

## **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 (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**

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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.

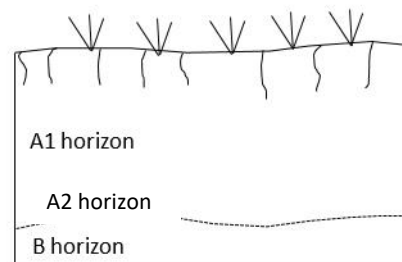
The soil profile within the development footprint is deemed disturbed as observed through test excavations conducted by AMAC on site.

### 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.

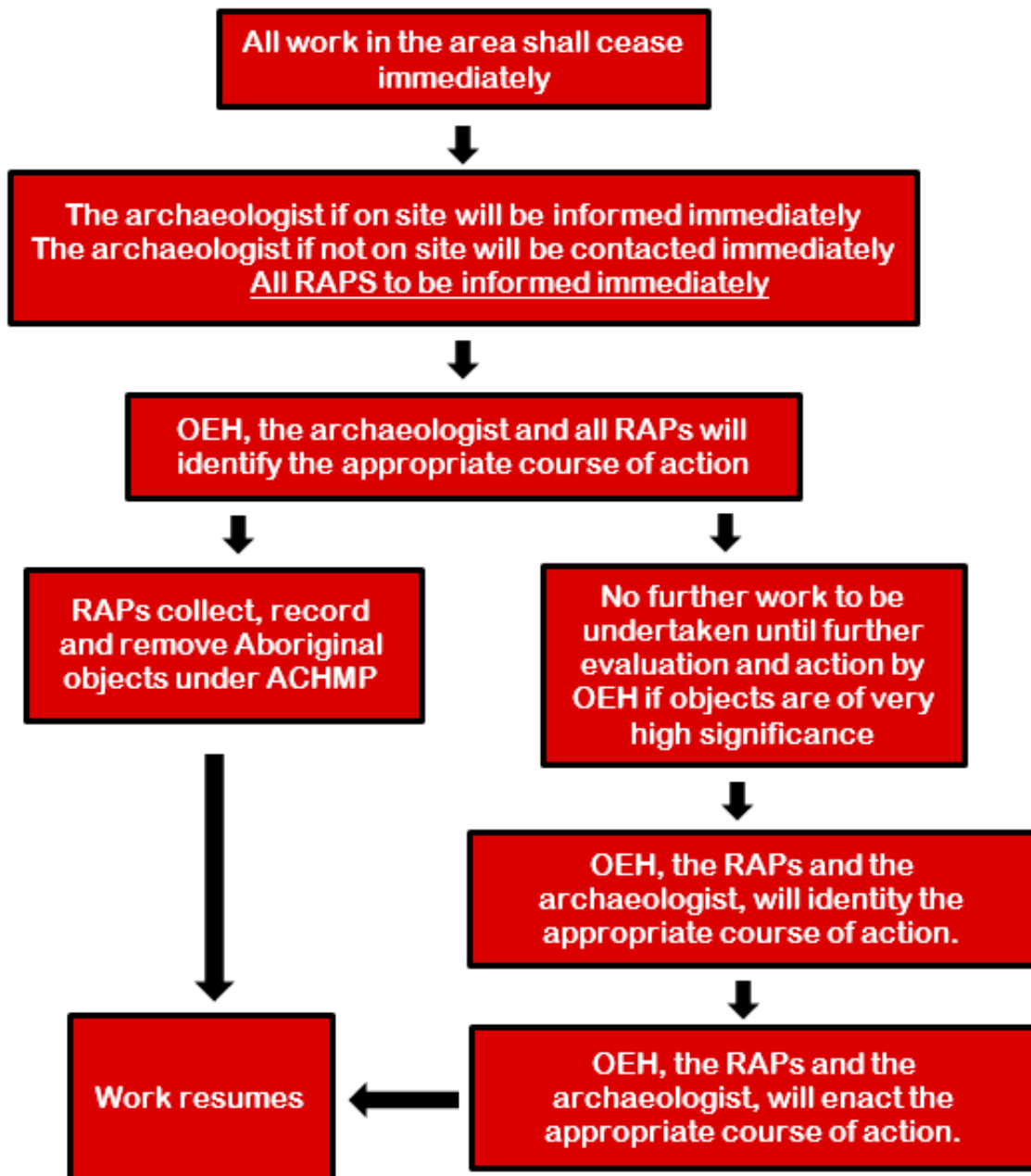


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**DISCOVERY OF ABORIGINAL OBJECTS**

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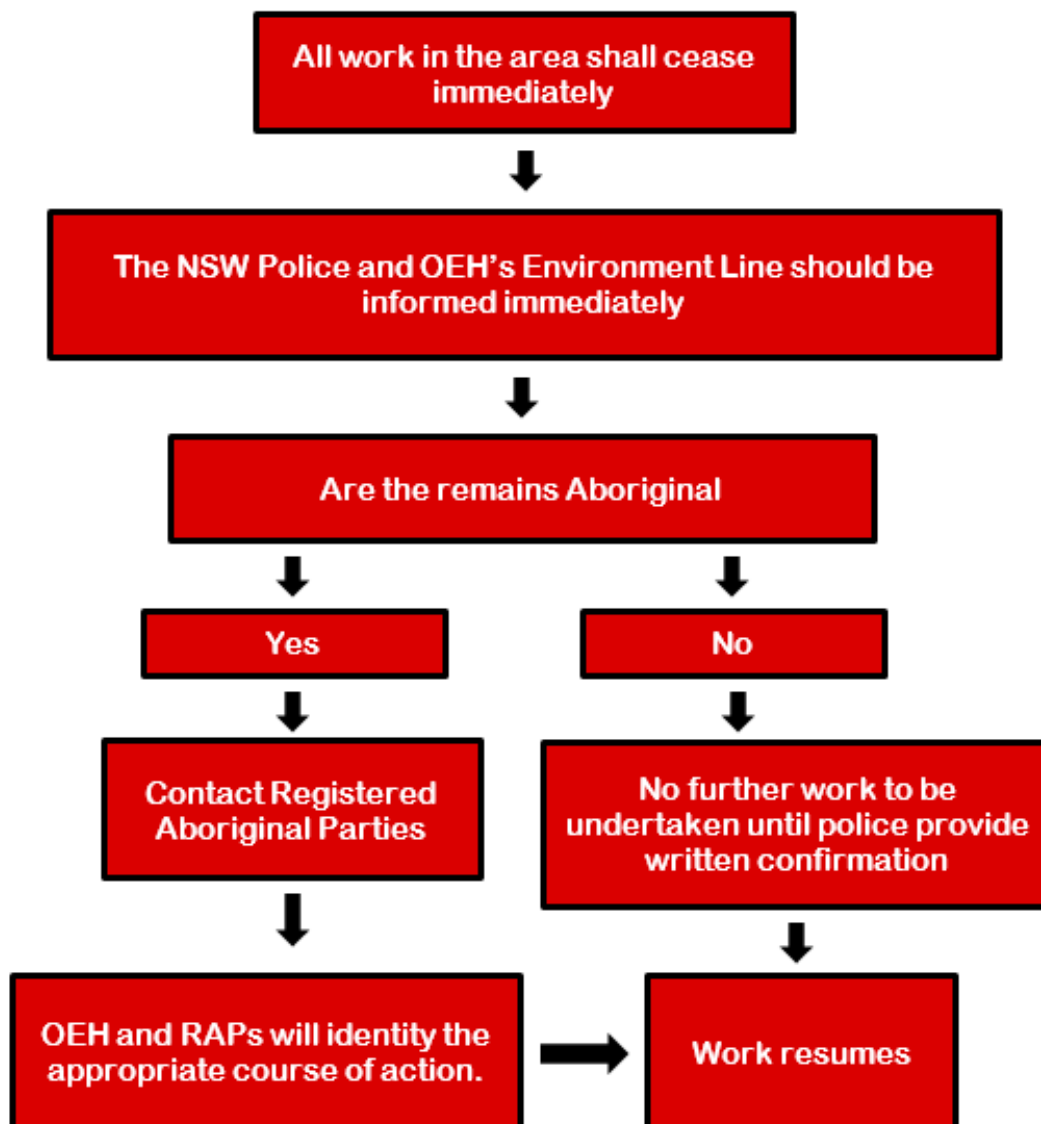
During the development if any Aboriginal objects and/or deposits are discovered the following procedure is to be enacted as outlined in the *Aboriginal Cultural Heritage Management Plan* (AMAC 2018).



**DISCOVERY OF HUMAN REMAINS**

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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 <a href="mailto:benjaminstreat@archaeological.com.au">benjaminstreat@archaeological.com.au</a>
Office of Environment & Heritage NSW Department of Planning and Environment	Archaeologist – Head Office	PO Box A290 Sydney South NSW 1232 Ph: (02) 9995 5000 <a href="mailto:info@environment.nsw.gov.au">info@environment.nsw.gov.au</a>
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