

**Proposed Redevelopment of
St Anthony of Padua Catholic School
125-165 Tenth Avenue
(Lot 2 DP1232692 and Lots 842-839 DP2475) and,
170-140 Eleventh
(Lot 1 DP1232692 and Lots 810-812 DP2475),
Austral, Liverpool City Council LGA, NSW**
Aboriginal Cultural Heritage Assessment Report

Prepared on behalf of Pepper on behalf of The Catholic Archdiocese of Sydney

August 2018

Lance Syme and Natalie Stiles

KAYANDEL
ARCHAEOLOGICAL SERVICES



☎ 02 4627 8622

☎ 02 4605 0815

✉ Info@kayandel.com.au

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Executive Summary

Kayandel Archaeological Services (KAS) has been engaged by Pepper on behalf of The Catholic Archdiocese of Sydney (the Proponent) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) in relation to Aboriginal heritage within the properties of 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral, NSW.

In May 2016, Robinson Urban Planning PTY LTD on behalf of the Proponent lodged a Development Application (DA) (DA-465/2016) for 140 Eleventh Avenue (Lots 811 & 812 DP 2475).

In October 2016, KAS was engaged to undertake an Aboriginal Due Diligence assessment of 140 Eleventh Avenue in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010a) to address further information requested by Liverpool City Council as part of assessing the DA.

No Aboriginal objects were identified during the survey undertaken by KAS in 2016, and it was recommended that the proposed development *“as currently specified can proceed with caution. If Aboriginal objects are located, works must cease, and the Office of Environment and Heritage must be notified”* (KAS, 2016).

DA2016/465 was granted approval on 25 October 2016 by Liverpool City Council (Council) for the construction and operation of a primary school with maximum student population of 300 students. An existing residence on site was converted to an administration and staff building, and two buildings have/are being constructed that provide space for seven class groups.

DA2016/465 only related to Lot 811 and 812 and approved a maximum of 300 students (kindergarten -year 6) and 20 staff.

The proposed redevelopment of St Anthony of Padua (refer to Section 1.2) is classified as a State Significant Development (SSD) on the basis that it falls within the requirements of clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), being *‘development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school’*.

Proposed State Significant Development Application

The Proponent requests the proposed State Significant Development (SSD) application is to be treated as a concept Development Application (DA) made pursuant to section 83B(1) of the *Environmental Planning and Assessment Act 1979*.

The concept DA is for staged redevelopment of the school comprising envelopes for educational buildings and associated facilities including a church, trade training centre, multi-purpose hall, child care centre, library, indoor and outdoor sports facilities for 2,500 students (Pre-school to Year 12) and 200 staff members.

The application also seeks consent for detailed components for the first stage of development which involves:

- ✦ Detailed design;
- ✦ Construction and fitout of educational buildings for years 1–12; and,

- ✧ Specialist buildings with rooms for arts, woodwork, computer labs, administration building, a multi-purpose hall and a child care centre.

Study Aim and Objectives

Secretary's Environmental Assessment Requirements (SEARs) for the proposed redevelopment were issued in December 2017. The SEARs in regards to Aboriginal heritage are identified below:

- ✧ Identify, describe and document the Aboriginal Cultural Heritage values that exist across the whole area that will be affected by the development, which may include the need for surface survey and test excavation. The identified of Aboriginal Cultural Heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECC, 2011) and consultation with OEH Regional Officers.
- ✧ Where Aboriginal Cultural Heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010b). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.
- ✧ The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented in the EIS. Please note the Due Diligence assessment process is not appropriate to address the requirements for Aboriginal Cultural Heritage assessment.

Results

The field survey was undertaken on 8th June 2018, to record the characteristics of the Subject Area (including identification of landforms), any physical evidence of Aboriginal land use and any information that could inform predictions about Aboriginal objects within the Subject Area.

The survey team consisted of Natalie Stiles (Kayandel) along with GLALC (Barry Gunther), and Kamilaroi-Yankuntjatjara Working Group (Phil Boney).

A portion of the Subject Area was not assessed as part of the survey due to the heavy ground disturbance associated with the development works authorised by DA No DA2016/465.

As identified in Section 6.5, no Aboriginal objects have previously been identified within the Subject Area. As a result of the survey and assessment undertaken for the present study, no previously unidentified Aboriginal sites were identified.

Comments from the Registered Aboriginal Parties (RAPs) in regard to this ACHAR can be found in Section 3.1.4.

Obligations

1. Should Aboriginal sites and/or objects be found during the proposed work, work must cease immediately and actions in accordance with the Aboriginal Cultural Heritage Management Plan (ACHMP) (See Recommendation 4) must be undertaken.

Recommendations

The following management principles and recommendations are based on:

- ✦ The legal requirements of the *National Parks and Wildlife Act 1974* (as amended), whereby it is illegal to damage, deface or destroy an Aboriginal relic without first obtaining the written consent of the Director General of National Parks & Wildlife Service;
- ✦ The legal requirements of the *Heritage Act 1977*, whereby it is illegal to disturb or excavate any land 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 unless the disturbance or excavation is carried out in accordance with an excavation permit;
- ✦ The requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010a);
- ✦ The requirements of the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011);
- ✦ The findings presented within this Aboriginal Cultural Heritage Assessment Report; and,
- ✦ Recognition that the current assessment has been prepared for the proposed State Significant Development (SSD) application (refer to Sections 1.2 and 1.3).

KAS recommends the following:

1. No further assessment of the Aboriginal heritage within the Subject Area is required to inform the proposed State Significant Development (SSD) application (refer to Sections 1.2 and 1.3);
2. Should the proposed works be amended and result in potential impacts to areas previously not inspected as part of this assessment, further investigations may be required;
3. Consultation should continue with the Registered Aboriginal Parties (RAPs) at intervals not exceeding 6 months until such time as the works approved under the SSD have been completed;
4. Prior to the commencement of any ground disturbance works authorised by the SSD, an Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed by a qualified and experienced practitioner in Aboriginal cultural heritage in consultation with the Registered Aboriginal Parties (RAPs); this should include a provision for unexpected finds, and methodologies for further investigation and reporting where required;
5. The final ACHMP must be kept onsite so that it can be referred to in the event of an unexpected find being identified;

6. All relevant staff and contractors should be made aware of their statutory obligations for heritage under the *National Parks and Wildlife Act 1974*, which may be implemented as a heritage induction;
7. If, during the course of development works, suspected historic cultural heritage material is uncovered, work should cease in that area immediately. The Heritage Branch, Office of Environment & Heritage (Enviroline 131 555) should be notified and works only recommence when an approved management strategy has been developed; and,
8. A copy of the final report should be sent to the Registered Aboriginal Parties (RAPs) identified in Table 3.

Disclaimer: This archaeological assessment and the management recommendations contained herein, will be independently reviewed by the Planning & Aboriginal Heritage Section of the NSW Office of Environment & Heritage (OEH), and the relevant Aboriginal community.

OEH and the Aboriginal community will make consideration of the findings of the consultant's report and the recommendations in relation to the management of cultural heritage. Formal approval for all actions outlined should be sought from the relevant authority prior to the completion of any works. At no time should automatic approval of the management recommendations stated herein be assumed.

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1 INTRODUCTION

Kayandel Archaeological Services (KAS) has been engaged by Pepper on behalf of The Catholic Archdiocese of Sydney (the Proponent) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) in relation to Aboriginal heritage within the properties of 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral, NSW.

In May 2016 Robinson Urban Planning PTY LTD on behalf of the Proponent lodged a Development Application (DA) (DA-465/2016) for 140 Eleventh Avenue (Lots 811 & 812 DP 2475), Austral for the:

- ✦ Demolition;
- ✦ Site works;
- ✦ Lot consolidation; and,
- ✦ Construction of classroom buildings for the purpose of an educational establishment (Primary School) to cater for 300 students from kindergarten-year 6 and 20 staff.

In October 2016, KAS was engaged to undertake an Aboriginal Due Diligence assessment of 140 Eleventh Avenue in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010a) to address further information requested by Liverpool City Council as part of assessing the DA.

No Aboriginal objects were identified during the survey undertaken by KAS, and it was recommended that the proposed development “*as currently specified can proceed with caution. If Aboriginal objects are located, works must cease, and the Office of Environment and Heritage must be notified*” (KAS, 2016).

DA2016/465 was granted approval on 25 October 2016 by Liverpool City Council (Council) for the construction and operation of a primary school with maximum student population of 300 students. An existing residence on site was converted to an administration and staff building, and two buildings have/are being constructed that provide space for seven class groups.

DA2016/465 only related to Lot 811 and 812 and approved a maximum of 300 students (kindergarten -year 6) and 20 staff.

The school currently has 105 students enrolled of which 45 are currently attending the school. The following provides a breakdown of enrolments in 2017 and 2018:

- ✦ 2017: 45 kindergarteners
- ✦ 2018: 45 year one students, and 60 kindergarteners

The proposed redevelopment of St Anthony of Padua (refer to Section 1.2) is classified as a State Significant Development (SSD) on the basis that it falls within the requirements of clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), being ‘*development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school*’.

1.1 Location of the Subject Area

The Subject Area is situated within the Liverpool City Council Local Government Areas (LGA), and is also within the Leppington North Precinct of the South West Growth Centre (see Figure 1).

The Subject Area comprises of the allotments listed below, and covers approximately 10.92ha. The Subject Area extends along the southern side of Eleventh Avenue to Tenth Avenue and west from Fourth Avenue towards Edmondson Avenue in the east (see Figure 2):

- ✧ Lots 1 & 2 DP1232692; and,
- ✧ Lots 810-812, 842-839 DP2475.

1.2 Proposed State Significant Development Application

The Proponent requests the proposed State Significant Development (SSD) application is to be treated as a concept Development Application (DA) made pursuant to section 83B(1) of the *Environmental Planning and Assessment Act 1979*.

The concept DA is for staged redevelopment of the school comprising envelopes for educational buildings and associated facilities including a church, trade training centre, multi-purpose hall, child care centre, library, indoor and outdoor sports facilities for 2,500 students (Pre-school to Year 12) and 200 staff members.

The application also seeks consent for detailed components for the first stage of development which involves:

- ✧ Detailed design;
- ✧ Construction and fitout of educational buildings for years 1–12; and,
- ✧ Specialist buildings with rooms for arts, woodwork, computer labs, administration building, a multi-purpose hall and a child care centre.

1.3 Proposed Development

St Anthony of Padua Catholic School will be a pre-school to year 12 educational establishment. Sydney Catholic Schools is seeking to develop the site to cater for approximately 1,000 primary school students, and approximately 1,500 secondary school students. The proposal seeks to expand the existing boundaries of the school and will include the following educational and community facilities:

- ✧ School facilities and buildings for pre-school to year 12 students;
- ✧ Multipurpose hall for school gatherings up to 2,000 people and indoor playing courts and performance stage;
- ✧ Piazza area including a landscaped entry space;
- ✧ Forum area;
- ✧ Café / canteen, including kitchen / hospitality training building;
- ✧ Church building with capacity for 750 people;
- ✧ Market garden area;
- ✧ Wellness Centre, providing student services, pastoral care, first aid, health and counselling services;
- ✧ Auditorium with 250 seats and dance studios;
- ✧ Trade training centre; and,
- ✧ Before and after school care.

Figure 3 provides an indicative building layout.

1.4 Study Aim and Objectives

Secretary's Environmental Assessment Requirements (SEARs) for the proposed redevelopment were issued in December 2017. The SEARs in regards to Aboriginal heritage are identified below:

- ✧ Identify, describe and document the Aboriginal Cultural Heritage values that exist across the whole area that will be affected by the development, which may include the need for surface survey and test excavation. The identified of Aboriginal Cultural Heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECC, 2011) and consultation with OEH Regional Officers.
- ✧ Where Aboriginal Cultural Heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010b). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.
- ✧ The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented in the EIS. Please note the Due Diligence assessment process is not appropriate to address the requirements for Aboriginal Cultural Heritage assessment.

In addition to these specifically identified requirements (above), KAS have also considered the following the industry standard and guideline in preparing this assessment:

- ✧ *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (Code of Practice) (DECCW 2010c).

The objective of this study is to produce a report that details the Aboriginal heritage within the Subject Area, and presents sufficient information to facilitate an informed decision regarding the potential impact to known and unknown Aboriginal heritage within the Subject Area in accordance with the *Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW* (Code of Practice) (DECCW, 2010a).

The following tasks were undertaken to achieve these objectives:

- ✧ A review of background information, including landscape and ethnographic history as described in the *Code of Practice* (DECCW, 2010c);
- ✧ A review of archaeological context, including identification of known Aboriginal sites in the Subject Area through a search of Aboriginal Heritage Information Management System (AHIMS) and an analysis of existing archaeological reports relating to the Subject Area and its immediate environs;
- ✧ Detail the consultation undertaken with Aboriginal community stakeholders;
- ✧ Determine if archaeologically sensitive landforms are present within the Subject Area;
- ✧ Characterise the nature of any archaeological deposits encountered (within the limitations of the sampling and processing methodology); and,
- ✧ Provide informed mitigation measures and management recommendations for any sites located within the proposed development area.

1.5 Limitations

This report is based on a review of available Aboriginal archaeological assessments (sourced from AHIMS, grey literature and KAS' report library) and a field inspection. It is possible that further Aboriginal archaeological assessments or the emergence of new analysis of the Aboriginal

archaeological landscape within Hoxton Park may support different interpretations of the evidence in this report.

The results from the 'AHIMS Database Search' (Section 0) are valid for 12 months (from the date of the search). If the report has not been finalised and/or it is necessary to update the report, and the previous AHIMS database search is over 12 months old, it will be necessary to undertake another search of AHIMS again to ensure the information is still current. If the AHIMS search results identify additional Aboriginal sites which will result in significant changes to the assessment, it will be necessary to update the report to consider these results.

The 'Statement of Archaeological Potential and Significance' (Section 9.5) made in this report is a combination of both facts and interpretation of those facts in accordance with a standard set of assessment criteria. It is possible that another professional may interpret the Aboriginal archaeological landscape within Hoxton Park and physical evidence in a different way.

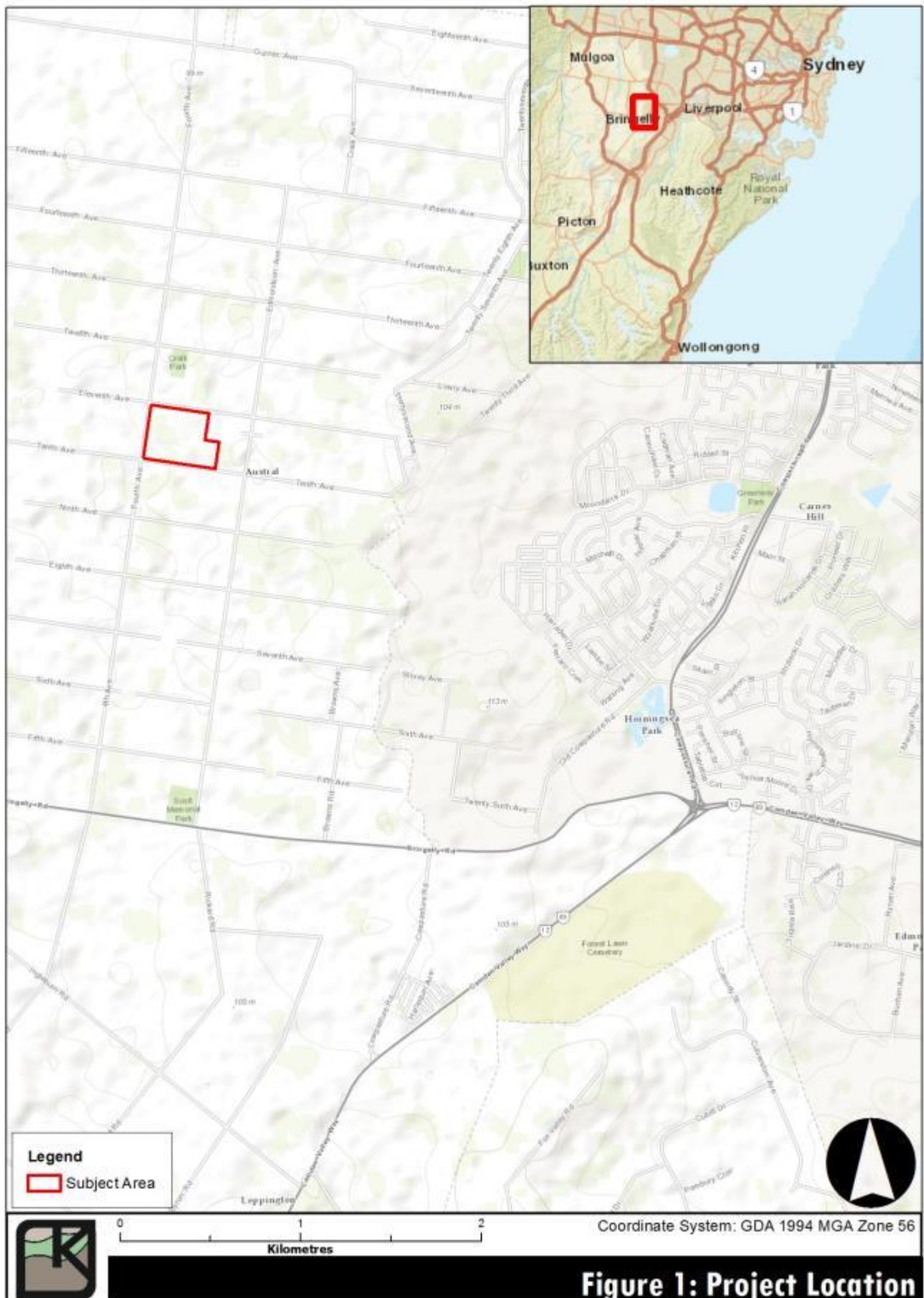
A summary of the statutory requirements regarding heritage is provided in Section 2. This is made on the basis of our experience of working with the NSW Aboriginal heritage and European heritage systems and does not purport to be legal advice. It should be noted that legislation, regulations, and guidelines change over time and users of this report should satisfy themselves that the statutory requirements have not changed since the report was written.

1.6 Personnel

This study was carried out by Kayandel Archaeological Services (KAS). The field survey was completed by Natalie Stiles. Background research was undertaken by Natalie Stiles. Mapping was completed by Lance Syme and Natalie Stiles. Natalie Stiles drafted the report, which was reviewed by Lance Syme. Further details of the personnel involved in the preparation of this ACHAR for the proposal is detailed in Table 1.

Person	Qualifications	Experience	Tasks
Lance Syme	BArts (Arch/Palaeo), Grad. Dip. (Heritage Cons.), M.ICOMOS	20 years	Project supervisor, mapping, report review
Natalie Stiles	BArts (Arch/Palaeo), Grad Cert. Arts (Arch), MGIS&RemoteSens	6 years	Consultation process, background research, field survey, report drafting, mapping

Table 1: KAS Personnel involved in the Aboriginal Heritage Cultural Heritage Assessment Report







1 SITE PLAN - PROPOSED
1:1,000

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PROJECT: ST ANTHONY OF PADUA
DRAWING: DA
SITE PLAN - MASTERPLAN
DATE: 20/03/2018
DESIGN APPROVAL
PROJECT NO: 4032
PROJECT CODE: DA004 4

MUNN SLY MOORE architects
SYDNEY CATHOLIC SCHOOLS
4032 DA004 4

Figure 3: Proposed Building Layout

2 APPLICABLE POLICY AND LEGISLATION

Aboriginal and non-Aboriginal cultural heritage in Australia is protected and managed under a variety of legislation. The following section provides a brief summary of the Acts which are relevant to the management of cultural heritage in NSW. It is important to note that these Acts are presented as a guide and are not legal interpretations of legislation by the consultant.

2.1 Commonwealth Legislation

2.1.1 Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The purpose of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Heritage Protection Act) is the preservation and protection from injury or desecration of areas and objects in Australia and in Australian waters that are of particular significance to Aboriginal people in accordance with Aboriginal tradition.

Under the Heritage Protection Act the responsible Minister can make temporary or long-term declarations to protect areas and objects of significance under threat of injury or desecration. The Act can, in certain circumstances, override state and territory provisions, or it can be implemented in circumstances where state or territory provisions are lacking or are not enforced. The Act must be invoked by or on behalf of an Aboriginal or Torres Strait Islander or organisation.

2.1.2 Environment Protection & Biodiversity Conservation Act 1999 (EPBC Act)

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) took effect on 16 July 2000. Under Part 9 of the EPBC Act, any action that has, or is likely to have, a significant impact on a matter of National Environmental Significance (known as a controlled action under the Act), may only progress with approval of the Commonwealth Minister for the Environment. An action is defined as a project, development, undertaking, activity (or series of activities), or alteration to any of these. Where an exception applies, an action will also require approval if:

It is undertaken on Commonwealth land and will have or is likely to have a significant impact;

1. It is undertaken outside Commonwealth land and will have or is likely to have a significant impact on the environment on Commonwealth land; and,
2. It is undertaken by the Commonwealth and will have or is likely to have a significant impact.

Under Section 28 subsection (1) "The Commonwealth or Commonwealth Agency must not take inside or outside Australian jurisdiction an action that has, will have, or is likely to have a significant impact on the environment inside or outside Australian jurisdiction." The EPBC Act defines 'environment' as both natural and cultural environments and therefore Aboriginal and historic cultural heritage items included on the Register of the National Estate are regarded as part of the cultural environment.

Recently, Australia has changed legislation that protects its national heritage places. Three new laws came into effect in January 2004 and are essentially a combination of previous heritage system with a number of changes that include the establishment of a National Heritage List (NHL) and a Commonwealth Heritage List (CHL).

The National Heritage List records places with outstanding natural and cultural heritage values that contribute to Australia's National identity. The Commonwealth Heritage List will comprise natural, Aboriginal and historic places owned or managed by the Commonwealth. The new laws provide changes that offer greater legal protection under the existing *Environment Conservation and*

Biodiversity Conservation Act 1999 (EPBC Act). Under the new system, National Heritage will join six other important 'matters of national environmental significance' (NES) already protected by the EPBC Act.

The three new Acts are:

- ✧ The Environment and Heritage Legislation Amendment Act (No.1) 2003;
- ✧ The Australian Heritage Council Act 2003; and,
- ✧ The Australian Heritage Council (Consequential and Transitional Provisions) Act 2003

Approval under the EPBC Act is required if you are proposing to take an action that will have, or is likely to have, a significant impact on the National Heritage values of a National Heritage place and/or any other NES matter. This action must be referred to the Australian Government Minister for the Environment and Heritage. The Minister will decide whether an action will, or is likely to, have a significant impact on a matter of national environmental significance.

The heritage provisions of the EPBC Act allow for a transition period whilst the National and Commonwealth Heritage Lists are finalised. During this transition period the Register of the National Estate acts in conjunction with the formative National and Commonwealth lists to provide full coverage for items already identified as having cultural heritage significance.

2.1.3 Native Title Act 1993 (Amended)

The *Native Title Act of 1993*, as amended, recognises and protects native title, and provides that native title cannot be extinguished contrary to the Act. The National Native Title Tribunal (NNTT) is a Commonwealth Government agency set up under this Act to mediate native title claims under the direction of the Federal Court of Australia.

The National Native Title Tribunal maintains the following registers:

- ✧ National Native Title Register;
- ✧ Register of Native Title Claims;
- ✧ Unregistered Claimant Applications; and,
- ✧ Register of Indigenous Land Use Agreements.

The objective of a search of the NNTT registers is to identify possible Aboriginal Stakeholders that would not perhaps receive representation as part of the Local Aboriginal Land council or Elders groups.

2.2 New South Wales Legislation

The following New South Wales legislation protects aspects of cultural heritage and is relevant to development activities in the Subject Area.

2.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act requires that consideration be given to environmental impacts as part of the land use planning process. This includes impacts on Aboriginal and non-Aboriginal cultural heritage items and places. The Act also requires that Local Government Areas (LGAs) prepare Local Environmental Plans (LEP) and Development Control Plans (DCP) in accordance with the Act to provide guidance on the level of environmental assessment required. LEPs often list locally significant heritage items. Three parts of the EP&A Act are most relevant to Heritage. Part 3 relates to planning instruments, including those at local and regional levels; Part 4 controls development assessment processes; and Part 5 refers to approvals by determining authorities.

2.2.2 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* provides for protection of Aboriginal objects (sites, relics and cultural material) and Aboriginal places. Under the Act (Section 5), an Aboriginal object is defined as:

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

An Aboriginal place is defined under this Act as an area that has been declared by the Minister administering the *National Parks and Wildlife Act* as a place of special significance for Aboriginal culture. It may or may not contain physical Aboriginal objects.

Under Section 86 of the Act it is an offence to knowingly destroy, deface, damage or desecrate, or cause or permit the destruction, defacement, damage or desecration of, an Aboriginal object or Aboriginal place, without the prior written consent from the Director-General of the NSW Office of Environment and Heritage (OEH). In order to obtain such consent, a Section 90 Aboriginal Heritage Impact Permit (AHIP) application must be submitted and approved by the OEH Director-General. In considering whether to issue a permit under Section 90, OEH will take into account:

- ✦ The objectives and justifications for the proposed activity;
- ✦ The appropriateness of the methodology to achieve the objectives of the proposed activity;
- ✦ The significance of the Aboriginal object(s) or place(s) subject to the proposed impacts;
- ✦ The effect of the proposed impacts and the mitigation measures proposed;
- ✦ The alternatives to the proposed impacts;
- ✦ The conservation outcomes that will be achieved if impact is permitted;
- ✦ The outcomes of the Aboriginal community consultation regarding the proposed impact and conservation outcomes;
- ✦ The views of the Aboriginal community about the proposed activity; and,
- ✦ The knowledge, skills, and experience of the nominated person (s) to adequately undertake the proposed activity.

Under Section 89A of the Act it is a requirement to notify the OEH Director-General of the location of an Aboriginal object. Identified Aboriginal items and sites are registered with the NSW OEH on AHIMS.

2.2.3 The Heritage Act 1977 (NSW) (Amended 1999)

The NSW *Heritage Act 1977* (Heritage Act) provides protection for items of 'environmental heritage' in NSW. 'Environmental heritage' includes places, buildings, works, relics, movable objects or precincts considered significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. Items considered to be significant to the State are listed on the State Heritage Register and cannot be demolished, altered, moved or damaged, or their significance altered without approval from the Heritage Council of NSW.

Items listed on the State Heritage Register (SHR) require consent of the Heritage Council to undertake work or development which alters, moves, deposits or damages any part of the heritage item, place, precinct, land, its relics or any vegetation.

Relics are afforded automatic protection under Section 139 of the *NSW Heritage Act 1977* which applies generally to all land in New South Wales. Under Section 41(1) of the *NSW Heritage Act 1977* and the *Heritage Amendment Act 2009* (No. 34) a 'relic' is defined as:

Any deposit artefact, object or material evidence that:

(a) Relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) Is of State or local significance.

Section 146 of the *NSW Heritage Act* requires that the accidental discovery of relics should be reported in writing to the Heritage Council of NSW. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area. Alternatively, an applicable gazetted 'exception' might apply.

If the Heritage Council believes that a heritage item or place needs to be conserved, it can make a recommendation to the Minister, who decides whether to place protection on that item. There are two types of protection available: interim heritage orders and listing on the State Heritage Register. These forms of protection are 'binding directions', which means that the heritage item that is protected in one of these ways cannot be demolished, redeveloped or altered without permission from the Heritage Council.

The *Heritage Act 1977* does not apply to Aboriginal "relics" (any deposit, object or material evidence). These items are protected under the *National Parks and Wildlife Act 1974*; however, some aspects of Aboriginal cultural heritage management and protection are covered by provisions of the *Heritage Act 1977*.

2.2.3.1 State Heritage Register Search

A search of the State Heritage Register for Austral was undertaken as part of preparing this assessment (refer to Appendix I). No items listed on the State Heritage Register were identified within or abutting the Subject Area.

2.2.3.2 State Heritage Inventory Search

A search of the State Heritage Inventory for Austral was undertaken as part of preparing this assessment (refer to Appendix II). No items listed on the State Heritage Inventory were identified within or abutting the Subject Area.

2.3 Local Government Controls

2.3.1 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

As mentioned previously the Subject Area is within the North Leppington Precinct of the South West Growth Centre. As a result, the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 is the applicable planning control rather than the Liverpool Local Environmental Plan (LLEP) 2008. Appendix 8 of the SEPP has specific effect upon the Liverpool Growth Centres, within which the Subject Area falls.

Heritage items are protected under Clause 5.10 and Schedule 5 of Appendix 8 Liverpool Growth Centres Precinct Plan. Clause 5.10 (1) outlines the objectives of the clause, including:

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The clause states that development consent is for the following activities:

- a) Demolishing or moving a heritage item, Aboriginal Object, or building within a conservation area;
- b) Altering a heritage item that is a building;
- c) Disturbing or excavating an archaeological site;
- d) Disturbing or excavating an Aboriginal place of heritage significance;
- e) Erecting a building on land on which an Aboriginal object is located, or that is within an Aboriginal place of significance;
- f) Subdividing land on land on which an Aboriginal object is located, or that is within an Aboriginal place of significance.

Clause 5.10 (8) of Appendix 8 Liverpool Growth Centres Precinct Plan specifically applies to *Aboriginal Places of Heritage Significance*, and outlines the level of assessment and notification which needs to be undertaken for development affecting Aboriginal places, prior to granting development consents.

Schedule 5 – Environmental Heritage lists places of heritage significance registered on the local listing. These items are primarily European and post-contact sites, however occasionally Aboriginal places are listed at the local level.

A search of the Schedule 5 for Austral was undertaken as part of preparing this assessment (refer to Appendix I). Table 2 lists Local Heritage Items located in proximity to the Subject Area.

Item	Address	Heritage Listing	Significance	Relationship to the Subject Area
Austral Town Centre Conservation Area	-	C1	Local	80m east of the Subject Area
H J Starr Progress Hall	264 Edmondson Avenue (Lot A, DP 340916)	3	Local	80m east of the Subject Area
Ian's Hardware and House	256 Edmondson Avenue (Lot E, DP 385534)	7	Local	80m east of the Subject Area

Table 2: Local Heritage Items in proximity to the Subject Area

2.3.2 Liverpool City Council Growth Centre Precincts Development Control Plan (2016)

As previously mentioned the Subject Area is within the Liverpool Growth Centres, as a result the relevant Development Control Plan (DCP) is the *Liverpool Growth Centre Precincts Development Control Plan* (2016).

This DCP also includes an additional Schedule that relates specifically to the *Austral & Leppington North Precincts*, whilst our Subject Area is within the Austral Precinct; it is not located within any of the Development Centres considered within Schedule 1 and therefore the generic provisions of the *Liverpool Growth Centre Precincts Development Control Plan* applies. Clause 2.3.4 is the relevant clause dealing with matters relating to Aboriginal and European Heritage.

The Objectives and Controls that relate to Aboriginal Heritage are presented below:

Objectives

- a. To manage Aboriginal heritage values to ensure enduring conservation outcomes.

Controls

1. Development applications must identify any areas of Aboriginal heritage value that are within or adjoining the area of the proposed development, including any areas within

the development site that are to be retained and protected (and identify the management protocols for these).

2. Developments or other activities that will impact on Aboriginal heritage may require consent from the Office of Environment and Heritage (OEH) under the National Parks and Wildlife Act 1974 and consultation with the relevant Aboriginal communities.
3. Any development application that is within or adjacent to land that contains a known Aboriginal cultural heritage site, as indicated on the Aboriginal cultural heritage sites figure, in the relevant Precinct Schedule, must consider and comply with the requirements of the National Parks and Wildlife Act, 1974.
4. Where the necessary consents under the National Parks and Wildlife Act, 1974 have been obtained, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.

2.4 Non Statutory Listings

The National Trust of Australia (NSW) is a community-based organisation with independently constituted Trusts in each state and territory. The NSW National Trust compiles a heritage list primarily of historic places, but they also include some Aboriginal and natural places. Listing helps to provide recognition, and promote public appreciation and concern for local heritage.

The National Trust Register has no legal foundation or statutory power, but is recognised as an authoritative statement on the significance to the community of particular items, and is held in high esteem by the public.

2.4.1 Register of the National Estate Search

A search of the Register of the National Estate was undertaken as part of preparing this assessment.

The Register of the National Estate (RNE) was closed in 2007 and is no longer a statutory list.

The RNE is maintained on a non-statutory basis as a publicly available archive and educational resource.

Items entered in the RNE prior to its closure in 2007 are identified as “registered”. The existence of an entry for a place in the RNE does not in itself create a requirement to protect the place under Commonwealth law. Nevertheless, information in the register may continue to be current and may be relevant to statutory decisions about protection.

No items were identified as being located in or abutting the Subject Area (refer to Appendix III).

3 PARTNERSHIP WITH INDIGENOUS COMMUNITIES

The Office of Environment and Heritage (OEH) recognises and values Aboriginal cultural heritage. Evidence of Aboriginal occupation is present as objects throughout the NSW landscape, and cultural heritage is present in the memories, stories and relations Aboriginal people have with their traditional land or Country. Aboriginal cultural heritage is an essential part of Aboriginal people's cultural identity, connection and sense of belonging to Country. OEH recognises that Aboriginal people who hold cultural knowledge should be provided an opportunity to inform OEH of the cultural significance of objects or places, and have an input into the management of their cultural heritage. To this end, they produced the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b).

In recognising the rights and interests of Aboriginal people in their cultural heritage OEH acknowledges that Aboriginal people:

- ✦ Are the primary source of information about the value of their heritage and how this can be protected and conserved;
- ✦ Must have an active role in any Aboriginal cultural heritage planning process;
- ✦ Must have early input into the assessment of cultural significance of their heritage and its management so that they can continue to fulfil their obligations towards their heritage; and,
- ✦ Must control the way in which cultural knowledge and other information relating specifically to their heritage is used, as this may be an integral aspect of its heritage value (DECCW 2010b:2).

OEH sets out a process for identifying Aboriginal parties who may have information on the cultural significance of objects or places, and providing Aboriginal people with opportunities to comment on the methods used to identify and assess objects or places, and opportunities to contribute to the development of management options and recommendations (DECCW 2010b:7).

The process must be followed if an application is made to OEH under Part 6 of the *National Parks and Wildlife Act, 1974* as amended. Consultation for the current study was carried out in accordance with the specified requirements (DECCW 2010b).

KAS undertook consultation with the identified Aboriginal stakeholders known to hold cultural knowledge relating to the Subject Area and who were generally accepted within the Aboriginal community as being the holder of a right to speak for the *country* in which the Subject Area is located. The purpose of this community consultation was to understand the cultural values of the Subject Area and to understand the community's views and concerns about the proposed development.

The objectives of Aboriginal community consultation were to:

- ✦ Give Aboriginal people an opportunity to comment on the design of the field methods for identifying Aboriginal objects or places within the Subject Area;
- ✦ Obtain information about the cultural significance and values of any Aboriginal objects or places within the Subject Area;
- ✦ Give Aboriginal people an opportunity to contribute to the development of cultural heritage management options and recommendations; and,
- ✦ Give Aboriginal people an opportunity to comment on any draft report.

KAS had worked extensively within the Liverpool City Council LGA and were familiar with the Aboriginal community stakeholders that were typically involved in projects to determine the significance of Aboriginal cultural objects and landscapes.

3.1 Consultation Process

The *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b) provides guidance about the appropriate manner in which consultation with the Aboriginal community should be undertaken. There are 4 Stages to the consultation process established by the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b). Each Stage is discussed separately in the following Section. A log of all consultation with the Registered Aboriginal Parties is included as Appendix V.

3.1.1 Stage 1 – Notification of Project Proposal and Registration of Interest

As there was not an approved determination of native title in relation to the Subject Area, the identification of RAPs was carried out in accordance with the specifications of Section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b). KAS made enquiries with the following (see Appendix VI):

- ✦ Office of Environment and Heritage;
- ✦ Gandangara Local Aboriginal Land Council;
- ✦ The Registrar, Aboriginal Land rights Act 1983, for a list of Aboriginal owners;
- ✦ The National Native Title Tribunal for a list of registered native title claimants, native title holders and registered Indigenous Land Use Agreements;
- ✦ Native Title Services Corporation Limited (NTSCORP Limited);
- ✦ Liverpool City Council; and,
- ✦ Greater Sydney Local Land Services (previously Hawkesbury-Nepean Catchment Management Authority).

Correspondence from these organisations is included in Appendix VII to Appendix XI.

The groups and individuals that were identified by the various organisations as having a potential interest in the cultural heritage of the Subject Area as a result of these enquires are listed in Appendix XII.

In accordance with Section 4.1.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b) KAS placed an advertisement in the Liverpool City Champion on 21st March 2018 (refer to Figure 4). In addition to the advertisement, KAS wrote to the organisations and individuals outlined in Appendix XII on the 23rd April 2018.



Figure 4: Public Advert

Registered Aboriginal Party	Representative
Gandangara Local Aboriginal Land Council	Therese Malone
Darug Land Observations Pty Ltd	Anna O'Hara
Barraby Cultural Services	Lee Field
Yurrandaali Cultural Services	Bo Field
Kamilaroi-Yankuntjatjara Working Group	Phil Khan
Didge Ngunawal Clan	Paul Boyd
Darug Tribal Aboriginal Corporation	Corina Marino
Cubbitch Barta Native Title Claimants Aboriginal Corporation	Glenda Chalker
Gulaga	Wendy Smith
Biamanga	Seli Storer
Callendulla	Corey Smith
Murramarang	Roxanne Smith
Goobah	Basil Smith
THOORGA NURA	John Carriage
-	Des Dyer
Darug Custodian Aboriginal Corporation	Justine Coplin
Liverpool City Council's Aboriginal Consultative Committee	Norma Burrows
Wailwan Aboriginal Digging Group	Philip Boney
Butucarbin Aboriginal Corporation	Jennifer Beale

(Shading indicates groups who registered after the closing date)

Table 3: RAPs at the completion of the registration period

3.1.2 Stage 2 – Presentation of Information about the Proposed Project

In fulfilment of Section 4.2.1 and 4.2.2 of *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010b:12), KAS produced a Stage 2/Stage 3 Document that was provided to all RAPs (see Table 3), outlining the project details, the previous Aboriginal heritage assessments undertaken, the proposed field survey methodology, the proposed test excavation methodology if archaeologically sensitive landforms are identified during the field survey, and the project time line (refer to Appendix XV).

A copy of the combined Stage 2/Stage 3 Document is included in Appendix XV. Responses to these letters are included in Appendix XVI.

3.1.3 Stage 3 – Gathering Information about Cultural Significance

In fulfilment of the Stage 3 requirements of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010b), KAS provided the RAPs with a combined Stage 2/Stage 3 Document, which outlined the project details, proposed field survey methodology, and the proposed test excavation methodology if archaeologically sensitive landforms (see Appendix XV).

Comments received from the RAPs in response to this document are provided in Appendix XVI.

3.1.4 Stage 4 – Review of Draft Cultural Heritage Assessment Report

KAS undertook a consultation process as outlined in Section 3.1 above.

RAP submission comments relating to the draft CHAR for the investigation can be found in Table 4 and Appendix XVII.

RAP Submission	RAP's Comments	Response
GLALC (Received 27/06/2018)	Kayandel Archaeological Heritage Services to provide GLALC a copy of the final Due Diligence Archaeological cultural heritage report for GLAC record keeping.	As noted in Point 8 of Section 11.2 (Recommendations a final copy of the ACHAR will be provided to all RAPs identified in Table 3.
	If the proposed study area changes please contact the GLALC for further consultation	KAS will keep all RAPs informed of any changes to the proposed layout as shown in Figure 3 or any changes to the proposed works described in Section 1.3.
	Ensure proponent has an Unexpected Finds Procedure during construction activities.	An Unexpected Finds Procedure/Provision of Unexpected Finds will be included in the Aboriginal Cultural Heritage Management Plan as recommended in Point 4 of Section 11.2 (Recommendations) of this report.
GLALC (Received 11/07/2018)	Would of liked to see GLALCs survey report included (I know there is a space allotted for it) however to see it gives me more certainty that the GLALCS comments and recommendations have been captured and documented in this report	KAS has included your comments in Table 4 and Appendix XVII of this report.
	I noticed that the report alludes to the process of stop work etc if Aboriginal heritage is found during construction however for any Aboriginal objects or places including skeletal remains that may be unearthed during construction the proponents must have an Unexpected Finds Procedure and I could not see this mentioned in the report.	As noted in Point 4 of Section 11.2 (Recommendations) "Prior to the commencement of any ground disturbance works authorised by the SSD, an Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed by a qualified and experienced practitioner in Aboriginal cultural heritage in consultation with the Registered Aboriginal Parties (RAPs); this should include a provision for unexpected finds , and methodologies for further investigation and reporting where required"
Gulaga (Received 11/7/2018)	Gulaga support the draft ACHA report for the above project	-
	We wish to be kept informed of any further developments	KAS will keep all RAPs informed of any changes and/or progression with the project
DCAC Received (16/7/2018)	We would like to add that our sites are a complex and not all separate sites and recommend that the connections are interpreted throughout the project. Information gathered during these projects is of high significance, once our sites are gone there is no other evidence of the sites or connections.	KAS acknowledges the range of identified Aboriginal sites that surround the Subject Area, and that if Aboriginal objects were recorded during the survey that they would have high cultural significance to the Aboriginal community.
	Within this document the amount of groups for consultation is high with many groups not from this area, we do not support personal profit groups and also do not support any input that they have into the recommendations.	KAS acknowledges that there is some concern that some Aboriginal organisations and individuals do not hold cultural knowledge of the Western Sydney area. KAS has previous sought advice from OEH in regards to similar situations and have been referred to Section 5.2 of the Consultation Requirements (DECCW, 2010b) where it states; <i>It is only Aboriginal people who can determine who is accepted by their community as being authorised to speak for Country and its associated cultural heritage. Where there is a dispute about who speaks for Country, it is appropriate for Aboriginal people, not DECCW or the proponent, to resolve this dispute in a timely manner to enable effective consultation to proceed.</i>
	Apart from the amount of people consulted we support the summery report	-
Murramarang (Received 17/7/2018)	Supports the Draft ACHA	-
	Wish to be kept informed of any further developments	KAS will keep all RAPs informed of any changes and/or progression with the project
Goobah (Received	Supports the Draft ACHA	-
	Wish to be kept informed of any further	KAS will keep all RAPs informed of any changes

17/7/2018)	developments	and/or progression with the project
Cullendulla (Received 17/7/2018)	Supports the Draft ACHA	-
	Wish to be kept informed of any further developments	KAS will keep all RAPs informed of any changes and/or progression with the project
Biamanga (Received 17/7/2018)	Supports the Draft ACHA	-
	Wish to be kept informed of any further developments	KAS will keep all RAPs informed of any changes and/or progression with the project
DTAC Received (18/7/2018)	We agree with the methodology and support your recommendations for the project.	-
DALC (Received 22/7/2018)	The Darug Aboriginal Land care agree with your recommendations and Methodology in your report.	-
DLO (Received 3/8/2018)	Supports the methodology for the proposed redevelopment	-
	Furthermore, we would be involved in the monitoring of the topsoil removal, and/or other forms of works to be carried out on the site.	The Proponent will use its discretion in determining the RAPs that are offered the opportunity to provide services via a separate contractual arrangement as identified in Section 3.4 of the DECCW (2010b).

Table 4: RAP Comments and Response relating to ACHAR

4 STUDY METHODS

The assessment reported here involved Aboriginal community consultation, background research, the completion of the field survey. A breakdown of the various tasks that have been undertaken to achieve the objectives of this assessment is provided below. The process for Aboriginal community consultation is set out in Section 3 above.

4.1 Background Research

Prior to the fieldwork, the following tasks were undertaken:

- ✦ A search of the AHIMS maintained by OEH was obtained to determine whether any sites or areas of sensitivity had previously been recorded within or near the Subject Area. This search also assisted with the development of a local site distribution model;
- ✦ A search of the AHIMS report catalogue was conducted to identify previous archaeological studies that had been carried out in and near the subject area. The reports identified were able to provide information on the local archaeological context and assisted with the development of predictions for site location within the Subject Area;
- ✦ Published archaeological texts and grey literature regarding the Austral area were consulted to assist with the development of regional and local archaeological contexts for the Subject Area;
- ✦ KAS library was searched and an internet search was carried out to identify any Aboriginal history, ethnography, environmental and climate information relevant to the Subject Area;
- ✦ A predictive model for the Subject Area was prepared; and,
- ✦ The topographic map and air photos were examined to plan the field survey. It was intended that pedestrian survey (transects) would target areas of exposure which could have improved ground surface visibility (GSV), as well as areas which appeared less disturbed and had potential for intact Aboriginal sites.

4.1.1 Field Inspection

The field survey was undertaken on 8th June 2018, to record the characteristics of the Subject Area (including identification of landforms), any physical evidence of Aboriginal land use and any information that could inform predictions about Aboriginal objects within the Subject Area.

The survey team consisted of Natalie Stiles (Kayandel) along with GLALC (Barry Gunther), and Kamilaroi-Yankuntjatjara Working Group (Phil Boney).

The Subject Area was divided into nine (9) survey units that utilised the property boundaries to establish their limits. The survey units were assessed using pedestrian survey (transects) which was undertaken in accordance with the specification for archaeological survey contained within Burke and Smith (2004).

The following tasks were carried out during the field survey:

- ✦ Landform units were inspected for any potential of archaeological sensitivity across the Subject Area;
- ✦ Ground surface exposures were inspected for archaeological material; and,
- ✦ Large mature trees were inspected for signs of cultural modification.

The survey team walked transects targeting exposures and mature trees for inspection. Visibility variables were recorded for all transects within the Subject Area.

Ground disturbance of varying levels were observed across the full extent of the Subject Area. This disturbance was mapped to assist with an assessment of archaeological potential (see Figure 8).

Details and results of the site inspection are outlined in Section 7.1.

5 LANDSCAPE CONTEXT

The natural environment of an area influences not only the availability of local resources such as food and raw materials for artefacts but also determines the likely presence and/or absence of various archaeological site types that may be encountered during a field investigation. Landforms, soil types, and soil depths in combination with the underlying geology have implications for subsurface archaeological deposits in a study such as this.

Resource distribution and availability (such as the presence of drinking water, plant and animal foods, raw materials of stone, wood and vegetable fibre used for tool production and maintenance) is strongly influenced by the nature of soils, the composition of vegetation cover and the climatic characteristics of a given region.

The location of different site-types (such as open campsites, culturally modified trees, rock-shelters, middens, grinding grooves, engravings etc.) are strongly influenced by factors such as these along with a range of other associated features which are specific to different land systems and bedrock geology.

The environmental background is important in order to give a context to the archaeological record. With respect to Aboriginal archaeology, land formation processes may impact upon the type and frequency of archaeological remains encountered. Past climatic conditions may also impact upon the location and types of resources available, which in turn would impact upon settlement and mobility patterns of past Aboriginal groups in the area.

OEH requires a review of the landscape context to assist in the determination or prediction of the potential of a landscape to have accumulated or preserved objects, the ways Aboriginal people may have used the landscape in the past, and the likely distribution of the material traces of Aboriginal land use (DECCW 2010c:8).

Detailing the environmental context of a study region is an integral procedure for modelling potential past Aboriginal land-use practices and/or predicting site distribution patterns within any given landscape. The information that is outlined below is considered pertinent to the assessment of site potential and site visibility within the specific contexts of the current study.

5.1 Climate

The Subject Area lies within the Liverpool Region (BOM 2018a). The climate is a mostly cool temperate.

According to the recordings of the Automatic Weather Station (AWS) at the nearby Prospect Reservoir (Station Number 067019), annual mean maximum temperatures have ranged between 16.9°C-28.5°C over the past 130 years, with the highest recorded temperature of 45.1°C in January 2013 and the lowest of 7.8°C in July 1968 (BOM 2018a).

Rainfall data has from the same Prospect Reservoir Weather Station shows that although there is Rainfall all year round, there seems to be a slight summer-autumn dominance for an annual average of 875.2mm. Lowest recorded rainfall is 0.00mm for August 1995 and a maximum of 556mm recorded in May 1889 (BOM 2018b). Overall, the climatic conditions in the Subject Area can be characterised as very mild and would have been suitable for year-round hunter-gatherer occupation of all parts of the Subject Area.

5.2 Geology

Geological information can contribute to archaeological studies by providing information on the nature of rock resources, as well as informing soils and landforms.

Austral is located in the eastern portion of the Sydney Basin Bioregion. The larger scale geology of the Sydney Basin Bioregion is characterised by marine deposition events from the Carboniferous to the early Permian. Numerous coal deposits accumulated before large river systems covered the region in quartz sandstone, known as the Hawkesbury sandstone. The Hawkesbury sandstone, which forms the bedrock for all of the Sydney Basin, dates to the mid Triassic. This bedrock of sandstone is then capped by a thin layer of shale (Bannerman and Hazelton, 1990; OEH, 2012).

The geology of the Subject Area is characterised by the Triassic Wianamatta Liverpool Sub-Group including Bringelly Shale over Minchinbury Sandstone and Ashfield Shale and consists of shale and some sandstone beds and outcrops (Stroud *et al.* 1985) (see Figure 5).

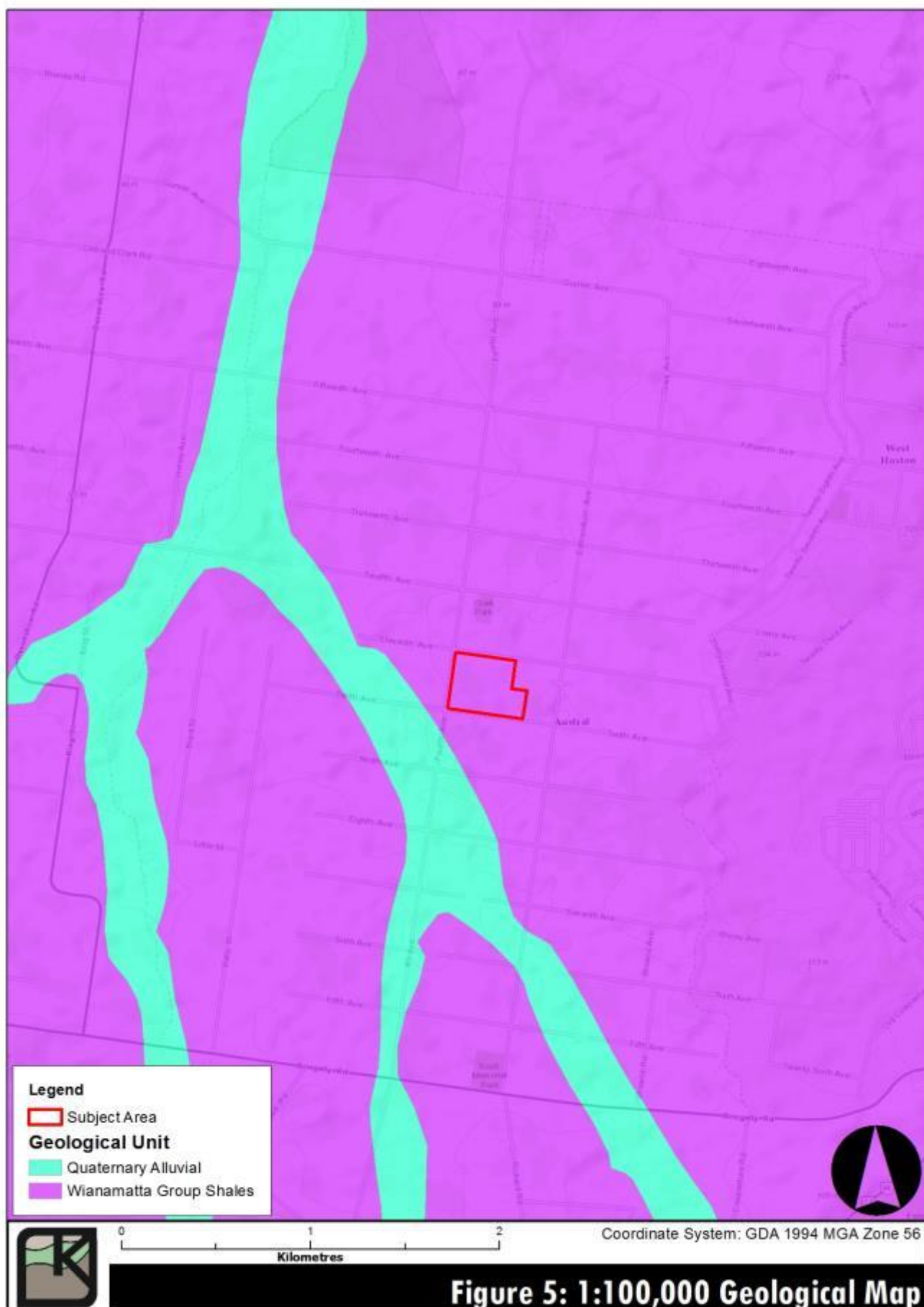
5.3 Soil Landscape

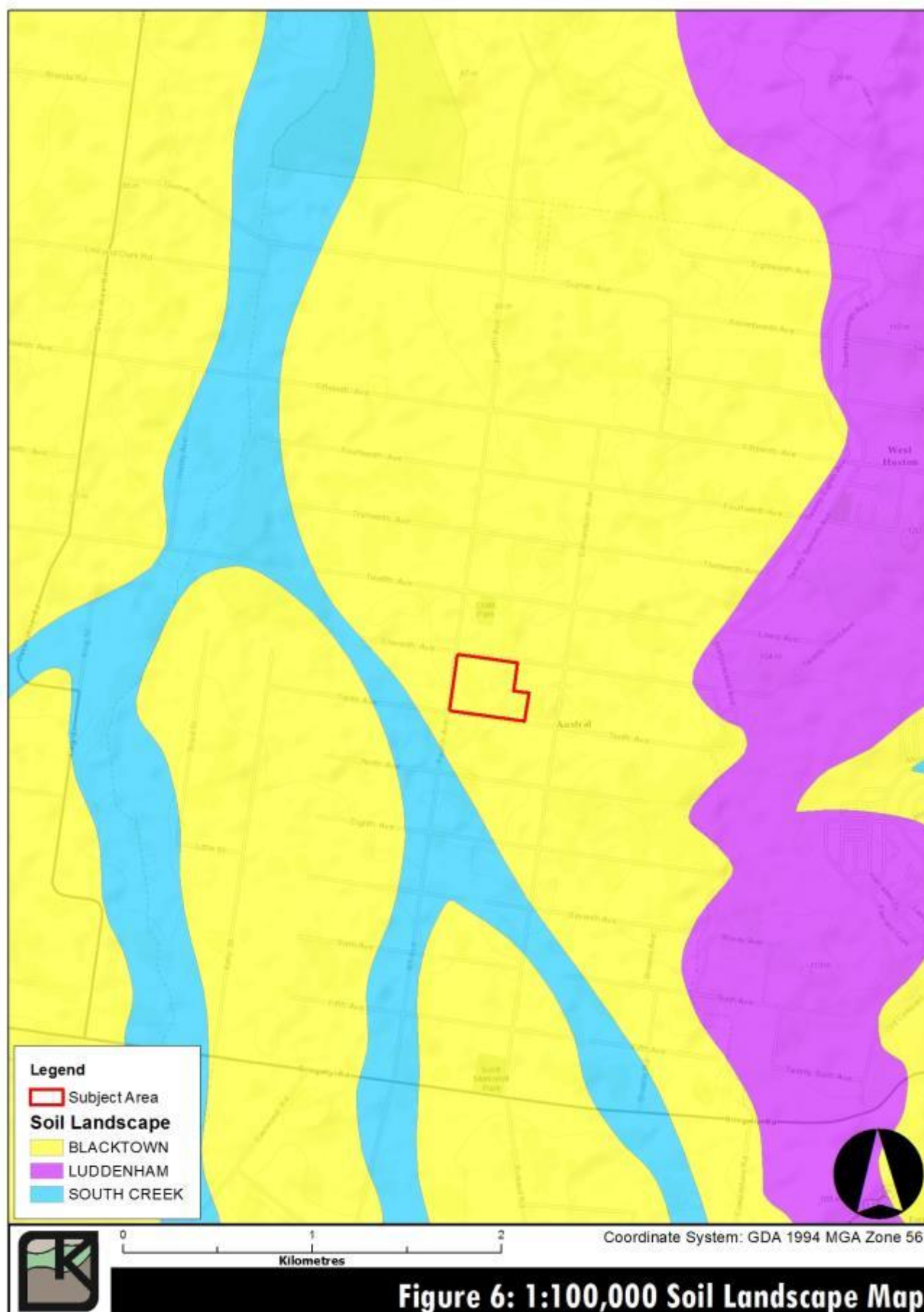
Murphy (2000:9) suggested that most Australian soils might be of great antiquity. The Last Glacial Maximum, a very cold phase between 30,000-21,000 BP, may have rejuvenated extensive soil erosion and deposition in the eastern highlands and many of today's soils in this region may date from that time (McGowan and Moss 2008; Hope 2005). Climate change between 1,500 and 4,000 years ago and may have led to a new series of small but significant alluvial deposits on the landscape and a new round of soil formation (Murphy 2000:9). The antiquity of soils and details of soil development are relevant to the survival of Aboriginal archaeological materials.

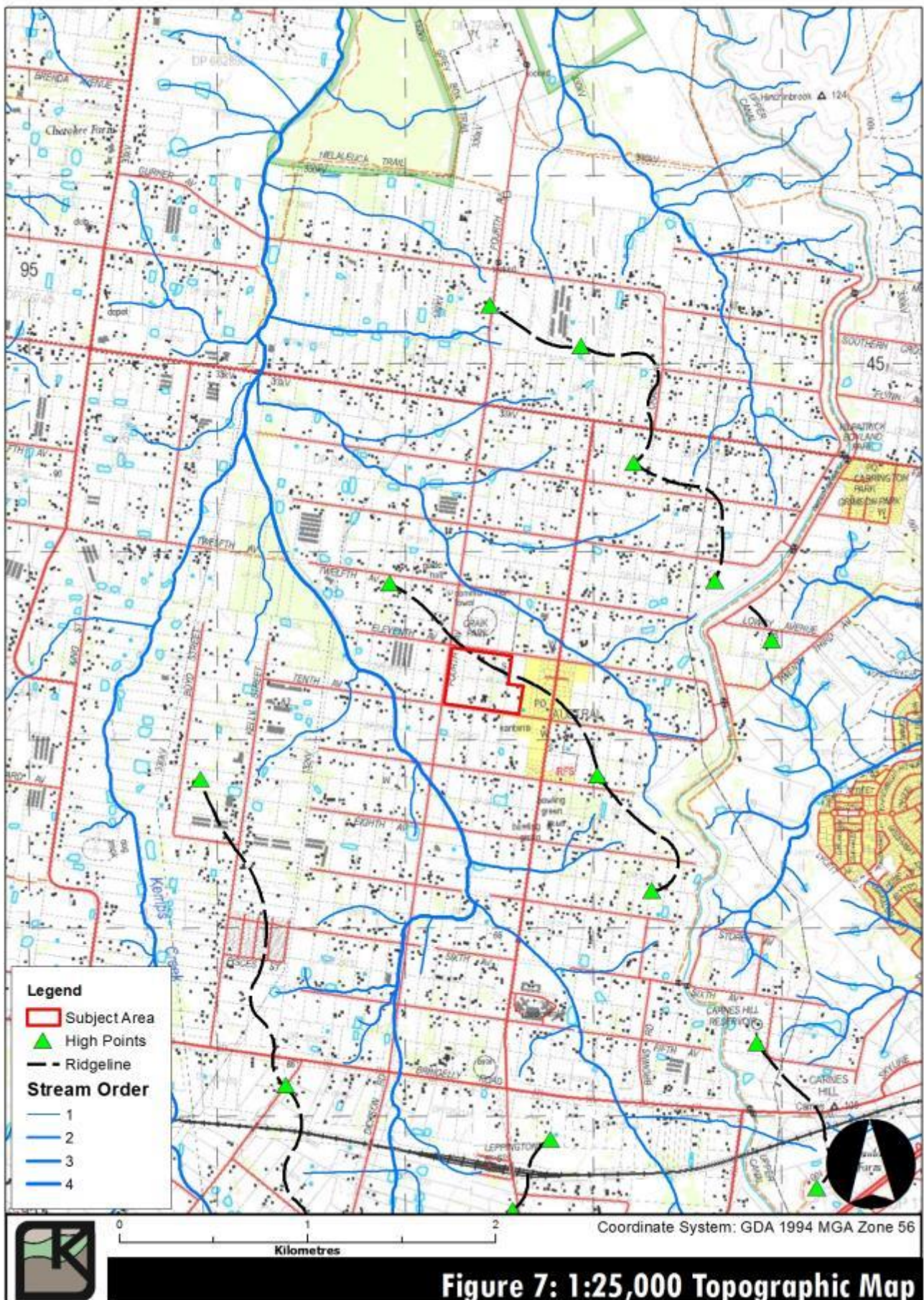
In general, soils consist of A, B and C horizons. The A and B horizon soils are layers that have been modified by weathering and soil development, and the C horizon is weathering parent material. The A₁ horizon is usually referred to as top soil and includes an accumulation of organic matter, is darker in colour and has more biological activity than other horizons. The A₂ horizon is usually paler in colour than the A₁ and B horizons with less organic matter. It is often the zone of maximum leaching, clay translocation and weathering. When those processes are particularly strong, the horizon is white or grey and may be referred to as bleached. The underlying B horizon is usually more clayey, denser, and stronger in colour (Murphy and Murphy 2000:71-73). In open landscape settings (open sites), Aboriginal artefacts are most commonly found in A-horizon soils, and especially the A₂ horizon.

A review of the 1:100,000 Soil Landscape Sheets for Penrith indicates that the Subject Area lies within the Blacktown (bt) soil landscape (Bannerman and Hazelton, 1990) (see Figure 6).

The Blacktown soil is a residual soil landscape which is characterised by gently undulating rises on Wianamatta Group shales, with slopes usually >5%. The soils are often shallow to moderately deep (>100cm) with red and brown podzolic soils on crests grading to yellow podzolic soils on lower slopes and in drainage lines. Soils have seasonal waterlogging, localised water erosion, localised surface movement potential, and low fertility (Bannerman and Hazelton, 1990).







5.4 Topography and Hydrology

The topography within the Subject Area is predominately determined by the underlying geological formation.

The Sydney Basin Bioregion consists of a geological basin filled with near horizontal sandstones and shales of Permian to Triassic age that overlie older basement rocks of the Lachlan Fold Belt. The sedimentary rocks have been subject to uplift with gentle folding and minor faulting during the formation of the Great Dividing Range. Erosion by coastal streams has created a landscape of deep cliffed gorges and remnant plateaus (OEH, 2012).

The Subject Area is within the upper catchment area of the Hawkesbury River system. Surface runoff and groundwater in the area generally flows to the southwest into Bonds Creeks that follows into Kemps Creek, which flows to South Wianamatta Creek (approximately 7km away), and eventually flowing into the Hawkesbury River (10-15km away) (refer to Figure 7).

The Subject Area is located between Bonds Creek, a 4th order stream, and an unnamed 2nd order tributary, both of which flow northwest into Kemps Creek.

The Subject Area gently slopes southwest towards Bonds Creek (refer to Figure 7).

5.5 Resource Exploitation

Based on the background information provided from various sources, it is possible to speculate what resources would have been available for pre-contact and contact Aboriginal exploitation.

Vegetation communities across the Subject Area would have supported a range of faunal resources that would have been historically utilised by Aboriginal peoples. Terrestrial and avian resources were not only used for food, but also provided a significant contribution to the social and ceremonial aspects of Aboriginal life through their use as ritual implements or even simply through fashioning as personal adornments.

Aboriginal archaeological potential is tied to environmental factors such as topography, geology and soils but is strongly affected by disturbance levels. The retention of Aboriginal archaeological potential within the Subject Area will depend on the depth and nature of this disturbance (refer to Section 5.6).

Over the course of European occupation within Austral, the original vegetation and other natural features of the Subject Area and the surrounding area have been removed or modified. Prior to European land clearance the wider Austral area would have supported a wide range of vegetation communities related to the varied underlying geology, topography and soils (NSW National Parks and Wildlife Services (NPWS) 2002). The diverse flora and fauna of these communities would have provided valuable resources to the local Aboriginal people.

Based on a review of the probably state of Australia's vegetation around 1788 when European settlement began (Geoscience Australia, 2003), it has been identified that the vegetation within the Subject Area was likely to be low foliage density, medium sized (10-30m tall) Eucalyptus (no specific species provided by Geoscience Australia), and Tussocky or tufted grass understorey.

The Subject Area shows no evidence of containing raw materials suitable for artefact manufacture. The other stone raw materials, such as silcrete, chert, mudstone, quartz, suitable for artefact manufacture would have been produced from areas on the Cumberland Lowlands (Smith 1989a, 1989b).

As water is a determining feature for the location of camp sites, it can be predicted that the main campsites, and thus areas where the majority of artefactual material would have been discarded, would be in the proximity of the major (permanent) watercourses (i.e. Kemps Creek). Although the unnamed 2nd order stream (to the northeast of the Subject Area) is unlikely to have provided permanent water, it would have been a seasonal water source for Aboriginal people. Based on previous archaeological investigations (refer to Table 7) and previous predictive models (Section 6.6) artefact scatters are most commonly identified in close proximity of permanent water sources (within 100m) in areas such as creek and river banks and alluvial flats.

The Subject Area is located approximately 200m northwest of Bonds Creek and 200m southwest of a 2nd order tributary, both of which flow northwest into Kemps Creek (refer to Figure 13). There is therefore, a low likelihood that Aboriginal sites may be present within the Subject Area.

5.6 Former Land Use and Disturbance

Land use across the Subject Area has been a mixture of market garden and grazing practices, these changes have occurred since European occupation began in the early-mid 19th Century; the majority of the broader changes/impacts observed have occurred primarily as a consequence of European land management strategies.

The disturbances identified during the field survey include:

- ✦ An existing residence on site was converted to an administration and staff building for the primary school, and two buildings have been constructed;
- ✦ A water treatment system has been installed as part of the development works associated with the primary school (refer to Plate 1);
- ✦ Emplacement of fill across the majority of 135 Tenth Avenue (Lot 840 DP2475) in order to raise the ground level to be consistent with the properties either side, as advised by the current landowners;
- ✦ Farming practices, such as initial vegetation clearance for creation of paddocks, fencing and stock grazing;
- ✦ Disturbance resulting from the construction of buildings (residential and commercial), animal enclosures, and dams; and,
- ✦ Revegetation of portions of the Subject Area (refer to Plate 2).

The majority of the properties within the Subject Area have residential buildings present (see Figure 8), which resulted in the removal and/or displacement of topsoil, introducing fill material. The construction of residential would have resulted in varying levels of ground disturbance within the immediate vicinity of the structure.

During the field survey, the landowners for 135 Tenth Avenue (Lot 840 DP2475) advised that during the construction of the current residential dwelling, the ground level for the majority of the property was raised. The prior ground level had been lower then compared with the ground levels in the adjacent properties; this was supported by the difference in ground levels behind the original dwelling on the property (which is currently being used for storage) (refer to Plate 3 and Plate 4).

The construction of residential areas and previous land use activities are likely to have affected the integrity of any the archaeological resource, particularly the likelihood of intact *in situ* archaeological deposits if they were present.



Plate 1: General view looking east towards to the water treatment system



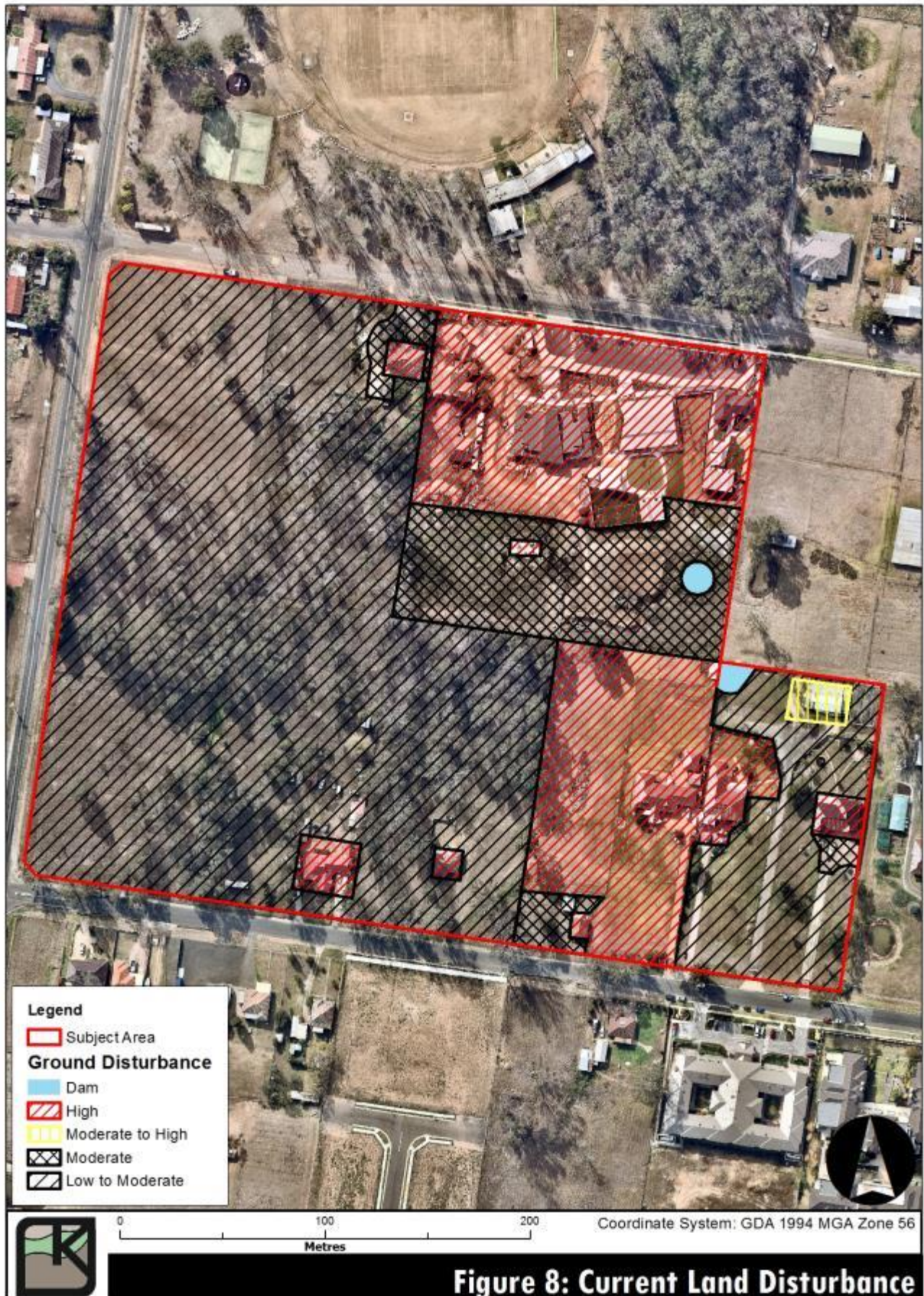
Plate 2: General view looking north west in 170 Eleventh Avenue



Plate 3: Ground level behind the original dwelling on 135 Tenth Avenue



Plate 4: View southwest towards the original dwelling on 135 Tenth Avenue



6 ARCHAEOLOGICAL CONTEXT

6.1 Ethnohistory

The original inhabitants of this area are most commonly believed to be from the Darug language group – also known as Dharug, Dhar'-rook, Dharrook, Dhar'rook, Dharruk, Dharook, Daruk, Dharuk, and Dharuck¹⁸ (for consistency, all references in this report will be to Darug). Whilst there is much information available regarding the coastal Aboriginal people of Sydney, much less information is available for the Aboriginal people of the Cumberland Plain.

Early historical observations described the Cumberland Plain as a mosaic of Aboriginal groups associated with particular areas of land. These groups were described as 'tribes' in many historical observations, when in fact they were more likely small territorial clans or local clans consisting of extended family groups, forming larger land-using bands linked through marriage and communal participation in subsistence gathering activities (Attenbrow 2002:22, Brook and Kohen 1991:2). The British noted a difference between the dialects of the Aboriginal people along the coast compared with those further inland on the Cumberland Plain. Captain Tench observed when two Aboriginal men from the coast conversed with an Aboriginal man further inland "they conversed on a par and understood each other perfectly, yet they spoke different dialects of the same language; many of the most common and necessary words used in life bearing no similitude, and others being slightly different" (Tench 1793:122).

The arrival of European settlers caused major social and economic upheaval for the Aboriginal people living on the Cumberland Plain. Contact with Europeans introduced diseases, such as smallpox, that drastically altered the size and structure of the Aboriginal population, whilst the expansion of settlements and establishment of farmland subsumed the traditional areas used to meet subsistence needs (Attenbrow 2002).

Some of the earliest British interest in the vicinity of the study area revolved around a herd of runaway cattle that escaped from the colony in July 1788. The cattle were extremely valuable to the fledgling colony, and after numerous attempts to locate them they were finally tracked down in 1795 to an area south of the Nepean (Liston 1988: 4). It was evident that in the seven years the cattle were missing from the colony, the local Aboriginal inhabitants of the Nepean area had come into contact with the cattle numerous times. There was a reported sighting of the cattle with Aborigines in 1790, and large paintings of cattle in a rock shelter site near Campbelltown, called 'Bull Cave' (Liston 1988: 3-4).

The search for the cattle revealed to the colony administration the quality of grazing land in the area, and the area became known as 'The Cow Pastures' (Liston 1988: 5). The first land grant in the area was in 1805 to Lieutenant John Macarthur, who was given a grant of 5,000 acres to breed sheep and export wool to England. The grant in an area bordering the Nepean River at what is now called 'Camden Park'. The next land grants in the area were four years later in 1809 when 34 land grants were issued in the vicinity of Georges River at Minto.

There were numerous interactions between the local Aboriginal population and the first European farmers in the region, with tension increasing during periods of drought, when conflict arose because traditional hunting and gathering areas were subsumed by the expansion of farmland. Many officials, including Governor Macquarie, often recognised that these issues were started by the settlers, but with the colony on a tentative footing, especially during periods of drought, he was more inclined to protect the interests of the farmers.

Violence escalated between settlers and the local Aboriginal people during a drought through the years 1814–1816 (Brook and Kohen 1993). Each case of violence reported from farms dotted around the Sydney region at Bringelly, Appin, along the Nepean and the Hawkesbury Rivers was similar, in that the local Aboriginal people had gone to their traditional food gathering areas, and when they found their usual resources gone, they used the resources that had replaced them, namely crops such as corn, and animals including sheep and cattle. The settlers, seeing this as theft, often shot the Aborigines. In retaliation, a number of settlers were also killed.

In response to the violence between the settlers and the local Aboriginal people across the Sydney region, in April 1816 Governor Macquarie ordered a punitive expedition to capture or kill those Aborigines involved in the skirmishes with settlers (Brook and Kohen 1993: 23). Three groups of soldiers were sent from Sydney to Cowpastures, the Airds and Appin district and to Parramatta, Windsor, the Grose and the banks of the Nepean respectively (Brook and Kohen 1993: 23).

Following the punitive expeditions of 1816, the Dharawal stayed in the Cowpastures, south of the Nepean River, where the country remained largely grazing land not as populated as the Minto area north of the river (Liston 1988: 24). Friendly contact was maintained between the Dharawal and a number of the local landholders, especially the Macarthurs. One of the landholders, Throsby had even defended some of the Dharawal during the indiscriminate harassment of local Aborigines that was particularly severe during the years 1814–1816. Throsby was 'concerned that the fears and aversions of the ignorant white people would lead to indiscriminate attacks against innocent Aborigines', which in turn 'would provoke retaliation killings of isolated stockmen' (Liston 1988: 21).

This documented contact between the Dharawal and local landholders provides evidence of direct links between the Dharawal and the Minto area as well as continued traditional activities in the years following first settlement. The Macarthur's documented corroborees taking place on their property, and Liston (1988: 24) noted that there were also corroborees taking place at Denham Court, bordering the southwestern boundary of the study area. Liston (1988: 24) also noted that 'in March 1818 James Meehan marked out some land on the Macarthur estate for Aborigines who wanted to live there under the protection of the Macarthurs'.

6.2 AHIMS Results

The locations and details of Aboriginal sites are considered culturally sensitive information. It is recommended that this information, including the AHIMS data and GIS imagery, is removed from this ASR if it is to enter the public domain.

A search of the AHIMS database was carried out 11th January 2018 using the Client Service ID 321678, with the coordinates set out in Table 6 below.

	Easting	Northing
Minimum	295563	6240567
Maximum	299563	6244567

Table 5: AHIMS Database Search Criteria

(Zone 56 additional buffer 1kms)

The search area was a 4km by 4km square centred upon the Subject Area, with a 1km buffer (see Figure 9). The results of the AHIMS search are presented in Appendix V and Figure 9. A total of 79 Aboriginal sites have been registered within the search area.

It should be noted that the distribution of sites in the AHIMS database is a reflection of where site surveys have been conducted (see Figure 11), where exposure and visibility conditions have enabled the detection of sites, and where sites have survived modern land disturbance. The distribution of sites from AHIMS may not be a true reflection of the existing Aboriginal sites in an area.

Site Type	Frequency	%
Open Camp Site	44	56%
Isolated Find	13	16%
Potential Archaeological Deposit	11	14%
Open Camp Site with PAD	5	6%
Stone Arrangement	2	3%
Aboriginal Resource and Gathering	1	1%
Midden	1	1%
Open Camp Site with Aboriginal Resource and Gathering	1	1%
Open Camp Site with Burial	1	1%
Total	79	100%

Table 6: Site Types from AHIMS Search (Client Service ID 321678)

The AHIMS search indicates that 44 of the 79 sites within the search area are Open Camp Sites, and another 13 of the sites are Isolated Finds (see Table 6). A further eleven (11) sites are classified as Potential Archaeological Deposits (PADs). The results are indicative of the number of archaeological assessments that have occurred within the local region, as well as the nature of the landscape, containing open space consisting of large bodies of waters, crests, and slopes.

6.3 Regional Archaeological Context

Archaeological investigations generally fall into three categories - large projects that have been carried out within a research-orientated academic framework and broad management context; archaeological surveys carried out by interested amateurs; and, archaeological investigations which have been carried out within a commercial contracting framework and deal with specific localities subject to development or redevelopment.

The spread of urban development across the Cumberland Plain, particularly over the last few decades, has meant that archaeological investigations have intensified as a result for the need of Environmental Impact Assessments. Most archaeological investigations conducted within the Cumberland Plain have been restricted to small study areas, defined by individual developments, and with limited project briefs. As a result, the understanding of Aboriginal utilisation and occupation of the Cumberland Plain is constantly being revised and refined as archaeological data becomes available for the area (AMHS, 2012; Navin Officer, 2007; AMBS, 2003).

Regional trends within the Cumberland Plain indicate that Aboriginal sites are likely to be located in close proximity to permanent watercourses, on creek banks and alluvial flats, or on high ground, and within range of food resources and the raw materials for tool making. However, some exception to the regional model have been demonstrated in excavations at Mungerie Park and Parklea Leisure Centre, where large artefact scatters were identified up to 200-250m from major watercourses. McDonald suggested that this site distribution pattern may be due to surface visibility and site formation processes, rather than a true depiction of the cultural distribution of artefacts across the landscape (AHMS, 2012).

The radiocarbon date obtained from the RTA site in George Street, Parramatta indicates that the Sydney region has been inhabited by Aboriginal people for at least 30,000 years, and possibly longer (Jo McDonald CHM, 2007). Archaeological sites from the Blue Mountains and Hawkesbury/Nepean River System have provided other evidence of early occupation within the region. Stockton and Holland (1974) produced a radiocarbon date of c.22,000 years BP from a site at Kings Tableland in the Blue Mountains. Excavation of the Greaves Creek rock shelter site of Walls Cave near Medlow Bath has produced a date of c.12,000 years BP (ibid). At Shaws Creek KIL, a rock shelter on the west bank of the Nepean north of Penrith, a date of c.13,000 years BP is recorded (Kohen *et al.* 1984).

6.4 Local Archaeology

The Austral area and surrounding region have been subject to a number of archaeological studies. The majority of archaeological studies in the Austral-Leppington region have been confined to the treatment of specific study areas. The table below (Table 7) contains the details of Aboriginal heritage assessments that have been undertaken in the general vicinity of the Subject Area (see Figure 11 and Table 7). A brief outline of each report is also provided below.

Reference	Locality	Comments	Results
Navin Officer, 1993	Maxwells Creek	Aboriginal Heritage Assessment	Navin Officer undertook test excavations on the banks and flats of Maxwells Creek, near the intersection of the M5/M7 and Camden Valley Way in accordance with recommendations made by Haglund & Associates in 1992. Although no artefacts were recovered in the 57 pits excavated by spade, it is estimated that only 0.016% of the three testing areas was excavated. Further, the excavated soil was not completely sieved in order to recover artefacts. although the tested areas were in close proximity to the reliable water of Maxwells Creek, no large sites were found; however, this result may have been affected by the limited excavation area and, limitations in the excavation methodology.
Rich & McDonald, 1995	West Hoxton	Salvage Excavation	The excavation at WH3 was undertaken via mechanical grader scrapes. A total of 3,686 artefacts were recovered. This was interpreted as resulting from two silcrete knapping floors.
Central West Archaeological & Heritage Services, 2002a	Hoxton Park	Supplementary Report	No PAD areas were identified within the survey area. Discussions held with Lance Syme (GLALC) resulted in parties agreeing that the high level of disturbance at the Government Road location had done much to reduce, if not totally eliminate, the location's archaeology. Brayshaw & White (1999) came to exactly the same conclusions for the same reasons.

Reference	Locality	Comments	Results
Central West Archaeological & Heritage Services, 2002b	Hoxton Park	Supplementary Report	<p>No PAD areas were identified within the survey area.</p> <p>An Aboriginal site NPWS #45-5-2471, isolate artefact, was found and recorded by Brayshaw & White (1999) on Illaroo Road. The artefact was found on exposed ground in a cleared grazing paddock alongside a house.</p> <p>An unsuccessful attempt was made to reassess the artefact.</p>
AMBS, 2003	Edmondson Park	Aboriginal Heritage Management Plan	<p>Fifteen areas of archaeological interest were recorded by AMBS (2003), numbered EPCS 1 through EPCS 15, of which three contained only non-artefactual silcrete material. The remaining twelve sites consisted of five isolated finds and seven artefact scatters. AMBS (2003) also revisited two previously recorded sites in the area, site MC-7, recorded originally by Smith (1989) and DD3, originally recorded by Dallas (1999).</p>
Navin Officer, 2007	Edmondson Park	Archaeological Subsurface Testing Program	<p>Navin Officer undertook test excavations on a rise overlooking Cabramatta Creek. A total of 68 test pits, in areas of least disturbance, were mechanically excavated throughout the area, including site EPCS5.</p> <p>A low density of artefacts was recovered, 33 in total from the 68 pits (an average of 1.3 artefacts per square metre that was excavated), with the majority on a low slope near the banks of a second order tributary of Cabramatta Creek.</p>
Austral Archaeology, 2009	Edmondson Park	Archaeological Risk Assessment	<p>Undertook an archaeological risk assessment of 20 route options, as part of a wastewater planning study of the Edmondson Park area. The assessment was desktop-based, with a limited site inspection undertaken off Rynan Avenue. No new sites were identified during the inspection; however, it was noted that ground surface visibility was limited. Further, it was considered that most areas close to creeks, particularly those that are relatively undisturbed, were likely to contain Aboriginal archaeological deposits.</p>
AMBS, 2010	Austral and Leppington North Precinct	Indigenous Heritage Assessment Project	<p>Aboriginal site was identified during the survey, and six new Aboriginal heritage sites were recorded. Thirty-four other sites that had been previously recorded in the study area</p>

Reference	Locality	Comments	Results
			were not able to be located. Areas of archaeological sensitivity were identified along creek lines and ridges, and in an area with the least disturbance in the study area.
Kelleher Nightingale Consulting Pty Ltd, 2010	Edmondson Park	Aboriginal Cultural Heritage Assessment Report	Edmondson Park South, including the Stage 1 Project Application area, has been the subject of extensive and broad strategic planning investigation and environmental assessment as part of the rezoning process. An Aboriginal Heritage Management Plan was adopted for the area, which has formed the basis for the development of the Stage 1 Project Application and CHAR. Five Aboriginal heritage sites have been identified within the Stage 1 Project Application area. The majority of the Stage 1 Project Application impacts on archaeological sites of low significance. Two significant sites (DD3 and DD4) are impacted by the Stage 1 Project Application.
Mary Dallas Consulting Archaeologists (MDCA), 2010	Hoxton Park	Aboriginal Archaeological Assessment And Management Plan	The field survey did not result in the location of any previously unrecorded Aboriginal archaeological material. Specifically, no additional stone artefacts were located and no trees of sufficient age to bear scars of potential Aboriginal origin were located (nor likely to occur on the basis of the historical data reviewed above). One area of subsurface archaeological potential, associated with elevated ground above Hinchinbrook Creek was defined as HPA PAD1.
AHMS, 2015a	Leppington	Aboriginal Heritage Impact Assessment	The assessment found no Aboriginal objects, sites, places or significant historic remains within the study area. European heritage remains recovered consisting of ceramic and glass fragments were not considered to meet the required threshold for local or state significant items due to their age and being located in disturbed contexts. The study area is considered to have low archaeological potential and low significance.
Dominic Steele Consulting Archaeology (DSCA), 2015	West Hoxton	Aboriginal & Historical Archaeological Assessment	The FABH proposal will not impact upon any identified Aboriginal archaeological sites or objects, and the potential for undetected but intact Aboriginal subsurface archaeological items to occur within

Reference	Locality	Comments	Results
			the property that may be affected by future uses is assessed to be low, it is therefore recommended that there are no obvious Aboriginal archaeological (scientific) constraints to the proposal proceeding as intended and that no further Aboriginal archaeological heritage input is warranted.
Mary Dallas Consulting Archaeologists (MDCA), 2015	Prestons	Aboriginal Cultural Heritage Assessment Report	The archaeological test excavations took place across two areas of assessed Aboriginal archaeological sensitivity within the subject land, and involved the manual excavation of 137 test pits along a series of transects sampling the varied topography of the areas of sensitivity. A total of 194 pieces of worked stone were retrieved from 34 test pits.
KAS, 2016a	Austral	Due Diligence Assessment	No Aboriginal sites were recorded on AHIMS as being present within the investigation area. No previously unidentified Aboriginal sites were identified during the survey.
KAS, 2016b	Austral	Due Diligence Assessment	No Aboriginal sites were recorded on AHIMS as being present within the investigation area. No previously unidentified Aboriginal sites were identified during the survey.
KAS, 2018	Hoxton Park	Aboriginal Cultural Heritage Assessment and Test Excavation Report	A total of fourteen (14) artefacts were identified during the Phases 1 & 2 test excavation; seven (7) from Phase 1 and seven (7) from Phase 2. The artefacts were recovered from six (6) of the forty-two (42) test pits excavated. As a result of the test excavation four (4) Aboriginal sites were identified within the Subject Area: P-CP11, HP-AS-001, HP-IF-001 and HP-IF-002. Due to the disturbed nature of the Subject Area it is unclear whether the sites are spatially related, and whether the artefacts are indicative of occupation or discard events.

Shading indicates those reports that have specifically considered the Subject Area in this report

Table 7: Cultural heritage investigations conducted in the Austral-Leppington region

6.5 Previous Assessment within the Subject Area

This section details a synthesis of the previous Aboriginal archaeological assessments that have wholly and/or partially incorporated the current Subject Area.

The information presented in this section is limited by the Aboriginal archaeological assessments that KAS has been able to source through AHIMS.

AMBS (2010)

Australian Museum Business Services (AMBS) (2010) was commissioned by NSW Department of Planning and Infrastructure (DP&I), to prepare an Aboriginal (Indigenous) heritage assessment for the Austral and Leppington North Precincts of the South West Growth Centres (SWGEC).

Approximately 28% of the study area was surveyed; however, there was an extreme lack of visibility owing to higher than average rainfall throughout the region in the months prior to survey. The location of one previously recorded Aboriginal site was identified during the survey, and six new Aboriginal heritage sites were recorded. Thirty-four other sites that had been previously recorded in the study area were not able to be located. Areas of archaeological sensitivity were identified along creek lines and ridges, and in an area with the least disturbance in the study area (refer to Figure 13).

The results of the field survey and previous archaeological investigations informed an estimate of potential Aboriginal archaeological sensitivity for landforms within the study area (refer to Figure 13). This estimate considered both the predictive model for Aboriginal heritage and the recorded Aboriginal sites, and was intended to provide a guide for the precinct planning, archaeological sensitivity is defined as areas in which sites are known to occur, or which have the potential to contain undetected buried Aboriginal archaeological deposits (AMBS, 2010).

AMBS (2010) notes that areas of moderate and high archaeological sensitivity should be incorporated into conservation zones where possible, particularly areas outside of Sydney Water's proposed pipelines. Where this is not possible, detailed Aboriginal heritage impact assessment of specific proposed development should be undertaken, and archaeological test excavations under the *Code of Practice* (DECCW, 2010b) may be required, to determine the artefactual assemblages that are present and the nature of Aboriginal activities in these areas.

As part of the investigation undertaken by AMBS, the northern half of the Subject Area (fronting Eleventh Avenue) was surveyed by AMBS (refer to Figure 12).

KAS (2016a)

KAS (2016a) was engaged by Munns Sly Moore Architects to undertake a Due Diligence Assessment of 140 Eleventh Ave (Lots 811 and 812 DP2475), Austral in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010a) as part of Development Application (DA No DA-465/2016).

A review of the Aboriginal Heritage Information Management System (AHIMS), maintained by the Office of the Environment and Heritage (OEH), as part of the due diligence assessment identified that no Aboriginal sites were present within the investigation area.

Within the Subject Area, the only areas of ground exposure were limited to areas where the ground had already been disturbed as a result of previous works to the Administration Building/Enrolment Suite and storage of demountable buildings in the eastern portion of the property, and discrete exposures along the fence lines. The areas of exposure along the fence lines were approximately 30cm in width and had a visibility 20-30%. Over the balance of the site visibility was found to be typically low (0-5%), due to the dense pasture.

No previously unidentified Aboriginal sites were identified during the survey.

KAS (2016b)

KAS (2016b) was engaged by Munns Sly Moore Architects to undertake a Due Diligence Assessment of 140 to 170 Eleventh Ave (Lots 809-812 DP2475) and 145 to 165 Tenth Ave (Lots 841-843 DP2475), Austral in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010a) as part of Development Application (DA No DA-465/2016).

A review of the Aboriginal Heritage Information Management System (AHIMS), maintained by the Office of the Environment and Heritage (OEH), as part of the due diligence assessment identified that no Aboriginal sites were present within the investigation area.

The only areas of ground exposure were limited to areas where the ground had already been disturbed as a result of previous works to the Administration Building/Enrolment Suite and storage of demountable buildings in the north-eastern portion of the property, and discrete exposures along the fence lines and the edges of structures. The areas of exposure along the fence lines were approximately 30cm in width and had a visibility 20-30%. Over the balance of the site visibility was found to be typically low (0-5%), due to the dense pasture.

No trees were identified within the investigation area that exhibited diagnostic attributes of culturally modified trees as defined by Long (2008); however, several trees within Lot 1 DP1232692 (formerly Lot 809 DP2475) exhibited diagnostic attributes of scars resulting from branch tear and insect damage (Long 2008).

No previously unidentified Aboriginal sites were identified during the survey.

6.6 Previous Predictive Models

The Cumberland Plain region has been the subject of extensive survey and excavation work over the past two decades, allowing for the development of a comprehensive predictive model.

A select number of recently produced comprehensive predictive models relevant and that share similar significant features with the Subject Area are discussed below.

Haglund, L. (1980)

Based on the predictive model that was prepared by Haglund 1980, it was predicted that open artefact scatters were more likely to occur near watercourses such as creeks and soaks and on high ground near water.

Kohen, J. L. (1986)

It was also hypothesised by Kohen (1986) that availability to water sources was the most important factor influencing the distribution of sites across the landscape.

Smith, L. (1989)

In support of these predictive models, Smith (1989) concluded 50 percent of all sites within the Cumberland Plain will occur within 50 metres of a water source, moreover sites will be more frequent around permanent water sources and that sites may occur in relatively high frequencies on or near stone resources.

Jo McDonald CHM (2001; 2005c)

A series of archaeological investigations associated with various stages of the Rouse Hill Infrastructure Development were undertaken from 1993 to 2005 (JMcDCHM, 2001; 2005c).

The sites were located near Caddies, Seconds Pond, Smalls and Cattai Creeks. More than 1,800 square metres were excavated during the project, yielding almost 68,000 stone artefacts. The landform types investigated included alluvial floodplain along high order creek lines, creek terraces adjacent to high order creek lines, a creek bank adjacent to a low order streamline and low hillslopes adjacent to low order creek lines.

Some key findings were made regarding Aboriginal site patterning in relation to these landforms and stream orders. They are:

- ✦ The results tended to indicate that irrespective of the landform types investigated, the density of stone artefacts recovered was lowest along low order creek lines and higher densities were associated with high order creek lines;
- ✦ While lithic assemblages decreased in scale and repetition further away from water, the composition of assemblages remained fairly consistent across the entire landscape;
- ✦ Occupation density was likely to be more a result of the proximity to steady resource areas such as higher order creek lines with access to fresh water and food, as opposed to preference of certain landform types;
- ✦ Sites on alluvial floodplains and creek terraces adjacent to higher order creek lines provided evidence of a wide range of activities;
- ✦ Occupation evidence on alluvial flood plains and creek terraces indicated the sites were used for short-term residential occupation over an extensive period of time, starting possibly as early as 9,000 BP;
- ✦ Low hill slopes and creek banks adjacent to low order creek lines showed evidence for casual to short term occupation; and,
- ✦ Some stratification was evident on the creek banks indicating transient use of the landform through time. Recent use (4,000BP to 1,000 BP) showed evidence of knapping activities.

AMBS (2010)

- ✦ Site frequency and density are directly related to the location of sites within the landscape;
- ✦ Complex sites are usually located close to permanent water sources, with major confluences being a key requirement for occupation sites, and would have been used intensively by larger groups, or used repeatedly by smaller groups over a longer period of time;
- ✦ Sites with large numbers of artefacts can occur on ridge tops and hill crests;
- ✦ Sites situated in alluvial soils retain the potential for stratified deposits;
- ✦ Potential Archaeological Deposits (PADs) are most likely to be located along valley floors and low slopes in well-drained areas; and surface artefact distribution does not accurately reflect the composition or density of subsurface archaeological deposits. Some areas with few or no surface manifestations have often been shown to contain subsurface archaeological deposits.
- ✦ Artefact scatters are most commonly linked to the close proximity of permanent water sources in areas such as creek and river banks and alluvial flats. The majority of these sites are located within 100m of permanent fresh water;

- ✦ Artefact assemblages generally comprise a small proportion of formal tool types with the majority of assemblages dominated by unretouched flakes and debitage;
- ✦ High concentrations of artefacts are more likely to be located within resource rich areas;
- ✦ Silcrete is the dominant raw material used for tool manufacture, followed by chert (also known as tuff). Silcrete sources are located in the north western Cumberland Plain at places such as St Marys, Plumpton Ridge, Marsden Park, Schofields, Riverstone, Deans Park, Llandilo and Ropes Creek (the closest source to the study area). Other raw materials include indurated mudstone from Nepean River gravels, quartz, porphyry and hornfels which may be derived from Rickabys Creek gravels, and basalt;
- ✦ Stands of remnant old growth vegetation retain the potential for scarred trees to be present; however, large scale land clearance of the plain in general means that such stands of vegetation are rare; and,
- ✦ Evidence of post-contact camp sites may be located in close proximity to early European houses and farms, or official buildings.

White and McDonald (2010)

White and McDonald (2010) analysed artefact distribution on the north of the Cumberland Plain by examining the results from a number of archaeological investigations in the Rouse Hill area. This research found that artefact distribution varies significantly with stream order, with higher densities of artefacts located next to larger streams. First order streams had a mean density of 0.7 artefacts/m², while for 2nd order streams this was 6.5 artefacts/m² and 4th order streams this increased to 13.9 artefacts/m². There was not enough data on 3rd order streams to make a comparison (White & McDonald, 2010:32).

Distance from water was also tested, as this was believed to be a primary determinant of where people camped and hence where artefact density would be represented in the archaeological record. For 1st order streams, distance from water was not a statistically important, with this just being a background scatter. For 2nd order streams, artefact density is highest within 50m of water and declines with increasing distance from water. For 4th order streams, artefact density was found to be highest 51-100m from the stream and lower closer to the stream (<50m) and declining densities greater than 100m from the stream. White and McDonald propose that lower densities within 50m of larger streams may be reflective of a range of factors including erosion and sheet wash adjacent to major streams. Behaviour may also be a factor such as people conducting knapping, artefact discard and hunting activities slightly further away (White & McDonald 2010:33).

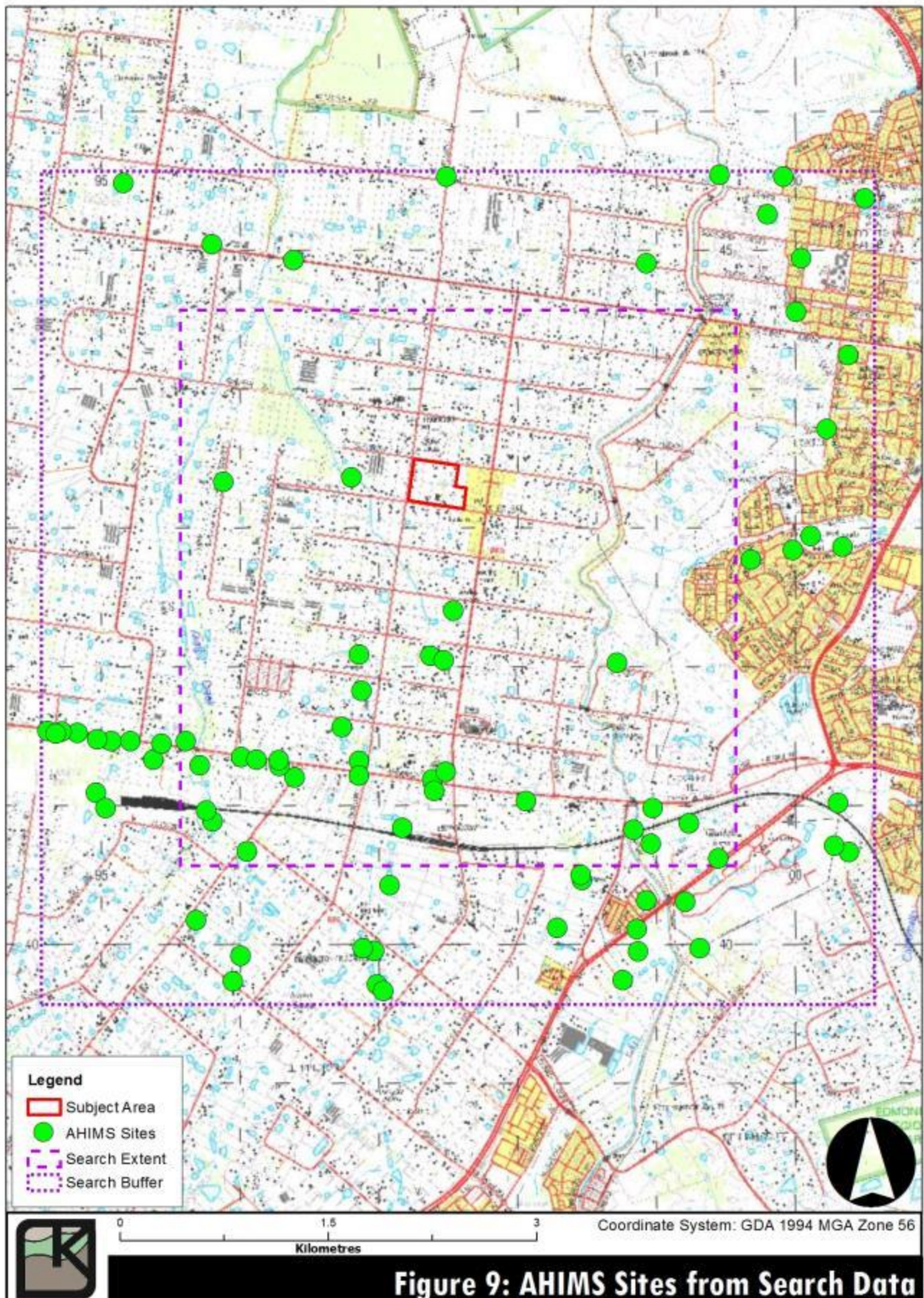
In terms of landforms, terraces yielded the highest densities. Terraces had a mean density of 20.8 artefacts/m². Mean densities for other landforms are as follows: creek flat 3.8 artefacts/m², lower slope 8.4 artefacts/m², mid slope 3.8 artefacts/m² and upper slope and ridge top 0.4 artefacts/m² (White & McDonald 2010:33).

6.7 Aboriginal Heritage Predictions for the Subject Area

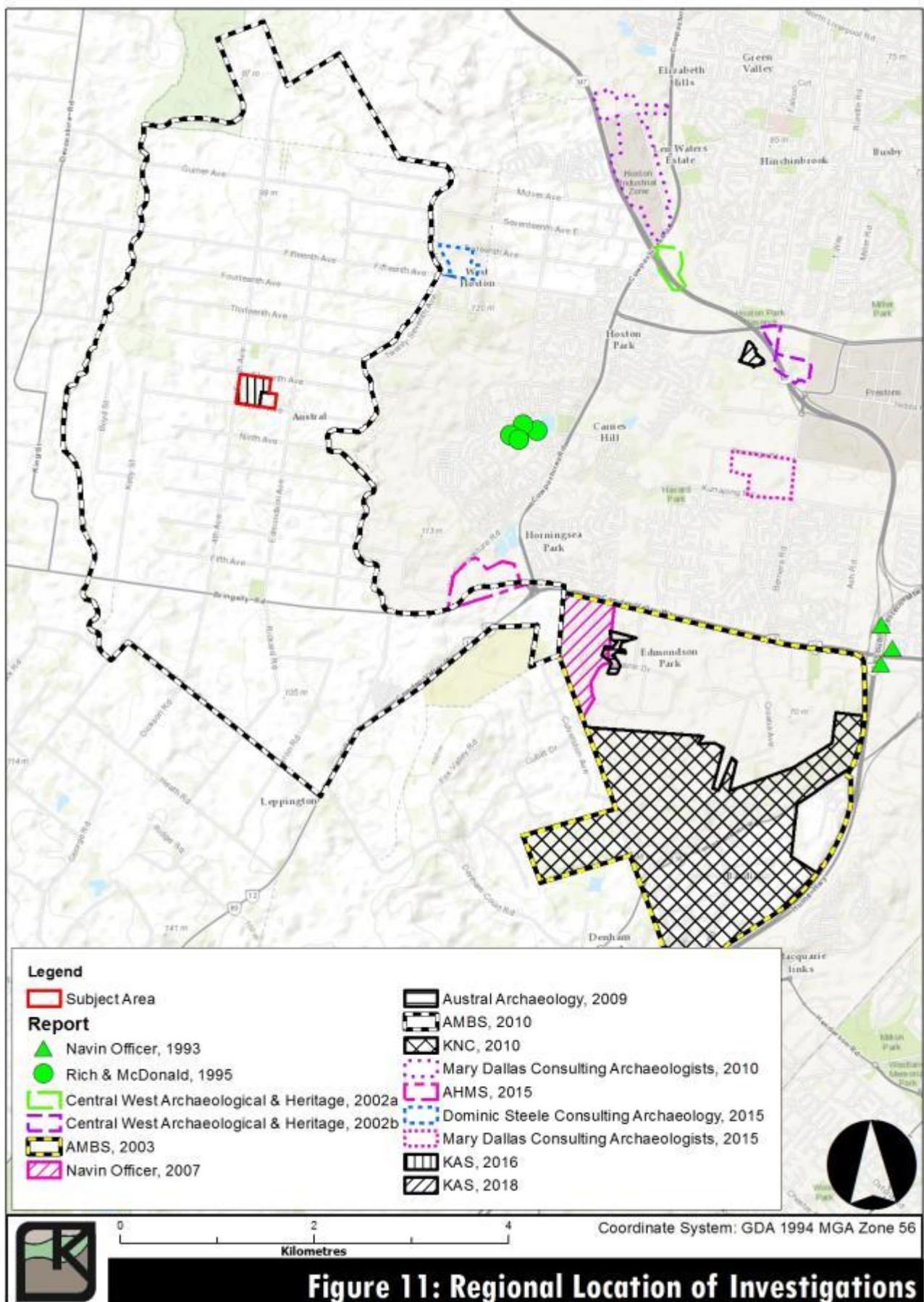
Based on the previous predictive model, previous archaeological results, past land use history, and the environmental descriptions, the following predictions for Aboriginal sites to be present within the Subject Area have been made by KAS:

- ✦ Site frequency and density are directly related to the location of sites within the landscape;

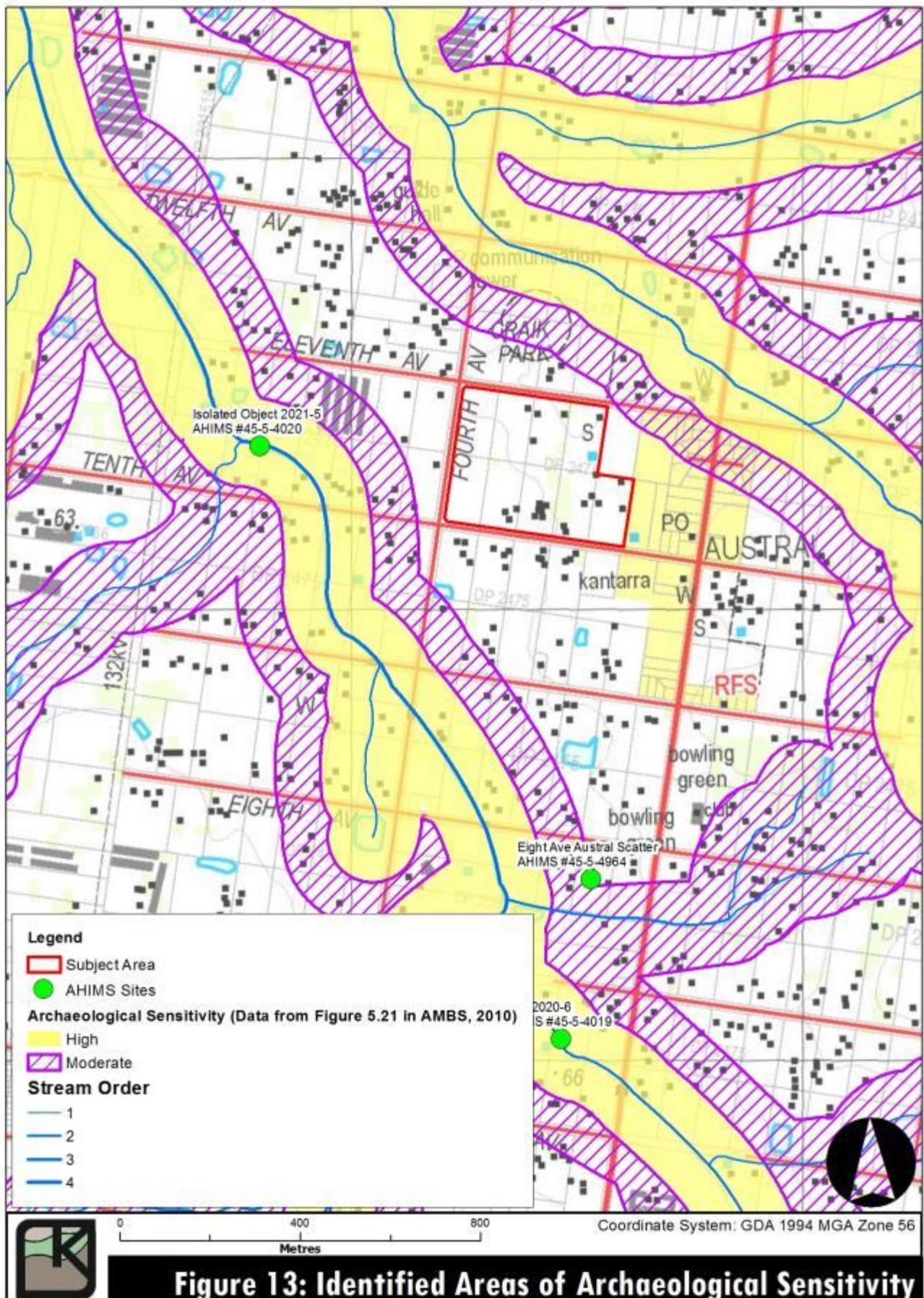
- ✦ The results tended to indicate that irrespective of the landform types investigated, the density of stone artefacts recovered was lowest along low order creek lines and higher densities were associated with high order creek lines;
- ✦ Open artefact scatters are more likely in areas less than 100m from a major watercourse, or from a confluence of watercourses (refer to Section 6.6 and Figure 13);
- ✦ Creek banks and associated elevated portions are more likely to yield evidence of occupation (refer to Section 6.6);
- ✦ The size, density and significance of sites will vary, although it is anticipated that sites will be considerably less complex and less dense at distances greater than 100m from major water sources such as Bonds Creek or Kemps Creek, or along ridges and elevated positions overlooking watercourses. This is supported by the range and location of Aboriginal sites which have been identified at confluences and along branches of higher stream orders;
- ✦ No lithic raw material outcrops have been identified in the Subject Area. As such, any archaeological material present within the Subject Area may provide additional understanding to raw material selection in the Austral-Leppington region;
- ✦ Stands of remnant old growth vegetation retain the potential for scarred trees to be present; however, large scale land clearance of the plain in general means that such stands of vegetation are rare; and,
- ✦ As past land use disturbance increases in intensity, the ability for Aboriginal objects to provide spatial and chronological information about past Aboriginal land use will decrease.











7 RESULTS

7.1 Field Survey

7.1.1 Survey Coverage and Visibility Variables

The effectiveness of an archaeological field survey is heavily reliant upon the obtrusiveness of the Aboriginal site being looked for, and the incidence and quality of ground surface exposure. Visibility variables have been estimated for all areas where a comprehensive survey was carried out in the Subject Area. This data provides a measurement with which to gauge and compare the effectiveness of the survey and the level of sampling conducted. It may also be utilised to determine the numbers and types of sites that may be present, but which could not be identified by the survey due to poor ground visibility and exposure.

Ground surface visibility (GSV) is a measure of the bare ground visible to the archaeologist during the field survey. There are two variables used to assess GSV:

- ✦ The frequency and extent of exposures encountered by the archaeologist; and,
- ✦ The quality of visibility within those exposures.

The major factors affecting the quality of GSV within an area of exposure are the extent of vegetation and ground litter, the depth and origin of the exposure, the extent of recent sedimentary deposition and the level of visual interference from surface gravels. Two variables of GSV were estimated during the survey:

- ✦ A percentage estimate of the total area of ground inspected which contained useable exposures of bare ground; and,
- ✦ A percentage estimate of the average levels of GSV within those exposures. This is a net estimate and accounts for all visual and physical variables that have affected the visibility including the archaeological potential of any sediment or rock exposed.

Various Aboriginal site types exhibit different levels of prominence within the landscape. This is an important factor to consider when assessing the impact on visibility levels. Sites present upon or within rock exposures, such as grinding grooves, engravings and rock shelters, are more likely to be encountered than sites that are located on or within sedimentary contexts with little or no ground surface relief. A common factor affecting visibility is the presence of small rocks, pebbles, and gravels in the exposure. If these particular raw materials are also suitable for stone artefact manufacture, it may make stone artefact identification more difficult.

7.1.2 Survey Units

The Subject Area was divided into nine (9) survey units for ease of recording. The survey units were assessed using pedestrian survey (transects). The boundaries of the survey units were identified by changes in vegetation, internal fences and landforms (refer to Figure 14).

GSV was very low throughout most of the Subject Area, due to the fact that a large proportion of the Subject Area is covered in pasture and/or leaf litter. Areas of ground surface exposure within the Subject Area had >30% visibility.

A portion of the Subject Area was not assessed as part of the survey due to the heavy ground disturbance associated with the development works authorised by DA No DA2016/465.



SU1

The northern portion of the survey unit was inspected due the high ground disturbance associated with the construction of the St. Anthony of Padua school in accordance with the approved DA.

A water treatment system has been established near the eastern boundary of the survey unit, outside of the current development area.

The previous residential dwelling is still present and is being utilised by the construction team.

The southern portion of the property is covered in short pasture, with discrete areas of ground exposure.

Areas of ground exposure had a GSV of <20%.

Two flakes that were detached via mechanical crushing were identified in an area of disturbance located between the back of the current development works area and the stockpile. The non-cultural flakes did not exhibit any features that suggested the material was detached by Aboriginal practices; this was confirmed by the representative from GLAC and the Kamilaroi-Yankuntjatjara Working Group.

No Aboriginal cultural heritage was identified in SU1.



Plate 5: SU1 looking northwest



Plate 6: SU1 looking west



Plate 7: Flakes detached via mechanical crushing from development works



Plate 8: SU1 looking north

SU2

The northern portion of the survey unit was inspected due the high ground disturbance associated with the construction of the St. Anthony of Padua school in accordance with the approved DA.

There are stockpiles associated with the development works in the southwestern portion of the survey unit.

The southern portion of the property is covered in short pasture, with discrete areas of ground exposure.

Areas of ground exposure had a GSV of <20%.

A flake that was detached via mechanical crushing was identified in an area of disturbance located between the back of the current development works area and the stockpile. The non-cultural flake did not exhibit any features that suggested the material was detached by Aboriginal practices; this was confirmed by the representative from GLAC and the Kamilaroi-Yankuntjatjara Working Group.

No Aboriginal cultural heritage was identified in SU2.



Plate 9: SU2 looking north



Plate 10: SU2 looking northwest



Plate 11: Flake detached via mechanical crushing from development works



Plate 12: SU2 looking east

SU3

SU3 has been cleared for residential and pastoral purposes. Pockets of revegetated trees have died.

Areas of ground exposure had a GSV of <30% resulting from animal activity.

No Aboriginal cultural heritage was identified in SU3.



Plate 13: SU3 looking north



Plate 14: SU3 looking south

SU4

SU4 has been cleared for pastoral purposes. Pockets of revegetated trees have died.

Based on a conversation with the tenant, he advised that a portion of the survey unit had been tilled; however, he was unable to clearly identify these areas.

Areas of ground exposure had a GSV of <30%, resulting from animal activity.

No Aboriginal cultural heritage was identified in SU4.



Plate 15: SU4 looking east



Plate 16: SU4 looking southwest

SU5

SU5 has been cleared for pastoral purposes.

Based on a conversation with the tenant, he advised that a portion of the survey unit had been tilled; however, he was unable to clearly identify these areas.

Evidence of rabbit activity was encountered while surveying the southern portion of the survey unit; however, it appears that this activity is not recent due to the absence of recent droppings around the entrances to the rabbit warren.

Areas of ground exposure had a GSV of <10%.
No Aboriginal cultural heritage was identified in SU5.



Plate 17: SU5 looking northwest



Plate 18: SU5 looking south

SU6

SU6 has been cleared for residential purposes. Pockets of revegetated trees are present in the northwest and southwest corners of the property.

The northern portion of the property has a dense coverage of pasture; while ground coverage towards the residential dwelling and associated structures is lower.

Areas of ground exposure had a GSV of <20%. No Aboriginal cultural heritage was identified in SU6.



Plate 19: SU6 looking north



Plate 20: SU6 looking east

SU7

SU7 has been cleared for residential purposes.

The northern portion of the property has a dense coverage of revegetated gum trees and thick understorey. The revegetated trees extend along the majority of the western boundary of the property.

There is a small channel for stormwater run-off from the eastern property that extends diagonally from the eastern property boundary to the entrance of the driveway for SU7.

Around the residential dwelling, the ground is covered in short grass, with discrete areas of ground exposure.

Areas of ground exposure had a GSV of <30%.

No Aboriginal cultural heritage was identified in SU7.



Plate 21: SU7 looking north



Plate 22: SU7 looking south



Plate 23: SU7 looking south

SU8

SU8 has been cleared for residential purposes.

Two residential dwellings are present within the survey area.

A small fibro-clad house is located towards the front of the property, facing Tenth Avenue. The structure is no longer being used as a dwelling, as is currently being used for storage. One of the landowners for SU8 advised that the structure had been his grandparents' home.

The landowners advised that during the construction of the red brick structure, the ground level for the majority of the property was raised. The prior ground level had been lower then compared with the ground levels in the adjacent properties.

The property is covered in short pasture, with discrete areas of ground exposure.

Areas of ground exposure had a GSV of <10%.

No Aboriginal cultural heritage was identified in SU8.



Plate 24: SU8 looking south



Plate 25: SU8 looking east

SU9

Two residential dwellings, and an area established for the growing of fruit are present within the survey area.

The area that has been separated for the growing of fruit has been limited to the northern portion of the survey unit, and includes an associated shed and dam.

Both of the residential dwellings are full size houses. The western dwelling is currently occupied by tenants, while the eastern dwelling is empty.



Plate 26: SU9 looking northwest

The property is covered in short pasture, with discrete areas of ground exposure.

Areas of ground exposure had a GSV of <20%.

No Aboriginal cultural heritage was identified in SU9.



Plate 27: SU9 looking west



Plate 28: SU9 looking southwest

7.2 Survey Coverage Data

The Subject Area was divided up into survey units for ease of recording. All landforms were sampled during the survey. The main areas that were focused upon were the exposures with low levels of disturbance as these areas would be more likely to yield intact Aboriginal artefacts and deposits.

Survey Units	Landform	Survey Unit Area (sqm)	Visibility %	Exposure %	Effective Coverage Area (sqm)	Effective Coverage %
SU1	Flat	12176.9	20%	5%	121.769	1%
SU2	Flat	12065.8	20%	5%	120.658	1%
SU3	Flat	12144.2	30%	5%	182.163	2%
SU4	Upper Slope	12144.1	30%	5%	182.1615	2%
SU5	Upper Slope	12146.7	10%	5%	60.7335	1%
SU6	Upper Slope	12132.2	20%	5%	121.322	1%
SU7	Upper Slope	12118	30%	5%	181.77	2%
SU8	Flat	12151.3	10%	5%	60.7565	1%
SU9	Flat	12131.9	20%	10%	242.638	2%

Table 8: Survey Coverage Data

Landform	Landform Area (sqm)	Area Effectively Surveyed (sqm)	% of Landform Effectively Surveyed	Number of Sites	Number of Artefacts or Features
Flat	60670.1	727.9845	1%	0	0
Upper Slope	48541	545.987	1%	0	0

Table 9: Landform Summary

7.3 Identified Sites

As identified in Section 6.5, no Aboriginal objects have previously been identified within the Subject Area.

As a result of the survey and assessment undertaken for the present study, no previously unidentified Aboriginal sites were identified.

8 DISCUSSION

As a result of the survey and assessment undertaken for the present study, no previously unidentified Aboriginal sites were identified.

As noted in Section 6.5, AMBS (2010) undertook an inspection of the northern half of the Subject Area (fronting Eleventh Avenue) as part of their investigation for the Austral and Leppington North Precinct (refer to Figure 12). No Aboriginal objects were identified by AMBS during their investigation.

The results of the field survey undertaken by AMBS (2010) and previous archaeological investigations informed an estimate of potential Aboriginal archaeological sensitivity for landforms within the study area (refer to Figure 13), and was intended to provide a guide for the precinct planning, archaeological sensitivity is defined as areas in which sites are known to occur, or which have the potential to contain undetected buried Aboriginal archaeological deposits (AMBS, 2010).

Based on the sensitivity mapping undertaken by AMBS (2010) (refer to Figure 13), the Subject Area was assessed as having low archaeological sensitivity.

Based on previous archaeological investigations (refer to Table 7) and previous predictive models (Section 6.6) artefact scatters are most commonly identified in close proximity of permanent water sources (within 100m) in areas such as creek and river banks and alluvial flats.

The Subject Area is located approximately 200m northwest of Bonds Creek and 200m southwest of a 2nd order tributary, both of which flow northwest into Kemps Creek (refer to Figure 13). There is therefore, a low likelihood that Aboriginal sites may be present within the Subject Area.

9 SIGNIFICANCE ASSESSMENT

While all Aboriginal objects are afforded protection under the National Parks and Wildlife Act decisions about appropriate management of individual cultural heritage items or sites is usually based on their assessed significance as well as the likely impact of a proposed development and the need for the development. OEH requires significance assessment in accordance with the processes set out in the Burra Charter (DECCW 2010a:21).

Australia ICOMOS (1999) adopted the *Guidelines to the Burra Charter: Cultural Significance*. In the Burra Charter cultural significance means “aesthetic, historic, scientific or social value for past, present or future generations”. Cultural significance is a concept that helps in estimating the value of places. The places that are likely to be of significance are those that help an understanding of the past, enrich the present, and may be of value to future generations. The Guidelines develop the following definitions:

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.

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.

The *scientific or research value* of a place will depend on the importance of the data involved, on its rarity, quality or representativeness, and on the degree to which the place may contribute further substantial information.

Social value embraces the qualities for which a place has become a focus of spiritual, political, national, or other cultural sentiment to a majority or minority group.

The process of significance assessment has received considerable attention since the early 1980s and criteria for assessing these values have been developed and adapted to deal specifically with Aboriginal cultural heritage.

9.1 Cultural Significance Assessment

Cultural significance indicates the importance of a site or feature to Aboriginal communities. This category may include sites, items, and landscapes that people may have traditional ties with, as well as areas that may have contemporary importance to Aboriginal communities. Places of cultural value may have social significance to Aboriginal communities, they may have historic value through association with historic themes (e.g. missions or massacres), or they may take on value because of their rarity or because a place may be able to contribute new information about the past. Places may have aesthetic significance, being natural features with symbolic values, dramatic presence, or tranquil qualities. Cultural significance may not be in accord with the interpretations made by archaeologists – a site may have low archaeological significance but high Aboriginal significance, or vice versa.

9.2 Cultural Significance Assessment of the Subject Area

DCAC was the only RAP to provide any commentary in regards to the Aboriginal cultural heritage (refer to Table 4). DCAC stated that “we would like to add that our sites are a complex and not all separate sites and recommend that the connections are interpreted throughout the project. Information gathered during these projects is of high significance, once our sites are gone there is no other evidence of the sites or connections.”.

No specific advice as to the cultural significance of the Subject Area has been received from the other RAPs. However, it is generally accepted that all evidence of Aboriginal occupation is of high cultural significance to the Aboriginal community.

9.3 Archaeological Significance Assessment

Scientific or archaeological significance may be assessed by placing a site, feature, or landscape in a broader regional context and by assessing its individual merits in the context of current archaeological discourse. This type of significance relates to the ability of a site to answer current and future research questions, which may be influenced by physical condition (integrity), information potential, rarity, and/or representativeness.

Rarity and Representativeness is an assessment of how rare or common a site or landscape is. In theory, heritage items may be determined to be significant because they are rare forms, or they may be considered to be very good typical forms. Whether items are of rare or common forms will depend to some extent on the variables used to distinguish them. Open sites, for example, may be distinguished from grinding grooves or scarred trees according to the general type of evidence present (e.g. stone artefacts distinguishable from trees with marks or grooves on rock platforms). To assess rarity and representativeness, site type can be used initially, and then this category subdivided until a satisfactory level of (dis)similarity is achieved. Within the general group “open artefact scatters”, sites may be distinguished according to other variables, such as their content, or their landscape setting. Technically, an assessment of representativeness should identify both what is typical or common as well as what is rare.

Research potential is an assessment of the ability of a site or landscape to provide information to answer questions about the past. Several criteria may be considered:

- ✦ Physical condition. Sites or landscapes in good physical condition are generally able to provide information on spatial relationships between (for example) stone artefacts, other remains, chronological units if present, and landscape settings;
- ✦ The connectedness of individual sites or landscapes – is the content, site or landscape part of a complex of related sites or landscapes?;
- ✦ The potential of a site or landscape to provide a relative or absolute chronology extending back into the past; i.e. stratified sequences of cultural materials and/or dateable materials such as organic remains (radiocarbon dating), or sealed or cultural deposits (optical or thermo luminescence); and,
- ✦ The ability of the site or landscape to provide a large sample size (large numbers of stone artefacts, art motifs, grinding grooves etc.) about which statistically significant statements can be made.

9.4 Archaeological Assessment of the Subject Area

Whilst there is evidence that the Subject Area has been affected by land clearing in the past this is not seen in this instance as being a factor that has significantly reduced the opportunity for relatively intact Aboriginal cultural deposits to be identified.

Rarity and Representativeness

This may be assessed by using site type as the first criterion then landscape, size (number of lithics) and the nature of the lithic content.

No Aboriginal sites have been recorded within the Subject Area.

The Subject Area is located approximately 200m northwest of Bonds Creek and 200m southwest of a 2nd order tributary, both of which flow northwest into Kemps Creek (refer to Figure 13). Therefore, the Subject Area has been assessed as having low archaeological potential.

Research potential

Physical condition. Given that the majority of the former land use of the Subject Area has been residential and pastoral, it is expected that any intact Aboriginal artefact bearing deposit (if it were to be present) would be in areas of low to moderate ground disturbance (i.e. areas of pastoral practice); while areas of high ground disturbance (i.e. residential) are highly unlikely to contain intact Aboriginal artefact bearing soil deposits.

Connectedness. Any previously undiscovered Aboriginal objects recovered from the Subject Area would differ from the established predictive models for the Cumberland Plains i.e. artefact scatters are commonly located within 100m of permanent fresh water, and would further the understanding of settlement patterns and transient activity through the area.

Potential for a Chronological Sequence. The stylistic dating of lithics (stone tools) is imprecise, given the length of time over which various stone-working (knapping) techniques were used, and also the time it took for any new techniques to be adopted. Dating can be more closely estimated if there is a strong relation with a site, which has sequences of radiocarbon dates, or if the lithics are buried under dateable deposits.

Ability to produce statistically useful samples of objects. The definition of a statistically useful sample is purely dependant on the questions that are being asked of the data.

9.5 Statement of Archaeological Potential and Significance

The potential for archaeological material to be present within the Subject Area is low, and in areas where limited or no sub-surface disturbance has taken place previously, the potential for subsurface archaeological material to be present is low

10 PRINCIPAL FINDINGS AND IMPACT ASSESSMENT

10.1 Principal Findings

In Section 1.4 of this report a number of aims and objectives were identified. This report has presented details of archaeological surveys that have been undertaken within the Subject Area, and presents sufficient information to facilitate an informed decision regarding the proposed impact upon Aboriginal heritage.

As noted in Section 7.1, the visual assessment of the Subject Area was constrained by the limited visibility of the ground surface. Areas of ground surface exposure within the Subject Area had <30% visibility.

This report has reviewed the available existing documents, including previous archaeological assessments conducted within the Subject Area and the surrounding region (see Section 6). Field surveys have been completed to identify any Aboriginal sites located within the proposed development footprint (see Section 7.1 and Figure 14). The significance of Aboriginal sites within the Subject Area has been identified (see Section 9.5).

Section 6.7 of this report made certain predictions in relation to the location of Aboriginal sites and the site types likely to be present across the Subject Area, i.e. artefact scatters are most commonly identified in close proximity of permanent water sources (within 100m) in areas such as creek and river banks and alluvial flats. The Subject Area is situated between Bonds Creek (located 200m northwest) and an unnamed tributary (located 200m southwest), both of which flow northwest into Kemps Creek. Based on the predictive model, there is a low likelihood that Aboriginal sites may be present within the Subject Area. From the results presented in Section 7 and a review of Figure 13 it has been shown that the predictions made in Section 6.7 hold true for the Subject Area.

As a result of the survey and assessment undertaken for the present study, no previously unidentified Aboriginal sites were identified.

Although the proposed State Significant Development (SSD) application will not result in harm and/or impacts to the identified Aboriginal sites and/or their defined extents, it is possible that the Aboriginal sites may be impacted as a result of works authorised by the SSD.

Should the proposed State Significant Development (SSD) application be approved, prior to the commencement of any ground disturbance works authorised by the SSD, an Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed by a qualified and experienced practitioner in Aboriginal cultural heritage in consultation with the Registered Aboriginal Parties (RAPs); this should include a provision for unexpected finds, and methodologies for further investigation and reporting where required.

11 LEGISLATIVE OBLIGATIONS AND RECOMMENDATIONS

Specific clauses within the *National Parks and Wildlife Act, 1974* (as amended) and the *National Parks and Wildlife Regulations 2009* give rise to certain obligations. Recommendations for other tasks and activities to be undertaken come from the application of industry standards. Where an activity or task must be undertaken to comply with relevant legislation it will be detailed in Section 11.1, where a task or activity is recommended to be undertaken to meet the current industry standards it is presented in Section 11.2.

11.1 Obligations

1. Should Aboriginal sites and/or objects be found during the proposed work, work must cease immediately and actions in accordance with the Aboriginal Cultural Heritage Management Plan (ACHMP) (See Recommendation 4) must be undertaken.

11.2 Recommendations

The following management principles and recommendations are based on:

- ✦ The legal requirements of the *National Parks and Wildlife Act 1974* (as amended), whereby it is illegal to damage, deface or destroy an Aboriginal relic without first obtaining the written consent of the Director General of National Parks & Wildlife Service;
- ✦ The legal requirements of the *Heritage Act 1977*, whereby it is illegal to disturb or excavate any land 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 unless the disturbance or excavation is carried out in accordance with an excavation permit;
- ✦ The requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010a);
- ✦ The requirements of the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011);
- ✦ The findings presented within this Aboriginal Cultural Heritage Assessment Report; and,
- ✦ Recognition that the current assessment has been prepared for the proposed State Significant Development (SSD) application (refer to Sections 1.2 and 1.3).

KAS recommends the following:

1. No further assessment of the Aboriginal heritage within the Subject Area is required to inform the proposed State Significant Development (SSD) application (refer to Sections 1.2 and 1.3);
2. Should the proposed works be amended and result in potential impacts to areas previously not inspected as part of this assessment, further investigations may be required;
3. Consultation should continue with the Registered Aboriginal Parties (RAPs) at intervals not exceeding 6 months until such time as the works approved under the SSD have been completed;
4. Prior to the commencement of any ground disturbance works authorised by the SSD, an Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed by a qualified and experienced practitioner in Aboriginal cultural heritage in consultation with

the Registered Aboriginal Parties (RAPs); this should include a provision for unexpected finds, and methodologies for further investigation and reporting where required;

5. The final ACHMP must be kept onsite so that it can be referred to in the event of an unexpected find being identified;
6. All relevant staff and contractors should be made aware of their statutory obligations for heritage under the *National Parks and Wildlife Act 1974*, which may be implemented as a heritage induction;
7. If, during the course of development works, suspected historic cultural heritage material is uncovered, work should cease in that area immediately. The Heritage Branch, Office of Environment & Heritage (Enviroline 131 555) should be notified and works only recommence when an approved management strategy has been developed; and,
8. A copy of the final report should be sent to the Registered Aboriginal Parties (RAPs) identified in Table 3.

11.3 Distribution of Report

One digital copy of the draft report should be sent to each registered Aboriginal stakeholders identified in Table 3 for comment, so that their views can be incorporated into the final report.

One hard copy and one digital copy of the finalised report should be sent to:

Aboriginal Heritage Information Management System (AHIMS)

Office of Environment and Heritage,
PO Box 1967, Hurstville NSW 1481.

12 REFERENCES

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APPENDIX I. STATE HERITAGE REGISTER SEARCH RESULTS

www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx

Search Aboriginal Places & State Heritage Register

The combined map search below is for Aboriginal Places and State Heritage Register items only. It does not include Interim Heritage Orders, State Agency Heritage Registers and Local Environmental Plans.

The location of Aboriginal Places and State Heritage Register items are marked on the map as a single approximation point for general identification and research purposes only.

Location information for some Aboriginal Places (e.g. burial grounds and sacred sites) have been generalised because of their cultural sensitivity. Location information for restricted Aboriginal Places is not shown at all. If an activity or development is proposed that may potentially impact on or harm (i.e., damage, deface or destroy) an Aboriginal Place, then proponents must undertake a search for the exact boundaries of Aboriginal Places through **AHIMS Web Services**.

Downloading of State Heritage Register spatial datasets and associated metadata into a Geographical Information System (GIS) software package is available through [Data NSW](#).

Listing Type:

All

Aboriginal Places

State Heritage Register

Local government area:

Liverpool

Item name/Database ID:

SHR number:

Location:

Local Aboriginal Land Council (LALC):

Please Choose...

State theme:

Please Choose...

Item type:

Please Choose...

Item Group:

Please Choose...

Item category:

Please Choose...

Search

Reset

Map

Satellite

Map data ©2018 Google Terms of Use Report a map error

APPENDIX II. STATE HERITAGE INVENTORY SEARCH RESULTS

Search for NSW heritage | NSW Environment & Heritage

<http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>



[Home](#) > [Topics](#) > [Heritage places and items](#) > [Search for heritage](#)

Search for NSW heritage

[Return to search page where you can refine/broaden your search.](#)

Statutory listed items

Information and items listed in the State Heritage Inventory come from a number of sources. This means that there may be several entries for the same heritage item in the database. For clarity, the search results have been divided into three sections.

- **Section 1** - contains Aboriginal Places declared by the **Minister for the Environment** under the National Parks and Wildlife Act. This information is provided by the Heritage Division.
- **Section 2** - contains heritage items listed by the **Heritage Council of NSW** under the NSW Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the NSW Heritage Act. This information is provided by the Heritage Division.
- **Section 3** - contains items listed by **local councils** on Local Environmental Plans under the Environmental Planning and Assessment Act, 1979 and **State government agencies** under s.170 of the Heritage Act. This information is provided by local councils and State government agencies.

Section 1. Aboriginal Places listed under the National Parks and Wildlife Act.

Your search did not return any matching results.

Section 2. Items listed under the NSW Heritage Act.

Your search did not return any matching results.

Section 3. Items listed by Local Government and State Agencies.

Your search returned 1 records.

Item name	Address	Suburb	LGA	Information source
Row of Bunya Pines	Bringelly Road	Leppington	Liverpool	LGOV

There was a total of 1 records matching your search criteria.

Key:

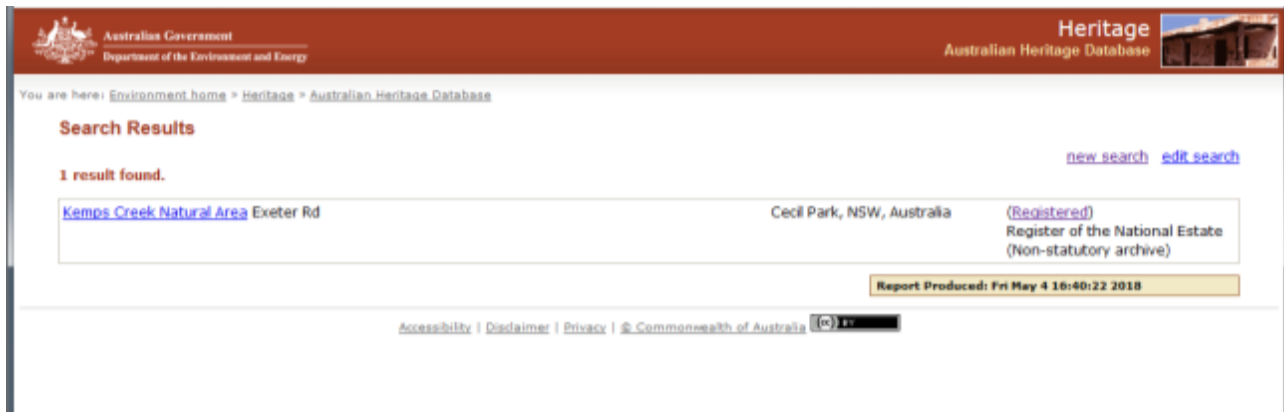
LGA = Local Government Area

GAZ = NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study,

LGOV = Local Government, SGOV = State Government Agency.

Note: While the Heritage Division seeks to keep the Inventory up to date, it is reliant on State agencies and local councils to provide their data. Always check with the relevant State agency or local council for the most up-to-date information.

APPENDIX III. REGISTER OF THE NATIONAL ESTATE SEARCH RESULTS



The screenshot shows the Australian Heritage Database search results page. The header includes the Australian Government logo and the Department of the Environment and Energy. The page title is "Heritage Australian Heritage Database". The breadcrumb trail indicates the user is in the "Environment home" > "Heritage" > "Australian Heritage Database". The search results section shows "1 result found." and a link to "new search" and "edit search". The result is for "Kemps Creek Natural Area" located at "Exeter Rd", "Cecil Park, NSW, Australia". It is listed as "(Registered)" in the "Register of the National Estate (Non-statutory archive)". A yellow box at the bottom right of the result indicates "Report Produced: Fri May 4 16:40:22 2018". The footer contains links for "Accessibility", "Disclaimer", "Privacy", and "© Commonwealth of Australia".

Australia Government
Department of the Environment and Energy

Heritage
Australian Heritage Database

You are here: [Environment home](#) > [Heritage](#) > [Australian Heritage Database](#)

Search Results

[new search](#) [edit search](#)

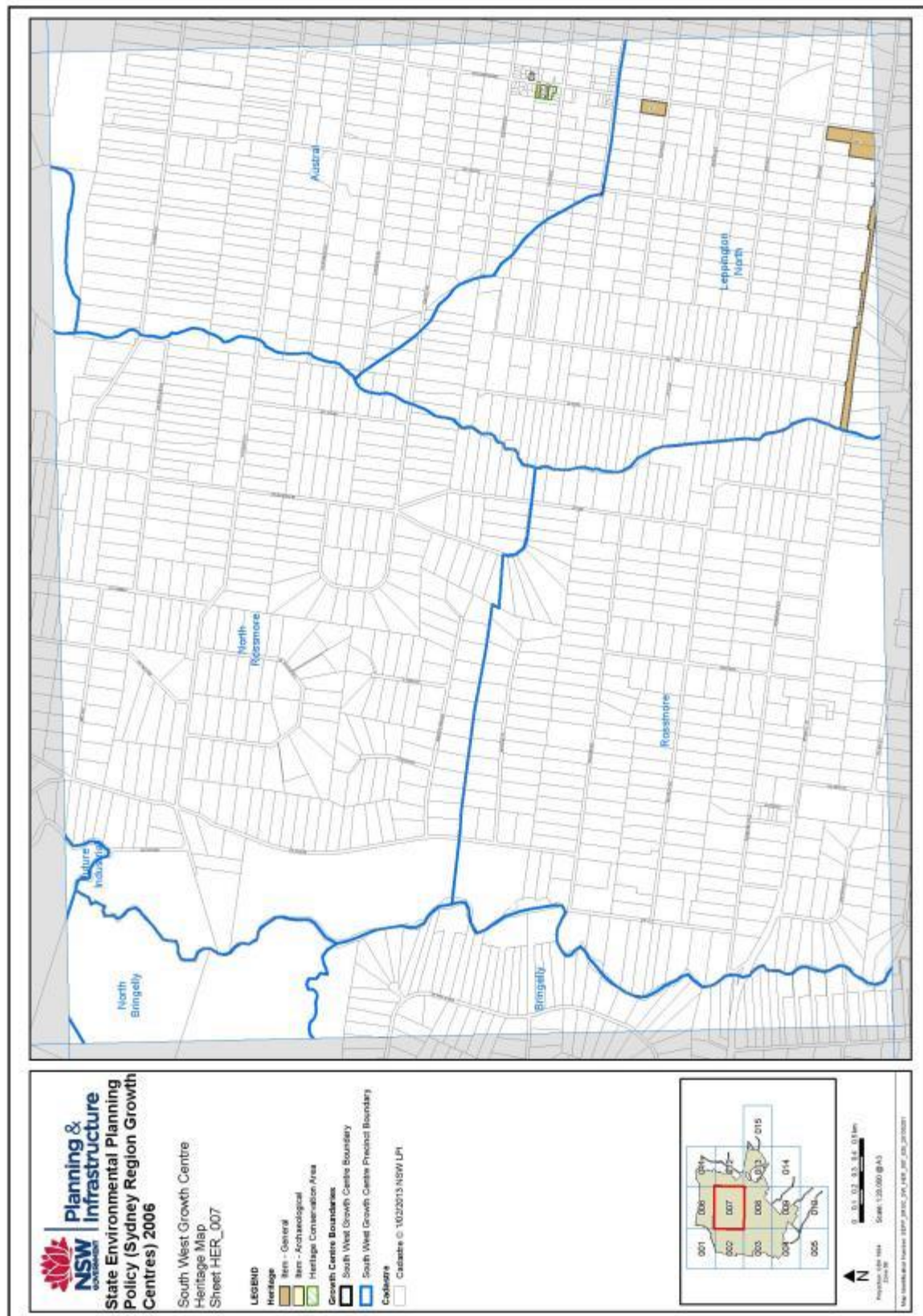
1 result found.

Kemps Creek Natural Area Exeter Rd	Cecil Park, NSW, Australia	(Registered) Register of the National Estate (Non-statutory archive)
--	----------------------------	--

Report Produced: Fri May 4 16:40:22 2018

[Accessibility](#) | [Disclaimer](#) | [Privacy](#) | © Commonwealth of Australia

APPENDIX IV. SOUTH WEST GROWTH CENTRE HERITAGE MAP (SHEET 7)



APPENDIX V. CONSULTATION LOG

Date	Time	Nature of consultation	Initials
19/3/2018	4:20pm	Emailed agency letters to NTS Corp, Liverpool City Council, OEH, Office of the Registrar & Local Land Services and Gandangara LALC	NS
19/3/2018	4:50pm	Emailed NNTT search form	NS
19/3/18	5:08pm	Received email registration of interest from Gandangara Local Aboriginal Land Council	NS
20/3/18	10:45am	Received response from the Office of The Registrar	NS
20/3/18	1:44pm	Received response from the National Native Title Tribunal	NS
22/3/18	10:41pm	Received email registration of interest from Yurrandaali Cultural Services	LS
22/3/18	11:00pm	Received email registration of interest from Barraby Cultural Services	LS
23/3/18	2:00pm	Received response from the Greater Sydney Local Land Services	NS
3/4/2018	1:49am	Received registration from DLO	LS
11/4/2018	9:09am	Received response from Liverpool City Council	NS
23/4/2018	6:49am	Received a reply from OEH with list of RAP's	LS
24/4/2018	1pm	Emailed 40x you have been identified letters	NS
24/4/2018	2pm	Posted 5x you have been identified letters	NS
24/4/2018	1:31pm	Email a you have been identified letter to Kawul Cultural Services	NS
24/4/2018	1:39pm	Received undeliverable email from Wailwan aboriginal digging group	NS
24/4/2018	3:35pm	Email a you have been identified letter to Wailwan aboriginal digging group	NS
24/4/2018	5:07pm	Received registration from DTAC	NS
24/4/2018	5:16pm	Email a you have been identified letter to Murrumbul Cultural Heritage Technical Services	NS
24/4/2018	5:54pm	Emailed a you have been identified letter to Nerrigundah	NS
24/4/2018	7:42pm	Received registration from DNC	NS
26/4/2018	10:56am	Received comments from of Aboriginal Consultative Committee	NS
27/4/2018	10:55pm	Received comments from DCAC	NS
29/4/2018	11:50am	Received comments from Darug Aboriginal Land care	NS
6/5/2018	8:16pm	Received registration from Murramarang	NS
6/5/2018	8:18pm	Received comments from Biamanga	NS
6/5/2018	8:20pm	Received comments from Cullendulla	NS
6/5/2018	8:21pm	Received comments from Gulaga	NS
6/5/2018	8:27pm	Received comments from Goobah	NS
6/5/2018	8:27pm	Received registration from Thoorga Nura	NS
8/5/2018	10:16pm	Received registration from Wailwan aboriginal digging group via our website	NS

Proposed Redevelopment of St Anthony of Padua Catholic School, Austral, Liverpool City Council LGA, NSW
Aboriginal Cultural Heritage Assessment Report

10/5/2018	6:16pm	Emailed the Stage 2 and 3 document to all RAPs	NS
11/5/2018	7:46am	Received an email from Phil Khan requesting a hard copy of the Stage 2 and 3 document	NS
11/5/2018	12pm	Posted a copy of the Stage 2 and 3 document to Phil Khan and CBNTCAC	NS
11/5/2018	12:20pm	Received comments from Barraby Cultural Services about the Stage 2 and 3 document	NS
11/5/2018	12:23pm	Received comments from Yurrandaali Cultural Services about the Stage 2 and 3 document	NS
11/5/2018	1:39pm	Received registration from Butacarbin	NS
12/5/2018	2:55pm	Received comments from Darug Aboriginal Land care about the Stage 2 and 3 document	NS
14/5/2018	12:08pm	Received comments from DCAC about the Stage 2 and 3 document	NS
17/5/2018	7:44pm	Emailed list of registered Stakeholders to OEH	NS
17/5/2018	7:44pm	Emailed list of registered Stakeholders to Gandangara LALC	NS
24/5/2018	10:56am	Received registration from Kawul Cultural Services	NS
24/5/2018	12:19pm	Received email from DNC with comments on the Stage 2 and 3 document	NS
25/5/2018	4:48pm	Confirmed Kawul Cultural Services' registration. Emailed Vicki a copy of the Stage 2 and 3 document	NS
25/5/2018	4:53pm	Received email from Kawul Cultural Services confirming they had received the Stage 2 and 3 document	NS
31/5/2018	1:42pm	Sent email to Gandangara LALC to confirm they would be available to take part in the field survey	NS
31/5/2018	1:43pm	Sent email to Phil Khan to confirm he would be available to take part in the field survey	NS
31/5/2018	1:44pm	Sent email to CBNTCAC to confirm they would be available to take part in the field survey	NS
6/7/2018	2:34pm	Received comments from GLALC	NS
10/7/2018	3:12pm	Emailed a copy of the draft ACHAR to all RAPs	NS
11/7/2018	10:37am	Received comments from GLALC about the draft ACHAR	NS
11/7/2018	12:00pm	Posted a copy of the ACHAR to Phil Khan and CBNTCAC	NS
11/7/2018	6:33pm	Received comments from Gulaga about the draft ACHAR	NS
12/7/2018	11:05pm	Received email from DTAC advising that they received the draft ACHAR	NS
16/7/2018	2:18pm	Received comments from DCAC about the draft ACHAR	NS
17/7/2018	12:35pm	Received comments from Murramarang about the draft ACHAR	NS
17/7/2018	12:58pm	Received comments from Biamanga about the draft ACHAR	NS
17/7/2018	12:59pm	Received comments from Goobah about the draft ACHAR	NS
17/7/2018	12:59pm	Received comments from Cullendulla about the draft ACHAR	NS
18/7/2018	3:52pm	Received comments from DTAC about the draft ACHAR	NS
22/7/2018	7:44pm	Received comments from Darug Aboriginal Land care about the draft ACHAR	NS
24/7/2018	10:09am	Issued a copy of the draft ACHAR to GLALC which included their comments received while we were drafting the ACHAR	NS
3/8/2018	12:54pm	Received comments from DLO about the draft ACHAR	NS

APPENDIX VI. AGENCY LETTERS



P.O. Box 440,
Picton NSW 2571

T. +61 (0)2 4627 8622

F. +61 (0)2 4605 0815

W. www.kayandel.com

Our Reference: 4201-2018

Gandangara Local Aboriginal Land Council
PO Box 1038
Liverpool BC NSW 1871

19th March 2018

Dear Sir or Madam,

RE: Identification of Aboriginal organisation and people who may have an interest in the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Kayandel Archaeological Services (KAS) has been engaged by The Catholic Archdiocese of Sydney to undertake an Archaeological and Aboriginal Cultural Heritage Assessment. This assessment will be completed for a proposed Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral.

In accordance with our obligations under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010), we are seeking to identify Aboriginal organisations and people who may have an interest in the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places for that area.

The cultural heritage assessment may result in an application for a Section 90 Consent under Part 6 of the *National Parks & Wildlife Act 1974* and may also be used in the assessment of impact of the project under the *Environmental Planning & Assessment Act 1979*.

Should your organisation know of any groups or people that meet this requirement we request that you supply their name and most recent contact details to enable our firm to make contact and involve them in future aspects of the project.

Should you have any queries please free to contact our office and ask for the Project Manager for Project ID: 4201-2018.

Thank you for your assistance with this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lance Syme', is written over a light blue horizontal line.

Lance Syme
Principal
B Arts (Arch/Palaeo), Grad Dip (Heritage Conservation)
Full Member International Council on Monuments and Sites (I.C.O.M.O.S.)
Expert Member International Committee on Archaeological Heritage Management
Registered Cultural Heritage Advisor

Sydney

Melbourne

Brisbane

Perth



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W. www.kayandel.com

Our Reference: 4201-2018

Greater Sydney Local Land Services
PO Box 4515
Penrith Westfields NSW 2750

19th March 2018

Dear Ms Bottrell,

RE: Identification of Aboriginal organisation and people who may have an interest in the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

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F. +61 (0)2 4605 0815

W. www.kayandel.com

Our Reference: 4201-2018

Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

19th March 2018

Dear Sir or Madam,

RE: Identification of Aboriginal organisation and people who may have an interest in the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

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W. www.kayandel.com

Our Reference: 4201-2018

NTS Corp
PO Box 2105
Strawberry Hills NSW 2012

19th March 2018

Dear Sir or Madam,

RE: Identification of Aboriginal organisation and people who may have an interest in the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

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W. www.kayandel.com

Our Reference: 4201-2018

Ms Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Office of Environment and Heritage
PO Box 644
Parramatta NSW 2124

19th March 2018

Dear Ms Harrison,

RE: Identification of Aboriginal organisation and people who may have an interest in the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

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Full Member International Council on Monuments and Sites (I.C.O.M.O.S.)
Expert Member International Committee on Archaeological Heritage Management
Registered Cultural Heritage Advisor

Sydney

Melbourne

Brisbane

Perth



P.O. Box 440,
Picton NSW 2571

T. +61 (0)2 4627 8622
F. +61 (0)2 4605 0815

W. www.kayandel.com

Our Reference: 4201-2018

Office of the Registrar - Aboriginal Land Rights Act 1983 (NSW)
PO Box 5068
Parramatta NSW 2124

19th March 2018

Dear Sir or Madam,

RE: Identification of Aboriginal organisation and people who may have an interest in the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Kayandel Archaeological Services (KAS) has been engaged by The Catholic Archdiocese of Sydney to undertake an Archaeological and Aboriginal Cultural Heritage Assessment. This assessment will be completed for a proposed Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral.

In accordance with our obligations under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010), we are seeking to identify Aboriginal organisations and people who may have an interest in the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and/or places for that area.

The cultural heritage assessment may result in an application for a Section 90 Consent under Part 6 of the *National Parks & Wildlife Act 1974* and may also be used in the assessment of impact of the project under the *Environmental Planning & Assessment Act 1979*.

Should your organisation know of any groups or people that meet this requirement we request that you supply their name and most recent contact details to enable our firm to make contact and involve them in future aspects of the project.

Should you have any queries please free to contact our office and ask for the Project Manager for Project ID: 4201-2018.

Thank you for your assistance with this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lance Syme'.

Lance Syme
Principal
B Arts (Arch/Palaeo), Grad Dip (Heritage Conservation)
Full Member International Council on Monuments and Sites (I.C.O.M.O.S.)
Expert Member International Committee on Archaeological Heritage Management
Registered Cultural Heritage Advisor

Sydney

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APPENDIX VII. NATIONAL NATIVE TITLE TRIBUNAL SEARCH

From: Enquiries <Enquiries@nntt.gov.au>
To: Natalie Stiles
Cc:
Subject: RE: SR3952 - Native title search - Austral - SR3952

Sent: Tue 20/03/2018 1:44 PM

UNCLASSIFIED

Native title search – NSW Parcels – Multiple
Your ref: 4201-2018- Our ref: SR3952

Dear Natalie Stiles,

Thank you for your search request received on 20 March 2018 in relation to the above area.

Please note: Records held by the National Native Title Tribunal as at 20 March 2018 indicate that the parcels identified below appear to be freehold, and freehold tenure extinguishes native title.
The National Native Title Tribunal does not hold data sets for freehold tenure; consequently, we **cannot** conduct searches over freehold. For confirmation of freehold data, please contact the NSW Land and Property Information office or seek independent legal advice.

These items not found in NNTT non freehold data:

Parcel ID
810//D2475
1//D1232692
812//D2475
2//D1232692
811//D2475
839//D2475
840//D2475
841//D2475
842//D2475

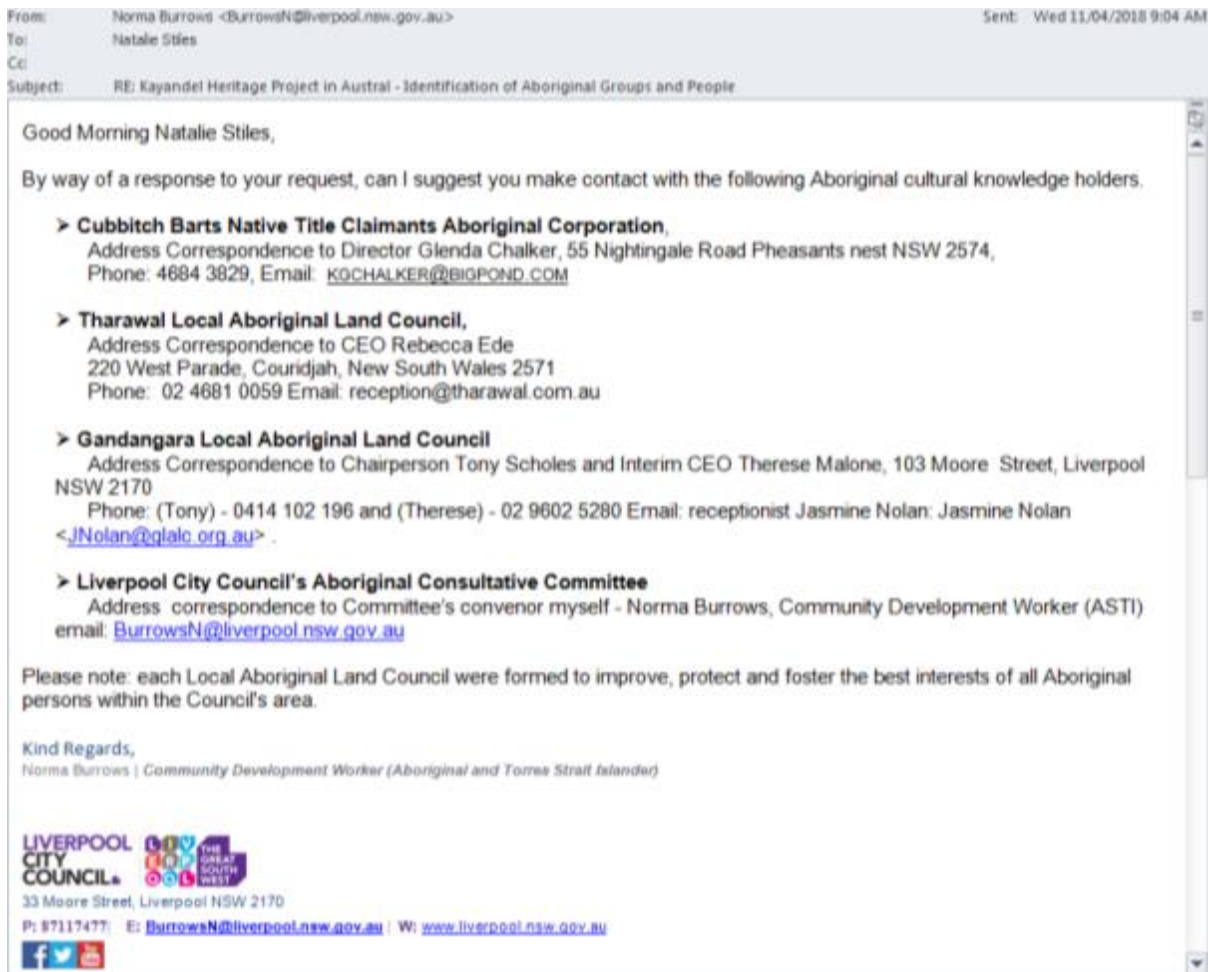
For further information, please visit our [website](#).

Should you have any further queries, please do not hesitate to contact us on the free call number 1800 640 501.

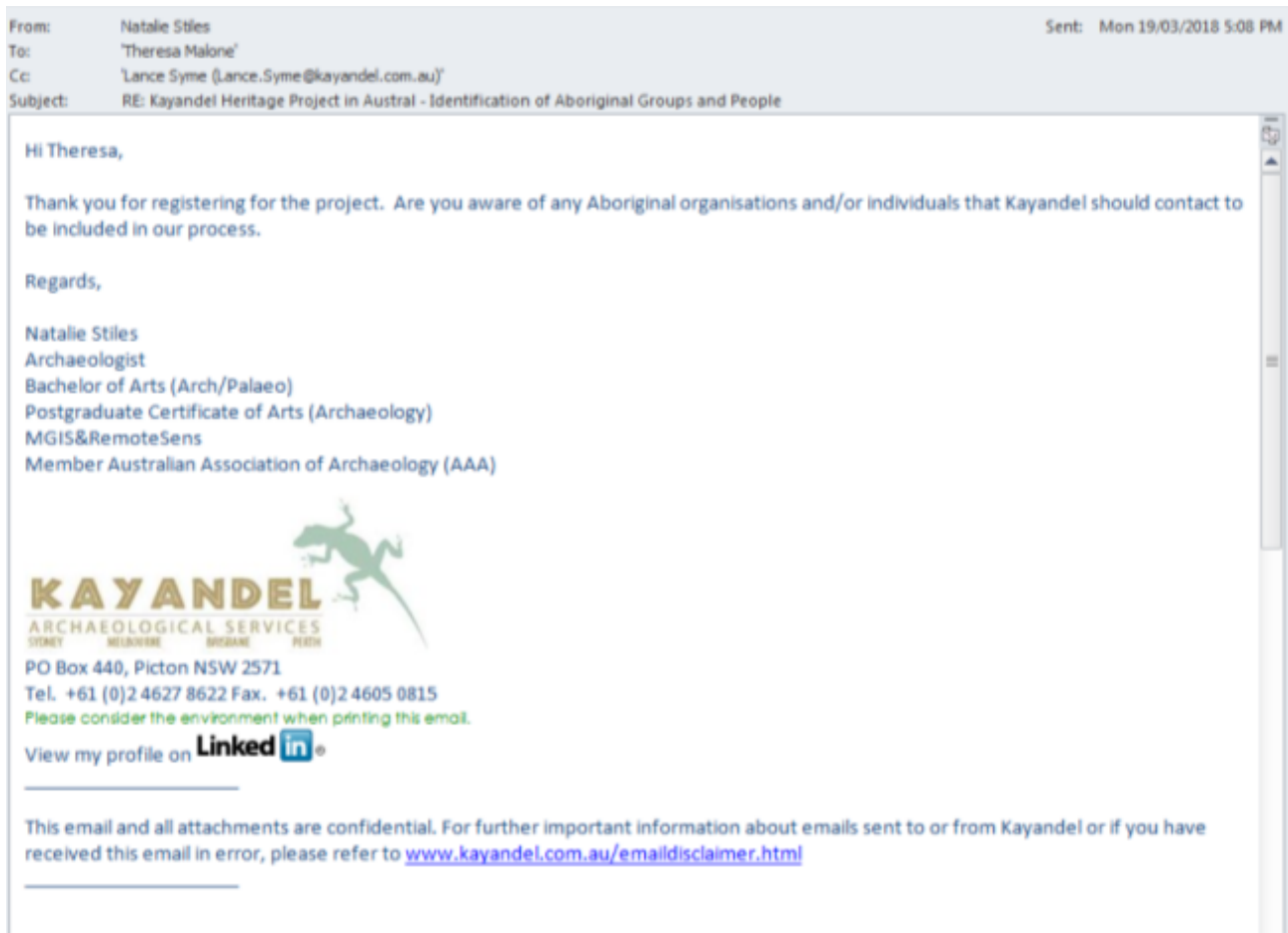
Regards,

Enquiries
Public enquiry hours are 8.30am to 4.30pm
National Native Title Tribunal | Perth
Facsimile (08) 9425 1193 | Email enquiries@nntt.gov.au

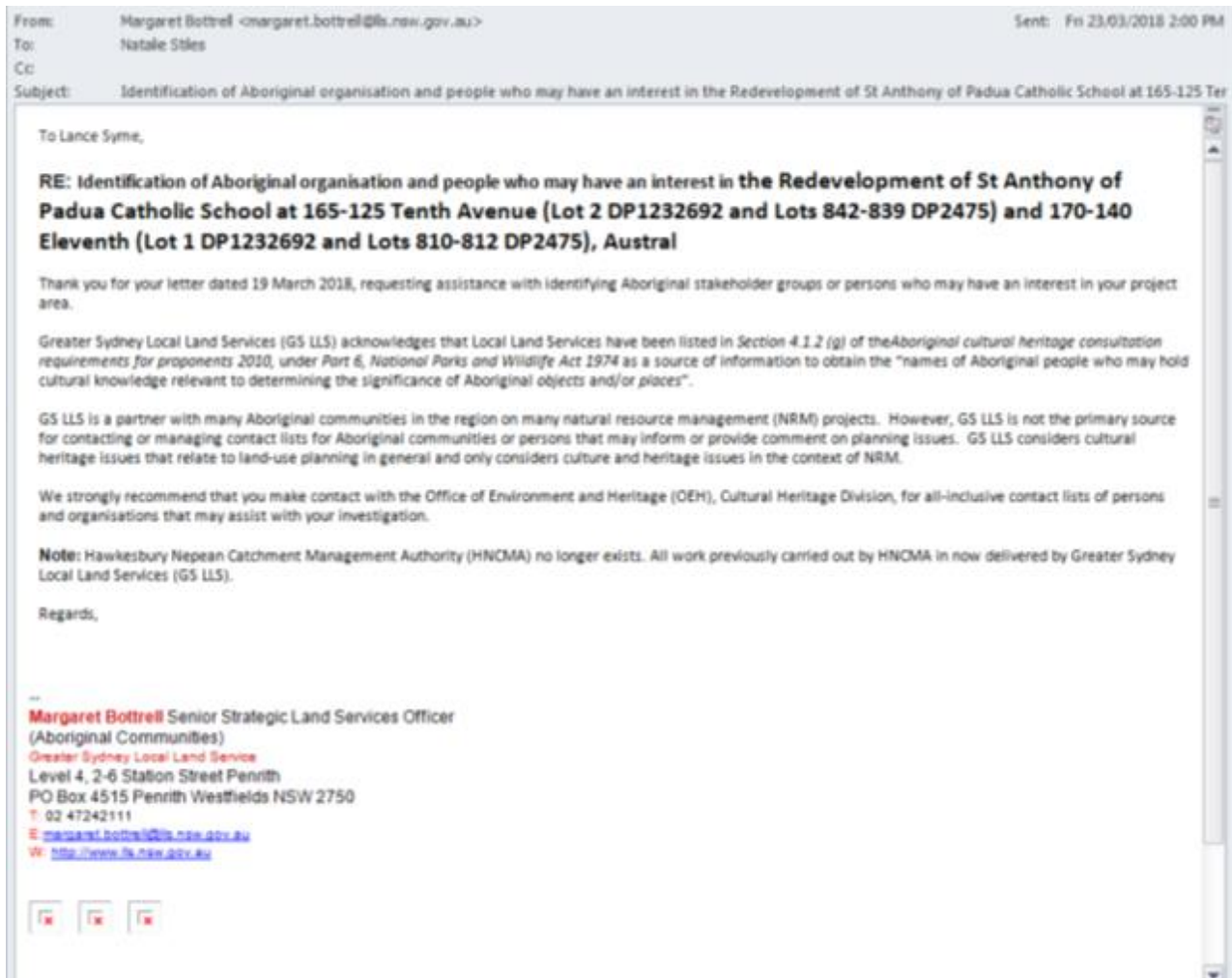
APPENDIX VIII. LIVERPOOL CITY COUNCIL RESPONSE



APPENDIX IX. GANDANGARA LOCAL ABORIGINAL LAND COUNCIL RESPONSE



APPENDIX X. GREATER SYDNEY LOCAL LAND SERVICES RESPONSE



APPENDIX XI. OFFICE OF THE REGISTRAR, ABORIGINAL LAND RIGHTS ACT 1983 (NSW)



20 March 2018

Lance Syme
Kayandel Archaeological Services
P.O Box 440
PICTON NSW 2571

Dear Lance

Re: Request - Search for Registered Aboriginal Owners

I refer to your email dated 19 March 2018 regarding an Aboriginal Cultural Heritage Assessment for the proposed redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue and 170-140 Eleventh Avenue, Austral NSW.

I have searched the Register of Aboriginal Owners and the project area described does not have Registered Aboriginal Owners pursuant to Division 3 of the *Aboriginal Land Rights Act 1983*.

I suggest that you contact Gandangara Local Aboriginal Land Council on 02 9602 5280. They may be able to assist you in identifying other Aboriginal stakeholders for this project.

Yours sincerely

Jodie Rikiti
Administration Officer
Office of the Registrar, ALRA

Address: Level 3, 2 – 10 Wentworth Street, PARRAMATTA NSW 2150
Post: P.O Box 3068, PARRAMATTA NSW 2124
Phone: 02 8633 1266

APPENDIX XII. IDENTIFIED POTENTIAL ABORIGINAL STAKEHOLDERS

Potential Aboriginal Party	Representative/Contact	Identified By	Date Advised
Liverpool City Council's Aboriginal Consultative Committee	Norma Burrows	LCC	11/4/2018
Tharawal Local Aboriginal Land Council	Rebecca Ede	LCC	11/4/2018
		OEH	23/4/2018
Darug Custodian Aboriginal Corporation	Justine Coplin	OEH	23/4/2018
Darug Tribal Aboriginal Corporation	-	OEH	23/4/2018
Darug Aboriginal Cultural Heritage Assessments	Gordan Morton	OEH	23/4/2018
-	Des Dyer	OEH	23/4/2018
Cubbitch Barta Native Title Claimants Aboriginal Corporation	Glenda Chalker	LCC	11/4/2018
		OEH	23/4/2018
Wurrumay Consultants	Kerrie Slater	OEH	23/4/2018
Warragil Cultural Services	Aaron Slater	OEH	23/4/2018
Kawul Cultural Services	Vicky Slater	OEH	23/4/2018
Tocomwall	Scott Franks	OEH	23/4/2018
Gunyyu	Kylie Ann Bell	OEH	23/4/2018
Walbunja	Hika Te Kowhai	OEH	23/4/2018
Badu	Karia Lea Bond	OEH	23/4/2018
Goobah Developments	Basil Smith	OEH	23/4/2018
Wullung	Lee-Roy Boota	OEH	23/4/2018
Yerramurra	Robert Parson	OEH	23/4/2018
Nundagurri	Newton Carriage	OEH	23/4/2018
Murrumbul	Mark Henry	OEH	23/4/2018
Jerrinjong	Joanne Stewart	OEH	23/4/2018
Pemulwuy CHTS	Pemulwuy Johnson	OEH	23/4/2018
Bilinga	Simalene Carriage	OEH	23/4/2018
Munyunga	Kaya Bell	OEH	23/4/2018
Wingikara	Hayley Bell	OEH	23/4/2018
Minnamunnung	Aaron Broad	OEH	23/4/2018
Gundungurra Tribal Technical Services	Christopher Payne	OEH	23/4/2018
Walgalu	Ronald Stewart	OEH	23/4/2018
Thauaira	Shane Carriage	OEH	23/4/2018
Dharug	Andrew Bond	OEH	23/4/2018
Bilinga Cultural Heritage Technical Services	Robert Brown	OEH	23/4/2018
Gunyyu Cultural Heritage Technical Services	Darlene Hoskins - McKenzie	OEH	23/4/2018
Munyunga Cultural Heritage Technical Services	Suzannah McKenzie	OEH	23/4/2018
Murrumbul Cultural Heritage Technical Services	Levi McKenzie-Kirkbright	OEH	23/4/2018
Wingikara Cultural Heritage Technical Services	Wandai Kirkbright	OEH	23/4/2018
Gulaga	Wendy Smith	OEH	23/4/2018
Biamanga	Seli Storer	OEH	23/4/2018
Callendulla	Corey Smith	OEH	23/4/2018
Murramarang	Roxanne Smith	OEH	23/4/2018

Butucarbin Aboriginal Corporation	Jennifer Beale	OEH	23/4/2018
Didge Ngunawal Clan	Paul Boyd	OEH	23/4/2018
Ginninderra Aboriginal Corporation	Steven Johnson	OEH	23/4/2018
Garrara Aboriginal Corporation	Raymond Ingre	OEH	23/4/2018
Nerrigundah	Newton Carriage	OEH	23/4/2018
Wailwan Aboriginal Digging Group	Philip Boney	OEH	23/4/2018

APPENDIX XIII. COMMUNITY CONSULTATION INVITATION TO REGISTER

Letters were issued to all potential Aboriginal stakeholders identified in Appendix XII inviting them to register their involvement with the project. The letter below is an example of that which was sent to the potential Aboriginal stakeholders.



P.O. Box 440,
Picton NSW 2571

T. +61 (0)2 4627 8622

F. +61 (0)2 4605 0815

W. www.kayandel.com

Our Ref: 4201-2018

Cubbitch Barta Native Title Claimants Aboriginal Corporation

Ms Glenda Chalker
55 Nightingale Road,
Pheasants Nest NSW 2574

23rd April 2018

Dear Ms Chalker,

Re: Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Kayandel Archaeological Services has been engaged to prepare an Aboriginal Cultural Heritage Assessment Report for the Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral.

The land in question is within the Liverpool LGA, and the project involves the establishment of St Anthony of Padua Catholic School at Austral. The proposal is subject to assessment and approval under the *NSW Environmental Planning and Assessment Act 1979*.

The purpose of this consultation is to inform the preparation of the State Significant Development (SSD) application and an Environmental Impact Statement (EIS) for the proposal, and/or assist in the preparation of an Aboriginal Cultural Heritage Assessment Report to support an Aboriginal Heritage Impact Permit under Part 6 of the *National Parks and Wildlife Act 1974* and will assist the Director General of OEH in considering that application.

In making our enquires to satisfy Section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010) your organisation was identified as potentially having an interest in the project area and also being a holder of knowledge relevant to determining the cultural significance of *Aboriginal objects and/or places* within the subject area.

Should you or your organisation be interested in being consulted in relation to the above project we require your expression of interest to be forward to our office no later than COB 7th May 2018. If you are expressing an interest on behalf of an organisation please nominate an authorised representative to receive all future correspondence.

Section 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW) 2010 requires Kayandel to forward your details to the DECCW and the Local Aboriginal Land Council unless you specifically indicate otherwise.

Should you have any queries about the project, feel free to call the office on the above number and speak with Natalie Stiles.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lance Syme'.

Lance Syme
Principal

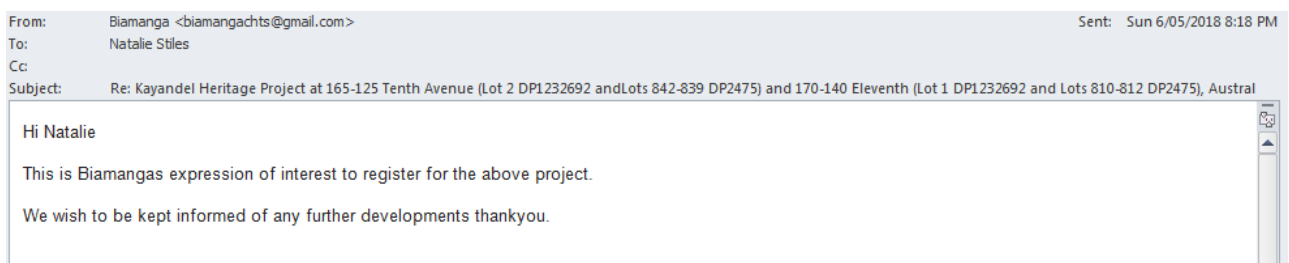
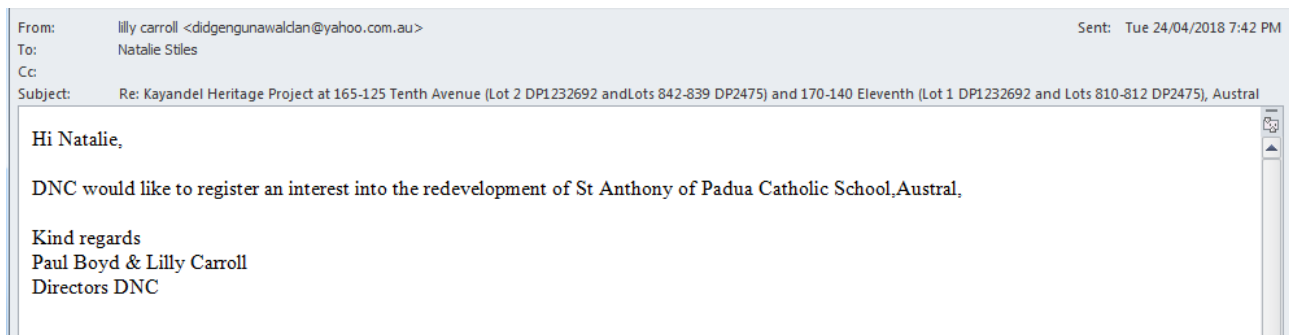
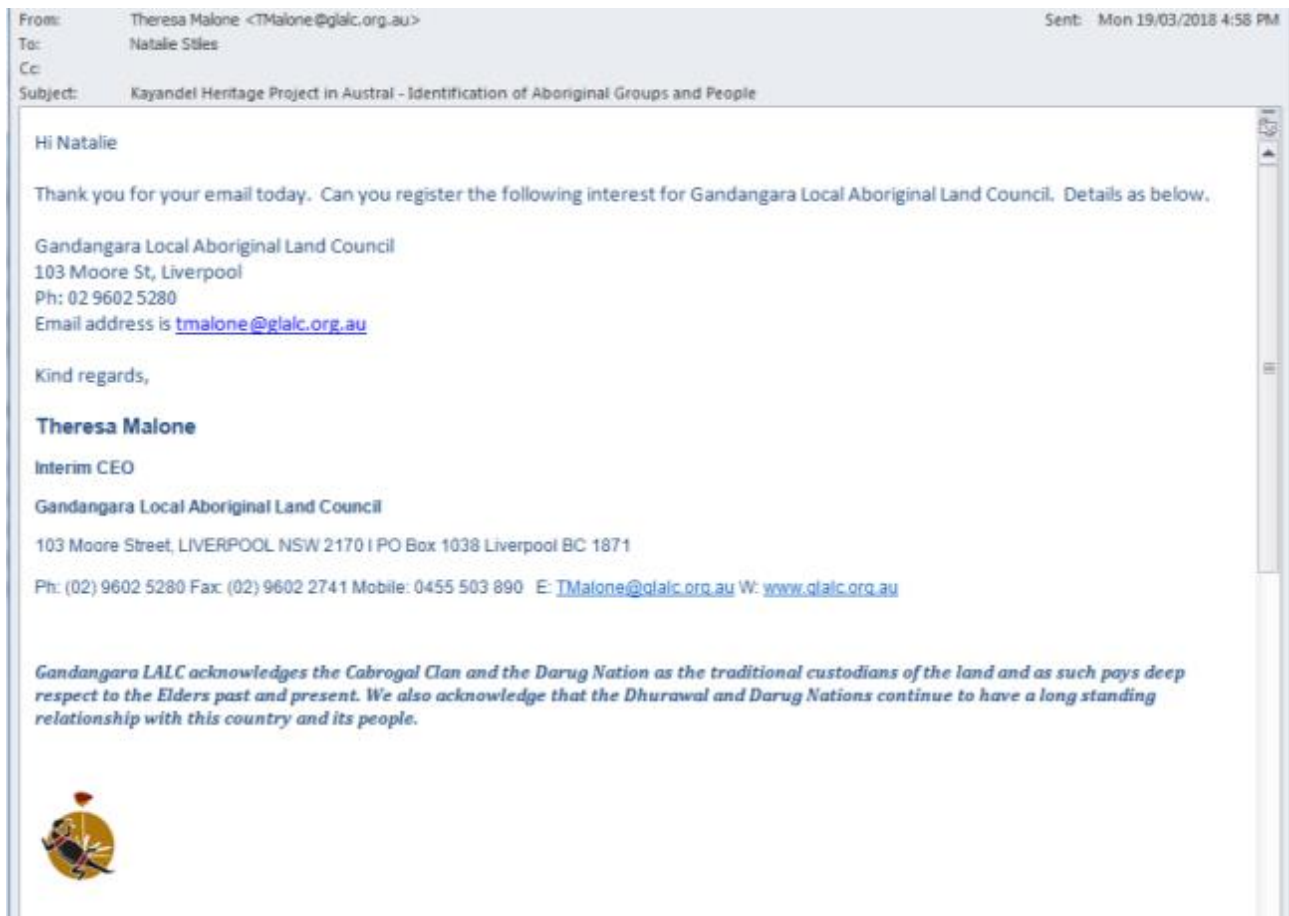
Sydney

Melbourne

Brisbane

Perth

APPENDIX XIV. RAP REGISTRATION



Proposed Redevelopment of St Anthony of Padua Catholic School, Austral, Liverpool City Council LGA, NSW
Aboriginal Cultural Heritage Assessment Report

From: Cullendulla <cullendullachts@gmail.com> Sent: Sun 6/05/2018 8:20 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Hi Natalie

This is Cullendulas expression of interest to register for the above project.

We wish to be kept informed of any further developments thankyou.

From: Goobah <goobahchts@gmail.com> Sent: Sun 6/05/2018 8:27 PM
To: Natalie Stiles
Cc:
Subject: Kayandel Heritage Project at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Hi Natalie

This is Goobahs expression of interest to register for the above project.

We wish to be kept informed of any further developments thankyou.

--
Regards Basil Smith
Chief Executive Officer
Goobah PH 0405995725

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

From: Gulaga <gulagachts@gmail.com> Sent: Sun 6/05/2018 8:21 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Hi Natalie

This is Gulagas expression of interest to register for the above project.

We wish to be kept informed of any further developments thankyou.

Kind Regards
Wendy Smith
Cultural Heritage Officer
Gulaga
0401 808 988

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

From: Murramarang <murramarangchts@gmail.com> Sent: Sun 6/05/2018 8:16 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Hi Natalie

This is Murramarangs expression of interest to register for the above project.

We wish to be kept informed of any further developments thankyou.

From: Thoorga Thoorga <thoorganura@gmail.com>
To: Natalie Stiles
Cc:
Subject: Kayandel Heritage Project at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Sent: Sun 6/05/2018 8:27 PM

Hi Natalie

This is Thoorga Nuras expression of interest to register for the above project.

We wish to be kept informed of any further developments thankyou.

--

Yarma Walaawarnie

Yours Truly

**John Carriage
Chief Executive Officer
THOORGA NURA.**

Address:

**50B Hilltop Crescent,
Surfbeach, 2536, NSW**

**Email: thoorganura@gmail.com
Mobile: 0401641299**

From: info@kayandel.com.au
Sent: Tuesday, May 8, 2018 10:16:02 PM (UTC+00:00) Monrovia, Reykjavik
To: Kayandel.office@gmail.com
Subject: Website Enquiry Email from kayandel.com.au

Form details below.

First Name: Phillip Boney
Email: Waarlan12@outlook.com
Subject: Wailwan aboriginal digging group
Message: Thank you for your invitation to register for this project if selected i look forward to working with you again thank you.
Phil Boney

From: Vicki Slater [<mailto:vicki.slater@hotmail.com>]

Sent: Thursday, 24 May 2018 10:56 AM

To: Natalie Stiles

Subject: Re: Kayandel Heritage Project at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Hi Natalie, Kawul Cultural Services would like to register an interest for the above project. Regards Vicky Slater

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BUTUCARBIN ABORIGINAL CORPORATION

PO Box E18, Emerton NSW 2770
28 Pringle Road, Hebersham NSW 2770
Ph: 9832 7167 Fax: 9832 7263
koori@ozemail.com.au
ABN: 83 535 742 276

11th May, 2018

Dear Natalie,

I apologise for the delayed response. There have been some technical issues with our computers.

If it is still possible, Butucarbin Aboriginal Corporation wishes to register its interest to participate in the Aboriginal community consultation for the redevelopment of St Anthony of Padua School. We would prefer that our details are not released to the Deerubbin LALC. We look forward to being involved in the process and appreciate the invitation to do so.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'J Beale'.

Jennifer Beale
CEO



23/03/2018

The Project Manager
c/- Kayandel Archaeological Services
PO Box 440
PICTON NSW 2571

Re: Aboriginal Cultural Heritage - Austral

Barraby Cultural Services would like to express an interest to register for the Aboriginal cultural heritage project mentioned above.

We have experience in Cultural & Heritage works.
All staff take pride in their work and are able to undertake all aspects of the work.

Attached are our Insurances.

Looking forward to working with you.

Yours Truly,

Lee Field

Yurrandaali Cultural Services

The Project Manager
c/- Kayandel Archaeological Services
PO Box 440,
Picton, NSW 2571

Friday, 23rd March 2018

Re: Registration of Aboriginal cultural heritage project at Austral.

Yurrandaali Cultural Services (YCS) would like to register an expression of interest in the Aboriginal cultural heritage project at Austral.

We have experience in cultural & heritage maintenance and identification.
Our site officers are fit and able to do cultural site surveys.

I have enclosed copies of my public liability and workers comp policies for your records.

We look forward to working with you.

Kind Regards

Bo Field

Manager

Yurrandaali Cultural Services
ABN: 52 618 794 088
6 Macgibbon Pde,
Old Errol Bay NSW 2540
0457 546 643
yurrandaali_cs@hotmail.com



**DARUG LAND
OBSERVATIONS PTY LTD**
ABN 27 602 765 453

EMAIL: DARUGLANDOBSERVATIONS@GMAIL.COM
PO BOX 2008 BENDALONG NSW 2539
MOBILE: 0413 687 279

2nd April, 2018

Your Ref: 4201-2018

Lance Syme
Kayandel Archaeological Services
PO BOX 440
PICTON, NSW, 2571

Notification and Registration of ALL Aboriginal Interests

RE: REDEVELOPMENT OF ST ANTHONY OF PADUA CATHOLIC SCHOOL,
125-165 TENTH AVENUE (LOT 2 DP 1232692 & LOTS 839-842 DP 2475) and
140-170 ELEVENTH AVENUE (LOT 1 DP 1232692 & LOTS 810-812 DP 2475), AUSTRAL

Aboriginal Cultural Heritage Assessment

Dear Lance,

Please be advised that Darug Land Observations Pty Ltd is seeking to be involved in any and all consultation meetings and fieldwork.

This office specialises in Aboriginal and community consultations, and has a membership that comprises of Traditional owners from the area in question. Those retain strong story, song lines, oral history and continued contact.

We would also like to state that we do not accept or support any person or organisation that are NOT from the DARUG Nation that comments regarding the said area.

Please also be advised that this Aboriginal organisation does not do volunteer work or attend unpaid meetings. I hope that you advise your client of this so that, 'This Group', will not be discriminated against and refused paid fieldwork. DLO's rate is \$440 half day (less than 4 hours) and \$880 per day (flat rate), including GST.

All correspondence should be emailed to: daruglandobservations@gmail.com and any further consultation during this project can be directed to Anna O'Hara on mobile 0413 687 279.

Yours sincerely,

Jamie Workman
Darug Land Observations Pty Ltd

Uncle Gordon Workman
Darug Elder

To Protect and Preserve Darug Places and Sites | To Promote and Educate the wider community about Darug Heritage and Culture

E.O.I

Darug Research & Information Centre
71 Seven Hills Rd South,
Seven Hills, NSW, 2147
Ph | Fax 02 9622 4081



Darug Tribal Aboriginal Corporation
ICN: 2734
PO Box 441
Blacktown, NSW, 2148
Ph | 02 9622 4081
Email: darug_tribal@live.com.au

Kayandel Archaeological Services
PO BOX 440
PICKTON, NSW, 2571

RE: Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Dear Lance,

Thank you for the invitation to participate in the above-mentioned project.

The Darug Tribal Aboriginal Corporation, on behalf of our Members, do hereby request to be included in all activities regarding this project, including any future correspondence there from arising.

We can provide advisory, on site consulting, and other services as required. Our standard rate is \$100 excluding GST per hour (\$110 per hour including GST).

The Corporation is a Not for Profit entity, and as such, all net income, following payment of wages to archaeological workers, derived from our participation in the project, goes toward supporting our Members and the functioning of the Corporation and its services.

Sincerely,

Corina Marino

Darug Tribal Aboriginal Corporation (ICN: 2734)





DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne Watson
0414962766 Justine Coplin
EMAIL: mulgakiwi@bigpond.com / justinecoplin@optusnet.com.au

Attention: Kayandel

Subject: Redevelopment of St Anthony of Padua Catholic School at 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

Dear ~~Natlie~~

Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

The Austral area is an area that our group has a vast knowledge of, we have worked and lived in for many years, this area is significant to the Darug people due to the connection of sites and the continued occupation. Our group has been involved in all previous assessments and works in this area as a traditional owner Darug group for the past 40 plus years.

Therefore we would like to register our interest for full consultation and involvement in the above project area.

Please contact us with all further enquiries on the above contacts.

Regards

Justine Coplin

Environment &
Heritage



Darug Aboriginal LandCare (Uncle Des Dyer)

18a Pargee Close
Doonalde 2767N SW
ABN 71 301 006 047

Natalie Stiles
Archaeologist
Kayandel Archaeology Services
PO Box 440
Picton 2571
NSW

Re: 165-125 Tenth Avenue , Austral

Dear Natalie,

Darug Aboriginal Land care / Uncle Des Dyer. Have no objections to the planned development.

The Darug Aboriginal Land care would like to **register** for this project and be consulted and take part in survey and test excavations. This project falls within the Darug land.

We are Traditional Owner, our members have lived on Darug land for most of their lives and worked in the area. We have responsibility to look after the plants, creeks and rivers on Darug land. We have been doing Cultural Heritage Assessments for over 20 year and still do today.

Our members are family and have lived in the area, we consult with them by Email and phone.

We would like to take part in any field survey and test excavations. Attend any meetings.

We have over 20years experience and all our works have White cards
Our preferred method of communication is by Email.

Our Site Officer Ricky Fields
Mobile 0402942572.
Email fields.r@outlook.com

For all Survey test excavation and salvage works please contact him for all work matters.
please contact him

We agree and understand you can give our contacted details to others.

The area is an important part of our culture and valued by the community as most of the people that lived there were Darug. We can provide cultural knowledge during the survey.

Our preferred option to receive the project information is by E-mail.

Thank you
Kind regards
Des Dyer. Manager.
Darug Elder
Email desmond4552@hotmail.com
Mobile 0408360814

APPENDIX XV. COMBINED STAGE 2/STAGE 3 DOCUMENT

Letters were issued to all Registered Aboriginal Parties (RAPs) in Table 3 providing details in regards to the project going forward. The letter below is an example of that which was sent to the RAPs (refer to Table 3).



P.O. Box 440,
Picton NSW 2571

T. +61 (0)2 4627 8622
F. +61 (0)2 4605 0815

W. www.kayandel.com

Our Ref: 4201-2018

Gandangara Local Aboriginal Land Council
Ms Therese Malone
103 Moore St
Liverpool NSW 2170

10th May 2018

Dear Ms Malone,

RE: Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral

**Stage 2 - Presentation of Information about the Proposed Project
and**

Stage 3 - Gathering Information about Cultural Significance

Thank you for your registration of interest in the Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral, in the Liverpool City Council Local Government Area (Figure 1 and Figure 2). Your interest in the projects has been formally registered in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010a).

Below is the proposed methodology for the project which includes the methodology for a field survey. This document also includes the methodology for an archaeological test excavation program should archaeologically sensitive landforms be identified during the field survey. I would like to invite you to review the methodology and provide any comments you may have by the 7th June 2018.

Please note that Kayandel Archaeological Services is the primary contact for the Proponent. However, should you be unsatisfied with Kayandel's response to any concerns raised, the alternative contact for the Proponent is:

Elizabeth D'Olier
Senior Project Manager
Pepper
Level 28 Chifley Tower, 2 Chifley Square
Sydney NSW, 2001

Project Background

Kayandel Archaeological Services (KAS) has been commissioned by Pepper on behalf of The Catholic Archdiocese of Sydney (the Proponent) to undertake a pedestrian field survey, and if required on completion of the survey, archaeological subsurface investigation to prepare an Aboriginal Cultural Heritage Assessment Report (CHAR) in relation to Aboriginal heritage within 165-125 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral, NSW.



P.O. Box 440,
Picton NSW 2571

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W. www.kayandel.com

In May 2016 Robinson Urban Planning PTY LTD on behalf of the Proponent lodged a Development Application (DA) (DA-465/2016) for 140 Eleventh Avenue (Lots B11 & B12 DP 2475), Austral for the:

- * Demolition;
- * Site works;
- * Lot consolidation; and,
- * Construction of classroom buildings for the purpose of an educational establishment (Primary School) to cater for 300 students from kindergarten-year 6 and 20 staff.

In October 2016, KAS was engaged to undertake an Aboriginal Due Diligence assessment of 140 Eleventh Avenue in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010b) to address further information requested by Liverpool City Council as part of assessing the DA.

No Aboriginal objects were identified during the survey undertaken by KAS, and it was recommended that the proposed development "as currently specified can proceed with caution. If Aboriginal objects are located, works must cease, and the Office of Environment and Heritage must be notified" (KAS, 2016).

DA2016/465 was granted approval on 25 October 2016 by Liverpool City Council (Council) for the construction and operation of a primary school with maximum student population of 300 students. An existing residence on site was converted to an administration and staff building, and two buildings have/are being constructed that provide space for seven class groups.

DA2016/465 only related to Lot B11 and B12 and approved a maximum of 300 students (kindergarten-year 6) and 20 staff.

The school currently has 105 students enrolled of which 45 are currently attending the school. The following provides a breakdown of enrolments in 2017 and 2018:

- * 2017: 45 kindergarteners
- * 2018: 45 year one students, and 60 kindergarteners

The proposed redevelopment of St Anthony of Padua is classified as a State Significant Development (SSD) on the basis that it falls within the requirements of clause 1.5 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), being 'development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school'.

Secretary's Environmental Assessment Requirements (SEARs) for the proposed redevelopment were issued in December 2017. The SEARs in regards to Aboriginal heritage are identified below:

- * Identify, describe and document the Aboriginal Cultural Heritage values that exist across the whole area that will be affected by the development, which may include the need for surface survey and test excavation. The identified of Aboriginal Cultural Heritage values should be guided by the *Guide to Investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECC, 2011) and consultation with OEH Regional Officers.
- * Where Aboriginal Cultural Heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010a). The significance



P.O. Box 440,
Picton NSW 2571

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F. +61 (0)2 4605 0815

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of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.

- ✦ The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented in the EIS. Please note the Due Diligence assessment process is not appropriate to address the requirements for Aboriginal Cultural Heritage assessment.

The Proponent has engaged KAS to assist with the Aboriginal heritage process in order to address the SEARs, and prepare an Aboriginal Cultural Heritage Assessment Report, and an Archaeological Technical Report (if required), in accordance with current OEH guidelines. The report(s) will assess the potential impact of the proposed Redevelopment of St Anthony of Padua Catholic School.

The report(s) will provide the necessary documentation to inform the preparation of the State Significant Development (SSD) application and an Environmental Impact Statement (EIS) for the proposal, and/or assist in the preparation of an Aboriginal Cultural Heritage Assessment Report to support an Aboriginal Heritage Impact Permit under Part 6 of the *National Parks and Wildlife Act 1974* and will assist the Director General of OEH in considering that application.

Proposed Assessment Methodology

KAS proposes to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR), and an Archaeological Technical Report (if required), in accordance with the following guidelines:

- ✦ *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011);
- ✦ *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a);
- ✦ *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010c).

Field Survey Methodology

The field survey will include the complete visual inspections throughout all readily accessible portions of the Subject Area. Detailed inspections will be carried out at the location of ground surface exposures, which may contain stone artefacts.

All mature trees will be inspected for evidence of cultural modification; if evidence of cultural modification is identified the following information will be recorded:

- ✦ Type of tree;
- ✦ Shape of the scar; and
- ✦ Length, width and depth.

The field survey will also identify whether any archaeologically sensitive landforms are present within the Subject Area.



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Aboriginal Cultural Heritage Assessment Report

Upon completion of the field survey, an ACHAR will be prepared. The preparation of the ACHAR will include the following tasks:

- ✦ Aboriginal community consultation;
- ✦ Desktop research;
- ✦ Preparation of the ACHAR will incorporate Aboriginal consultation and any cultural information provided, assess potential impacts to Aboriginal heritage, and make recommendations on any Aboriginal heritage sites and/or objects that may be present within the Subject Area;
- ✦ Summary of the results and discussion from the test excavation program (if archaeologically sensitive landforms are identified); and,
- ✦ If Aboriginal sites and/or objects are identified, submissions of site recordings for registration on OEH's Aboriginal Heritage Information Management System (AHIMS) database.

Archaeological Technical Report

If archaeologically sensitive landforms are identified during the field survey, and an archaeological test excavation program is undertaken, KAS will prepare an ATR. The preparation of the ATR will include the following tasks:

- ✦ Detail the methodology for the test excavation;
- ✦ Discuss the Phase 1 results, and provide discussion which will help to assess the Archaeological Significance of the identified Aboriginal sites;
- ✦ Articulate any management considerations or constraints on development, based on evidence of Aboriginal objects and levels of previous ground disturbance; and,
- ✦ Provide suitable management considerations for the identified site(s).

Further detail regarding the archaeological test excavation is provided below. This component would be undertaken in conjunction with representatives of the Registered Aboriginal Parties (RAPs) based on selective commercial engagements determined by the Proponent.

Archaeological Test Excavation Methodology

If archaeologically sensitive landforms are identified during the field survey, an archaeological test excavation program will be undertaken.

Any archaeological test excavation program undertaken will be implemented according to Requirements 16 and 17 of OEH's *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010b). Refer to Attachment 1 for a copy of the Aboriginal Archaeological Test Excavation Methodology.

Depending on the results of the excavation program, an excavation of the wider Subject Area may be warranted. If it is identified that an excavation program should be undertaken across the wider Subject Area, an amended test excavation methodology will be provided to the RAPs.



P.O. Box 440,
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Timeline

KAS proposes the following indicative timeframes for the project:

- Distribution of this document to Registered Aboriginal Parties: early-May 2018.
- End of review period for the proposed methodology: early-June 2018.
- Field survey: early to mid-June 2018.
- Distribution of the draft report to Registered Aboriginal Parties for review: late June 2018.

KAS will notify RAPs of definite dates for fieldwork and document delivery as they become available.

Information Sought

KAS would appreciate your feedback on the field survey methodology (above) and the attached Aboriginal Archaeological Test Excavation Methodology.

In returning your answers, please consider and include the following where appropriate:

- Any protocols that you would like adopted during the project;
- Identification of any Aboriginal objects of cultural significance and/or importance that you are aware of within the activity areas, and how you wish them to be dealt with during the project;
- Identification of any places of cultural significance and/or importance that you are aware of within the activity areas, and how you wish them to be dealt with during the project;
- Guidance on the protocols, sensitivity, use and/or distribution of any cultural information that you provide KAS; and,
- Whether you require any further information prior to KAS proceeding with the project.

It is important that you understand that KAS will compile and forward information for review by the proponent, but we do not decide who will be involved in field work in any paid capacity.

If you would like to offer to provide field staff to participate in field investigations, please provide the information in the table below.

However, to avoid disappointment please note that few offers for fieldwork involvement will be taken up as requirements are limited and there may be a large number of RAPs. Any decision to engage RAPs for paid services will be based on local connection, relevant experience and cost in consultation with the proponent. Any decisions are of a commercial nature separated from the process of consultation regarding cultural values and Aboriginal cultural heritage management outcomes. Any RAPs that use aggressive tactics to secure paid fieldwork will not be engaged.



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Picton NSW 2571

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Are you offering fieldwork services? (yes/no) (Note: With the limited scope of the assessment and the likely number of RAPs, a very limited number of these offers will be taken up)	
Will a worker be covered by Worker's Compensation and Liability Insurance? (Certificates of currency will be requested if an offer to provide paid fieldworker is taken up)	
What is your daily rate? (Note: The proponent may set a fixed offer)	
If we have not worked together before, you may like to suggest a consultant archaeologist who can provide a reference.	

If you have any questions about any aspect of this letter, please contact me on (02) 4627 8622.

Yours sincerely,

Lance Syme

Principal

B Arts (Arch/Palaeo), Grad Dip (Heritage Conservation)

Full Member International Council on Monuments and Sites (I.C.O.M.O.S)

Expert Member International Committee on Archaeological Heritage Management

Registered Cultural Heritage Advisor

References

DECCW 2010a, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment, Climate Change and Water NSW, Sydney South, April 2010.

DECCW, 2010b, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. Department of Environment, Climate Change and Water, Sydney South

KAS, 2016, *Aboriginal Archaeological Due Diligence Assessment 140 Eleventh Ave (Lots 811 and 812 DP2475), Austral*. Prepared for Munns Sly Moore Architects



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Picton NSW 2571
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F. +61 (0)2 4605 0815
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ATTACHMENT 1

ABORIGINAL ARCHAEOLOGICAL TEST EXCAVATION METHODOLOGY

Sydney

Melbourne

7

Brisbane

Perth

**Proposed Redevelopment of
St Anthony of Padua Catholic School
125-165 Tenth Avenue
(Lot 2 DP1232692 and Lots 842-839 DP2475) and,
170-140 Eleventh
(Lot 1 DP1232692 and Lots 810-812 DP2475),
Austral, Liverpool City Council LGA, NSW
15C Methodology**

Prepared for Pepper on behalf of The Catholic Archdiocese of Sydney

May 2018

Lance Syme and Natalie Stiles

KAYANDEL
ARCHAEOLOGICAL SERVICES



☎ 02 4627 8622

☎ 02 4627 8633

✉ Info@kayandel.com.au

Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology

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Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
15C Methodology

15C Notification – Redevelopment of St Anthony of Padua Catholic School

Kayandel Archaeological Services (KAS) has been commissioned by Pepper on behalf of The Catholic Archdiocese of Sydney (the Proponent) to undertake a pedestrian field survey, and archaeological subsurface investigation if archaeologically sensitive landforms are identified during the survey, to prepare an Aboriginal Cultural Heritage Assessment Report (CHAR) in relation to Aboriginal heritage within 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral, NSW in accordance with Requirement 15 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a).

This notification addresses the matters set out in Requirement 15C of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a).

The area outlined in red in Figure 1 is the Subject Area for the purpose of this investigation.

In May 2016 Robinson Urban Planning PTY LTD on behalf of the Proponent lodged a Development Application (DA) (DA-465/2016) for 140 Eleventh Avenue (Lots 811 & 812 DP 2475), Austral for the:

- ✦ Demolition;
- ✦ Site works;
- ✦ Lot consolidation; and,
- ✦ Construction of classroom buildings for the purpose of an educational establishment (Primary School) to cater for 300 students from kindergarten-year 6 and 20 staff.

In October 2016, KAS was engaged to undertake an Aboriginal Due Diligence assessment of 140 Eleventh Avenue in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010b) to address further information requested by Liverpool City Council as part of assessing the DA.

No Aboriginal objects were identified during the survey undertaken by KAS, and it was recommended that the proposed development “as currently specified can proceed with caution. If Aboriginal objects are located, works must cease, and the Office of Environment and Heritage must be notified” (KAS, 2016).

DA2016/465 was granted approval on 25 October 2016 by Liverpool City Council (Council) for the construction and operation of a primary school with maximum student population of 300 students. An existing residence on site was converted to an administration and staff building, and two buildings have/are being constructed that provide space for seven class groups.

DA2016/465 only related to Lot 811 and 812 and approved a maximum of 300 students (kindergarten-year 6) and 20 staff.

Secretary’s Environmental Assessment Requirements (SEARs) for the proposed redevelopment were issued in December 2017. The SEARs in regards to Aboriginal heritage are identified below:

- ✦ Identify, describe and document the Aboriginal Cultural Heritage values that exist across the whole area that will be affected by the development, which may include the need for surface survey and test excavation. The identified of Aboriginal Cultural Heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECC, 2011) and consultation with OEH Regional Officers.

Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
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- * Where Aboriginal Cultural Heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010a). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.
- * The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented in the EIS. Please note the Due Diligence assessment process is not appropriate to address the requirements for Aboriginal Cultural Heritage assessment.

The Proponent has engaged KAS to assist with the Aboriginal heritage process, and prepare an Aboriginal Cultural Heritage Assessment Report, and an Archaeological Technical Report (if required), in accordance with current OEH guidelines. The report(s) will assess the potential impact of the proposed redevelopment of St Anthony of Padua Catholic School.

Location of the proposed test excavation and Subject Area

Subject Area: 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral
Grid Reference: GDA 297405 6243323 Zone 56.

Location: The Subject Area comprises of Lots 1 & 2 DP1232692, and Lots 810-812, and 842-839 DP2475, bounded by Eleventh Avenue to the north, Tenth Avenue to the south, Edmondson Road to the east, and Fourth Avenue to the west, within the Liverpool City Council (LCC) Local Government Area (LGA). The Subject Area covers approximately 10.92 hectares (see Figure 1 and Figure 2).

Name and contact details of the legal entity with overall responsibility for the project

Name: Lance Syme (BA, Grad. Dip. (Heritage Cons.), M.ICOMOS)
Position: Principal Archaeologist
Company: Kayandel
Address: PO Box 440, Pictou 2571.
Phone: 02 4627 8622
Email: lance.syme@kayandel.com.au

Name and contact details of the person carrying out the test excavations

Name: Lance Syme (BA, Grad. Dip. (Heritage Cons.), M.ICOMOS)
Position: Principal Archaeologist
Company: Kayandel
Address: PO Box 440, Pictou 2571.
Phone: 02 4627 8622
Email: lance.syme@kayandel.com.au

Proposed date of commencement and estimated completion of the test excavations

Anticipated dates: Works will not commence prior to the completion of the field survey.

The date for any test excavation program will be subject to agreement between Kayandel and the RAP's involved in the fieldwork.

Should the results of the Phase 1 test excavation trigger the next phase of subsurface investigation, the RAPs will be notified 1 week prior to the commence of the fieldwork.

Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology

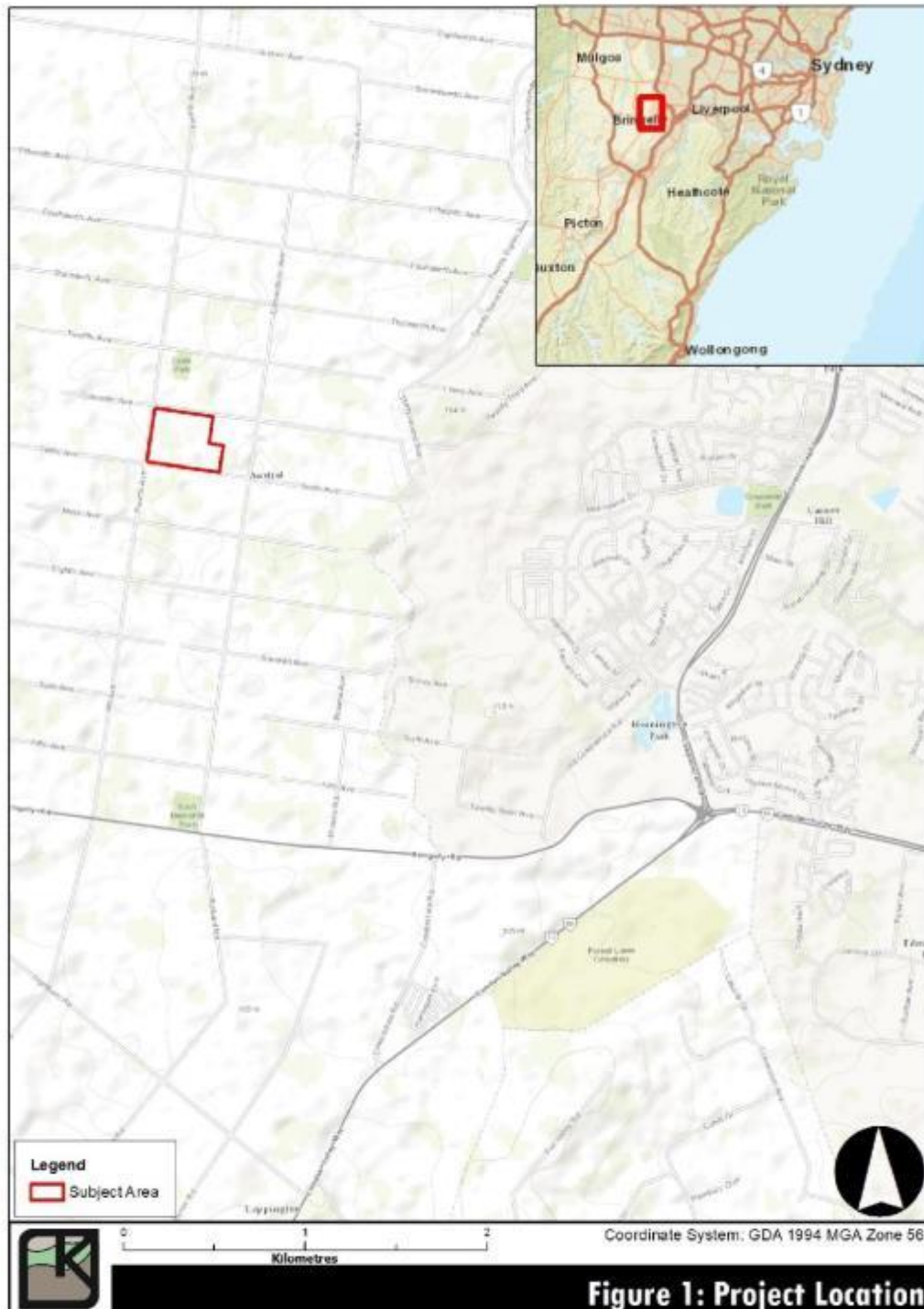
Temporary storage location for any Aboriginal objects uncovered during the test excavations

Temporary storage location: 37 Cherry Road, Lakesland, NSW 2571.

A copy of the sampling strategy is attached.

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Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology



Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology



Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology

PROPOSED RE-DEVELOPMENT OF ST ANTHONY OF PADUA CATHOLIC SCHOOL TEST EXCAVATION SAMPLING STRATEGY

Rationale: In October 2016, KAS was engaged to undertake an Aboriginal Due Diligence assessment of 140 Eleventh Avenue in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010b) to address further information requested by Liverpool City Council as part of assessing the DA.

No Aboriginal objects were identified during the survey undertaken by KAS, and it was recommended that the proposed development "as currently specified can proceed with caution. If Aboriginal objects are located, works must cease, and the Office of Environment and Heritage must be notified" (KAS, 2016).

In order to address the SEARs in relation to Aboriginal heritage, KAS proposes to undertake a field survey of the Subject Area. During which any archaeologically sensitive landforms are present within the Subject Area will be identified.

If archaeologically sensitive landforms are identified during the field survey an archaeological test excavation program is undertaken.

The test excavation program is proposed to be undertaken across any archaeologically sensitive landforms that are identified during the field survey; however, depending on the results of the excavation program, an excavation of the wider Subject Area may be warranted.

The Proponent has engaged KAS to assist with the Aboriginal heritage process in order to address the relevant SEARs, and prepare an Aboriginal Cultural Heritage Assessment Report, and an Archaeological Technical Report (if required), in accordance with current OEH guidelines.

The report(s) will provide the necessary documentation to inform the preparation of the State Significant Development (SSD) application and an Environmental Impact Statement (EIS) for the proposal, and/or assist in the preparation of an Aboriginal Cultural Heritage Assessment Report to support an Aboriginal Heritage Impact Permit under Part 6 of the National Parks and Wildlife Act 1974 and will assist the Director General of OEH in considering that application.

Purpose of the test excavation: The purpose of the test excavation would be to collect information about the nature and extent of sub-surface Aboriginal objects, based on a sample derived from sub-surface investigations. The test excavations would contribute an understanding of site characteristics, local and regional prehistory and they can be used to inform conservation and harm mitigation measures for the proposed redevelopment (DECCW 2010a:24).

Risk of harm: Any archaeologically sensitive landforms that are present within the Subject Area are at risk of harm from future development works associated with the redevelopment (i.e. bulk earthworks, construction of buildings, and associated infrastructure).

Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology

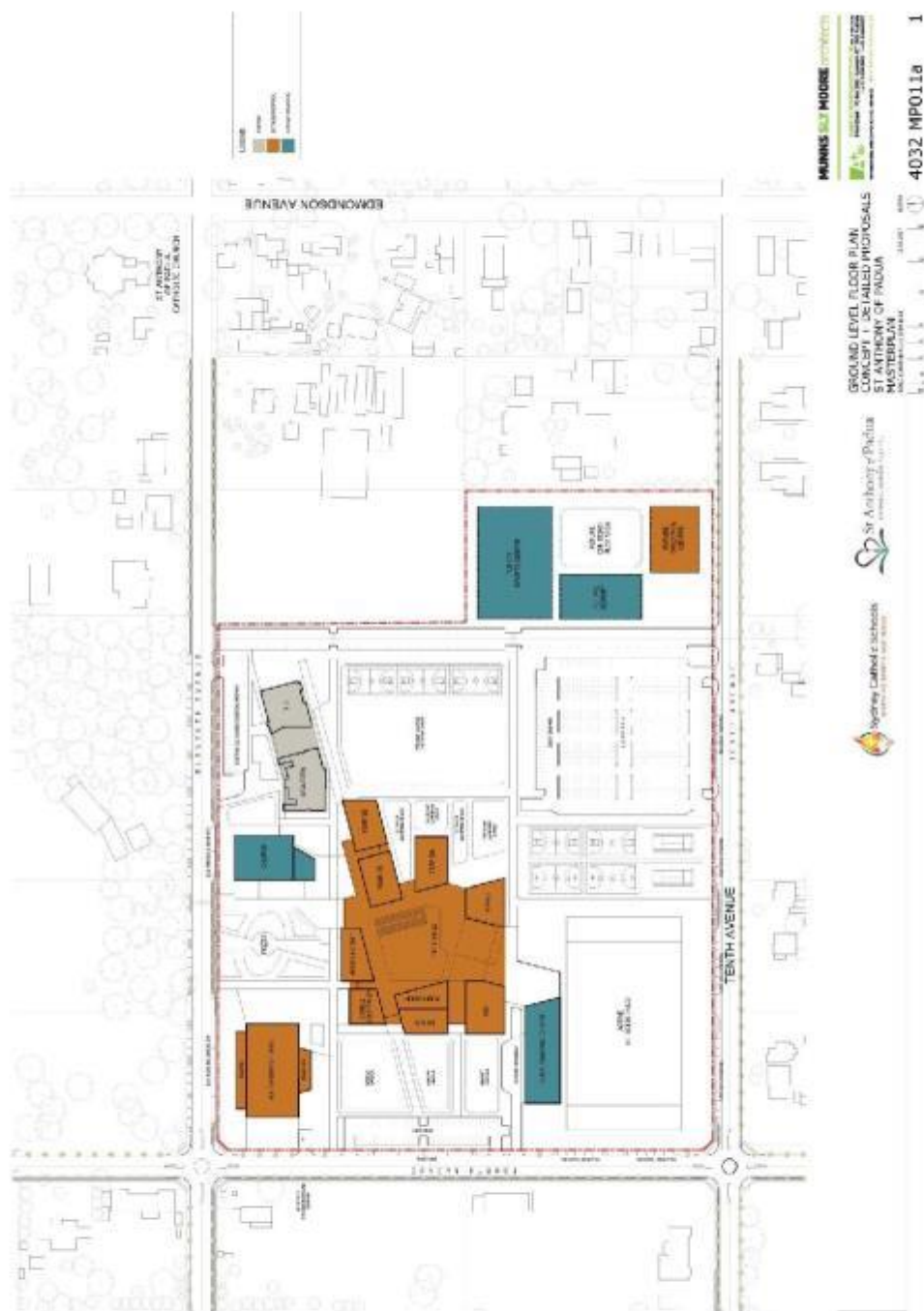


Figure 3: Proposed Building Layout

Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
Eleventh Avenue, Austral, Liverpool City Council LGA, NSW
ISC Methodology

Areas of low potential (as relevant): Any subsurface investigation will be restricted to the Subject Area (see Figure 2), and confirmation of areas of low potential is not relevant (beyond the scope of the study brief).

Comply with methods described in the archaeological Code of Practice: The test excavation would comply with the methods described in the Code.

Sampling to occur within the area of proposed impact. The entire Subject Area would be affected by any future development works associated with the rezoning and any Aboriginal objects and archaeologically sensitive landscapes within this area would probably be harmed by the works (see Figure 3).

Personnel: Test excavations will be carried out by personnel from Kayandel, together with members of the local Aboriginal community identified during the consultation process.

Code of Practice (DECCW, 2010a) Requirements

The test excavations would be conducted in accordance with Requirement 16a of the Code of Practice (DECCW 2010a).

1. Test units will be placed on a systematic grid, with spacing at 5m intervals. Test units may be more closely spaced, to clarify the spatial distribution of objects. Test units may be off-set from the 5m grid to avoid obstacles as necessary.
2. Test units would be separated by at least 5m.
3. Test units will be excavated using hand tools only.
4. Test units will be excavated in 50cm x 50cm squares.
5. Test units may be combined and excavated as necessary to understand site characteristics; however:
 - a. The maximum continuous surface area of a combination of test units will not be greater than 3m²;
 - b. The maximum surface area of all test units will be less than 0.5% of the site being investigated.
6. The first test unit will be excavated and documented in 5cm spits. Based on the results of the first test unit, 10cm spits or sediment profile/stratigraphic excavation (whichever is smaller) may then be implemented.
7. All material excavated from the test units will be sieved using a 5mm aperture wire-mesh sieve. A smaller mesh may also be used. Wet sieving will be used if possible.
8. Test units will be excavated to at least the base of the identified Aboriginal object-bearing units, and will continue to confirm the soils below are culturally sterile. However, excavation will cease if/when B-horizon clays, rock or other impenetrable layer is reached, even if objects occur directly on this layer.
9. There is no point 10 in requirement 16a of the Code.
10. Photographic and scale-drawn records of the stratigraphy/soil profile, features and informative Aboriginal objects will be made for each test unit or combined units.
11. Test units will be backfilled as soon as practicable.
12. An Aboriginal Site Impact Recording form will be completed and submitted to the AHIMS Registrar as soon as practicable after the test excavation (DECCW 2010a:26-27).

Proposed Test Excavation Method

If an archaeological test excavation is necessary, the investigation is proposed to be undertaken in 3 phases, with the design of each subsequent Phase being determined by the results of the earlier Phase(s).

Phase 1: Investigations would involve the excavation of test pits at intervals of 20m along each transect, with each transect 20m. KAS proposes that infield consultation would be undertaken with the RAPs to identify test pits that have a moderate to high potential of containing intact archaeological deposits.

Phase 2: Investigations would involve the excavation of additional test pits at a distance of 10m from Phase 1 Test Pits, where high frequencies of Aboriginal cultural material were identified. If no Aboriginal cultural material was identified the test excavation would cease at Phase 1.

Phase 3 Investigations would involve the extension of previous test pits that contained high frequency of Aboriginal objects count.

The test excavation program is proposed to be undertaken across any archaeologically sensitive landforms that are identified during the field survey; however, depending on the results of the excavation program, an excavation of the wider Subject Area may be warranted. If it is identified that an excavation program should be undertaken across the wider Subject Area, an amended test excavation methodology will be provided to the RAPs.

Objects recovered during the test excavation – Requirements 16b, 19 and 26

Any Aboriginal objects will be managed in accordance with Requirements 16b, 19 and 26.

Temporary storage: Any objects recovered during the test excavation will be temporarily removed from the site, to the offices of Kayandel at 37 Cherry Road, Lakesland NSW 2571. Once there, they will be cleaned, identified, and recorded by, or under the supervision of, lithic specialists (Lance Syme and Natalie Stiles).

Reburial: Any objects recovered during the test excavation will be reburied as per Requirement 16b and 26, pending any agreement reached as to the long-term management of the objects. Before any objects are reburied, consultation will take place with members of the local Aboriginal community as to the preferred location of both a temporary and long-term 'keeping place'. The wishes of the community will be respected. Any reburial location will be subject to procedures to ensure that it is not harmed. When objects are reburied, the location of the reburial will be submitted to AHIMS with a site update record card (DECCW 2010a:27). If reburied,

- The collection will be placed in a suitable impervious and permanent container and labelled.
- A record of the final location of the collection will be made, including grid co-ordinates, site plan (or mud map), depth of burial, and photographic record of the disposition. This record will be submitted to AHIMS with a site update card.

Attribute recording: Recording of any objects will include the attributes listed on the AHIMS Artefact Recording Table, in accordance with Requirement 19.

- A catalogue of objects will be made.
- Diagnostic artefacts will be photographed and drawn.
- All objects will be bagged in appropriate and identifiable units, which can be cross-referenced to the catalogue.

Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
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- Objects will be stored in good quality, double-bagged plastic zip-lock bags.
- The bags will be externally labelled using a permanent marker and an independent label on robust material (e.g. tyvex) will be placed inside the bag.

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Proposed Redevelopment of St Anthony of Padua Catholic School, 125-165 Tenth Avenue and, 170-140
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ISC Methodology

Cessation of test excavation – Requirement 17

Test excavation will cease if any of the items detailed below are identified:

- Suspected human remains are encountered;
- Culturally sterile deposits;
- Clay;
- Rock base;
- Locally or regionally high density of objects;
- Presence of rare or representative objects;
- Presence of locally or regionally significant deposits; and/or,
- Enough information has been recovered to adequately characterise the objects present with regard to their nature and significance

References

- DECCW, 2010a, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment, Climate Change and Water NSW, Sydney South.
- DECCW, 2010b, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. Department of Environment, Climate Change and Water, Sydney South
- KAS, 2016, *Aboriginal Archaeological Due Diligence Assessment 140 Eleventh Ave (Lots 811 and 812 DP2475), Austral*. Prepared for Munns Sly Moore Architects

APPENDIX XVI. RAP COMMENTS - COMBINED STAGE 2/STAGE 3 DOCUMENT

Darug Aboriginal Land care

Uncle Des Dyer



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

Natalie Stiles
Archaeologist
Kayandel Archaeological Services
P O Box 440
Picton 2571
NSW

Re: Tenth Avenue & Eleventh Avenue Austral .

Dear, Natalie ,

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, or displayed in the foyer of new building with signage on where they came from

The Darug Aboriginal Land care have and always will holds all land specific social, spiritual and have a responsibility to look after the plants , animals creeks rivers on Darug land has 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

Proposed Redevelopment of St Anthony of Padua Catholic School, Austral, Liverpool City Council LGA, NSW
Aboriginal Cultural Heritage Assessment Report

From: lilly carroll <didgengunawaldan@yahoo.com.au> Sent: Thu 24/05/2018 12:19 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project at 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), Aus

hi Natalie,

DNC agrees to all propoals within the study area of the redevelopment of Padua Catholic school

kind regards
Paul Boyd & Lilly Carroll
Directors DNC


 Fri 11/05/2018 12:23 PM
Bo Field <yurrandaali_cs@hotmail.com>
Re: Kayandel Heritage Project at 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), ,

To: Natalie Stiles
Cc: Lance Syme

Att: Lance

Yurrandaali Cultural Services supports the methodology for this project.
I have also attached the form for fieldwork services.
I look forward to working with you.

Regards
Bo
YCS

 Fri 11/05/2018 12:20 PM
lee field <barrabyculturalservices@gmail.com>
Re: Kayandel Heritage Project at 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh (Lot 1 DP1232692 and Lots 810-812 DP2475), ,

To: Natalie Stiles
Cc: Lance Syme

Dear Lance,

Barraby Cultural services supports the methodology for this project.

Please see the attached letter in regards to field work.

Regards
Lee



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne Watson
0414962766 Justine Coplin
EMAIL: mulgokiwi@bigpond.com / justinecoplin@optusnet.com.au

Attention: kayandel

Subject: 125-165 Tenth Avenue and 170-140 Eleventh

Dear Natalie

Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

Our group promotes Darug Culture and works on numerous projects that are culturally based as a proud and diverse group. It has been discussed by our group and with many consultants and researches that our history is generic and is usually from an early colonists perspective or solely based on archaeology and sites. These histories are adequate but they lack the people's stories and parts of important events and connections of the Darug people and also other Aboriginal people that now call this area home and have done so for numerous generations.

This area is significant to the Darug people due to the evidence of continued occupation, within close proximity to this project site there is a complex of significant sites.

Landscapes and landforms are significant to us for the information that they hold and the connection to Darug people. Aboriginal people (Darug) had a complex lifestyle that was based on respect and belonging to the land, all aspects of life and survival did not impact on the land but helped to care for and conserve land and the sustenance that the land provided. As Darug people moved through the land there were no impacts left, although there was evidence of movement and lifestyle, the people moved through areas with knowledge of their areas

and followed signs that were left in the landscape. Darug people knew which areas were not to be entered and respected the areas that were sacred.

Knowledge of culture, lifestyle and lore have been part of Darug people's lives for thousands of years, this was passed down to the next generations and this started with birth and continued for a lifetime. Darug people spent a lifetime learning and as people grew older they passed through stages of knowledge, elders became elders with the learning of stages of knowledge not by their age, being an elder is part of the kinship system this was a very complicated system based on respect.

Darug sites are all connected, our country has a complex of sites that hold our heritage and past history, evidence of the Darug lifestyle and occupation are all across our country, due to the rapid development of Sydney many of our sites have been destroyed, our sites are thousands of years old and within the short period of time that Australia has been developed pre contact our sites have disappeared.

The Aboriginal cultural heritage consultation requirements for proponents Section 4.1.8 refers to "Aboriginal organisations representing Aboriginal people who hold cultural knowledge". Recent consultation meetings have revealed that many of these Aboriginal organisations and individuals do not hold cultural knowledge of the Western Sydney area. The increasing involvement of such parties in cultural heritage management means that genuine local Aboriginal organisations are unable to properly care for our cultural heritage.

Many Aboriginal organisations listed in the OEH response letter do not contribute to the Aboriginal community of Western Sydney. Individuals listed in the OEH response letter do not represent the community and while they may be consulted with, should not be employed for their own personal financial benefit.

Our organisation is committed to providing benefits back to our local Aboriginal community through such measures as funding the local Aboriginal juniors' touch football team, painting classes for the local children and donating money to various charities. Employment in cultural heritage activities is source of income that organisations such as ours can use to contribute to beneficial activities and support within the community.

Darug custodian Aboriginal Corporation's site officers have knowledge of Darug land, Darug Culture, Oral histories, landforms, sites, Darug history, wildlife, flora and legislative requirements. We have worked with consultants and developers for many years in Western Sydney (Darug Land) for conservation, site works, developments and interpretation/education strategies

Darug Custodian Aboriginal Corporation have received and reviewed the report for 125-165 Tenth Avenue and 170-140 Eleventh

We support the recommendations set out in this report.

Please contact us with all further enquiries on the above contacts.

Regards



Justine Coplin

APPENDIX XVII. RAP COMMENTS - ACHAR



Local Aboriginal Land Council

27/6/2018

To Natalie Stiles

GLALC ref Tenth Avenue

Kayandel Archaeological Services

PO Box 440, Picton NSW 2571

RE: Due Diligence Aboriginal Cultural Heritage Survey 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh Avenue (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral NSW.

On the 8th June 2018 Gandangara LALC representative, Barry Gunther participated on an Archaeological cultural heritage survey at 125-165 Tenth Avenue (Lot 2 DP1232692 and Lots 842-839 DP2475) and 170-140 Eleventh Avenue (Lot 1 DP1232692 and Lots 810-812 DP2475), Austral NSW to assess the likely hood of harm to known and unknown Aboriginal objects that may be present within the proposed study area.

It was evident that the study area was previously highly disturbed by past developments including past and present farming activities.

During the survey no Aboriginal objects were found within the study area. In addition no areas with the potential (PADs) to contain Aboriginal objects were identified.]

Recommendations:

- Kayandel Archaeological Heritage Services to provide GLALC a copy of the final Due Diligence Archaeological cultural heritage report for GLAC record keeping.
- If the proposed study area changes please contact the GLALC for further consultation.
- Ensure proponent has an Unexpected Finds Procedure during construction activities.

Regards

Barry Gunther

103 Moore Street, Liverpool 2170 | PO Box 1038, Liverpool Business Centre 1871
Phone: (02) 9602 5280, Fax: (02) 9602 2741, Email: admin@sasl.org.au
ABN 59 476 858 149

From: Barry Gunther <BGunther@glalc.org.au> Sent: Wed 11/07/2018 10:37 AM
To: Natalie Stiles
Cc: Theresa Malone
Subject: RE: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)

Hi Natalie,

Thanks for the draft CHAR.

As GLALC participated in the field survey and there is no impacts to known Aboriginal objects or places I have these comments regarding this report:

- Would of liked to see GLALCs survey report included (I know there is a space allotted for it) however to see it gives me more certainty that the GLALCS comments and recommendations have been captured and documented in this report.
- I noticed that the report alludes to the process of stop work etc if Aboriginal heritage is found during construction however for any Aboriginal objects or places including skeletal remains that may be unearthed during construction the proponents must have an Unexpected Finds Procedure and I could not see this mentioned in the report.

Happy to discuss.

regards

Barry

GLALC Cultural Heritage and Land Management Officer
103 Moore Street Liverpool NSW 2150
Ph: 9602 5280
Fax: 9602 2741
Email: BGunther@GLALC.org.au



**DARUG LAND
OBSERVATIONS PTY LTD
ABN 27 602 765 453**

**EMAIL: DARUGLANDOBSERVATIONS@GMAIL.COM
PO BOX 2006 BENDALONG NSW 2761
MOBILE: 0413 687 279**

3rd August, 2018

Natalie Stiles
Kayandal Archaeological Services
PO Box 440
PICTON NSW 2571

Dear Natalie,

**RE: REDEVELOPMENT OF ST ANTHONY OF PADUA CATHOLIC
SCHOOL, 165-125 TENTH AVENUE & 170-140 ELEVENTH AVENUE,
AUSTRAL, NSW**

Aboriginal Cultural Heritage Assessment

Darug Land Observations Pty Ltd has reviewed the draft Aboriginal Cultural Heritage Assessment, and supports the methodology for the proposed redevelopment of St Anthony of Padua Catholic School for staged developments for educational buildings and associated facilities including a church, trade training centre, multi-purpose hall, child care centre, library, indoor and outdoor sports facilities at Lot 2 DP 1232692 and Lots 842-839 DP 2475, known as 165-125 Tenth Avenue and Lot 1 DP 1232692 and Lots 810-812 DP 2475, known as 170-140 Eleventh Avenue, in Austral.

Furthermore, we would be involved in the monitoring of the topsoil removal, and/or other forms of works to be carried out on the site.

Yours sincerely,

Jamie Workman
Darug Land Observations Pty Ltd

Uncle Gordon Workman
Darug Elder

From: Murramarang <murramarangchts@gmail.com> Sent: Tue 17/07/2018 12:35 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)

Hi Natalie,

This is Murramarangs support for the Draft ACHA for the above project.

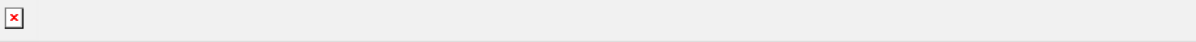
We wish to be kept informed of any further developments and all correspondence should be sent to this email address. Thankyou

From: Goobah <goobahchts@gmail.com> Sent: Tue 17/07/2018 12:59 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)

Hi Natalie,

This is Goobahs support for the Draft ACHA for the above project.

We wish to be kept informed of any further developments and all correspondence should be sent to this email address. Thankyou

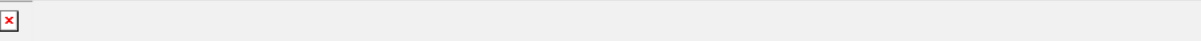


From: Cullendulla <cullendullachts@gmail.com> Sent: Tue 17/07/2018 12:59 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)

Hi Natalie,

This is Cullendullas support for the Draft ACHA for the above project.

We wish to be kept informed of any further developments and all correspondence should be sent to this email address. Thankyou

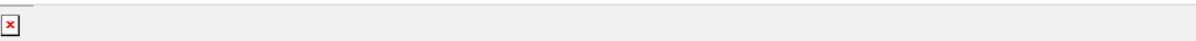




From: Biamanga <biamangachts@gmail.com> Sent: Tue 17/07/2018 12:58 PM
To: Natalie Stiles
Cc:
Subject: Re: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)

Hi Natalie,

This is Biamangas support for the Draft ACHA for the above project.

We wish to be kept informed of any further developments and all correspondence should be sent to this email address. Thankyou




Sun 22/07/2018 7:44 PM
 desmond dyer <desmond4552@hotmail.com>
Re: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)
To: Natalie Stiles
 You forwarded this message on 23/07/2018 10:59 AM.


Hi Natalie,

The Darug Aboriginal Land care agree with your recommendations and Methodology in your report

kind regards
Des

 Wed 18/07/2018 3:25 PM
John Reilly <jmreilly228@gmail.com>
Redevelopment St Anthony-Austral


To Natalie Stiles

 You forwarded this message on 18/07/2018 4:12 PM.

Thank you for your email.

We agree with the methodology and support your recommendations for the project. Look forward to work with the team in the future.

Cheers John dtac

 Wed 11/07/2018 6:33 PM
Gulaga <gulagachts@gmail.com>
Re: Kayandel Heritage Project - Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue (Lot 2)
To Natalie Stiles

Hi Natalie

Gulaga support the draft ACHA report for the above project.

We wish to be kept informed of any further developments thankyou.

Kind Regards
Wendy Smith
Cultural Heritage Officer
Gulaga
0401 808 988



DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne
0414962766 Justine
EMAIL: mulgokiwi@bigpond.com / Justinecoplin@optusnet.com.au

Attention: Kayandel

Subject: Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue

Dear Natalie

We have received the draft report for Redevelopment of St Anthony of Padua Catholic School of 165-125 Tenth Avenue, We would like to add that our sites are a complex and not all separate sites and recommend that the connections are interpreted throughout the project. Information gathered during these projects is of high significance, once our sites are gone there is no other evidence of the sites or connections.

Darug people stayed in this area to present times, the oral histories of this area support the families staying here for thousands of years.

Within this document the amount of groups for consultation is high with many groups not from this area, we do not support personal profit groups and also do not support any input that they have into the recommendations. Apart from the amount of people consulted we support the summery report. Please contact us with all further enquiries on the above contacts.

Regards

Justine Coplin

APPENDIX XVIII. AHIMS RESULTS

The locations and details of Aboriginal sites are considered culturally sensitive information. It is recommended that this information, including the AHIMS data and GIS imagery, is removed from this ASR if it is to enter the public domain.



Office of
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& Heritage

AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : Eighth_Ave

Client Service ID : 321678

Kayandel Archaeological Services

PO Box 440 15 Henry Street
Picton New South Wales 2571

Attention: Lance Syme

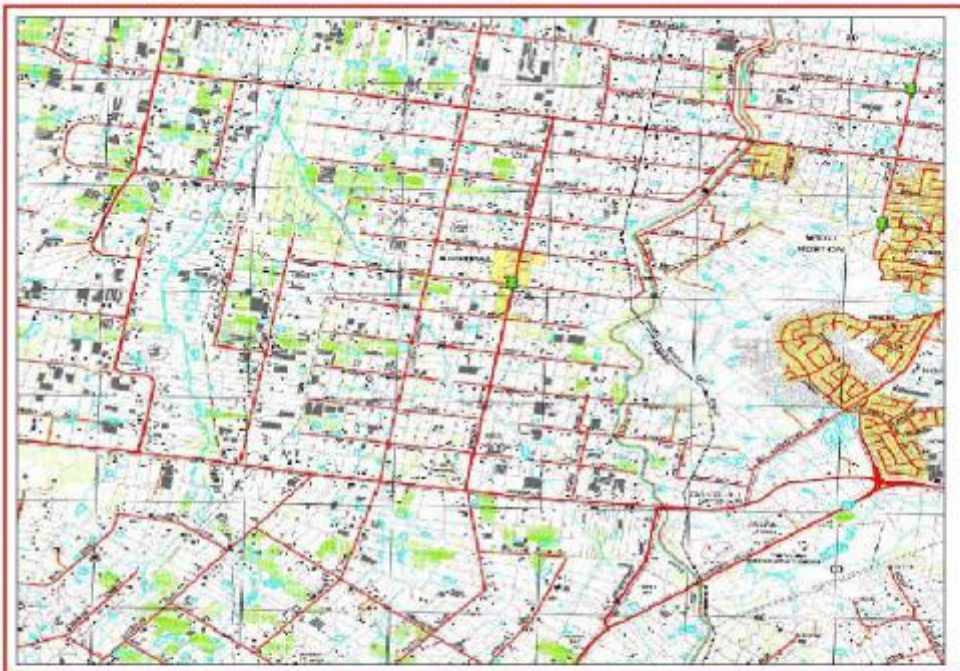
Email: lance.syme@kayandel.com.au

Date: 11 January 2018

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Datum :GDA Zone : 56, Eastings : 295563 - 299563,
Northings : 6240567 - 6244567 with a Buffer of 1000 meters, conducted by Lance Syme on 11 January 2018.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

79	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Proposed Redevelopment of St Anthony of Padua Catholic School, Austral, Liverpool City Council LGA, NSW
Aboriginal Cultural Heritage Assessment Report



Office of
Environment
& Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Eighth_Ave

Client Service ID : 321678

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status	SiteFeatures	SiteTypes	Reports	
45-5-3300	LIF-1	AGD	56	298817	6240125	Open site	Valid	Artefact :-		102442	
	Contact T Russell	Recorders	Navin Officer Heritage Consultants Pty Ltd							Permits	
45-5-3143	PADB Sixteenth Avenue	AGD	56	299930	6244750	Open site	Valid	Potential Archaeological Deposit (PAD) :-			
	Contact Searle	Recorders	Doctor Jo McDonald							Permits	2373
45-5-3854	BRP-IF-05	GDA	56	295605	6241463	Open site	Destroyed	Artefact : 1			
	Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Mr.Leigh Bate, Miss Kristen Taylor							Permits	3742
45-5-3855	BRP-IF-06	GDA	56	297381	6241187	Open site	Destroyed	Artefact : 1			
	Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Mr.Leigh Bate, Miss Kristen Taylor							Permits	3742
45-5-3856	BRP-IF-07	GDA	56	297478	6241243	Open site	Valid	Artefact : 1			
	Contact	Recorders	Mr.Leigh Bate							Permits	
45-5-3857	BRP-IF-08	GDA	56	297393	6241106	Open site	Valid	Artefact : 1			
	Contact	Recorders	Mr.Leigh Bate							Permits	
45-5-3858	BRP-IF-09	GDA	56	296004	6241350	Open site	Destroyed	Artefact : 1			
	Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Mr.Leigh Bate, Miss Kristen Taylor							Permits	3742
45-5-3859	BRP-IF-10	GDA	56	295372	6241329	Open site	Valid	Artefact : 1			
	Contact	Recorders	Mr.Leigh Bate							Permits	
45-5-3860	BRP-IF-11	GDA	56	294826	6241522	Open site	Destroyed	Artefact : 1			
	Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Mr.Leigh Bate, Miss Kristen Taylor							Permits	3742
45-5-3943	LP-2	GDA	56	299202	6240304	Open site	Valid	Artefact : 5		102442	
	Contact	Recorders	Matthew Kelleher,Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd							Permits	
45-5-3944	LP-1	GDA	56	298851	6240110	Open site	Destroyed	Artefact : 1		102442	
	Contact	Recorders	Mr.Mark Rawson,Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Con							Permits	3517
45-5-3946	LP-3	GDA	56	299439	6240616	Open site	Destroyed	Artefact : 1		102442	
	Contact	Recorders	Mary Dallas Consulting Archaeologists,Mr.Mark Rawson,Kelleher Nightingale Cons							Permits	3517
45-5-3906	SWRL Site 12	GDA	56	299228	6240872	Open site	Valid	Artefact : 1		102442	
	Contact	Recorders	Mary Dallas Consulting Archaeologists,Matthew Kelleher,Kelleher Nightingale Con							Permits	3731
45-5-3907	SWRL SITE 13	GDA	56	297164	6240839	Open site	Valid	Artefact : 1			
	Contact	Recorders	Mrs.Jenna Weston							Permits	
45-5-3968	ALN-IF-06	GDA	56	295876	6243329	Open site	Valid	Artefact : 1, Burial :-			
	Contact	Recorders	Australian Museum Consulting (AM Consulting),Sydney Water-Parramatta,Mrs.Jen							Permits	
45-5-3903	SWRL SITE 10	GDA	56	300380	6240664	Open site	Valid	Artefact : 1		102442	
	Contact	Recorders	Mrs.Jenna Weston							Permits	
45-5-3905	SWRL SITE 11	GDA	56	300276	6240709	Open site	Valid	Artefact : 1		102442	

Report generated by AHIMS Web Service on 12/01/2018 for Lance Syme for the following area at Datum :GDA, Zone : 56, Eastings : 295563 - 299563, Northings : 6240567 - 6244567 with a Buffer of 1000 meters. Additional Info : due diligence assessment. Number of Aboriginal sites and Aboriginal objects found is 79

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AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Eighth_Ave

Client Service ID : 321678

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status	SiteFeatures	SiteTypes	Records
	Contact	Recorders						Permits		
45-5-3887	BRP-S-10	GDA	56	296851	6242085	Open site	Destroyed	Artefact : 1		103783
	Contact	Recorders						Permits	3742	
45-5-3897	BRP-S-11	GDA	56	296390	6241200	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3898	BRP-S-12	GDA	56	296277	6241285	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3868	BRP-S-13	GDA	56	296114	6241329	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3869	BRP-S-14	GDA	56	295431	6241442	Open site	Destroyed	Aboriginal Resource and Gathering : 1, Artefact :-		
	Contact	Recorders						Permits	3742	
45-5-3870	BRP-S-15	GDA	56	295206	6241463	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3871	BRP-S-16	GDA	56	295069	6241463	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3872	BRP-S-17	GDA	56	294967	6241477	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3873	BRP-S-18	GDA	56	294710	6241532	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3874	BRP-S-19	GDA	56	298829	6240826	Open site	Valid	Artefact : 1		102442
	Contact	Recorders						Permits		
45-5-3875	BRP-S-20	GDA	56	294610	6241536	Open site	Destroyed	Artefact : 1		
	Contact	Recorders						Permits	3742	
45-5-3900	BRP-S-10-PAD	GDA	56	296851	6241320	Open site	Destroyed	Potential Archaeological Deposit (PAD) : 1, Artefact :-		
	Contact	Recorders						Permits	3742	
45-5-4005	PAD 2006-6	GDA	56	295790	6245041	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	Contact	Recorders						Permits		
45-5-4015	Isolated Object 2016-5	GDA	56	297480	6245528	Open site	Valid	Artefact :-		103786
	Contact	Recorders						Permits		

Report generated by AHIMS Web Service on 12/01/2018 for Lance Syme for the following area at Datum :GDA, Zone : 56, Eastings : 295563 - 299563, Northings : 6240567 - 6244567 with a Buffer of 1000 meters. Additional Info : due diligence assessment. Number of Aboriginal sites and Aboriginal objects found is 79

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Office of
Environment
& Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Eighth_Ave

Client Service ID : 321678

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-4017	PAD 2018-6	GDA	56	296377	6244929	Open site	Valid	Potential Archaeological Deposit (PAD) :-		103783,103786
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams								
45-5-4018	PAD 2019-6	GDA	56	297367	6242079	Open site	Valid	Potential Archaeological Deposit (PAD) :-		103783
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams								
45-5-4019	PAD 2020-6	GDA	56	297463	6242047	Open site	Valid	Potential Archaeological Deposit (PAD) :-		103783
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams, Kelleher Nightingale Consulting Pty Ltd								
45-5-4020	Isolated Object 2021-5	GDA	56	296796	6243361	Open site	Valid	Artefact :-		103783
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams								
45-5-4023	Artefact Scatter PAD 2024-46	GDA	56	296274	6241323	Open site	Destroyed	Artefact :-, Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>							<u>Permits</u>	3742	
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams, Kelleher Nightingale Consulting Pty Ltd								
45-5-4024	Artefact Scatter PAD 2025-46	GDA	56	294669	6241517	Open site	Destroyed	Artefact :-, Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>							<u>Permits</u>	3742	
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams, Kelleher Nightingale Consulting Pty Ltd								
45-5-4031	PAD 2032	GDA	56	296851	6241215	Open site	Destroyed	Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>							<u>Permits</u>	3742	
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams, Kelleher Nightingale Consulting Pty Ltd								
45-5-4050	PAD 2055-6	GDA	56	295942	6239731	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Extent Heritage Pty Ltd, Doctor: Alan Williams								
45-5-4056	PAD 2063-6	GDA	56	298459	6240461	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Mary Dallas Consulting Archaeologists, Mary Dallas Consulting Archaeologists, Doob								
45-5-4693	GML7-EL-IF4	GDA	56	298863	6239947	Open site	Destroyed	Artefact :-		
	<u>Contact</u>							<u>Permits</u>	4048	
	<u>Recorders</u>	Mary Dallas Consulting Archaeologists, Mary Dallas Consulting Archaeologists, Ms.T								
45-5-4670	West Hoxton Open site 1 (wh-os-1)	GDA	56	300378	6244245	Open site	Valid	Artefact :-		
	<u>Contact</u>							<u>Permits</u>		
	<u>Recorders</u>	Mr Lance Syme								

Report generated by AHIMS Web Service on 12/01/2018 for Lance Syme for the following area at Datum :GDA, Zone : 56, Eastings : 295563 - 299563, Northings : 6240567 - 6244567 with a Buffer of 1000 meters. Additional Info : due diligence assessment. Number of Aboriginal sites and Aboriginal objects found is 79

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Proposed Redevelopment of St Anthony of Padua Catholic School, Austral, Liverpool City Council LGA, NSW
Aboriginal Cultural Heritage Assessment Report



Office of
Environment
& Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Eighth_Ave

Client Service ID : 321678

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status	SiteFeatures	SiteTypes	Remarks
45-5-2559	TLC1	GDA	56	298953	6240722	Open site	Valid	Artefact : 2, Potential Archaeological Deposit (PAD) :-	Isolated Find, Scarred Tree	98739,102442
<u>Contact</u>		<u>Recorders</u>		Mary Dallas Consulting Archaeologists, Annie Nicholson, Ms Tamika Goward				<u>Permits</u>		
45-5-0964	WH2;	AGD	56	300230	6242670	Open site	Valid	Artefact :-	Open Camp Site	2738,98369,98370,98371,98443,98739,102442
<u>Contact</u>		<u>Recorders</u>		Doctor Jo McDonald				<u>Permits</u>		631
45-5-0965	WH3;	AGD	56	300000	6242750	Open site	Valid	Artefact :-	Open Camp Site	2738,98369,98370,98371,98443,98739,102442
<u>Contact</u>		<u>Recorders</u>		Doctor Jo McDonald				<u>Permits</u>		631
45-5-0966	WH4;	AGD	56	299570	6242580	Open site	Valid	Artefact :-	Open Camp Site	2738,98739,102442
<u>Contact</u>		<u>Recorders</u>		Doctor Jo McDonald				<u>Permits</u>		631
45-6-2427	IF1;AGL Gas;	AGD	56	299200	6239780	Open site	Valid	Artefact :-	Isolated Find	98739,102442
<u>Contact</u>		<u>Recorders</u>		Anthony English				<u>Permits</u>		743
45-5-0787	WH-1;	AGD	56	299870	6242650	Open site	Valid	Artefact :-	Open Camp Site	1727,98739,102442
<u>Contact</u>		<u>Recorders</u>		Alice Gorman, Laura-Jane Smith				<u>Permits</u>		300,356,631
45-5-2854	Lot 70 PAD	AGD	56	294850	6240900	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
<u>Contact</u>		<u>Recorders</u>		Ms.Elizabeth White				<u>Permits</u>		1642
45-5-2855	Lot 127D	AGD	56	295600	6241100	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
<u>Contact</u>		<u>Recorders</u>		Ms.Elizabeth White				<u>Permits</u>		1642
45-5-3532	SWRL Site 9	GDA	56	295798	6240883	Open site	Valid	Shell : 1		
<u>Contact</u>		<u>Recorders</u>		Australian Museum Consulting (AM Consulting)				<u>Permits</u>		
45-5-3536	SWRL Site 4	GDA	56	298965	6240982	Open site	Valid	Stone Arrangement : 1		102442
<u>Contact</u>		<u>Recorders</u>		Australian Museum Consulting (AM Consulting)				<u>Permits</u>		
45-5-3537	SWRL Site 3	GDA	56	300303	6241016	Open site	Valid	Stone Arrangement : 8		102442
<u>Contact</u>		<u>Recorders</u>		Australian Museum Consulting (AM Consulting)				<u>Permits</u>		
45-5-3681	LT21 (Liverpool)	AGD	56	299895	6244363	Open site	Valid	Artefact :-		

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SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status	SiteFeatures	SiteTypes	Reports
	Contact	Recorders						Permits		
45-5-3682	LT22 (Liverpool)	GDA	56	299793	6245257	Open site	Valid	Artefact : 2		
	Contact	Recorders						Permits		
45-5-3683	LT23 (Liverpool)	AGD	56	299804	6245336	Open site	Valid	Artefact : 15		
	Contact	Recorders						Permits		
45-5-4258	SWRL 20	GDA	56	295750	6240961	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-4964	Eight Ave Austral Scatter	GDA	56	297530	6242401	Open site	Valid	Artefact : 1		
	Contact	Recorders						Permits		
45-5-4962	SA-AS1-17	GDA	56	296870	6241825	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
41-5-0015	Bringelly Rd PAD	GDA	56	298055	6241030	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-2689	B62	AGD	56	295050	6245290	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-2731	MCCANN ROAD #6	AGD	56	294920	6240790	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-2609	SHMP	AGD	56	300390	6245180	Open site	Valid	Aboriginal Resource and Gathering : -		98369,98370,9 8371,98443,10 0565
	Contact	Recorders						Permits	2652,2689	
45-5-3295	PP-8	GDA	56	298711	6242029	Open site	Valid	Artefact : -		103783
	Contact	Recorders						Permits		
45-5-3298	PP-F3	GDA	56	299449	6245540	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-3299	PP-F4	AGD	56	300117	6243522	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-4383	LP10AS	GDA	56	296046	6240668	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-4381	LP3AS	GDA	56	296000	6239917	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-4375	LP1AS	GDA	56	295676	6240173	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits		
45-5-4376	ELWW1	GDA	56	296962	6239951	Open site	Valid	Artefact : -		
	Contact	Recorders						Permits	3731	

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SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-4439	ELWW PAD1	GDA	56	297070	6240425	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd							
45-5-4440	GML11-EL-IF7	AGD	56	298645	6239550	Open site	Valid	Artefact :-		
	<u>Contact</u>	<u>Recorders</u>	GML Heritage Pty Ltd + Context							
45-5-4421	ELWW2	GDA	56	296979	6239708	Open site	Valid	Artefact :-		
	<u>Contact</u>	<u>Recorders</u>	Mr.Mark Rawson							
45-5-4422	ELWW3	GDA	56	297027	6239664	Open site	Valid	Artefact :-		3731
	<u>Contact</u>	<u>Recorders</u>	Mr.Mark Rawson							
45-5-4773	Sixteenth Ave Artefact Scatter 1	GDA	56	298920	6244904	Open site	Valid	Artefact :-		103783
	<u>Contact</u>	<u>Recorders</u>	Mary Dallas Consulting Archaeologists,Mary Dallas Consulting Archaeologists,Ms.T							
45-5-4836	Byron Road AFT 1	GDA	56	298450	6240500	Open site	Destroyed	Artefact :-		4156
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mr							
45-5-4837	Byron Road AFT 2	GDA	56	298280	6240120	Open site	Partially Destroyed	Artefact :-		4046
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mr							
45-5-4912	Fifth Avenue 1	GDA	56	296727	6241565	Open site	Valid	Artefact :-		4046
	<u>Contact</u>	<u>Recorders</u>	Biosis Pty Ltd - Sydney,Mr.James Cole							
45-5-4918	Ingleburn Road AFT 1	GDA	56	296881	6239973	Open site	Valid	Artefact :-		4167
	<u>Contact</u>	<u>Recorders</u>	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mr							

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