

**PRELIMINARY ABORIGINAL
ARCHAEOLOGICAL DUE DILIGENCE ASSESSMENT**



**PLANNING PROPOSAL FOR THE REZONING OF
LOT 24 DP714096 WARRAH ROAD BANGALEE, NSW**

Report to Southbank Land Pty Ltd and Huntingdale Pty Ltd



13 December 2013

Peter Taranto
Southbank Land Pty Ltd and Huntingdale Pty Ltd
P.O. Box 315
Wollongong East 2520

Dear Mr Taranto,

**RE: PRELIMINARY ABORIGINAL ARCHAEOLOGICAL DUE DILIGENCE
ASSESSMENT FOR A PLANNING PROPOSAL FOR THE REZONING OF
LOT 24 DP714096 WARRAH ROAD BANGALEE, NSW**

This report has been prepared by MDCA [Mary Dallas Consulting Archaeologists] at your request in relation to the planning proposal for the rezoning for Lot 24 DP714096, at Bangalee on the south coast of New South Wales (**Figure 1**).

The report is based on a previous study by MDCA (2007) which informed a rezoning application as part of the Nowra- Bomaderry Strategy. That study included archaeological survey and assessment of the entirety of Lot 24. As part of the current investigation, a brief site inspection of the smaller area currently proposed for subdivision was undertaken, to supplement the original study.

This report presents the results of a Preliminary Due Diligence Aboriginal Heritage Assessment to meet the requirements of Due Diligence as per the OEH 2010 *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, including a determination of whether further archaeological investigation may be required in relation to the current proposal and any future Development Application.

Contextual Information

The Study Area

The subject land is located on 75ha of woodland and grassland within the Shoalhaven Local Government Area (**Figure 1**). It is situated on the northern side of the Shoalhaven River about 4km northwest of Nowra and immediately northwest of North Nowra. It is bounded to the west by Gypsy Point Road and uncleared bushland, to the north by an unformed road easement and the rear of residential allotments along Lincoln Close, Lochaven Drive, Moondara Drive and Burrandoot Avenue, to the east by a north south running telegraph line and easement and the rear of residential allotments along Coconut Drive, and to the south by the easement of Pitt Street, and several rural/residential allotments along the continuation of Gypsy Point Road (**Figure 2**).

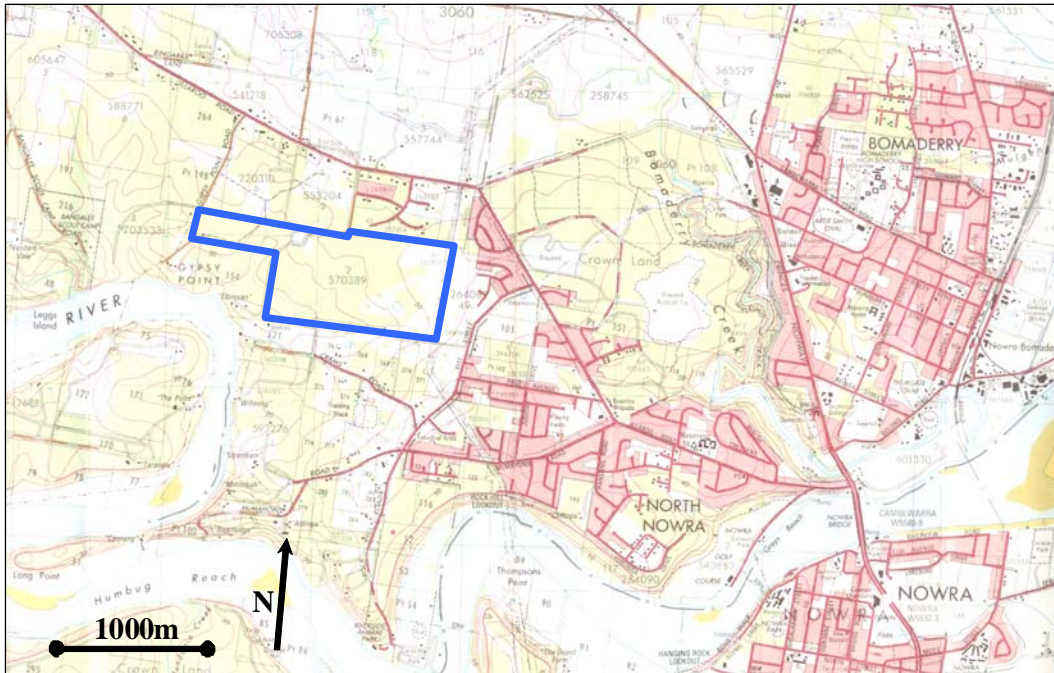


Figure 1. The Berry 1:25,000 Topographic Map showing Lot 24 in its local context.

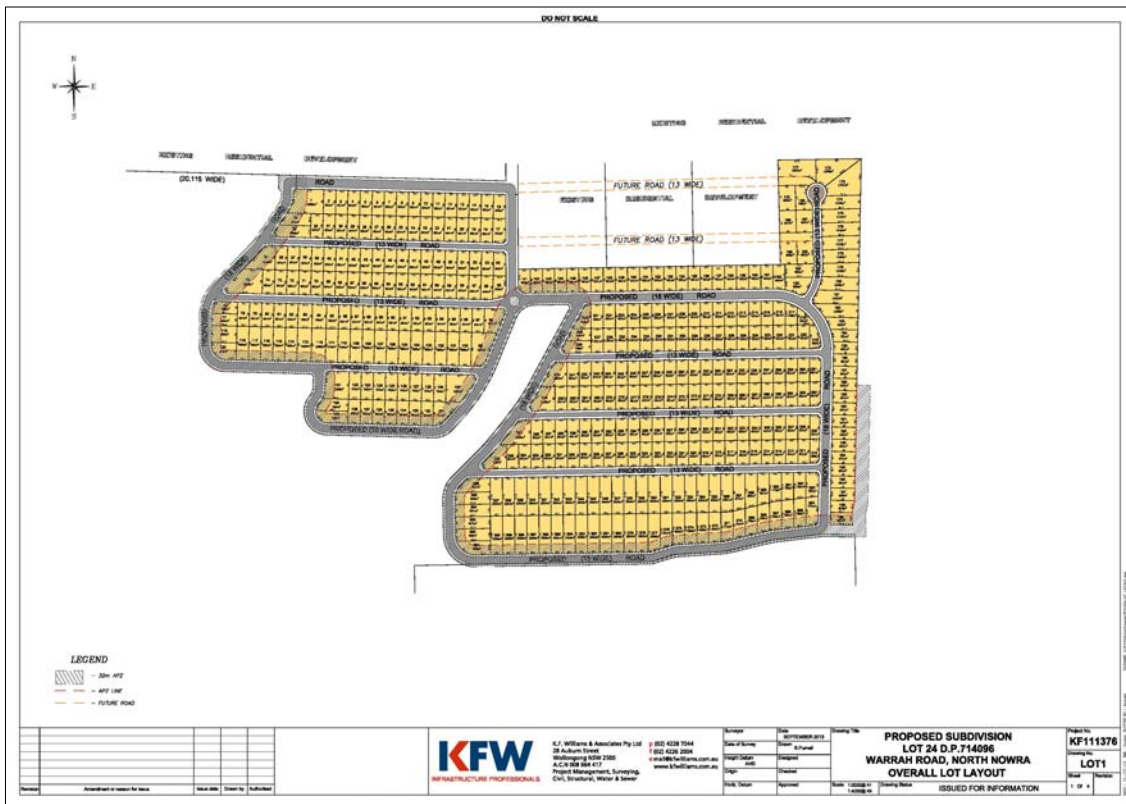


Figure 2. Proposed Subdivision – Lot Layout within Lot 24.



Environmental Context

The subject land is located on the northern side of the Shoalhaven River immediately west of North Nowra. Apart from the river, the dominant topographic features of the surrounding landscape are the Illawarra Range and its foothills to the north and northwest, the course of and incised lower reaches of Bangalee and Tapitallee/Bomaderry Creeks to the west and north and east respectively.

Its immediate context is the southern and western sides of a low roughly east-west trending ridge and raised area respectively formed by the incision of the Tapitallee/Bomaderry Creek system. The subject land slopes gently down (maximum 5%) to the south and west and is incised by several small tributaries of an unnamed creek flowing along the southern boundary of the subject land into the Shoalhaven River at Gypsy Point.

This area is underlain by sandstone, shale and siltstone bedrock of the Berry Formation of the Shoalhaven Group (**Figure 3**). This has resulted in the formation of generally sandy soils with increased clay content where derived from shale bedrock. This increased clay content is observed in the more elevated (north eastern) portions of the subject land. Sandstone outcrops in some areas, largely immediately above the slightly incised channels of the minor tributaries and in the beds of these watercourses, mainly around and downstream of their confluence with the main creek. Quaternary alluvium does not occur within the subject land.

The site has been cleared of most if not all original timber which is likely to have consisted of eucalypt woodland and is now characterised by re-growth eucalypt woodland with a shrubby understorey and open grassland, and paddock. Fresh water would have been available some or all of the year from the unnamed creek along the southern boundary of the subject land or permanently from Bangalee or Bomaderry Creeks several kilometres away. The Shoalhaven River is still partially tidal/saline adjacent to the subject land.

Historical Land Use and Current Site Condition

The subject land received its current approximate form in the early 20th century, though this property originally extended east to Illaroo Road (Illaroo Parish Map 1903). Its current boundaries were established by the installation of the transmission lines along its current eastern boundary, which occurred some time before the 1980s (Kiama 1:100,000 map 1981 ed.).

It is not clear when the land was originally cleared, but its current state demonstrates that this clearing was extensive. By the 1980s a gravel quarry was in operation in the northern central portion of the subject land, accessed from Warrah Road. Also, a portion of the subject land immediately west of the transmission lines was in use as a training track at that time, though this appears to have ceased by the late 1980s (Berry 1:25,000 map 1988 ed.). Another minor gravel quarry was created in the central portion of the subject land but had ceased use by the mid-1990s. In addition it appears that some extensive removal of topsoil deposits has occurred in the central eastern portion of the subject land in recent times.

More recently still, trail bikes have begun to frequent the site, and riders have constructed extensive tracks and jumps, involving considerable sub-surface disturbance in some cases. A dam was also constructed prior to the 1990s in the south eastern corner of the Lot.

Most recent selective clearance of re-growth eucalypt and understory shrubbery has resulted in much improved ground surface visibility in comparison to the 2007 survey.



There is thus ample evidence for a variety of historical impacts within the subject land. This has implications for the survival and integrity of Aboriginal cultural remains within the subject land, as discussed in the following section.



Figure 3. Wollongong 1:250 000 Geological Map showing the location of Lot 24 (red shading) on undifferentiated Berry Formation siltstone, shales and sandstone of the Shoalhaven Group soil landscape.

Archaeological Context

The regional archaeological context is described in detail in the MDCA 2007 report and is summarised here. The earliest dated sites of Aboriginal occupation of the NSW south coast region include a rock shelter (Lampert 1971a) at Burrill Lake (approx. 20,000 years BP) and an open shell midden site (Bowdler 1970) at Bass Point (dated to approximately 17,000 years ago). These would have been occupied at a time when the sea level was much lower and the present coastline would have been an inland environment drained by streams. At this time these sites were inland and the coastline, due to falling sea levels, was approximately 15-20km further east of its present position. The present coastline was formed by 3,000 years ago when the sea levels stabilised and the coastal lakes and lagoons formed. Two rock shelter sites located about 50km southwest of the subject land in the upper reaches of the Shoalhaven River system also contain occupation dated at over 10,000 years ago (Boot 1993, 1994).

Our understanding of the archaeology of the Shoalhaven region in general is relatively limited and derived from a variety of sources. Although a range of archaeological sites are known to occur along both the coastal strip and immediate hinterland, our understanding of the *nature* and *complexity* of the pattern of Aboriginal use and occupation of the Shoalhaven region that these sites reflect nevertheless remains relatively limited at present. An Aboriginal cultural heritage management study is currently underway for the Shoalhaven Local Government Area and Aboriginal cultural values and oral history have also been investigated by several research projects (e.g. DEC 2004b, Goulding & Schell 2002).

A good overview of the type of Aboriginal archaeological projects undertaken within the Shoalhaven Local Government Area is provided by the OEH (Previously DEC, DECCW) Comprehensive Coastal Assessment Aboriginal Cultural Heritage Data Audit (DEC 2005).



This shows that over 1,600 Aboriginal sites have been registered within this area, the vast majority of which comprise shell middens or artefact scatters/deposits in rockshelters or open contexts.

The majority of Aboriginal sites that have been located, recorded and registered within the OEH Aboriginal Heritage Information Management System (AHIMS) have been identified through either archaeological investigations carried out within commercial contracting frameworks dealing with specific localities subject to modern development, and/or through findings reported by amateur (non-professional) enthusiasts. As a consequence, the nature and results of archaeological site surveys frequently vary according to topographic and environmental factors, constraints such as ground surface visibility, and impacts from previous landscape disturbance. Sites have survived in greater numbers in areas least affected by urban and suburban development. Therefore, the number and distribution of sites known to occur in the region are unlikely to reflect an accurate picture of Aboriginal occupation. Rather, the recorded site distribution is more likely to reflect European land-use history and the nature of impact upon the archaeological resource from development. This is confirmed by the OEH overview which notes that the majority of survey work (and hence recorded sites) occur along the coastal strip and southern portion of the LGA and that there are consequently significant data gaps in the northern portion, which includes the current study area (DEC 2005: Appendix 1 p7).

Local Archaeological Context

Prior to the 2007 archaeological assessment, a search was undertaken of the Office of Environment and Heritage ('OEH') Aboriginal Heritage Information Management System ('the AHIMS Register') and Catalogue of Archaeological Reports were consulted. This search covered a 6km long and 6km wide area centred on the subject land¹. A total of 28 previously recorded Aboriginal sites were located within this area (see **Table 1**). The vast majority of these sites (24 or 86%) were located along Bangalee Creek to the west of the subject land, Bomaderry Creek to the east, and both banks of the Shoalhaven River. This reflects the location of previous surveys and more importantly, the extent of sandstone overhangs in the vicinity.

The remaining four sites are all open campsites and are also the only previously recorded sites within close proximity to the subject land. Two of these sites (EPG-28; AHIMS #52-5-0307 and Duke 7; AHIMS #52-5-0372) are located within the subject land, though only the former within area proposed for development under the current proposal (**Figure 21**). Descriptions of these sites are given in **Table 2**.

An additional search of the AHIMS Register was undertaken 13.8.13 (see **Attachment 1**, see also **Figure 6**). An online search of the AHIMS Register of an area centred on the subject land with a 1km buffer² reiterated that the sites, EPG-28 (AHIMS #52-5-0307) and Duke 7 (AHIMS #52-5-0372) were the only sites extant within the subject land.

¹ Search of 14/11/2006 within AMG coordinate range E274000-E280000, N6138000-N6144000.

² Report generated by AHIMS Web Service on 13/08/2013 for Tamika Goward.



Table 1. Recorded Aboriginal sites in the vicinity of the subject land.

Site Type	Total Number (% Frequency)
Shelter with deposit	8 (29%)
Open Campsite	6 (21%)
Open Campsite or Isolated Stone Artefact Find ⁴	5 (18%)
Shelter with art & deposit	4 (14%)
Axe grinding groove	2 (7%)
Shelter with art	2 (7%)
Burial	1 (4%)
Totals	28 (100%)

Table 2. Summary table of open campsites in and adjacent to the subject land.

AHIMS #	Name	Location
52-5-0307	EGP-28; Crams Road	Five artefacts recorded within the subject land along a proposed easement for the Eastern Gas Pipeline (later rerouted) (See Kuskie <i>et al</i> 1995). The artefacts were located in a clearing beside a gravel quarry with low potential for further subsurface artefacts.
52-5-0372	Duke 7	Site in disturbed context adjacent to transmission lines at eastern end of subject land but outside area of proposed rezoning. The site was recorded during an Eastern Gas Pipeline survey by Huys in 1999. No description of the site contents is provided in the site card and a report has not been produced. No further details available. Condition unknown.
52-5-0302	Tapitallee Ck 1	Test probes in archaeologically sensitive area northeast of subject land excavated ahead of installation of fibre optic cables. 7 artefacts found on southern bank of Tapitallee Creek implying very low density site. Cable rerouted to avoid site. Later installation of Eastern Gas Pipeline recovers additional 4 surface finds adjacent to this site. These artefacts recommended for destruction with preservation of main portion of site.
52-5-0303	Tapitallee Ck 2	Test probes in archaeologically sensitive area northeast of subject land excavated ahead of installation of fibre optic cables. 2 artefacts found on northern side of Tapitallee Creek implying very low density site. Cable rerouted to avoid site. Later installation of Eastern Gas Pipeline recovers additional 1 artefact during test pitting works. This artefact recommended for destruction with preservation of main portion of site.

⁴ Sites entered on the AHIMS Register after July 2001 record only site features, in this case the presence of artefacts. It is therefore not possible to tell without consulting the original site recordings, whether the site consists of one or more stone artefacts.

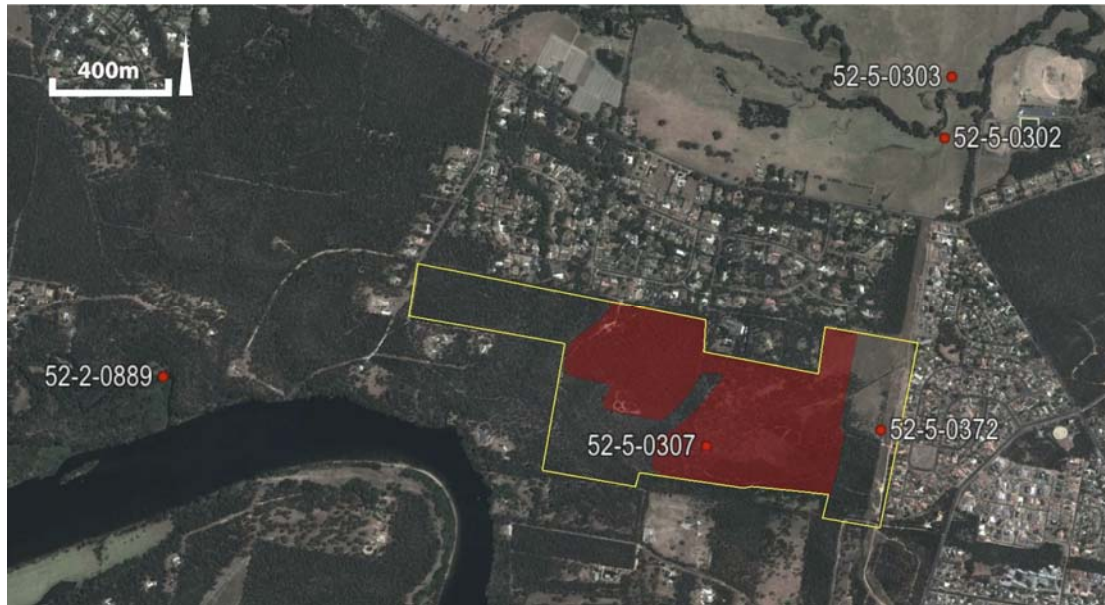


Figure 4. Some of the Aboriginal sites within the vicinity of Lot 24 (yellow outline).

Several archaeological surveys have been undertaken within close proximity to the subject land related either to the installation of service and telecommunications infrastructure or proposed housing subdivisions. Of most immediate relevance are the following:

- A rockshelter on Bomaderry Creek (AHIMS #52-5-0035) several kilometres east of the subject land, was test excavated by Lampert in the late 1960s and found to contain a range of stone artefact types and the remains of a variety of land mammals (Lampert 1971b). In addition plant remains, low densities of shellfish from a range of habitats and some fish remains were recovered, demonstrating that both terrestrial and riverine environments were exploited by the inhabitants of the shelter (Lampert & Steele 1993). Importantly also, the site provides the only local dated occupation at up to around 2,000 years ago.
- In 1981 Attenbrow investigated locations north and south of the Shoalhaven River in the vicinity of the subject land ahead of the installation of a water main. No sites or rock shelters suitable for art or occupation were located within the area investigated on the northern side, which comprised a transect from the top of the escarpment to the river in the vicinity of Rock Hill Road.
- Navin (1991) investigated the proposed alignment of a road from Pitt Street in North Nowra to Nerang Road, Bomaderry, over Bomaderry Creek. Two rockshelters with deposit (stone artefacts) were located on the western side of Bomaderry Creek, some 2km east northeast of the subject land.
- Navin investigated a parcel of land located south of Main Road and west of Tannery Road some 2.5km northwest of the subject land, which was proposed for residential subdivision (Navin Officer 1994a). The land is situated on a ridge/spur between Dog Creek and Tapitallee Creek. The survey did not result in the identification of any Aboriginal cultural remains, and, despite low surface visibility, it was considered that the land had little potential to yield such remains.
- Navin & Officer investigated another proposed subdivision, located immediately north



of Bomaderry at the northern end of Jasmine Drive, some 4km northeast of the subject land (Navin Officer 1994b). About 35 hectares in size, the surveyed area is situated on gently sloping ground above (to the south of) Abernethy's Creek. Intensive survey located a surface scatter of at least 7 stone artefacts in four different areas of surface exposure, but with little assessed potential to contain subsurface deposit.

- Kuskie et. al. (1995) examined a proposed route of the Eastern Gas Pipeline which ran approximately diagonally northeast across the subject land from Crams Road to the northeast corner of the subject land, where it met with an existing transmission line easement. The survey was restricted to a 20m wide marked corridor along the proposed pipeline route and resulted in the recording of one surface scatter of five stone artefacts within the current subject land (EGP-28; AHIMS #52-5-0307). The pipeline route was subsequently changed to coincide with the transmission line easement along the eastern boundary of the current subject land and the recorded site was therefore not to be impacted. Consequently no recommendations were made in relation to the site.
- Barber & Williams (1995) conducted subsurface investigations of an identified archaeologically sensitive area on both sides of Tapitallee Creek ahead of a proposed fibre optic cable following the route of existing transmission lines along the eastern boundary of the subject land and across the creek. A series of test (shovel) probes revealed low densities of artefacts on both sides of the creek, recorded as two separate open campsites (see Table 2).
- Survey and excavation work was undertaken by Australian Archaeological Survey Consultants in 1999 and 2000 ahead of the installation of the Eastern Gas Pipeline. By this stage the route in the vicinity of the subject land had been realigned from that surveyed by Kuskie et al. (1995) to the existing transmission line easement along the eastern boundary of the subject land. An open campsite (Duke 7; AHIMS #52-5-0372) was located in a disturbed context adjacent to the transmission line easement, and additional artefacts were located at the Tapitallee 1 and 2 sites originally recorded by Barber & Williams (1995). Unfortunately there are few details of these sites and the extent of survey and excavation work as no report has been produced concerning this work.

The majority of recorded Aboriginal sites are rock shelters with art and/or evidence of Aboriginal occupation. These are necessarily confined to those areas in which sandstone overhangs occur. It is unlikely that the subject land contains any such overhangs.

Open campsites have been less frequently recorded, no doubt due to their less obvious nature and focus of previous survey work on shelter sites. However, four open campsites have been recorded within or close to the subject land, all of which are low density artefacts scatters. This includes surface scatters with little or no subsurface potential and subsurface low density campsites with little or no surface evidence. Open campsites recorded further afield (e.g. Navin Officer 1994b) were also of low density with limited subsurface potential.

Finally, axe grinding grooves have to date only been recorded within creeklines in the vicinity of the subject land (as opposed to exposed expanses of sandstone away from water).

Site Modelling

The surveys reviewed above suggest that evidence of Aboriginal occupation within the subject land is likely to be sparse and partly to heavily disturbed, and is unlikely to be associated with extensive intact archaeological deposit. On the basis of this review, as well as



contextual environmental data and known land use impacts, it is possible to predict the types of Aboriginal site which may possibly occur within the study area, and to give an indication of the likelihood of their occurrence.

- Artefact scatters (also known as open campsites) are likely to be most common on level, well drained ground adjacent to freshwater sources and wetlands or along crests of spurs and ridgelines. More and larger sites will tend to be located on spurs or ridgelines which afford continuous and effective access through and across the surrounding landscape. Open Artefact Scatters may occur almost anywhere that Aborigines have travelled in the past and may be associated with hunting or gathering activities, domestic camps, or the manufacture and maintenance of stone tools. The density of artefacts represented in these scatters can vary dramatically and may relate to transient or short stay camps, or base camps of long term or repeated occupation. If present within the subject land, such sites are likely to be of low density and integrity.
- Isolated artefacts occur without any associated evidence for prehistoric activity or occupation. Isolated finds can occur anywhere in the landscape and may represent the random loss, deliberate discard or abandonment of artefacts, or the remains of dispersed artefact scatters. Manuports are items consisting of raw materials of stone that do not naturally occur within the soil profiles of a given region. Transported onto a site by Aboriginal people from sources elsewhere, these items will have subsequently been discarded before use as flaked or ground stone tools. There is some chance that isolated artefacts may occur within the study area although they are likely to be extremely difficult to detect.
- Scarred or carved trees are resultant of bark and/or wood removal for the purpose of manufacturing shelters, canoes and shields and/or for designs carved into wood for a range of aesthetic, functional and ceremonial reasons which are currently not fully understood. Evidence for tree scarification is generally likely to be observed on large and mature trees endemic to the region (depending upon the species) either as isolated trees, remnant stands or continuous forest. Unless the tree is at least 100 years old, scarring is unlikely to be of Aboriginal origin. It is unlikely that such trees remain within the study area given the land use history of the site.
- Axe grinding grooves are grooves which result from the manufacture and/or maintenance of the working edge of some stone tools such as hatchets. They may be found where suitable sandstone is exposed in, or adjacent to, creeks or on elevated platforms where wet-grinding techniques are possible adjacent to natural rock holes and shallow 'basins'. Within the subject land it appears that such grooves are most likely be located along the lower reaches of the creek lines within the subject land (if sandstone is exposed).

The low gradient of the subject land makes it unlikely that sandstone overhangs will be present, and there do not appear to be extensive outcrops of sandstone across the property. Therefore, the most likely evidence for Aboriginal occupation which may exist in the subject land is expected to consist of low density scatters of Aboriginal flaked stone artefacts with the possibility for individual stone artefact finds to occur throughout and a very low probability for tree scars of Aboriginal cultural origin.



Aboriginal Community Consultation

For the purposes of the current Due Diligence study for the planning proposal, Aboriginal community consultation was not undertaken as it was deemed to have been complete in the 2007 study. In future stages of this proposed development, the full community consultation process would be required by the OEH. The OEH specify consultation to be current and at least within the previous 6 month period.

Aboriginal community perspective on the assessment, particularly in relation to any cultural/historical associations with the site is taken from the 2007 report. The previous consultation process was comprehensive and included public advertisement, mailouts to government departments and agencies and mailouts to additional Aboriginal groups identified by those agencies. Of all the Aboriginal groups contacted only the Nowra Local Aboriginal Land Council (NLALC) responded. The subject land falls within the administrative boundaries of the NLALC who have a statutory responsibility “to promote the protection of Aboriginal culture and the heritage of Aboriginal persons”⁵ within their boundaries. Mr Warren Morris of the NLALC participated in the 2007 survey of the subject land

Aboriginal Archaeological Heritage Assessment

The survey and assessment of Lot 24 on which the current report is based, took place on Wednesday 15 November 2006 by Mary Dallas and Paul Irish (MDCA archaeologists) and Mr Warren Morris (NLALC Aboriginal Heritage Officer).

The purpose of the site inspection was to locate, record and assess any archaeological evidence for past Aboriginal visitation that may be present within the subject land, to relocate previously recorded sites within the subject land and assess their condition, and to provide the NLALC an opportunity to view the subject land as a basis for preparing their cultural heritage report detailing the views and concerns they may have regarding the future uses of the site.

For ease of discussion and reporting, the subject land had been divided into three survey units, based on topography and the planned rezoning of the subject land (See **Figure 5 for 2007 survey and survey units**). For further details on the survey units see the 2007 report. In general, all areas of exposed ground were examined for traces of Aboriginal occupation and all mature trees were examined to determine the presence/absence of scars of Aboriginal cultural origin.

⁵ Aboriginal Land Rights Act 1983, s52(1)(m).

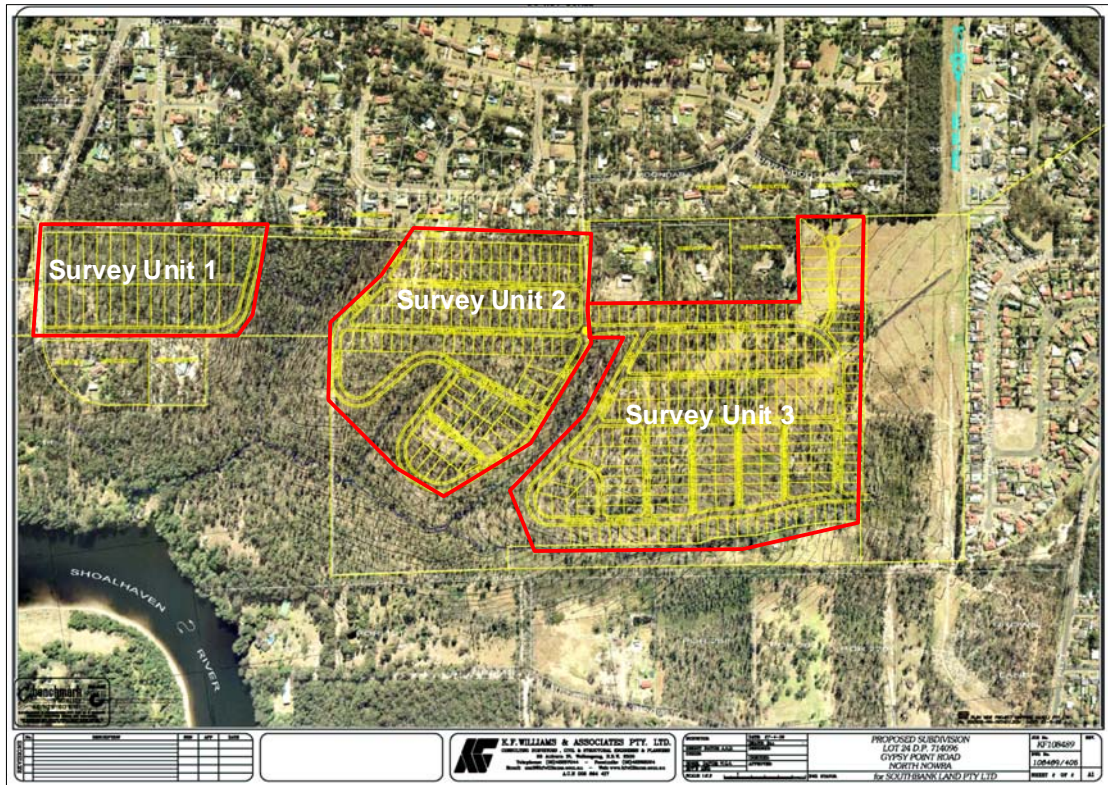


Figure 5. Detailed survey of Lot 24 showing 2007 proposed subdivision layout and survey Units.

The survey did not result in the identification of any previously unrecorded items of Aboriginal cultural heritage or any areas of sub-surface archaeological potential. Two previously recorded sites located within Lot 24 and were not relocated. Both are small low density scatters of stone artefacts not associated with any potentially artefact bearing sub-surface deposit.

Although there was generally low effective survey coverage recorded for the investigated portions of the subject land, ground was exposed at regular intervals and it is considered that enough of the subject land was observed to characterise the extent of its archaeological potential. That is, the subject land is moderately to highly disturbed and is not considered likely to retain any extensive, intact or significant Aboriginal cultural remains or archaeological potential.

Registered site EGP-28 (AHIMS #52-5-0307) may survive within the areas proposed for subdivision and should be managed on this assumption. It does not represent a constraint to the planning proposal, however it should be retained if possible in any subsequent subdivision of the subject land. If this is not possible, a NPW Act s.90 Aboriginal Heritage Impact Permit (AHIP) will need to be sought for the site, which may include additional Aboriginal community consultation. Registered site Duke 7 (AHIMS #52-5-0372) may not survive and is outside the area proposed for subdivision. All other areas within the subject land are not considered to retain archaeological potential, though there is some possibility that axe grinding grooves may be present in creek bed areas currently obscured by vegetation or creek sand.

However provided that the recommendations below are followed, there are no Aboriginal archaeological constraints to the proposed rezoning, or any future subdivision within the subject land. Furthermore there is no requirement for any additional Aboriginal archaeological works in advance of the submission of the rezoning proposal and any subsequent DA.



Figure 6. Partially overgrown track in Survey Unit 1.



Figure 7. Extensive trail bike track construction in Survey Unit 1.



Figure 8.
Cleared area
around former
quarry and
access road in
Survey Unit 2.



Figure 9.
Rubbish
dumping within
former quarry in
Survey Unit 2.



**Figure 10. Trail
bike tracks within
Survey Unit 2.**



**Figure 11.
Exposed
sandstone ledge
above creek in
Survey Unit 2.**



Figure 12. Large sand and sandstone rubble pile in Survey Unit 3.



Figure 13. Grassed and furrowed paddock in northeast corner of Survey Unit 3.



Figure 14.
Drainage
channel in
Survey Unit 3.



Figure 15.
Exposed
sandstone near
creek
confluence in
Survey Unit 3.



Figure 16.
Sandstone
exposed next to
creek in Survey
Unit 3.



Figure 17.
Locality of open
campsite EGP-
28 (AHIMS #52-
5-0307) in
Survey Unit 3.



Figure 18. View west over the western portion of the subject land showing recent selective clearance and removal of the understory.

Additional Site Inspection

An additional reconnaissance was undertaken to provide supplementary information on any changes that may have taken place during the intermediate period. The site inspection was conducted by MDCA archaeologists Mary Dallas and Tamika Goward and took place on 15th August 2013.

At the time of survey of the current subdivision proposal ground surface visibility had improved as compared to the 2007 survey (see for example **Figures 18** and **19**). Even so attempts to relocate the known site (EPG-28 AHIMS #52-5-0307) within the current subdivision and Duke 7 (AHIMS #52-5-0372) located under the transmission line to the east of the proposed subdivision, were unsuccessful. No new cultural material was observed during this site inspection and no areas of archaeological potential [PAD] were identified.



Figure 19. View west down a 4WD track in the area in which EPG-28 (AHIMS #52-5-0307) had been originally recorded.



Figure 20. View east of cleared low-lying area toward riparian corridor on eastern boundary of the subject land.



Conclusions and Recommendations

The subject land is moderately to highly disturbed and it is not considered likely to retain any extensive or intact Aboriginal cultural remains or archaeological potential. Registered site EGP-28 (AHIMS #52-5-0307) may or may not survive within the subject land and should be managed on this assumption (**Figure 21**). It does not represent a constraint to the planning proposal, however it should be retained if possible in any subsequent subdivision of the subject land. If this is not possible, a DEC s.90 Aboriginal Heritage Impact Permit will need to be sought for the site, which will include additional Aboriginal community consultation. Registered site Duke 7 (AHIMS #52-5-0372) may not survive and is outside the area proposed for possible subdivision. No further assessment or management considerations are required for this site in the current context.

All other areas within the subject land are not considered likely to retain archaeological potential, though there is some possibility that axe grinding grooves may be present in creek bed areas currently obscured by vegetation or creek sand.

However provided that the recommendations below are followed, there are no Aboriginal archaeological constraints to the proposed planning proposal, or any future subdivision within the subject land. Furthermore there is no requirement for any additional Aboriginal archaeological works in advance of the submission of the planning proposal.

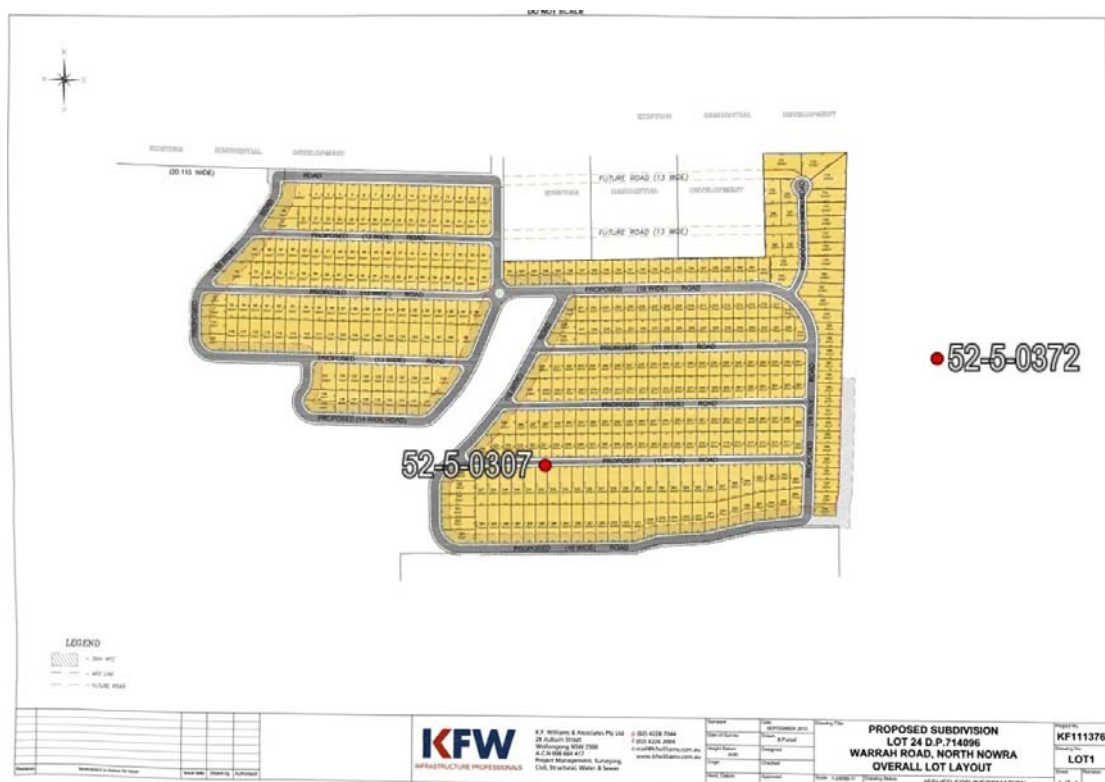


Figure 21. Location of sites EGP-28 (AHIMS #52-5-0307) and Duke 7 (AHIMS #52-5-0372) within the subject land.



Recommendations

The following recommendations are based upon the legal requirements and automatic statutory protection provided under the terms of the National Parks and Wildlife Act of 1974 (as amended), where;

it is an offence to knowingly damage, deface or destroy Aboriginal sites or relics without the prior consent of the Director General of the National Parks and Wildlife Service,

in conjunction with;

the results of both the 2007 and current archaeological investigations of the subject land which are documented within this report;

It is recommended that:

- I. There are no Aboriginal archaeological constraints to the current planning proposal for the rezoning of Lot 24 and no further archaeological work is required within the subject land prior to the submission of the planning proposal.
- II. Where possible, the area of registered Aboriginal open campsite EGP-28 (AHIMS #52-3-0307) and its immediate surrounds should be preserved within an open space reservation in any future subdivision of the subject land and mitigative measures provided to ensure its ongoing protection (i.e. deposition of topsoil and turfing of this area to protect the site from future impacts). If this is not possible, a NPW Act s.90 AHIP will need to be obtained for the site, and any additional Aboriginal consultation undertaken as required prior to any impacts in this area. The updated coordinates of registered Aboriginal open campsite EGP-28 (AHIMS #52-3-0307) should be noted.
- III. The current development plan will not affect Duke 7 (AHIMS #52-3-0372). No further action is required in respect of this site. If any future works [not specified on Figure 3] are proposed within the immediate vicinity of registered Aboriginal open campsite Duke 7 a NPW Act s.90 Heritage Impact Permit will need to be obtained for the site, and any additional Aboriginal consultation undertaken as required prior to any impacts in this area, unless it can be ascertained that the site has previously been destroyed as part of works for the Eastern Gas Pipeline Project.
- IV. Any works involving the beds and immediate banks of any of the watercourses within the subject land (e.g. footbridges/paths) should be mindful of the potential for currently obscured axe grinding grooves to be present on sandstone within these areas. If any such grooves are located, works will need to cease and the Nowra Local Aboriginal Land Council be contacted to determine an appropriate management strategy for the site.
- V. One copy of this report should be forwarded to:

Mr Sonny Simms
Nowra Local Aboriginal Land Council
PO Box 528
Nowra NSW 2541
- VI. Two copies of this report should be forwarded to:
The Manager
South Eastern Aboriginal Cultural Heritage Unit
NSW National Parks & Wildlife Service



P.O. Box 1189
QUEANBEYAN NSW 2620

VII One copy of this report should be forwarded to:

The Manager
Aboriginal Heritage Information Management System
NSW Department of Environment & Conservation
P.O. Box 1967
Hurstville NSW 2770

If you require any further information, please do not hesitate to contact us.

Yours sincerely,

Mary Dallas

Principal Heritage Consultant

MARY DALLAS CONSULTING ARCHAEOLOGISTS

13th December 2013



References

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Attachment 1

AHIMS Online Search Records

Updated 13.8.13



AHIMS Web Services (AWS)
Extensive search - Site list report



Your Ref Number : North Nowra
Client Service ID : 108417

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
52-5-0372	Duke 7	AGD	56	277800	6140630	Open site	Valid	Artefact :-	Open Camp Site	
	Contact	Recorders								
52-5-0302	Tapitallee Ck 1;	AGD	56	278000	6141630	Open site	Valid	Artefact : 4	Open Camp Site	
	Contact	Recorders								
52-5-0303	Tapitallee Ck 2;	AGD	56	278020	6141840	Open site	Valid	Artefact : 1	Open Camp Site	
	Contact	Recorders								
52-5-0307	EGP 3-28;Cram Rd Shoalhaven;Eastern Gas Pipeline;	AGD	56	277210	6140560	Open site	Valid	Artefact :-	Open Camp Site	
	Contact	Recorders								
52-2-0889	Bengalee Creek 4;	AGD	56	275340	6140750	Closed site	Valid	Artefact :-	Shelter with Deposit	102160
	Contact	Recorders								

Report generated by AHIMS Web Service on 13/08/2013 for Tamika Goward for the following area at Lot : 24, DP:DP714096 with a Buffer of 1000 meters. Additional Info : Due Diligence.
Number of Aboriginal sites and Aboriginal objects found is 5
This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.