

7. If any previously undetected historical archaeological site or relic is unearthed or uncovered, work must cease in the vicinity of that site or relic and advice sought from Council's Heritage Advisor and/or the New South Wales Heritage Office on a suitable course of action.
8. All employees and/or contractors engaged in the future redevelopment of the site should be advised that it is an offence under the *Heritage Act 1977* to disturb or excavate a relic.
9. One copy of this report should be forwarded to each of the following organisations:

The Chairperson
Deerubbin Local Aboriginal Land Council
PO Box 3184
Mt Druitt Village NSW 2770

The Chairperson
Darug Aboriginal Custodian Organisation
PO Box 36
Kellyville NSW 2155

The Chairperson
Darug Tribal Aboriginal Corporation
PO Box 441
Blacktown NSW 2148

10. One copy of this report should be forwarded to:

The Aboriginal Sites Registrar
Aboriginal Heritage Information and Management System
Department of Environment and Conservation
PO Box 1967
Hurstville NSW 2220

11. One copy of this report should be forwarded to:

The Librarian
NSW Heritage Office,
Locked Bag Locked Bag 5020
Parramatta 2124

15. REFERENCES

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- VON HUGEL, BARON C. 'New Holland Journal: November 1833 – October 1834', Edited and translated by Dymphna Clark, 1994, Melbourne University Press, Carlton, Victoria.

Land Titles relating to Lot 4 DP 574650, Department of Lands Lands).

Electronic Sources

Maps for the Parish of Strathdon, County of Cook as cited in the text, parishmaps.lands.nsw.gov.au.

Parliamentary Return of Landholders District: Windsor, Town Emu 1885, www.hawkesbury.net.au/lists/1885Landholders_Emu.html, accessed 16/1/2006.

Penrith Local Suburb Profiles: Emu Plains, www.penrithcity.nsw.gov.au, accessed 12 Jan 2006.

Other electronic sources as cited in the text.



Photograph 2:
Looking north to south across
the study area



Photograph 3:
Facing south showing
depression which indicates
the location of the small
underground pipeline in
centre of study area



Photograph 4:
Facing west across the study
area from the northern
section



Photograph 5:
Camera facing south along
eastern fenceline from the
northern section of the
study area



Photograph 6:
Northern section of study
area



Photograph 7:
Former domestic garden in
northern section of study
area



Photograph 8:
Remnants of former
orchard now overgrown
with weeds and fennel in
northern section of study
area



Photograph 9:
Prickly pear and lantana in
northern section of study
area



Photograph 10:
Weed infested creekline



Photograph 11:
Canal which runs east west
across study area.
Camera facing west.
Note: The southern bank
is planted with native
vegetation whilst the
northern bank is grassed.



Photograph 12:
Looking across from the
northern bank of the canal
to the southern bank
southern bank planted with
native vegetation whilst the
northern bank is grassed)



Photograph 13:
Entry to southern bank of
canal.



Photograph 14:
Horse drawn scoop with
cattle yards in
background



Photograph 15:
Cattle yards and loading
ramp in southern section
of study area to the north
of the canal

APPENDIX A

LETTERS FROM:

**Deerubbin Local Aboriginal Land Council
Darug Custodian Aboriginal Corporation
Darug Tribal Aboriginal Corporation**



Deerubbin Local Aboriginal Land Council

5/271 Beames Avenue
PO Box 3184
Mt Druitt Village
NSW 2770 Australia

Ph: (02) 9832 2457
Fax: (02) 9832 2496
Email: Staff@Deerubbin.org.au
Web: <http://www.deerubbin.org.au>

Mark Sweeney
Virtus Group Pty Ltd
P.O. Box 492
EMU PLAINS. NSW. 2750

Our Ref: 1525

22 December 2005

SUBJECT: ABORIGINAL CULTURAL HERITAGE ASSESSMENT

**Industrial Subdivision
Corner of Old Bathurst Road and Russell Street,
Emu Plains.**

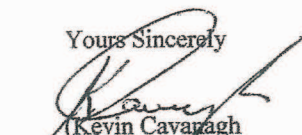
Dear Mr Sweeney,

As you are aware a representative of Deerubbin Local Aboriginal Land Council (Phil Khan) inspected the proposed industrial subdivision on the corner Old Bathurst Road and Russell Street, Emu Plains on Tuesday 20th December 2005. Mr Khan conducted an Aboriginal cultural heritage assessment to evaluate the likely impact of the proposed development has on the cultural heritage of the land. A scientific survey was carried out at the same time by consulting archaeologists Jillian Comber of Comber Consultants Pty Ltd

Our representatives reports that visibility was poor because ground cover and no Aboriginal cultural material (in the form of stone artefacts, for example) had been found on the surface.

Deerubbin LALC therefore, recommends that further investigations be undertaken with a program of test excavations across the study area.

Yours Sincerely


(Kevin Cavanagh
Executive Officer)

c.c. Gavin Martin – Dept. Environment & Conservation, Hurstville

c.c. General Manager – Penrith City Council

c.c. Jillian Comber – Comber Consultants Pty Ltd

No single greater task exists in Australia, than to evoke awareness in non-Aborigines of Aboriginal Value

COPY

DARUG CUSTODIAN ABORIGINAL
CORPORATION
PO BOX 81 WINDSOR 2756
PH: 45775181 FAX: 45775098 MOB: 041 5770163
ABN: 81935722930
mulgokiwi@aol.com

31st January 2006

Attention: Jillian Comber

SUBJECT: Lots 1 and 2, DP517958 and Lots 3 and 4, DP574650 on the corner of Old Bathurst and Russell Roads, Emu Plains.

Dear Jillian

The Darug Custodian Aboriginal Corporations representative attended the above mentioned site on the 21st of December 2005.

Our organisation recommend that this area be further investigated by carrying out an Archaeological test excavation to obtain information of the extent of occupation in the area.

The area is of high Aboriginal cultural Heritage significance due to the close proximity of known sites and the intact soil profiles on this land.

We would like to have representatives on site to participate in any works and look forward to working with you on this project.

Regards



Leanne Watson
Chairperson

Darug Tribal Aboriginal Corporation
(Incorporating Darug Link Associating Inc.)

P.O. Box 441 Blacktown 2148
ABN-GST No. 77184151969

3.2.06

Attention:

Jillian Comber

Comber Consultants Pty Ltd

re Survey of land inv. Old Bathurst Road
and Russell Street - Emu Plains

DTAC support your recommendation for a
program of sub-surface testing prior to
any development of this site as ground
visibility was almost zero and it is close
to many known & important sites.

Yours Sincerely
Celestine Evensingham
Site Officer

APPENDIX B
PERMIT APPLICATION

Application for a Section 90 Consent or a Section 87(1) Permit, under the National Parks and Wildlife Act, 1974



Clearly indicate which is required

(No GST applicable)

- ☐ **Section 90 Consent**
(Consent; Consent with Salvage)

Application Fee

- | | |
|--|---------|
| ☐ Work to a owner-occupied dwelling costing up to \$100,000 | \$60 |
| ☐ Other work costing up to \$100,000 | \$100 |
| ☐ Work between \$100,000 - \$250,000 | \$150 |
| ☐ Work between \$250,000 - \$500,000 | \$250 |
| ☐ Work between \$500,000 - \$1million | \$400 |
| ☐ Work between \$1million - \$2million | \$750 |
| ☐ Work between \$2million - \$5million | \$1,000 |
| ☐ Work over \$5million | \$2,000 |

- ☐ **Section 87(1) Permit**
(Preliminary Research Permit; Excavation Permit; Collection Permit; Rock Art Recording Permit)

Application Fee

- | | |
|--|-------|
| ☐ Permits relating to owner-occupied dwelling | \$25 |
| ☐ All other permits | \$100 |

Name Of Person Applying:

(For Permits, this must be the person actually doing the work or physically supervising the work)

Position:.....
(In the case of a Consent, person applying must be CEO, Manager or similar senior executive)

Company:.....
(In the case of Consent, applicant must be the developer, not a project manager or consultant)

Business Address:

.....
.....
.....

Postal Address:

.....
.....
.....

Telephone: ()

Fax: ()

Name of Contact person: ..
(If different to person applying)

Position:.....

Name and address of the Heritage Consultant(s) who supplied information:

.....
.....
.....

Cost of development/activity work:.....

Is the proposed development/activity for a owner/occupier dwelling?☐ Yes ☐ No

Where consent is sought for development purposes,☐ Yes ☐ No
has development consent been granted? (If yes, attach copy of the Development consent and conditions)

Location of development/activity:

.....
.....
.....

Nearest town:

Local Government Area:

Attach a map showing topographical features, location of Aboriginal objects/places, location of potential Aboriginal objects, roads, buildings, etc of the area subject to the consent/permit.

NPWS Site Number(s) and Name(s):

- -
- -
- -
- -
- -
- -
- -
- -

Description of Site(s): ie Type of Aboriginal object(s) or Aboriginal place(s)

- -
- -
- -
- -
- -
- -
- -
- -

Name of reports which covers Site(s):

.....
.....
.....
.....

IMPORTANT: NPWS Site Numbers and exact Australian Map Grid References or NPWS Aboriginal Site Recording forms for any sites without NPWS Site numbers must be supplied in Attachment "S" or the application will not be processed.
