

9.0 APPENDICES

9.1 Appendix A: Specialist Cultural Heritage and Historical Report

ALBION PARK RAIL BYPASS

Aboriginal Cultural Assessment

Prepared by: Waters Consultancy Pty Ltd
Client: Roads and Maritime Services

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Introduction

This report is a component in the investigations undertaken by Roads and Maritime Services (RMS) in relation to the Albion Park Rail Bypass Project. The project boundaries for the bypass route are shown on Figure 1.

In the mid 1990s the then Roads and Traffic Authority (RTA) identified a preferred route for the Albion Park Rail bypass. As a result of this study a road corridor was reserved within the Wollongong and Shellharbour City Council Local Environmental Plans. In 2013 the RMS reviewed the reserved road corridor to assess its continuing suitability as a bypass location. RMS has since undertaken detailed design of the preferred route option that involves a 9.8 kilometre extension of the M1 Princes Motorway between Yallah and Oak Flats to bypass Albion Park Rail. The bypass requires the construction of three new interchanges between the Princes Motorway and the surrounding road network to be located at Yallah, Albion Park, and Oak Flats.

RMS has engaged Hyder Cardno Joint Venture (HCJV) to manage the preparation of an Environmental Impact Statement (EIS). As part of the assessment process RMS engaged Artefact Heritage in 2013 to undertake an archaeological survey report in relation to Aboriginal heritage. Waters Consultancy were engaged by RMS to undertake the Aboriginal cultural assessment in December 2014.

This report is the outcome of the Aboriginal cultural assessment undertaken by Waters Consultancy. It is a stand-alone report but will also inform the Aboriginal Cultural Heritage Assessment Report being prepared for HCJV by Artefact Heritage as one component of the EIS.

The proposed development is being assessed as State Significant Infrastructure (SSI) under Part 5.1 of the Environment Planning and Assessment Act 1979 (EP&A Act).

Proposed Projectⁱ

Roads and Maritime propose to construct a 9.8 kilometre extension of the Princes Motorway between Yallah and Oak Flats to Bypass Albion Park Rail. The purpose of the project is to complete the missing link for a high standard road between Sydney and Bomaderry. The project aims to address short and long term transport needs.

Key features of the project include:

- o A motorway with two lanes in each direction (with capacity for additional lanes). The motorway would extend from the existing Princes Highway at Yallah, traversing south and crossing the Macquarie Rivulet west of the existing Princes Highway. South of the Macquarie Rivulet the alignment would generally follow the existing Illawarra Highway alignment, running to the west of the Illawarra Regional Airport. The alignment would then continue south between Albion Park and Albion Park Rail, crossing Tongarra Road. In the south, the alignment would skirt the southern side of the Croom Reserve passing through the north eastern section of the Croom Regional Sporting Complex. The alignment would then head east following the existing East West Link alignment before connecting into the existing Princes Highway at the Oak Flats interchange (Figure 1).

- o Three interchanges connecting the local road network with the motorway at Yallah, Albion Park and Oak Flats.
- o A new southbound motorway entry ramp from Tongarra Road and a northbound exit ramp at the Illawarra Highway (these ramps may not be needed until a later stage).
- o Construction of bridges at the following locations:
 - Water courses at Macquarie Rivulet, Duck Creek and Frazers Creek;
 - Tongarra Road and the existing Princes Highway;
 - South Coast Railway Line;
 - Floodways.
- o Demolition and removal of the existing bridge on the Princes Highway across Duck Creek.
- o Local road changes or upgrades.
- o Pedestrian and cycleway connections.
- o Drainage.
- o Emergency access and management facilities.
- o Flood storage adjustments.
- o Noise barriers.
- o Lighting.
- o Earthworks and landscaping.
- o Pavements and line marking.
- o Reconfiguration of the Croom Regional Sporting Complex, including replacement of directly impacted sporting facilities and changes to the southern access and internal roads of the sporting complex.

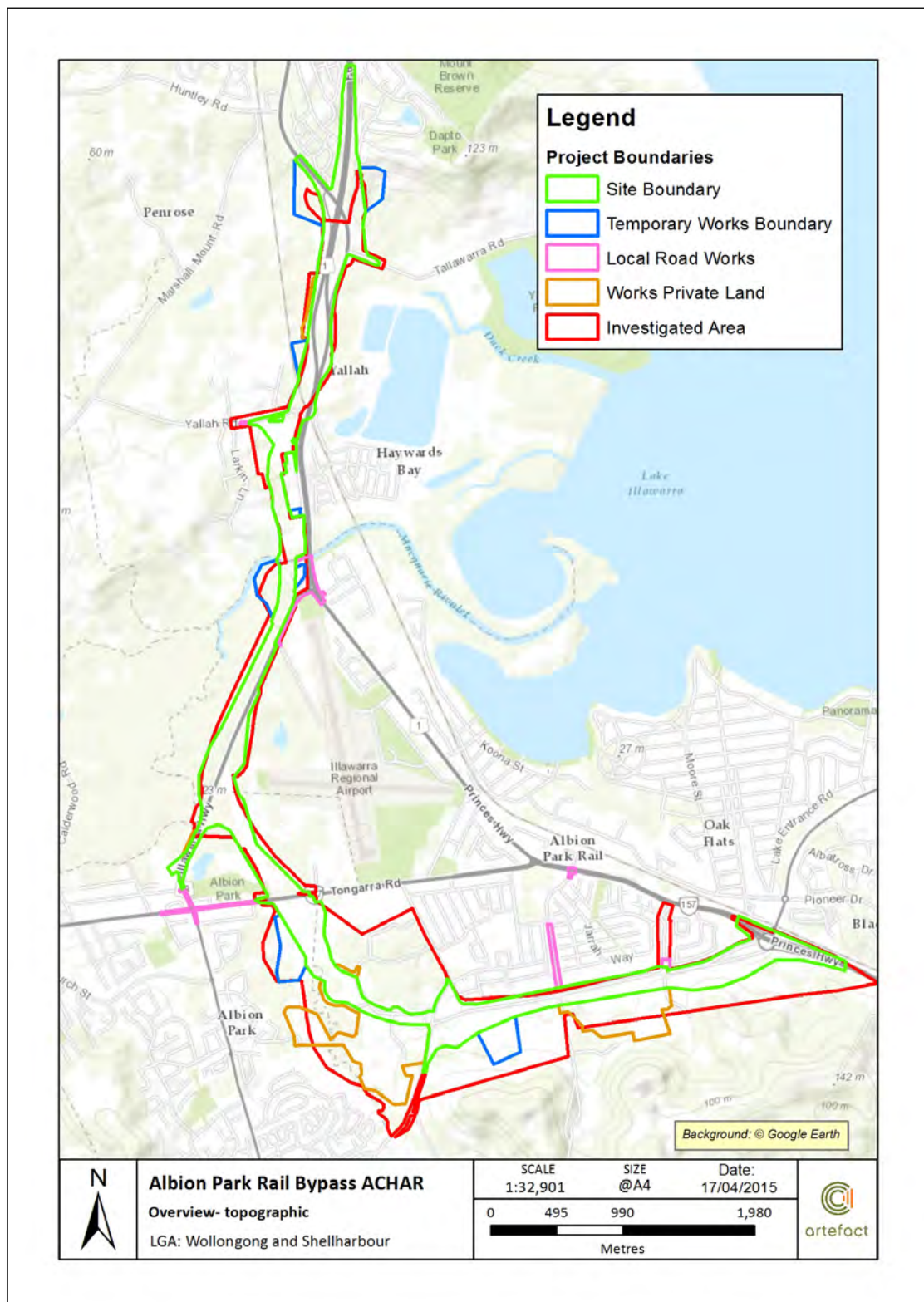


Figure 1: The proposed Albion Park Rail Bypass Project. ⁱⁱ

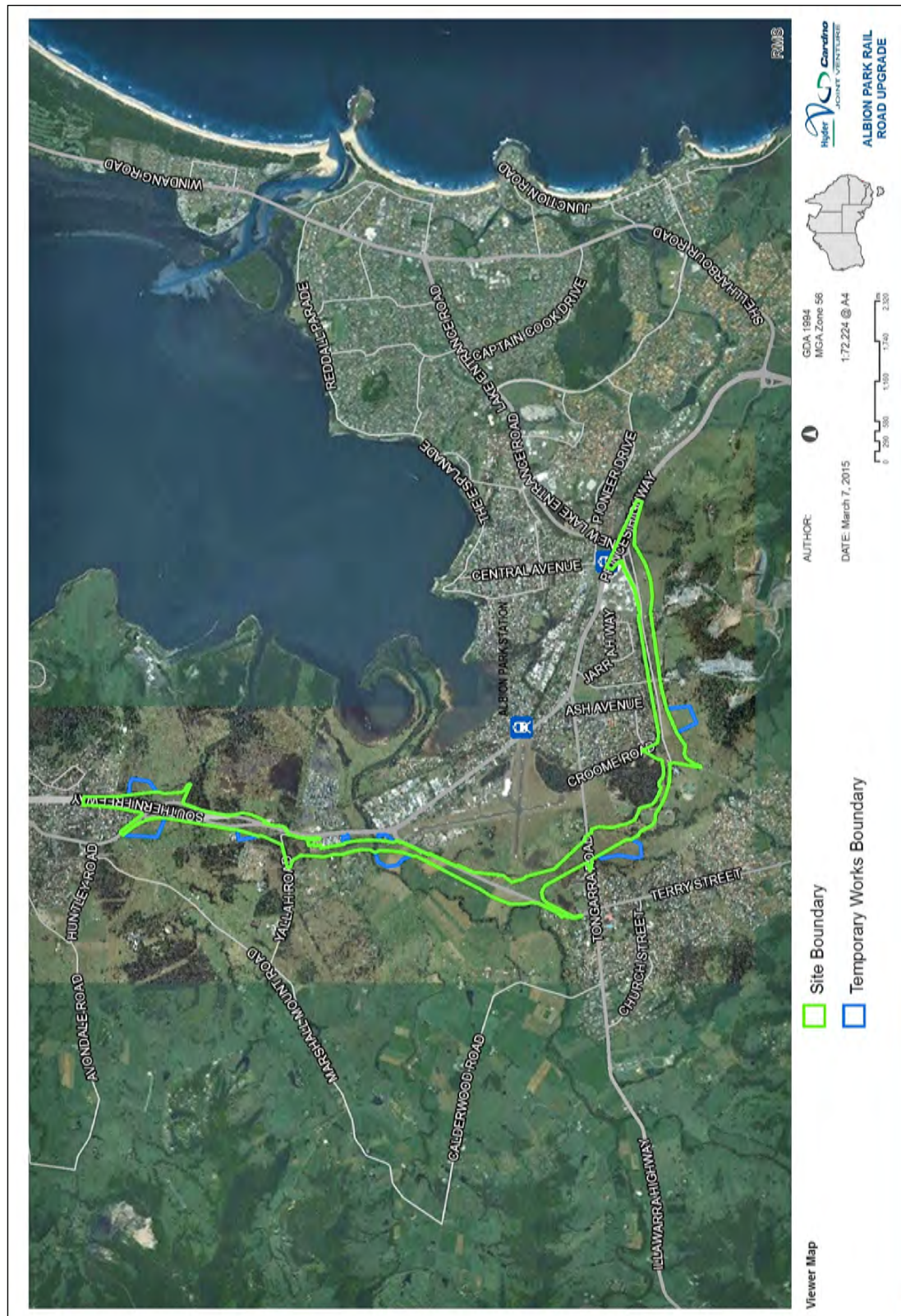


Figure 2: Albion Park Rail Bypass Project boundaries. ⁱⁱⁱ

The study area for this assessment included the area mapped as the site boundaries (green) and the ancillary areas (blue).

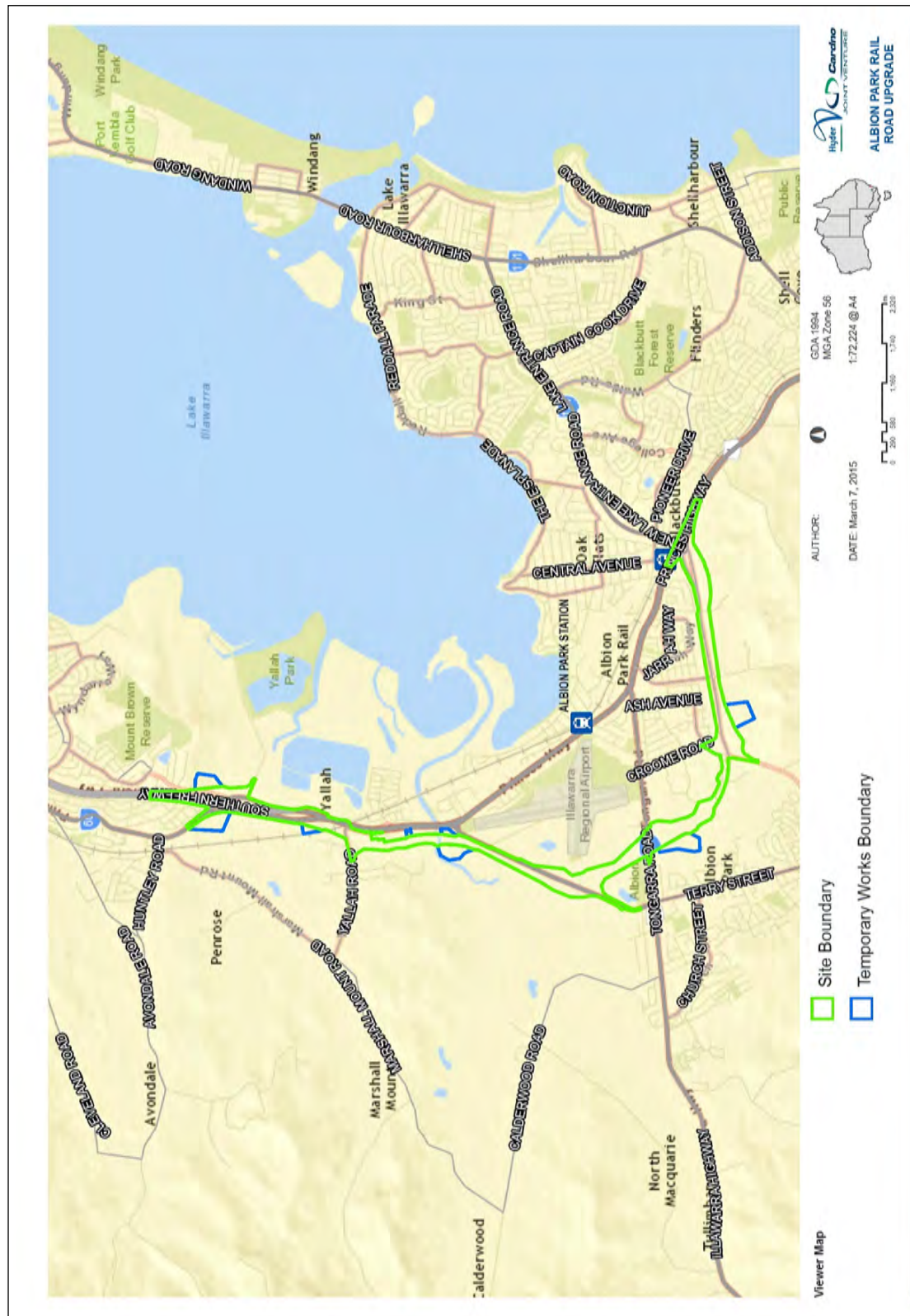


Figure 3: Albion Park Rail Bypass Project boundaries.^{iv}

The study area for this assessment included the area mapped as the site boundaries (green) and the ancillary areas (blue).

Methodology

This Aboriginal cultural assessment has been undertaken through consultation with knowledge holders, as identified by the registered Aboriginal stakeholders, regarding historical and cultural values within the study area. Historical research has been undertaken to provide a contextual understanding to allow for the interpretation and assessment of the cultural information.

Consultation with Aboriginal knowledge holders is a key component to the assessment of Aboriginal cultural heritage values. As stated in the guidelines produced by the International Council on Monuments and Sites (ICOMOS) on the application of the Burra Charter to Indigenous heritage,^v

Indigenous people are the relevant knowledge-holders for places of Indigenous cultural significance. Their traditional knowledge and experience must be appropriately used and valued in the assessment of places. Advice may need to be sought on who are the relevant knowledge holders.^{vi}

The assessment of Aboriginal cultural heritage values was undertaken collaboratively with the Aboriginal community and identified Aboriginal knowledge holders. This is consistent with the guidelines for the assessment of Aboriginal cultural heritage produced by the Office of Environment & Heritage (OEH).^{vii}

Consultation Process

The proposed cultural assessment methodology was provided to the registered Aboriginal stakeholders for comment on 23 December 2014 (see Appendix One). In addition the consultant provided a verbal explanation of the cultural assessment methodology to all registered Aboriginal stakeholders and AFG attendees who were contacted. No written comments were received in relation to the cultural assessment methodology. The verbal feedback provided endorsed the proposed methodology as appropriate.

For the purposes of this assessment the registered Aboriginal stakeholders were requested to nominate individuals who they considered held cultural heritage knowledge of the area. The request for nominations was made in a letter (see Appendix One) sent out to all registered Aboriginal stakeholders by RMS on 23 December 2014. All registered Aboriginal stakeholders, and all those individuals who registered their attendance at the Aboriginal Focus Group (AFG) held on 16 October 2014, were contacted. In some instances the attempts at contact were unsuccessful despite numerous attempts via telephone and email where provided.

The registered Aboriginal stakeholders nominated nine individuals as knowledge holders. Of the nine individuals identified as holding cultural heritage knowledge of relevance to the area, two stated that they regarded other of the named knowledge holders as being more appropriate to speak for the area. Detailed interviews were conducted with six of the seven remaining identified knowledge holders in relation to the cultural heritage values within the study area.^{viii} A planned interview with the seventh identified knowledge holder had to be rescheduled and despite repeated attempts to make contact via telephone it has not been possible to reschedule.^{ix}

Within the specific study area consultation with the six knowledge holders has identified one site of cultural significance located directly adjacent to the proposed footprint (Site A: Duck Creek Cultural Site), one site of cultural significance located within the proposed footprint (Site

B: Macquarie Rivulet Cultural Site), and one site of cultural significance located outside the proposed footprint (Site C: YTOF CS 1).

The six identified knowledge holders spoken with also provided cultural and historical information on the broader cultural landscape of the region and their family connection to the area. This information has informed the assessment process in relation to the cultural heritage values and significance of the identified cultural heritage sites. The significance assessments and mitigation recommendations are based on this assessment process and consultation with the knowledge holders.

Previous Historical and Cultural Assessment

No Aboriginal cultural assessment has previously occurred in relation to the Albion Park Rail Bypass.

During archaeological survey and assessment undertaken by Artefact Heritage in relation to this project a single cultural site was identified. This site was recorded as YTOF CS 1 in an October 2014 addendum report resulting from an expansion of the original study area.

Site YTOF CS 1 (not yet issued an AHIMS site number) is a cultural site within private property located in [REDACTED], in the far south-eastern corner of the project area. The site comprises an old growth fig tree located on a small terrace of a north facing slope (Plate 41). Troy Tungai of ILALC identified the tree as a women's site. Fig trees such as this have been identified as 'birthing trees', places of meeting for women where birthing and associated rituals took place within the local Illawarra context (Timberley- Bennett 2004).^x

This site is not located within the impact footprint. However, all six knowledge holders have identified the old growth fig tree, which constitutes this site, as holding cultural significance (for further discussion see **Site C: YTOF CS 1** below).

What is Cultural Significance?

The concept of cultural significance encompasses all the cultural values and meanings that could potentially be recognised in a place. The cultural and natural values of a place are generally indivisible in the context of Aboriginal cultural heritage. The cultural values and meanings in a place can be both tangible and intangible.

Cultural significance is embodied in the place: in its tangible or physical form, in the wider cultural landscape that it is located in, in the ways in which the place is used or interacted with, and in the associations, stories, and meanings of the place to the people and community it holds significance for.

Aboriginal cultural heritage consists of any places and objects of significance to Aboriginal people because of their traditions, observances, lore, customs, beliefs and history. It provides evidence of the lives and existence of Aboriginal people before European settlement through to the present... For Aboriginal people, cultural heritage and cultural practices are part of both the past and the present and that cultural heritage is kept alive and strong by being part of everyday life.^{xi}

The concept of cultural significance is used in Australian heritage practice and legislation to encompass all of the cultural values and meanings that might be recognised in a place. Cultural significance is often defined as the sum of the qualities or values that a place has with particular reference to the five values – aesthetic, historic, scientific, social and spiritual – that are listed in the *Burra Charter*.

The three key values in relation to Aboriginal cultural heritage assessments are the social, spiritual and historic. Social or cultural value refers to the associations that a place has for a particular community or cultural group and the resulting social or cultural meanings that it holds for them. It can encompass traditional, historical or contemporary associations. Spiritual value is often subsumed within the category of social or cultural value. It refers more specifically to the intangible values and meanings embodied or evoked by a place to a specific cultural group and that relate to that group's spiritual identity or traditional practices. Historic values refer to the associations of a place with an individual person, event, phase or activity that has historical importance to a specific community or cultural group.

Consultation with Aboriginal knowledge holders is a key component to the assessment of Aboriginal cultural heritage values. The assessment of Aboriginal cultural heritage values must be undertaken collaboratively with the Aboriginal community and identified Aboriginal knowledge holders. This is consistent with the guidelines for the assessment of Aboriginal cultural heritage produced by OEH^{xii} and the practice notes produced by the ICOMOS on the application of the Burra Charter to Indigenous heritage.^{xiii}

Aboriginal People of the Illawarra

The study area lies within the Illawarra region that extends from Stanwell Park in the north to Bass Point in the south. The Illawarra is a diverse region supporting a wide range of vegetation communities including eucalypt forests, woodlands, subtropical rainforests, swamps, grasslands and scrubs.

Aboriginal people of the Illawarra were closely connected through ceremonial cycles, trade networks and kinship to communities north to Sydney, south to Victoria and west up onto the tablelands and alps. Particularly close connections existed between the communities on the Illawarra and those in the area extending from Botany Bay and the Nepean and Georges River areas, west to Moss Vale, and south to the Shoalhaven River and Jervis Bay. These connections continue to exist today in a complex web of kinship and interaction.

The area immediately surrounding the study area has a rich history of occupation by Aboriginal people. Bass Point, approximately 15 kilometres to the south east of Albion Park, has a dating of 17,500 years for Aboriginal occupation.^{xiv} The involvement of Albion Park in a trade network that extended north to Sydney is evident in the archaeological record where a fine grained basaltic rock identified as coming from the bed of the Macquarie Rivulet near Albion Park was one of two sources of raw material for stone hatchet heads found at the Kurnell Peninsula in Sydney. Petrified wood found in the same area was identified as coming from the south coast, with one possible site being the hills above Albion Park.^{xv}

Prior to the impact of the European intrusion this was a resource rich area encompassing marine environments and freshwater and estuary wetlands. As would be expected in such a resource rich area the early European records give a clear impression of a well populated region.^{xvi}

Aboriginal people utilised the resources of the oceans and rivers throughout the region including a wide range of fish, eels, and shellfish. The remains of middens that occur throughout the region are testimony to the importance of shellfish as a resource. The utilisation of whales and seals is also evident in middens in the wider area.^{xvii}

The freshwater and estuary wetlands which have been such an important resource for multiple generations of Aboriginal people in the region have been heavily modified as a result of European land management practices including altering river and stream courses, drainage and infilling.

Aboriginal people also utilised a wide range of land-based resources, including animals such as wallabies and possums, plant foods, and honey as food sources.^{xviii} In the study area there is a reference to the location on which the Albion Park Dairy Factory was built in 1885 as having been, *"...the great roasting place of the aboriginals, who resorted to that particular spot to cook the wallabies taken in the chase."*^{xix} The former Albion Park Dairy building is located on Creamery Road alongside the railway line approximately 500 metres north of the current Albion Park Railway Station.^{xx}

Other land based resources that were utilised by Aboriginal people in the region include plants for bush medicine, fish poison and dyes, wood to make boomerangs, spears, digging sticks, bark for canoes and shelters, fibre to produce string, and stone to make axes, grinding stones, and spear points.^{xxi}

Aboriginal people of the Illawarra are recorded as having used a wide range of techniques to harvest fish, crustacean, eels etc. These included stunning fish with poison, luring fish with torchlight, harvesting shallow creeks with large open weave baskets, spearing fish, and line fishing with shell hooks.^{xxii}

The first intensive European intrusion into the area occurred in the 1810s with the movement of cedar cutters into the region.^{xxiii} In the 1810s and '20s cedar cutters were extremely active in the Illawarra region with Kiama developing as a centre for the cedar trade.^{xxiv}

Despite government attempts to control cedar cutting it continued at a rapid rate, particularly in the Hunter, Illawarra and Shoalhaven regions. By the 1850s the Illawarra and Shoalhaven stands had already been reduced dramatically and the focus of the cedar cutters had shifted to the north coast of New South Wales. Just twenty years later Red Cedar was scarce throughout the whole of New South Wales.^{xxv}

There are accounts in the early records that indicate conflict between the local Aboriginal people and the cedar getters who were active in the region prior to permanent European settlement.^{xxvi} Certainly there are documented instances of violence by Europeans against Aboriginal people on the Illawarra.^{xxvii}

The beginning of a permanent European presence in the Illawarra occurred around 1815 when Dr. Charles Throsby moved cattle into the area via the Bulli Pass. By December 1817 the first land grants to Europeans had been issued on the land of the Illawarra people. Settlement intensified in the 1820s with the establishment of towns such as Wollongong and Kiama.^{xxviii}

The first land grant in the study area was to a land speculator and former convict, Samuel Terry, in 1817; he called it Terry's Meadows. It was renamed Albion Park by his nephew, John Terry Hughes, who inherited the estate following Samuel's death in 1838.^{xxix}

The Albion Park township developed in the 1870s and '80s with the construction of various commercial buildings. In 1897 the Shellharbour council relocated to Albion Park reflecting the decline of Shellharbour and the growth of Albion Park due to the development of the beef and dairy cattle industry.^{xxx}

As the patterns of European land use increasingly alienated Aboriginal people from the hinterland, the resources of the ocean and rivers grew in importance. The reminiscences of an early European resident of the area include his memories of large-scale fishing on the Macquarie Rivulet around the mid nineteenth century as well as spear fishing on the beach,

A very old resident of the district... speaking of the aborigines, said he had, when a boy, seen at the Macquarie Rivulet a crowd of between 200 and 300 of them engaged in a fishing operation, which consisted in putting a pole across and banking up the water; they

went in then and chucked out great quantities of fish. Settlers about used to come with their carts and participate in the catch. He got his father's permission once to accompany the King fishing; they went to the beach and soon the King, saying "big schnapper longa' there," threw his spear, and, sure enough, struck a big fish out in the surf. Aborigines, it may be mentioned, did not stand in one spot wearily waiting for a finny customer to come for the bait; they moved about till they found where the fish were, which their knowledge of nature enabled them to do.^{xxxix}

Fishing had been an important traditional resource all along the coast and continued to be an important economic resource for Aboriginal people on the south coast throughout the nineteenth century and into the second half of the twentieth century.^{xxxix} In an article examining the history of Aboriginal fishing in the Illawarra and Shoalhaven regions in the 19th century the historian Michael Bennett concluded, "*What is clear is that people continued to use their immense knowledge, skills and experience to catch and collect the bounty of the seas and streams.*"^{xxxix} Fishing is still an important aspect of the lives of many Aboriginal people on the south coast with economic and cultural meaning, although due to the depletion of the fishing stocks it is no longer as important an economic resource as it was.^{xxxix}

The Macquarie Rivulet was, and is, an important cultural place within the study area. It was a rich resource area and formed part of one of the pathways along which people travelled and connected to groups to the west and north.^{xxxix} The Rivulet also has importance for its association with the burial of Aboriginal people. A newspaper article from 1919 referred to the memoirs of an old European resident of a funeral occurring in the area when he was a young boy in the mid nineteenth century,

The banks of the Macquarie were used by the aborigines for burial purposes, being easy to make graves in. As a boy, our informant remembered being at a funeral of a young woman. The pall bearers walked crooked ways, the object of this being to cause the spirit of the dead, in the event of emergence, to get lost in making for the camp. On this occasion the interment had taken place contrary to the custom of the body being viewed first by the "doctor." The latter came along just after and was very wrath; he threw his boomerang a long shot and back it came to his feet. Billy Broughton, who was a stockman at the meadows here, advised the white people to leave, as there was going to be a quarrel. The aborigines here expressed fear of those on the tableland, saying they were wild fellows. They were expert in the use of their weapons and very agile in dodging them. Punishment for offences was dealt out by placing the offender at some distance and setting two men to throw spears at him. He had the defence of his womera, a small oval shield, and with that he took his chance of stopping them.^{xxxix}

It is not known where along the Macquarie Rivulet, or how far from the banks, burials occurred. The funeral of Tullimbar, an important local figure, was also recorded as occurring on the Macquarie Rivulet in the late nineteenth century.^{xxxix}

The Macquarie Rivulet also holds importance as the location of a battle that was said to have occurred in the early nineteenth century between people from the Illawarra and people travelling up from the Shoalhaven Cullunghutti (Coolangatta) area.^{xxxix} It is not known where

along the Macquarie Rivulet this battle occurred. This account of the battle comes from a 1929 newspaper article,

....about the year 1820, the chief camping-ground of the Illawarra aborigines was at Hooka Creek, which runs into the western side of Lake Illawarra, not far from Port Kembla. The tribe was then ruled by a chief named Hooka, who was friendly with, and at many times protected the early settlers. On one notable occasion he made plans to defend the settlers of the Dapto district against an attack which was to have been made on them by the natives from the further south Coolangatta district. He led 200 of his men, who gathered at Mullet Creek, and whose cry was "Hooka, Hooka," into battle at the Macquarie Rivulet, when a number of the southern men were killed and the remainder driven southwards.^{xxxix}

Other accounts date this battle to the 1840s.^{xl} In an 1893 article Charlie Hooka was referred to as the King of Mullet Creek.^{xli} Some written accounts of the story recorded that Charlie Hooka died during the battle and was buried at either Kanahooka Point on Lake Illawarra or in the Albion Park area.^{xlii}

The Aborigines Protection Board emerged in the 1880s and soon developed into an agency of government control over the lives of Aboriginal people in New South Wales. The Board's role initially involved overseeing the distribution of blankets, rations and various other goods to 'destitute' Aboriginal people. In later years the formation and management of reserves became a major part of the Board's functions.^{xliii} From its official formation in 1883 the Aborigines Protection Board increasingly intruded into the lives of the Aboriginal communities of New South Wales, dramatically increasing the regulations and limitations governing Aboriginal people's lives.^{xliv}

In the vicinity of the study region there was a reserve formed at Berrwarra Point by the Board in 1894, some 12 kilometres north east of Albion Park at the mouth of Lake Illawarra. It appears that people were already living in the area prior to the reserve's formation. A reserve was formed at Minnamurra River in 1896, again where people were already living. This Minnamurra River reserve was revoked in 1898 and the Board attempted to move the people living there to Kiama. However, by the following year people were again recorded as living at Minnamurra. Queen Rosie and her husband Mickey Johnson lived on both these reserves in the 1890s and early 1900s.^{xlv}

The majority of Aboriginal people in the region lived off the reserves in a series of camps located along the coast and waterways. By 1900 Aboriginal people in the area were concentrated at Minnamurra and Port Kembla. There were important camps in the region at Salty Creek, Coomaditchy Lagoon, Tom Thumb's Lagoon and Red Point, which was later known as Hill 60.^{xlvi}

In the early 1900s repeated attempts were made to remove Aboriginal people from the Port Kembla camps such as Salty Creek and Tom Thumb's Lagoon.^{xlvii} During the 1920s pressure increased on the Hill 60 camp as a result of urban expansion in the area and the resulting pressure from European residents and town councils to remove Aboriginal people from the area. The attempts to remove the Hill 60 community was strongly opposed by the Aboriginal residents.^{xlviii} However, in the late 1930s or early 1940s^{xlix} with the development of the site by

the Department of Defence the Aboriginal residents were moved to what was known as the Official Camps near Coomaditchy (Coomaditchie) Lagoon though some families went temporarily further down the south coast including to the Berry area.ⁱ

In addition to fishing Aboriginal people in the region worked throughout the nineteenth and into the twentieth century as guides, stockmen, agricultural labourers, and domestic workers. In the twentieth century Aboriginal people also began to get employment in industrial areas as wharf labourers and coal trimmers.ⁱⁱ Another important area of employment for Aboriginal people in the area, particularly from the mid- twentieth century was seasonal crop-picking. The two major centres for south coast crop-picking in the mid twentieth century were Bodalla and Bega.ⁱⁱⁱ

Aboriginal people's involvement in the seasonal picking work, so central for many decades to the rural industries of the south coast, constituted a major economic contribution to the region. The freedom of movement associated with the availability of seasonal work also played an important role in allowing for the maintenance of wide ranging networks of kinship amongst the Aboriginal people of the south coast and connected regions.ⁱⁱⁱⁱ

There are many places within Albion Park and the wider region within which it is situated that continue to hold cultural significance for the Aboriginal people who live there and for those who have kinship connections to the area.

Overview of Findings and Recommendations

Within the specific study area consultation with the six knowledge holders has identified three areas of cultural significance as set out in Table 1 below. A detailed discussion of the cultural significance of these three sites is provided in the following section (**Detailed Cultural Significance Assessments**).

Table 1: Summary of Significance of Identified Cultural Sites

Site Name	Description	Cultural significance
Site A: [REDACTED] Creek Cultural Site	A cultural site associated with the stones on the creek bed.	This area has High Significance as a site of cultural and spiritual significance as a place that embodies a cultural tradition. The site encompasses the tangible physical presence of the stones on the creek bed and the intangible associated cultural story that identifies the stones as holding the souls of departed individuals. The site is regarded as a 'no go' area.
Site B: Macquarie Rivulet Cultural Site	The Macquarie Rivulet, throughout its length, is a culturally significant waterway and associated resource zone.	The Macquarie Rivulet is of High Significance to the local Aboriginal community. The waterway and its adjacent resource areas hold high cultural significance for the local Aboriginal community. This cultural significance is a result of the waterway's association with traditional patterns of movement and resource use, with tangible evidence of Aboriginal occupation of the region, and with the intangible story lines that link the coast to the escarpment and the tablelands. The presence of historical burials along the Macquarie Rivulet, though the specific locations are unknown, contributes to its cultural significance. The ongoing use of the waterway as a resource area contributes to its cultural significance as it provides a sense of cultural continuity from the pre-invasion traditional society to the contemporary Aboriginal community.
	An old growth fig tree.	This site has Medium Significance for the Aboriginal community as an old growth fig tree. Old growth fig trees, as a class, hold cultural significance for the Aboriginal community of the region being understood variously as resource trees and as places associated with childbirth rituals.

Specific site based actions and mitigation measures have been recommended in relation to two of the three identified cultural sites within the study area, these are set out in Table 2 on the following pages.

In addition it is recommended that an Aboriginal Heritage Management Plan (AHMP) should be prepared and implemented as part of the Construction Environmental Management Plan (CEMP). The AHMP should provide specific guidance on measures and controls to be undertaken to avoid and mitigate impacts on Aboriginal cultural heritage during construction. Measures and controls should include protection measures to be applied during construction, including but not limited to the Actions recommended in Table 2 below, contractor training in general Aboriginal cultural heritage awareness, and any on-going opportunities for Aboriginal community engagement. It is recommended that the cultural heritage consultant (Waters

Consultancy) be present at the contractor inductions in relation to those components of the project that include the three identified cultural sites.

In the event of the unexpected discovery of suspected archaeological Aboriginal human remains during the proposed works, in addition to the procedures outlined in the Roads and Maritime *Unexpected Heritage Items Procedure 2015*, it is recommended that the AHMP require that RMS immediately notify the identified knowledge holders of the discovery. If the material is confirmed to be archaeological Aboriginal human remains it is recommended that consultation occur with the identified knowledge holders in relation to: the development of a Management Plan for future proposed works in the relevant area; cultural ceremonies in relation to the human remains and the site of their occurrence; repatriation of the human remains.

Table 2: Recommended Site Specific Actions and Mitigations

Site Name	Description	Cultural Heritage Significance	Impact? Yes/No	Action	Mitigation
Site A: [REDACTED] Creek Cultural Site	A cultural site associated with the stones on the creek bed.	High	No	In relation to Site A: [REDACTED] Creek Cultural Site it is recommended that: 1) temporary fencing be erected between the zone of construction activity and the site; 2) That the placement of the fencing be confirmed on site by the consultant (Waters Consultancy).	In relation to Site A: [REDACTED] Creek Cultural Site no mitigation is recommended as there is no known impact.
Site B: Macquarie Rivulet Cultural Site	The Macquarie Rivulet, throughout its length, is a culturally significant waterway and associated resource zone.	High	Yes	It is recommended in relation to Site B: Macquarie Rivulet Cultural Site that: 1) temporary fencing be erected between the zone of construction activity and the old growth eucalypt located within this site (red star on Figure 3 indicates location); 2) That the placement of the fencing be confirmed on site by the consultant (Waters Consultancy).	It is recommended in relation to Site B: Macquarie Rivulet Cultural Site that mitigation occurs as follows: 1) Topsoil within the impacted area to be separated from other earthworks and if possible stockpiled within the adjacent ancillary area. While stockpiled, the topsoil should be managed in accordance with RMS guidelines to ensure segregation and retention of the material until construction is complete. At completion of construction separated topsoil to be returned to the site area. 2) Rehabilitation and revegetation of the impacted area with local Indigenous plant species at completion of construction works. 3) The development of a booklet (in a format appropriate for local publication) by a cultural heritage specialist on the cultural values and historical records relating to the Macquarie Rivulet. The report to be produced as a full colour booklet for distribution

Site Name	Description	Cultural Heritage Significance	Impact? Yes/No	Action	Mitigation
Site C: YTOF CS 1	An old growth fig tree.	Medium	No	In relation to Site C: YTOP CS 1 no actions are recommended as there is no known impact.	to local libraries and educational institutions. The final content of the booklet to be developed in consultation with the Aboriginal knowledge holders.
					4) The development of interpretative signage relevant to this cultural site to be displayed in an appropriate area. The content of the signage to be developed in consultation with the Aboriginal knowledge holders. The preferred location for the placement of the signage, dependent on consultation with the relevant landholder, would be on site in redevelopment of Darcy Dunster Reserve.
Site C: YTOF CS 1	An old growth fig tree.	Medium	No	In relation to Site C: YTOP CS 1 no actions are recommended as there is no known impact.	In relation to Site C: YTOP CS 1 no mitigation is recommended as there is no known impact.

Detailed Cultural Significance Assessments

This section provides a detailed discussion of the three sites identified within the specific study area as having Aboriginal cultural significance. Of these three sites of cultural significance, one is located directly adjacent to the proposed footprint (Site A: [REDACTED] Creek Cultural Site), one is located within the proposed footprint (Site B: Macquarie Rivulet Cultural Site), and one is located outside the proposed footprint (Site C: YTOF CS 1).

1.1 Site A: [REDACTED] Creek Cultural Site

Location: [REDACTED]
[REDACTED]
[REDACTED]

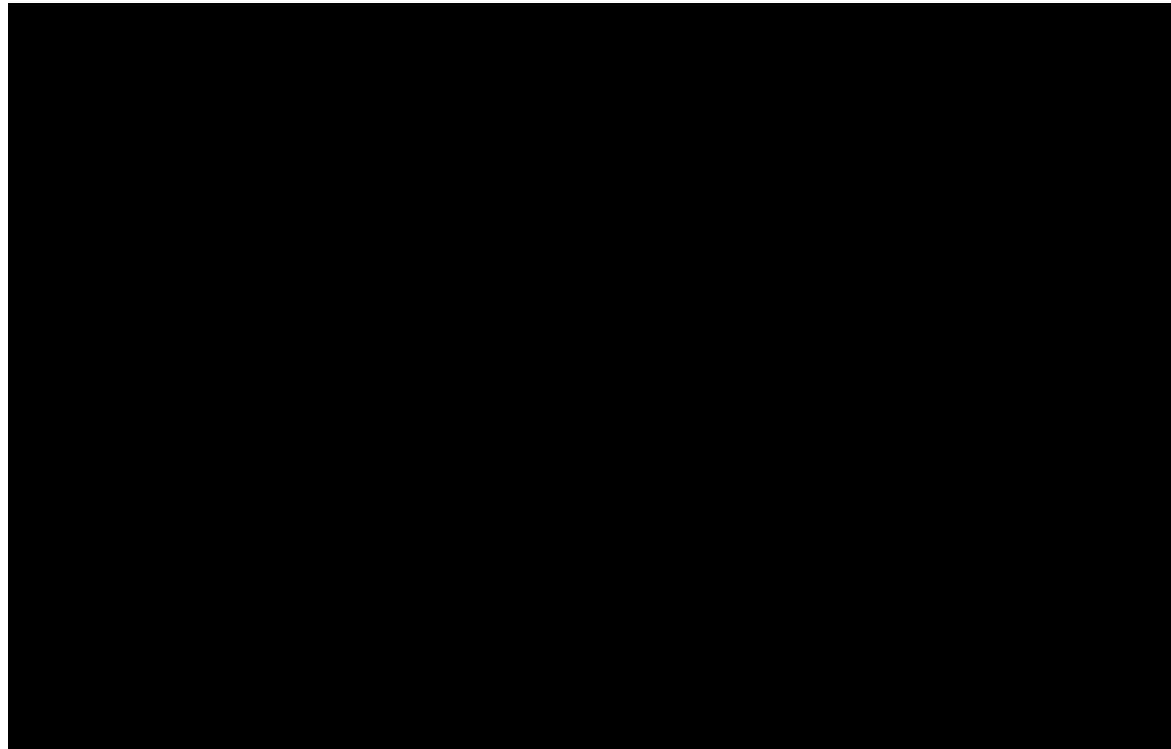


Figure 4: Site A: [REDACTED] Creek Cultural Site.^{liv}

Description: This cultural site is associated with the stones on the creek bed. It has been identified [REDACTED] as a cultural avoidance site or ‘no go’ area taught to them by their grandparents. The cultural story associated with this site identifies the stones that lie on the creek bed in this area as holding the souls of departed individuals, *“The stones hold the souls.”^{lv}* The site is regarded as a ‘no go’ area due to the nature of the individuals whose souls are held in the stones.

The stones hold the departed souls of ‘yeo’ devil people, that’s why this area is called ‘yallah-yeo’, ‘yallah’ means ‘go away’. We were told never to collect any food, anything, there.^{lvi}

When the water is about is when the old people believed that it was most dangerous, it’s when the souls were most known to linger and taunt the living.^{lvii}

Significance: This area has High Significance as a site of cultural and spiritual significance as a place that embodies a cultural tradition. The site encompasses the tangible physical presence of the stones on the creek bed. The cultural and spiritual significance of the site results from the intangible cultural tradition embodied by the stones and the creek bed in which they lay.

Impact: No known impact.

Recommended Actions: In relation to Site A: [REDACTED] Creek Cultural Site it is recommended that:

1. temporary fencing be erected between the zone of construction activity and the site;
2. That the placement of the fencing be confirmed on site by the consultant (Waters Consultancy).

Mitigation Recommendations: In relation to Site A: [REDACTED] Creek Cultural Site no mitigation is recommended as there is no known impact.

1.2 Site B: Macquarie Rivulet Cultural Site

Location:

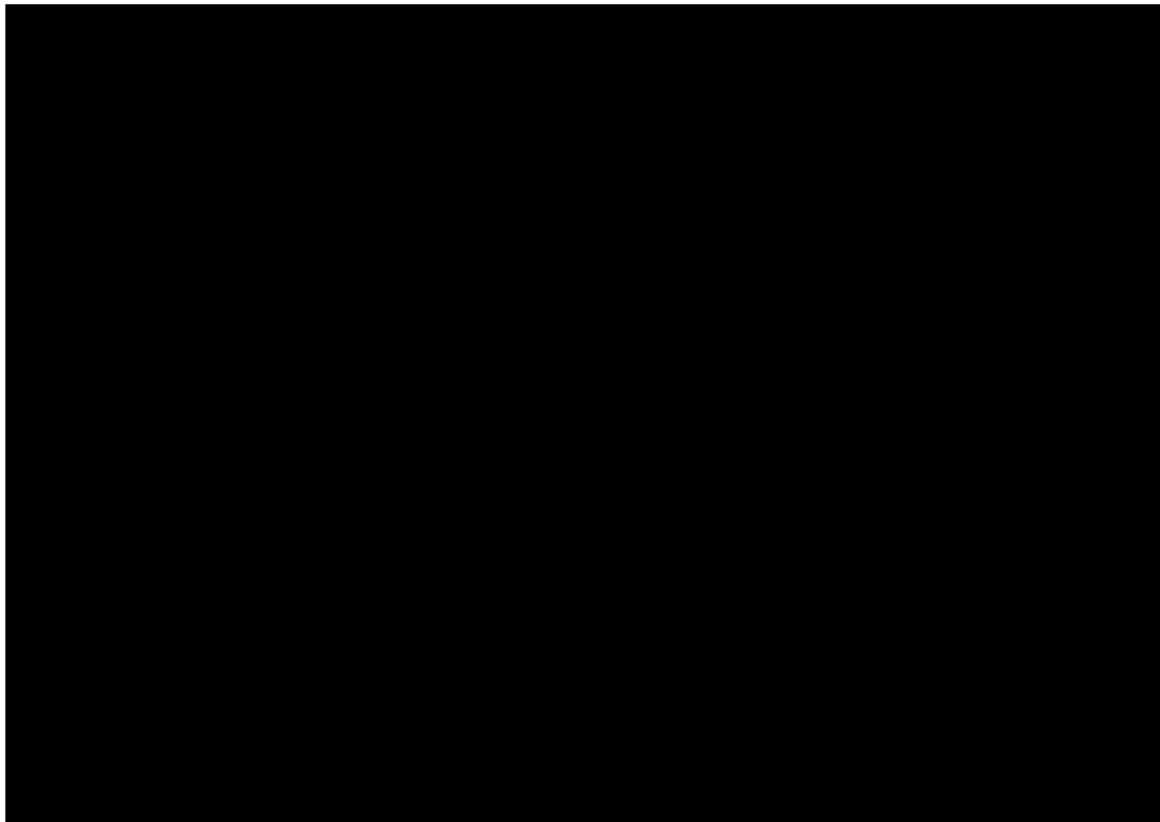


Figure 5: Site B: Macquarie Rivulet Cultural Site.^{lviii}



Description:

The Macquarie Rivulet was identified by all the knowledge holders spoken with as an area of high cultural significance;

The whole lot of the Rivulet is significant... around the water areas there is significance to Koori people.^{lix}

Macquarie Rivulet is a very sacred place. People camped all along there [pre invasion].^{lx}

It's always the river, the rivulet, that's important.^{lxi}

It's important from the entrance at Lake Illawarra all the way up to the escarpment.^{lxii}

The Macquarie Rivulet holds cultural significance as a result of its association with traditional patterns of movement, camping and resource use.

That whole waterway, that river, was a significant food bowl all the way from the lake back. They have put weirs in there and some of that watercourse has changed from its original course. At the base of the mountain that watercourse is still very much original.^{lxiii}



Image 1: Reed beds along the Macquarie Rivulet^{lxiv}



Image 2: Macquarie Rivulet, looking north west from the Darcy Dunster Reserve^{lxv}

The Macquarie Rivulet is understood as the local focus point for a traditional pattern of seasonal movement from the coast up onto the escarpment and the highlands and extending into the St. George's River area.

They went from the Macquarie Rivulet, worked their way up onto the escarpment and then right up to Saltpan - if there was a ceremonial thing on or they were trading, they had to be invited into the area - and then up to Moss Vale way and then they'd come back round to the rivulet.^{lxvi}

This traditional cycle of movement, associated with resource use and management, holds cultural importance as it embodies traditional patterns of life, knowledge of country, and links with neighbouring cultural groups.

They moved with their seasons and their clans... They'd go round in a circle, start here at the rivulet, build a camp where the food all was and then go all the way round... they always followed the food.^{lxvii}

Because people camped all the way along there and the pathways they came all the way down from the escarpment.^{lxviii}



Image 3: Macquarie Rivulet, looking north from the Darcy Dunster Reserve^{lxi}

The Macquarie Rivulet has continued to be used as a resource area for the local Aboriginal community,

That area is very special cause I used to go there a lot fishing, I took all my boys there fishing. When I was a kid I used to fish on there but down towards the lake, that's where you get the blood mussels (cockles) too, down in the sea weed, the lake weed. There's middens all along the rivulet. There's a lot of fish all around here. You go up this creek, there's freshwater marrons up there, at each waterhole.^{lxx}

This continuity of use contributes to the cultural significance of the site as it provides a sense of cultural continuity from the pre-invasion traditional society to the contemporary Aboriginal community.



Image 4: The Macquarie Rivulet, looking east from the Darcy Dunster Reserve^{lxxi}

All of the knowledge holders spoken with referred to the presence of middens associated with the Macquarie Rivulet. In some instances reference was made to specific midden sites whilst in others more general reference was made to the presence of middens. The specific middens referred to were not located within the area of the Macquarie River Cultural Site that lies within the current project's impact zone.

The tangible evidence of Aboriginal occupation of the region that is provided by the middens and shell scatters that are known to the Aboriginal community and those that have been archaeologically recorded in the area^{lxxii} contribute further to the significance of the Macquarie Rivulet.



Image 5: Old Growth Eucalypt, Macquarie Rivulet^{lxiii}

The retention of any tangible cultural material on site was considered to be culturally appropriate by all the knowledge holders. To facilitate this it has been recommended that the topsoil from the impacted area of the cultural site be removed and stockpiled during the construction process. The knowledge holders request that if possible the topsoil be stockpiled on or adjacent to the cultural site. At the completion of construction activities it is recommended that the topsoil be returned to the cultural site and utilised in the landscaping and revegetation of the area. The knowledge holders have requested that the revegetation of the area be undertaken with locally Indigenous plant species.

Significance: The Macquarie Rivulet is of High Significance to the local Aboriginal community. The waterway and its adjacent resource areas hold high cultural significance for the local Aboriginal community. This cultural significance is a result of the waterway's association with traditional patterns of movement and resource use, with tangible evidence of Aboriginal occupation of the region, and with the intangible story lines that link the coast to the escarpment and the tablelands. The ongoing use of the waterway as a resource area contributes to its cultural significance as it provides a sense of cultural continuity from the pre-invasion traditional society to the contemporary Aboriginal community.

Impact: Impact from construction activities and adjacent ancillary area.

Recommended Actions: It is recommended in relation to Site B: Macquarie Rivulet Cultural Site that:

- 1) temporary fencing be erected between the zone of construction activity and the old growth eucalypt located within this site ([REDACTED]);
- 2) That the placement of the fencing be confirmed on site by the consultant (Waters Consultancy).

Mitigation Recommendations: It is recommended in relation to Site B: Macquarie Rivulet Cultural Site that mitigation occurs as follows:

- 1) Topsoil within the impacted area to be separated from other earthworks and if possible stockpiled within the adjacent ancillary area. While stockpiled, the topsoil should be managed in accordance with RMS guidelines to ensure segregation and retention of the material until construction is complete. At completion of construction separated topsoil to be returned to the site area.
- 2) Rehabilitation and revegetation of the impacted area with local Indigenous plant species at completion of construction works.
- 3) The development of a booklet (in a format appropriate for local publication) by a cultural heritage specialist on the cultural values and historical records relating to the Macquarie Rivulet. The report to be produced as a full colour booklet for distribution to local libraries and educational institutions. The final content of the booklet to be developed in consultation with the Aboriginal knowledge holders.
- 4) The development of interpretative signage relevant to this cultural site to be displayed in an appropriate area. The content of the signage to be developed in consultation with the Aboriginal knowledge holders. The preferred location for the placement of the signage, dependent on consultation with the relevant landholder, would be on site in redevelopment of Darcy Dunster Reserve.

1.3 Site C: YTOF CS 1

Location:

lxxiv

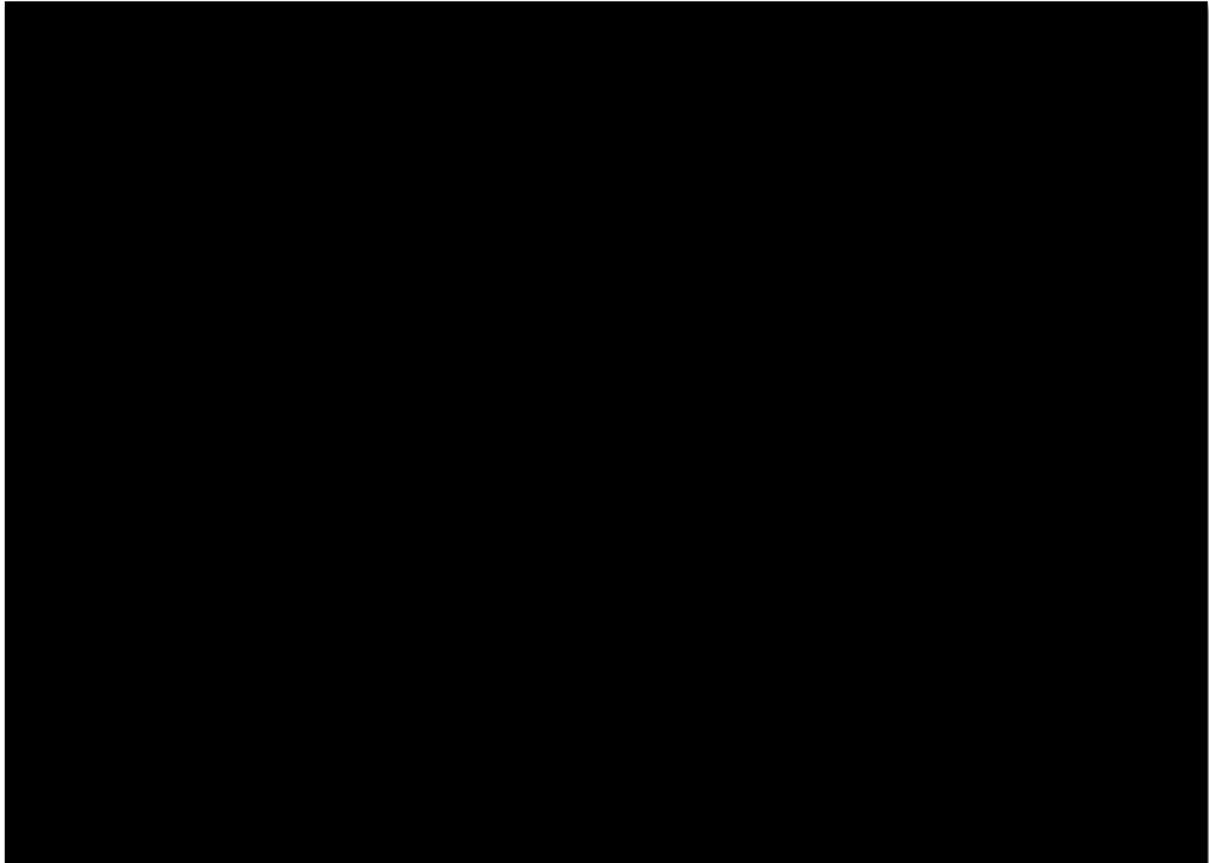


Figure 6: Site C: YTOF CS 1 Old Growth Fig Tree. lxxv

Description: An old growth fig tree located on private property outside the project boundary. All of the knowledge holders spoken with expressed the understanding that all old growth fig trees within the region were of cultural significance. The cultural value of old growth fig trees was understood by some knowledge holders to stem from an association with childbirth rituals.^{lxxvi}

Fig trees we were taught very young, there was three at La Perouse near where the tram used to terminate, three big fig trees, Granny Cook who was a midwife, whenever children were born there was a mark put on to signify their birth. That happened down here too. Two at Fig Tree, two at Primbee, and another one further south towards Gerringong. In just about every town, or close to, there's one of those fig trees that has those marks.^{lxxvii}

For other knowledge holders old growth fig trees held cultural significance as resource trees.

Fig trees were places for rest and protection.^{lxxviii}

Wild fig trees is what they used to eat for their bowels... there's two big fig trees down at Killalea the same, that's where Wonganloo died there, in his daughter's arms, right down that end towards the south.^{lxxix}

It is noted that these two understandings of the cultural value of old growth fig trees, as resource trees and as places associated with childbirth rituals, are mutually compatible. The cultural significance attached to this site was not based on knowledge of the specific tree but on the cultural values attached to all similar old growth fig trees in the region.

Significance: This site has Medium Significance for the Aboriginal community as an old growth fig tree. Old growth fig trees, as a class, hold cultural significance for the Aboriginal community of the region.

Impact: No known impact potential.

Actions: In relation to Site C: YTOF CS 1 no actions are recommended as there is no known impact.

Impact Mitigation and Management: In relation to Site C: YTOF CS 1 no mitigation is recommended as there is no known impact.

Sources

‘Minute of Colonial Secretary re Protection of the Aborigines’, dated 26th February 1883, *Votes & Proceedings of the Legislative Assembly*, 1883, Vol.3, p.919.

Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW, 2011, Office of Environment and Heritage (NSW).

The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance, 2013), Australia International Council on Monuments and Sites.

Practice Note: The Burra Charter and Indigenous Cultural Heritage Management, Version 1: November 2013, Australia International Council on Monuments and Sites.

‘Albion Park Dairy (Former)’, listed under the Heritage Act (NSW), s.170, NSW State agency heritage register,
<http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=4804464>

Anon, ‘Sydney’, *Sydney Gazette and New South Wales Advertiser*, 25 February 1815, p.2.

Anon, ‘Opening of the Albion Park Dairy Factory’, *The Kiama Independent and Shoalhaven Advertiser*, 20 November 1885, p.2.

Anon, ‘Aboriginal Customs: Fishing’, *The Gosford Times and Wyong District Advocate*, 16 October 1919, p.16.

Anon, ‘Aborigines: Relics Discovered “Chief of the Five Islands”’, *Sydney Morning Herald*, 14 September 1929, p.21.

Artefact Heritage, *Second addendum to the PACHCI Stage 2 archaeological survey report for the Albion Park Rail Bypass Project*, October 2014.

Attenbrow, V. *Sydney’s Aboriginal past: investigating the archaeological and historical records*, Sydney, University of New South Wales Press, 2002.

Backhouse, J. *A Narrative of a visit to the Australian Colonies*, New York, Jackson Reprint, 1967, originally published by London, Hamilton Adams & Co., 1843.

Bell, J.H. ‘The Economic Life of Aborigines on the South Coast of NSW’, *Oceania*, No. 26, March, 1956.

Bennett, Michael *For a Labourer Worthy of His Hire: Aboriginal Economic Responses to Colonisation in the Illawarra and Shoalhaven, 1770-1900*, PhD Thesis, University of Canberra, 2003.

Bennett, Michael ‘The economics of fishing: sustainable living in colonial New South Wales’, *Aboriginal History*, Vol. 31, 2007, pp.85-99.

Campbell, Archibald 'Notes on Illawarra Aboriginals', transcribed by Margaret McDonald & Michael Organ, 1987. In Appendix 2 of Organ, 1990 pp.467-473.

Chesterman, John & Brian Galligan, *Citizens without rights: Aborigines and Australian Citizenship*, Melbourne, Cambridge University Press, 1997.

Cleary, Tania, *Poignant Regalia: 19th Century Aboriginal Breastplates and Images*, Historic Houses Trust of NSW, 1993.

Dow, Gwyneth 'Terry, Samuel (1776-1838)', *Australian Dictionary of Biography*, Volume 2, Melbourne University Press, 1967

Ecklund, Erik Carl 'Putting into Port': *Society, Identity and Politics at Port Kembla, 1900 to 1940*, PhD Thesis, University of Sydney, 1994.

Goodall, Heather *Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770 - 1972*, Sydney, Allen & Unwin in association with Black Books, 1996.

Hagan, J. & Wells, A. *A History of Wollongong*, University of Wollongong, 1997.

Maiden, J.H. *The Forest Flora of New South Wales, Volume 1*, William Applegate Gullick, Government Printer, Sydney, 1904, pp.57-58. [electronic addition from University of Sydney Library Setis, <http://setis.library.usyd.edu.au/badham>.

Mathews, R.H. 'The Bunan Ceremony of New South Wales', *American Anthropologist*, Vol.9, No.10, 1896, pp.327-244.

Organ, Michael *Illawarra and South Coast Aborigines 1770-1900*, Australian Institute of Aboriginal and Torres Strait Islander Studies, December 1993.

Organ, Michael *A Documentary History of the Illawarra & South Coast Aborigines 1770-1850*, Aboriginal Education Unit, Wollongong University, 1990.

Read, Peter *The Stolen Generations: The Removal of Aboriginal Children in New South Wales 1883 to 1969*, NSW Department of Aboriginal Affairs, 1996.

Tongarra Museum, Shellharbour City Council, 2015.

Vader, John *Red Cedar: The Tree of Australia's History*, Sydney, Reed, 1987.

Waters, Kate *Cullunghutti the mountain and its people: A Documentary History of Cullunghutti Mountain, Aboriginal People and the Shoalhaven (1770 to 1920)*, Waters Consultancy Pty Ltd for Office of Environment & Heritage (Nowra), 2013.

Wesson, Sue *A History of Aboriginal People of the Illawarra 1770 to 1970*, (based on a 2004 report by Kate Gahan), Department of Environment and Conservation, NSW, 2005.

NPWS Site Recording Forms

NPWS Site Recording form 52-5-0474, AHIMS, OEH.

NPWS Site Recording form 52-5-0475, AHIMS, OEH.

NPWS Site Recording form 52-5-0476, AHIMS, OEH.

NPWS Site Recording form 52-5-0481, AHIMS, OEH.

NPWS Site Recording form 52-5-0482, AHIMS, OEH.

NPWS Site Recording form 52-5-0227, AHIMS, OEH.

NPWS Site Recording form 52-5-1803, AHIMS, OEH.

NPWS Site Recording form 52-5-0728, AHIMS, OEH.

NPWS Site Recording form 52-5-0766, AHIMS, OEH.

Interviews with knowledge holders

Interview with Reuben Brown, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

Interview with Gwen Brown nee Bell, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

Interview with Roy 'Dootch' Kennedy, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

Interview with Aaron Broad, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

Interview with Richard Campbell, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

Interview with Allan Max Carriage, 24th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

Appendix A: Letter to Stakeholders



Dear

Invitation to participate in the detailed cultural assessment process the Albion Park Rail bypass

Roads and Maritime Services (RMS) is planning for a 9.8 kilometre extension of the M1 Princes Motorway between Yallah and Oak Flats to bypass Albion Park Rail.

At the Albion Park Rail bypass Aboriginal focus group meeting held on the 16 October 2014, a number of community members mentioned elders who were not present at the meeting that held cultural knowledge of the project area. At the same meeting, Kate Waters from Waters Consultancy was identified as a suitable person to discuss cultural knowledge that the Aboriginal community had worked with on previous projects and were comfortable dealing with.

A draft methodology for the detailed cultural assessment has been prepared and is attached for your review and comment. It outlines the process to be used to interview identified knowledge holders about the cultural values of the study area and describes the approach to be used to undertake the historical research of relevant documentary and audiovisual material of cultural heritage relating to the study area.

The copy of the draft cultural assessment methodology is attached for your review and comment. All comments on the draft cultural assessment methodology must be received by 23 January 2015. Comments can be provided in writing, or by phone to Kate Waters on the details below.

Kate Waters (Waters Consultancy)
28 Govett Street Katoomba, NSW, 2780
Mobile - 0417 438146
Email - waters.consult@bigpond.com

Roads and Maritime has engaged Kate Waters to undertake the detailed cultural assessment for the Albion Park Rail bypass. As part of the cultural assessment Roads and Maritime seeks knowledge holders who have information of any places of cultural value to Aboriginal people in the area of the proposed project. This includes places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance.

If you are a knowledge holder or know of a knowledge holder please contact Kate Waters to provide cultural information, on the details provided.

We look forward to your participation in the detailed cultural assessment for this project.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Hawkins', written over a faint circular stamp.

Peter Hawkins
Project Development Manager

Proposed Methodology

The proposed approach would build on the existing research and analysis primarily through consultation with identified knowledge holders regarding cultural values within the study area. In addition historical research would be carried out in available documentary and audiovisual sources to identify and assess the cultural values within the study area.

The proposed approach to undertaking the detailed assessment of the Aboriginal cultural values of the study area would be two pronged:

- Detailed consultation with identified knowledge holders regarding the cultural values of the study area;
- Historical research in documentary and audiovisual holdings of relevance to the cultural heritage of the study area.

All registered Aboriginal stakeholders and interested parties would be contacted and requested to identify individuals who they understand to hold cultural knowledge of the study area (knowledge holders). All identified knowledge holders would be contacted and their participation in the assessment process would be requested. All identified knowledge holders who were willing to participate in the project would be interviewed in order to gather oral histories, and undertake detailed cultural mapping, relevant to the study area. Interviews would be conducted with participants in either their own homes, a location of their choice, or during a field visit to the study area. For those individuals who may be unable to undertake a field visit cultural mapping would be facilitated through the use of detailed aerial images and maps.

It is envisaged that potential sources of historical information would include: archival land records; historical manuscripts; newspaper accounts; field recordings; site records; and photographic evidence. The documentary and audiovisual holdings of the following institutions would be investigated:

- Illawarra Museum & Historical Society local historical holdings;
- Wollongong University Archives local historical holdings;
- Mitchell Library of NSW historical manuscripts;
- National Library of Australia archival holdings;
- OEH site and assessment records;
- AIATSIS documentary and audiovisual material;
- SRNSW archival land records.

The research and heritage significance assessment would be undertaken in line with the ICOMOS guidelines (as provided for by the Heritage Council of NSW)¹ and the Aboriginal cultural heritage assessment guidelines produced by the Office of Environment & Heritage (NSW).²

Endnotes

- ⁱ This section, including Figure 1, is a standard project description as provided by Artefact Heritage.
- ⁱⁱ Figure 1 as provided by Artefact Heritage.
- ⁱⁱⁱ Map produced from Albion Park Rail Upgrade Project maps as provided by Roads and Maritime Services, 2015.
- ^{iv} Map produced from Albion Park Rail Upgrade Project maps as provided by Roads and Maritime Services, 2015.
- ^v See The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance, 2013), Australia International Council on Monuments and Sites.
- ^{vi} *Practice Note: The Burra Charter and Indigenous Cultural Heritage Management*, Version 1: November 2013, Australia International Council on Monuments and Sites.
- ^{vii} See Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW, 2011, Office of Environment and Heritage (NSW).
- ^{viii} The six individuals identified as knowledge holders by the registered Aboriginal stakeholders who participated in this project were: Reuben Brown, Gwen Brown nee Bell, Roy 'Dootch' Kennedy, Allan Carriage, Richard Campbell, and Aaron Broad.
- ^{ix} The seventh individual identified as a knowledge holder who has not been spoken with to date is James Davis.
- ^x Artefact Heritage, *Albion Park Rail Bypass PACHCI Stage 2: Second Addendum*, Report to Roads & Maritime Services, October 2014, p.29.
- ^{xi} See *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*, 2011, Office of Environment and Heritage (NSW).
- ^{xii} See *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*, 2011, Office of Environment and Heritage (NSW).
- ^{xiii} See *The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance, 2013)* and *Practice Note: The Burra Charter and Indigenous Cultural Heritage Management*, Version 1: November 2013, Australia International Council on Monuments and Sites.
- ^{xiv} Erick Carl Ecklund 'Putting into Port': *Society, Identity and Politics at Port Kembla, 1900 to 1940*, PhD Thesis, University of Sydney, 1994, f/n 3, p.155.
- ^{xv} Val Attenbrow, *Sydney's Aboriginal past: investigating the archaeological and historical records*, Sydney, University of New South Wales Press, 2002, p.124.
- ^{xvi} Ecklund, *op.cit.*, p.155 ; see also Michael Organ *Illawarra and South Coast Aborigines 1770-1900*, Australian Institute of Aboriginal and Torres Strait Islander Studies, December 1993 and Michael Organ *A Documentary History of the Illawarra & South Coast Aborigines 1770-1850*, Aboriginal Education Unit, Wollongong University, 1990.
- ^{xvii} Sue Wesson *A History of Aboriginal People of the Illawarra 1770 to 1970*, (based on a 2004 report by Kate Gahan), Department of Environment and Conservation, NSW, 2005, p.11.
- ^{xviii} Ecklund, *op.cit.*, p.157. ; Wesson (based on Gahan), *op.cit.*, pp.12-13.
- ^{xix} Anon, 'Opening of the Albion Park Dairy Factory', *The Kiama Independent and Shoalhaven Advertiser*, 20 November 1885, p.2.
- ^{xx} The building itself has been listed on the State Heritage Register by the current landholder, RailCorp, in relation to its association with the development of the dairy industry, the listing does not reference the potential Aboriginal significance of the site. See: 'Albion Park Dairy (Former)', listed under the Heritage Act (NSW), s.170 – NSW State agency heritage register, <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=4804464>.
- ^{xxi} Ecklund, *op.cit.*, p.157. ; Wesson (based on Gahan), *op.cit.*, pp.12-13.
- ^{xxii} Wesson (based on Gahan), *op.cit.*, pp.10-11 ; Attenbrow, *op.cit.*, *passim*.
- ^{xxiii} Ecklund, *op.cit.*, p.158.
- ^{xxiv} Kate Waters *Cullunghutti the mountain and its people: A Documentary History of Cullunghutti Mountain, Aboriginal People and the Shoalhaven (1770 to 1920)*, Waters Consultancy Pty Ltd for Office of Environment & Heritage (Nowra),

2013, p.36.

xxv John Vader, *Red Cedar: The Tree of Australia's History*, Sydney, Reed, 1987, pp.7, 24, 48, and see Chapters 1,3-4,7-8. ; J.H. Maiden, *The Forest Flora of New South Wales, Volume 1*, William Applegate Gullick, Government Printer, Sydney, 1904, pp.57-58. [electronic addition from University of Sydney Library Setis, <http://setis.library.usyd.edu.au/badham>.] ; Buthring in Campbell in Michael Organ, *A Documentary History of the Illawarra and South Coast Aborigines 1770-1850*, Aboriginal Education Unit, University of Wollongong, 1990, p.470.

xxvi Michael Bennett, *For a Labourer Worthy of His Hire: Aboriginal Economic Responses to Colonisation in the Illawarra and Shoalhaven, 1770-1900*, PhD Thesis, University of Canberra, 2003, p.52. ; Anon, 'Sydney', *Sydney Gazette and New South Wales Advertiser*, 25 February 1815, p.2. ; See also references in the Section Arrawarra in Waters, op.cit.

xxvii Bennett, op.cit., 2003, pp.56-57, 88-89.

xxviii Wesson (based on Gahan), op.cit., pp.15-16 ; Bennett, 2002, pp.3-6.

xxix Tongarra Museum, Shellharbour City Council ; Gwyneth Dow, 'Terry, Samuel (1776-1838)', *Australian Dictionary of Biography*, Volume 2, Melbourne University Press, 1967.

xxx Tongarra Museum, Shellharbour City Council.

xxxi Anon, 'Aboriginal Customs. Fishing.', *The Gosford Times and Wyong District Advocate*, 16 October 1919, p.16.

xxxii Ecklund, op.cit., p.163, 171-2 ; Wesson (based on Gahan), op.cit., pp.39-40 ; Waters, op.cit., p.270.

xxxiii Michael Bennett, 'The economics of fishing: sustainable living in colonial new South Wales', *Aboriginal History*, Vol.31, 2007, p.99.

xxxiv Report on south coast fishing boats, 1876 in NSW Police to NSW Colonial Secretary, Box 1/2349, Letter no.76/8919, cited in Bennett, op.cit., 2007, pp.93-94 ; Waters, op.cit., p.270.

xxxv Interviews with knowledge holders for this project (see bibliography).

xxxvi Anon, 'Aboriginal Customs. Fishing.', *The Gosford Times and Wyong District Advocate*, 16 October 1919, p.16.

xxxvii E.H. Weston, *Reminiscences of an Australian Pioneer*, n.d., quoted in Wesson (based on Gahan), op.cit., , p.34.

xxxviii Interviews with knowledge holders for this project (see bibliography) and see following two endnotes.

xxxix Anon, 'Aborigines. Relics Discovered "Chief of the Five Islands"', *Sydney Morning Herald*, 14 September 1929, p.21.

xl Wesson (based on Gahan), op.cit., p.34.

xli Boomerang, 'Lake Illawarra and its Islands', *Illawarra Mercury*, 7 September, 1893, p.3.

xlvi Wesson (based on Gahan), op.cit., pp.34, 16-17.

xlvi John Chesterman & Brian Galligan, *Citizens without rights: Aborigines and Australian Citizenship*, Melbourne, Cambridge University Press, 1997, pp.133-139. ; Heather Goodall, *Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770-1972*, Sydney, Allen & Unwin in association with Black Books, 1996, Chapter 10 & 11. ; Peter Read, *The Stolen Generations: The Removal of Aboriginal Children in New South Wales 1883 to 1969*, NSW Department of Aboriginal Affairs, 1996, p.10. ; 'Minute of Colonial Secretary re Protection of the Aborigines', dated 26th February 1883, Votes & Proceedings of the Legislative Assembly, 1883, Vol.3, p.919.

xliv Waters, op.cit., p.200.

xliv Wesson (based on Gahan), op.cit., pp.24025, 42-4 ; Ecklund, op.cit., pp.160-161.

xlvi Ecklund, op.cit., p.159-166 ; Wesson (based on Gahan), op.cit., pp.48-52.

xlvi Ecklund, op.cit., p.166-167 ; Wesson (based on Gahan), op.cit., pp.48-49.

xlvi Ecklund, op.cit., p.169-170.

xliv Wesson (based on Gahan), op.cit., provides a date of 1942, Ecklund, op.cit., provides a date of 1939.

¹ Wesson (based on Gahan), op.cit., pp.49-52 ; Ecklund, op.cit., pp. 173-4 ; Interviews with knowledge holders for this project (see bibliography).

li Ecklund, op.cit., p.164, 171-2 ; Wesson (based on Gahan), op.cit., pp.39-41.

lii Waters, op.cit., pp.277-278 ; Ecklund, op.cit., p.164, 171-2 ; Wesson (based on Gahan), op.cit., pp.39-41.

- liii Waters, *op.cit.*, p.278.
- liv Map produced from Albion Park Rail Upgrade Project maps as provided by Roads and Maritime Services, 2014.
- lv Interview with Richard Campbell, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lvi Interview with Aaron Broad, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lvii Interview with Aaron Broad, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lviii Map produced from Albion Park Rail Upgrade Project maps as provided by Roads and Maritime Services, 2014.
- lix Interview with Allan Max Carriage, 24th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lx Interview with Reuben Brown and Gwen Brown nee Bell, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxi Interview with Roy 'Dootch' Kennedy, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxii Interview with Richard Campbell & Aaron Broad, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxiii Interview with Roy 'Dootch' Kennedy, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxiv Photograph by Korey Moon, Waters Consultancy Pty Ltd, February 2015.
- lxv Photograph by Korey Moon, Waters Consultancy Pty Ltd, February 2015.
- lxvi Interview with Reuben Brown, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxvii Interview with Reuben Brown, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxviii Interview with Richard Campbell, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxix Photograph by Korey Moon, Waters Consultancy Pty Ltd, February 2015.
- lxx Interview with Roy 'Dootch' Kennedy, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxxi Photograph by Korey Moon, Waters Consultancy Pty Ltd, February 2015.
- lxxii See for example NPWS Site Recording forms 52-5-0474 ; 52-5-0475 ; 52-5-0476 ; 52-5-0481 ; 52-5-0482 all located within the Larkins Lane subdivision ; 52-5-229 adjacent to the Macquarie Rivulet on the east side of the Princes Highway ; 52-5-0227 located within Darcy Dunster Reserve ; 52-5-1803 on the Macquarie Rivulet at Haywards Bay ; 52-5-0728 on Yallah Bay Road ; 52-5-0766 on the south side of Darcy Dunster Reserve.
- lxxiii Photograph by Korey Moon, Waters Consultancy Pty Ltd, February 2015.
- lxxiv Note that the location of this site is based on its mapping by Artefact Heritage, Second addendum to the PACHCI Stage 2 archaeological survey report for the Albion Park Rail Bypass Project, October 2014, p.37.
- lxxv Map produced from Albion Park Rail Upgrade Project maps as provided by Roads and Maritime Services, 2014.
- lxxvi Interview with Richard Campbell and Aaron Broad, 12th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd. Interview with Roy 'Dootch' Kennedy, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxxvii Interview with Roy 'Dootch' Kennedy, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.
- lxxviii Interview with Allan Max Carriage, 24th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.

^{lxxix} Interview with Gwen Brown nee Bell, 9th February 2015, *Albion Park Rail Bypass Road and Maritime Services Project*, Waters Consultancy Pty Ltd.