the development. • Demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice. • Include a description of the measures that would be implemented to minimise consumption of resources, water (including water sensitive urban design) and energy. <p>7. Social Impacts Include an assessment of the social consequences of the schools' relative location.</p> <p>8. Biodiversity Biodiversity impacts related to the proposed development are to be assessed and documented in accordance with the Framework for Biodiversity Assessment, unless where otherwise agreed by the OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>.</p> <p>9. Heritage Include a Heritage Impact Statement that addresses the significance of, and provides an assessment of the impact on the heritage significance of any heritage items on the site and in the vicinity, and/or conservation areas and/or potentially archaeologically significant areas, in accordance with the guidelines in the NSW Heritage Manual.</p> <p>10. Aboriginal Heritage Address Aboriginal Cultural Heritage in accordance with the <i>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)</i> and <i>Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)</i>.</p> <p>11. Noise and Vibration Identify and provide a quantitative assessment of the main noise and vibration generating sources during construction and operation, including consideration of any public address system, school bell and use of any school hall for concerts etc. (both during and outside school hours), and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.</p>
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	<p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> • <i>NSW Industrial Noise Policy (EPA)</i> • <i>Interim Construction Noise Guideline (DECC)</i> • <i>Assessing Vibration: A Technical Guideline 2006</i> • <i>Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008)</i> <p>12. Sediment, Erosion and Dust Controls Detail measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles.</p> <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> • <i>Managing Urban Stormwater – Soils & Construction Volume 1 2004 (Landcom)</i> • <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)</i> • <i>Guidelines for development adjoining land and water managed by DECCW (OEH, 2013)</i> <p>13. Contamination Assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> • <i>Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP)</i> <p>14. Utilities</p> <ul style="list-style-type: none"> • Prepare an Infrastructure Management Plan in consultation with relevant agencies, detailing information on the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure. • Prepare an Integrated Water Management Plan detailing any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design. <p>15. Contributions Address Council's Section 94A Contribution Plan and/or details of any Voluntary Planning Agreement, which may be required to be amended because of the proposed development.</p> <p>16. Drainage Detail drainage associated with the proposal, including stormwater and drainage infrastructure.</p> <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> • <i>Guidelines for development adjoining land and water managed by DECCW (OEH, 2013)</i> <p>17. Flooding Assess any flood risk on site (detailing the most recent flood studies for the project area) and consideration of any relevant provisions of the NSW Floodplain Development Manual (2005), including the potential effects of climate change, sea level rise and an increase in rainfall intensity.</p> <p>18. Waste Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.</p>
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	<p>19. Construction Hours Identify proposed construction hours and provide details of the instances where it is expected that works will be required to be carried out outside the standard construction hours.</p> <p>20. Bushfire Address bushfire hazard and if required, prepare a report that addresses the requirements for Special Fire Protection Purpose Development as detailed in Planning for Bush Fire Protection 2006 guidelines.</p>
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • Architectural drawings (dimensioned and including RLs); • Site Survey Plan, showing existing levels, location and height of existing and adjacent structures / buildings and boundaries; • Site Analysis Plan; • Stormwater Concept Plan; • Sediment and Erosion Control Plan; • Shadow Diagrams; • View Analysis / Photomontages; • Landscape Plan (identifying any trees to be removed and trees to be retained or transplanted); • Preliminary Construction Management Plan, inclusive of a Preliminary Construction Traffic Management Plan detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures; • Geotechnical and Structural Report; • Accessibility Report; • Arborist Report; • Salinity Investigation Report (if required); • Acid Sulphate Soils Management Plan (if required); and • Schedule of materials and finishes.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular, you must consult with:</p> <ul style="list-style-type: none"> • Hawkesbury City Council; • Transport for NSW; and • Roads and Maritime Services. <p>Consultation with TfNSW and RMS should commence as soon as practicable to agree the scope of investigation.</p> <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a development application and EIS for the development within two years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
References	<p>The assessment of the key issues listed above must consider relevant guidelines, policies, and plans as identified.</p>

APPENDIX TWO: BRIEFING DOCUMENT FOR STAFF



AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093

Aboriginal Cultural Heritage: Contractor Briefing Document

Hurlstone Agricultural High School (Hawkesbury)
2 College Road, Richmond NSW

INTRODUCTION

This document outlines the guidelines and legislation surrounding Aboriginal Heritage in New South Wales under the National Parks and Wildlife Act 1974, as well as the responsibilities of development staff, contractors and workers in ensuring the preservation and notification of any Aboriginal Objects discovered during the Hurlstone Agricultural High School 9 Hawkesbury development.

The proposed development will impact the ground surface and may disturb Aboriginal objects and areas of cultural significance. In response to the recommendations outlined in the Aboriginal Cultural Heritage Assessment (AMAC 2018) a programme of test excavation was undertaken which resulted in no Aboriginal archaeological material being uncovered. Soils were observed as being disturbed or otherwise sterile of any inclusions. Therefore, there is a low- nil possibility of their being artefacts present within intact soils and as such these procedures are set in place for the discovery of unexpected objects and/or deposits. As the project is a State Significant Development (SSD# 8614) all conditions and procedures are endorsed and enacted under the Aboriginal Cultural Heritage Management Plan, in consultation with Office of Environment and Heritage and Registered Aboriginal Parties. A site copy of this document will be available.

LEGISLATION

The NSW National Parks and Wildlife Act 1974 (as amended) defines Aboriginal objects and provides protection to any and all material remains which may be evidence of the Aboriginal occupation of lands contained within the state of New South Wales. The relevant sections of the Act are sections 84, 86, 87 and 90.

It is an offence to 'harm' or desecrate an Aboriginal object or places under Part 6, Section 86 of the NPW Act.

Harm means any act or omission that;

- Destroys, defaces or damages the object;
- Moves the object from the land on which it had been situated, or;
- Causes or permits the object to be harmed.

FINES

Part 6, Division 1, Section 86: Harming or desecrating Aboriginal objects and Aboriginal places

- (1) A person must not harm or desecrate an object that the person knows is an Aboriginal object.

Maximum penalty:

- (a) In the case of an individual – 2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or
- (b) In the case of a corporation – 10,000 penalty units.

- (2) A person must not harm an Aboriginal object.

Maximum penalty:

- (a) In the case of an individual – 500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or
- (b) In the case of a corporation – 2,000 penalty units.

ABORIGINAL OBJECTS

An Aboriginal object, formerly known as a relic is defined by the NSW government (NPW 1974) 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”

ABORIGINAL SITE TYPES

- Aboriginal Culturally Modified Trees (Scarred/Carved)
- Shell Middens
- Rock Pigment and Engravings
- Stone Artefacts
- Grinding Grooves
- Shelters with Deposits
- Hearths
- Stone Arrangements
- Quarries
- Earth Mound
- Ceremonial/ Social Sites



Stone Arrangement



Hearth Site



Grinding Grooves



Stone Artefacts

SOIL PROFILE

The study area is within the Berkshire Park Soil Landscape (bp), which is an alluvial deposit located around the Cumberland Plains and associated with the following sandstone and clay formations – St Mary's overlain by the Rickabys Creek gravel formation which is often topped by the Londonderry Clay.

Aboriginal objects are usually located within the A horizon (bp1)

The dominant soil material for the area include:

- bp1 (A1 horizon) – brownish black fine sandy loam to silt loam with apedal single grained structure and is very porous. Can also be found as bright reddish brown. Roots and charcoal do not occur
- bp2 (A2 horizon) - reddish brown – yellowish brown sandy to fine sandy clay loam with a porous sandy fabric, however can be hardsetting.no inclusions.
- bp3 (B horizon) - brown sandy (slightly silty) clay with porous sandy fabric. It has a weak structure and may contain mottles, usually orange in colour, ironstone nodules are common.
- bp4 (B2 horizon – deep subsoil) – bright coloured reddish brown to bright yellowish brown with white/ grey pipes are common as well as mottles of orange or red. This soil is light – heavy clay and can contain up to 90% stones.

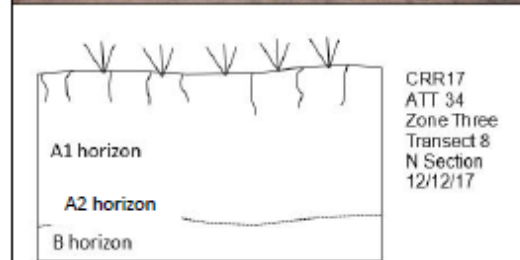
The soil profile within the development footprint is deemed disturbed as observed through test excavations conducted by AMAC on site.

Soil profile encountered:

The A horizon is found to be absent in majority of the pits. However, a deposited topsoil was present overlaying the A2 horizon which came down onto the B horizon. Minor disturbances were evident however the majority of the soil profile observed was found to be intact but extremely sterile.

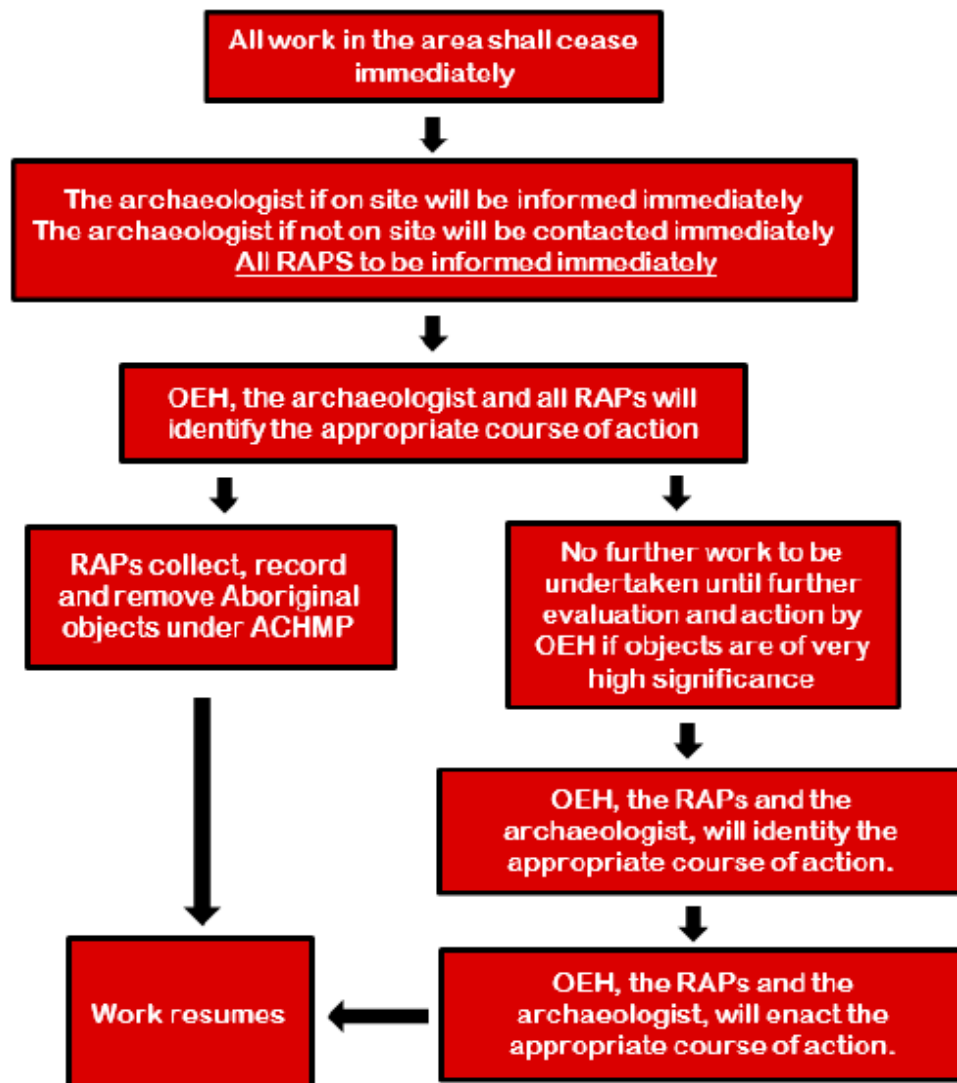
The study area is a floodplain/ flats. The soils observed through testing are consistent with the Berkshire Park soil landscape (bp) in which on flats and small drainage lines, 50cm of sandy clay loam A2 horizon (bp2) can be found overlaying <50cm B horizon made up of sandy clay with iron nodules (bp3).

- bp2 (A2 horizon) reddish brown – yellowish brown sandy to fine sandy clay loam with a porous sandy fabric, however can be hardsetting.no inclusions.
- bp3 (B horizon) brown sandy (slightly silty) clay with porous sandy fabric. It has a weak structure and may contain mottles, usually orange in colour, ironstone nodules are common.



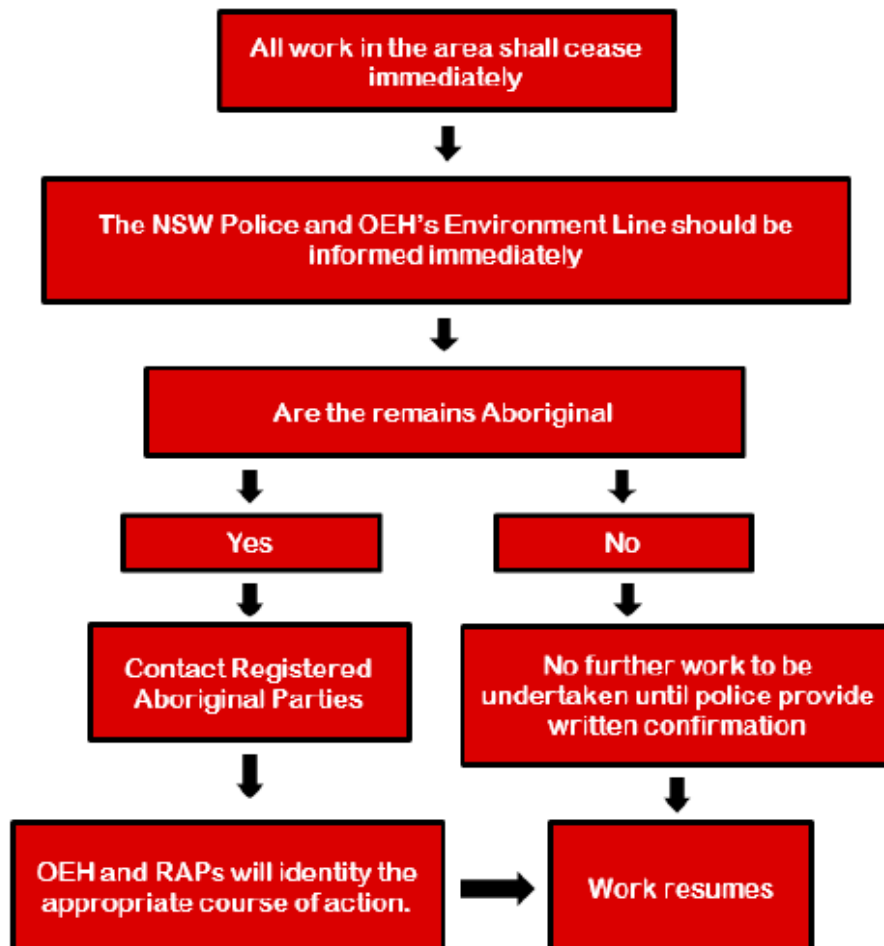
DISCOVERY OF ABORIGINAL OBJECTS

During the development if any Aboriginal objects and/or deposits are discovered the following procedure is to be enacted as outlined in the *Aboriginal Cultural Heritage Management Plan* (AMAC 2018).



DISCOVERY OF HUMAN REMAINS

In the unlikely event of human skeletal remains being uncovered the following procedure is to take place as outlined in the *Aboriginal Cultural Heritage Management Plan* (AMAC 2018).



CONTACT DETAILS

The contact details for the archaeologist, NSW police, Office of Environment and Heritage and the Registered Aboriginal Parties are as follows;

Organisation	Contact	Contact Details
NSW Environment Line		131 555
NSW Hawkesbury Local Area Command		LAC Office: 13 Mileham Street Windsor NSW 2756 Ph: (02) 4587 4099 Fax: (02) 4587 4011
Archaeological Management & Consulting Group Pty Ltd	Mr. Benjamin Streat or Mr. Martin Carney	122c-d Percival Road Stanmore NSW 2048 Ph: (02) 9568 6093 Fax: (02) 9568 6093 Mob: 0405 455 869 Mob: 0411 727 395 benjaminstreat@archaeological.com.au
Office of Environment & Heritage NSW Department of Planning and Environment	Archaeologist – Head Office	PO Box A290 Sydney South NSW 1232 Ph: (02) 9995 5000 info@environment.nsw.gov.au
Deerubbin Local Aboriginal Land Council (DLALC)	Cultural Heritage Officer	Po Box 40 Penrith, NSW 2750 (02) 4724 5600 srandall@deerubbin.org.au
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