

10 December 2018

Ryhan Thomson
INDESCO
Principal Civil Engineer

Dear Rhyan,

Re: Aboriginal due diligence advice: 105 Cooby Road, Tullimbar New South Wales

The Illawarra Local Aboriginal Land Council (ILALC) has been commissioned by INDESCO to provide Aboriginal due diligence advice for the proposed development at 105 Cooby Road, Tullimbar New South Wales (NSW) (the study area) (Figure 1 and Figure 2). The project involves subdivision and development of the study area into residential lots. The purpose of this advice is to assist the client in exercising due diligence in determining whether the project will involve activities that may harm Aboriginal objects and to determine whether consent in the form of an Aboriginal Heritage Impact Permit (AHIP) is required.

The *National Parks and Wildlife Act 1974* (NPW Act) provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing, damaging or moving an object from the land. There are a number of defences and exemptions to the offence of harming an Aboriginal object or place. The NPW Act states that a person or organisation who exercises due diligence in determining that their actions will not harm Aboriginal objects has a defence against prosecution for the strict liability offence of unknowingly harming an object without an AHIP.

The NPW Act allowed for a generic code of practice to explain what due diligence means. As a result, the *National Parks and Wildlife Regulation 2009* (NPW Regulation) adopted the *Due diligence code of practice for the protection of Aboriginal objects in NSW* (DECCW 2010a) (the code). The code sets out the reasonable and practicable steps which individuals and organisations need to take in order to:

- identify whether or not Aboriginal objects are, or are likely to be, present in an area
- determine whether or not their activities are likely to harm Aboriginal objects (if present)
- determine whether an AHIP application is required.

This advice includes a background review, as well as an archaeological survey in accordance with the code, in order to adequately map areas of high, moderate and low archaeological sensitivity. It is useful to determine whether the code is applicable to the proposed project. The code outlines a series of questions to clarify this, responses to these questions are outlined in Table 1.

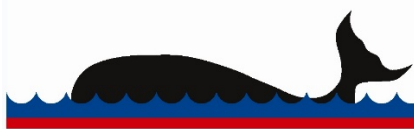


Table 1 Questions required to determine the applicability of the code

Question	Response
Is the activity a declared project under Part 3A of the EP&A Act?	No
Is the activity an exempt activity listed in the NPW Act or other legislation?	No
Will the activity involve harm that is trivial or negligible?	No
Is the activity in an Aboriginal place or are you already aware of Aboriginal objects on the land?	No
Is the activity a low impact activity for which there is a defence in the NPW Regulation?	No
Do you want to use an industry specific code of practice?	No
Do you wish to follow your own procedure?	No

As none of the above questions apply to the project, due diligence must be established through use of the code. The code consists of a series of five steps outlined below.

Step 1: Will the activity disturb the ground surface or any culturally modified trees?

The study area will be subdivided and developed into residential lots which will include construction of roads and associated services such as electricity and drainage. The activity will disturb the ground surface and/or any culturally modified trees and therefore consideration of Steps 2a and 2b of the code is required.

Step 2a. Search the Aboriginal Heritage Information Management System (AHIMS) database and use any other sources of information of which you are already aware

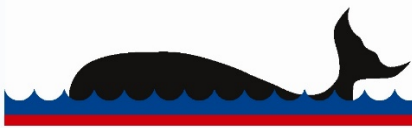
An extensive search of the AHIMS database was conducted on 11 September 2018. The search identified 38 Aboriginal archaeological sites within a five kilometre square search area, centred on the proposed study area (Table 2). None of these registered sites are located *within* the study area (Figure 3). The mapping coordinates recorded for these sites were checked for consistency with their descriptions and location on maps from Aboriginal heritage reports where available. These descriptions and maps were relied upon where notable discrepancies occurred.

Table 2 AHIMS Sites within the vicinity of the study area

Site type	Occurrences	Frequency (%)
Artefact	31	81.6
Potential Archaeological Deposit (PAD)	7	18.4
Total	38	100

A simple analysis of the Aboriginal cultural heritage sites registered within five kilometres of the study area indicates that the dominant site type is artefacts, representing 81.6% (n=31). The second most recorded site type found in the vicinity of the study area were PAD sites accounting for 18.4% (n=7). Registered sites were located across a range of landforms, with the majority present on level elevated landforms in close proximity to sources of water or on ridgeline spurs.

A review of the reports held by AHIMS identified several archaeological studies have been undertaken in the locality of the study area. These include:



Dominic Steele (2000) undertook an Aboriginal archaeological investigation as part of an assessment for a water supply upgrade to Albion Park, east of the current study area. The initial assessment of the area noted that there were a number of tracks, buildings and paddocks which had caused disturbance in the area. The terrain varied between gently undulating and steep grassland, largely cleared of timber. The predictive modelling employed noted the potential for the discovery of middens and stone artefacts (Dominic Steele 2000, pp. 18-19). The survey identified no artefacts or sites within the area of assessment. Within Survey Unit I, it was noted that there was greater exposure to the north, near the current study area, caused by vehicle and animal tracks (Dominic Steele 2000, p. 25). The southern portion of the survey unit was steeper and more heavily grassed. The conclusions of the report noted that this southern portion had moderate potential (Dominic Steele 2000, p. 30), with some potential to retain intact deposits, unlike the area further to the north, which had been disturbed by recent land use practices.

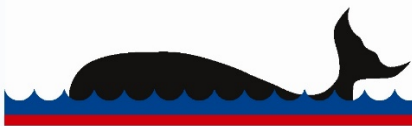
Navin Officer (2004) completed a cultural heritage assessment for Shellharbour Urban Fringe area that included the Dunmore area, and western portion of Albion Park to the east of the study area.

Archaeological survey identified three areas of PAD that were noted as SUFA 1, 2 and 3. Site SUFA 3 (AHIMS 52-25-0638) was registered on AHIMS and SUFA 1 and 2 were not registered. All three areas of PAD were located within gentle lower slopes of spur lines and in the vicinity of creek lines. SUFA 3 (AHIMS 52-5-0638) is the closest site to the current study area, situated on the crest of a low spur between two drainage lines that flow to Frazers Creek (Navin Officer 2004, p. 21), approximately 480 metres to the south. Archaeological test excavations of PAD SUFA 3 were completed in 2012 and resulted in the recovery of 54 artefacts from 35 test pits. Artefacts were recorded in sandy grey-brown and light brown deposits up to a depth of 360 millimetres. Artefacts consisted primarily of flakes, three retouched tools and one core made from fine grained siliceous material, chalcedony, petrified wood, chert and silcrete (Godden Mackay Logan 2014, p.34). Considering that the site has low density with a limited range of cultural material, it was concluded that it is of low scientific significance and that an AHIP should be obtained in order to impact on the site (Godden Mackay Logan 2014, p. 61).

Navin Officer (2005) completed an Aboriginal archaeological assessment for the Tullimbar Village Development in 2002 located approximately 800 metres north-west of the study area. During the survey, two sites and four areas of potential archaeological deposits (PADs) were identified. Subsequent test excavations of site Tullimbar Village PAD 3 (AHIMS 52-5-0431) recovered eleven artefacts from five of the fourteen excavated pits (Navin Officer 2005, pp. 9-10). The site is located within the elevated bank above Hazelton Creek. Considering a very low density and a diverse range of raw material, it was concluded that the site is a background artefact scatter representing low intensity site occupation or transient camp and activities associated with fringes of permanent occupation (Navin Officer 2005, p. 10).

Navin Officer (2005) completed an Aboriginal archaeological assessment for the Tullimbar Village Development in 2002 located approximately 800 metres north-west of the study area. During the survey, two sites and four areas of potential archaeological deposits were identified (Tullimbar Village PAD 1, 2, 3 and 4). Subsequent mechanical test excavations were carried out at Tullimbar Village PAD 3 (AHIMS 52-5-0431). A total of 11 artefacts were excavated from five of the 14 test pits. A majority of the artefacts recovered were of chert, though other raw materials included silcrete, tuff and volcanic rock. One volcanic flake was also recovered from the surface. Considering the low density of artefacts, the presence of a diverse range of raw materials, and the level of bioturbation and earthworks disturbance, it was concluded that the site is a background artefact scatter representing a low intensity occupation site or transient camp of low archaeological significance. No further archaeological excavations were recommended for the northern section of PAD 3.

Kayandel (2008) conducted subsurface archaeological test excavations at PAD sites Tullimbar Village PAD 1 (52-5-0434), Tullimbar Village PAD 2 (52-5-0439) and Tullimbar Village PAD 4 (52-5-0440) located 500 metres east of the current study area. A total of 26 tests pits were excavated over the extent of the three



sites and 33 artefacts were recovered from 12 of the 26 test pits excavated via mechanical means (backhoe). Of these artefacts 14 came from PAD 1, 16 from PAD 2 and three from PAD 4. A majority of the artefacts salvaged were of fine-grained siliceous, or tuff raw materials that are common within the landscape context of the study area. Other raw materials included chert, quartz, jasper, volcanic, jasper, silcrete and petrified wood. The results of the test excavations were consistent with Navin's excavations at PAD3. PAD1, PAD2, and PAD4 were assessed to be background artefact scatters of low significance. Kayandel recommended that no further archaeological investigations were required at PADs 1, 2, and 4. It was also recommended that a valid heritage impact permit (s.87 and s.90 permit), would be required prior to the commencement of works.

Biosis (2015) provided Aboriginal heritage due diligence advice for Aboriginal heritage for 225 Crest Road in Albion Park, located east of the study area. The assessment concluded that the study area was located within a ridgeline with associated upper slopes and spur lines that was likely to have been used by Aboriginal people for a transient corridor between the hinterland and the coast, and it has been mapped as having high archaeological potential. The most likely site types to occur were predicted to be low to moderate density artefact scatters and isolated artefacts. These sites would be the remnants of short-term camping places or would represent lost or discarded material along the transient corridor. The assessment also identified a small area within the eastern end of the study area on the upper gentle slopes associated with the ridgeline and the small easternmost part of the study area as having moderate archaeological potential. Those areas are located within flat spur lines in the vicinity of the watercourses. All other areas were assessed as having low archaeological potential due to the very steep slopes that would not be suitable for occupation or movement across the landscape. Further assessment was recommended for the areas of high and moderate potential.

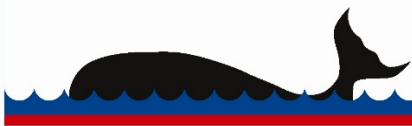
Biosis (2018) undertook an Aboriginal cultural heritage assessment of the proposed Tullimbar Village development at Lot 17 DP 1168920, Yellow Rock Road; located immediately adjacent to the current study area. This assessment included a field investigation consisting of a comprehensive survey. The survey identified that the Tullimbar Village study area had undergone a high level of disturbances associated with residential construction, landscaping, access roads and dams, as well as from agricultural practices which had modified drainage lines and caused disturbance and erosion. The survey did not identify any new sites and the assessment concluded that the results of previous archaeological testing within site 52-5-0440 and other archaeological testing in the local area (Eco Logical Australia 2017), it is unlikely that this area contains intact archaeological deposits. The low lying nature of the study area indicates that this area is frequently inundated and waterlogged suggesting that this area is likely to only have been used by Aboriginal people infrequently for transitory purposes. The slightly raised landform unit within which AHIMS site 52-5-0440 is located was much more likely to have been utilised by Aboriginal people in the past.

Step 2b. Activities in areas where landscape features indicate the presence of Aboriginal objects

In order to determine whether the activity within landscape features likely to contain Aboriginal objects a review of information pertaining to ethnohistories, soils, geology, landform, disturbance and potential resources has been undertaken.

Ethnohistory

It is generally accepted that Aboriginal peoples have inhabited Australia for the last 50,000 years (Allen and O'Connell 2003). Despite a proliferation of known Indigenous sites there is considerable ongoing debate about the nature, territory and range of pre-contact Indigenous language groups in the Illawarra region. These debates have arisen largely due to the lack of ethnographic and linguistic information recorded at the time of European contact. By the time colonial diarists, missionaries and proto-anthropologists began making detailed records of Indigenous people in the late 19th Century; pre-European Indigenous groups had been broken up and reconfigured by European settlement activity. The following information relating to Indigenous people on the Illawarra is based on such early detailed records.



The Illawarra region is the traditional land of the Wodi Wodi, a group of people who spoke a variant of the Dharawal language (Wesson 2009). The area occupied by this group extended from Botany Bay down the coast to around Nowra. To the north of the Wodi Wodi, the Darug are identified, to the west are the Gundanguura, and in the south the Thoorga are identified (Tindale 1974). The areas inhabited by each of the groups are considered to be indicative only and would have changed through time and may have been dependent on certain circumstances (i.e. availability and distribution of resources). Interactions between different types of social groupings would have varied with seasons and resource availability. Traditional stories tell of the arrival of the Wodi Wodi to Lake Illawarra, bringing with them the Dharawal or cabbage tree palm from which their language is named (Wesson, 2009, p. 5). Analysis of middens in the region has provided dates of occupation dating back 6000 to 7000 years on the coast and at Lake Illawarra, and it is accepted that Aboriginal occupation of the south coast dates to around 20,000 years ago (AMBS 2006, p.33).

The first recorded contact between Aboriginal and European peoples occurred in 1770, when Captain Cook sailed down the east coast of Australia in the Endeavour and observed cook fires and Aboriginal people carrying canoes along the coast (Organ 1990, p. 2). The next recorded contact occurred in 1796, when Flinders and Bass travelled along the coast in the Tom Thumb (Organ 1990, p. 8). Organ (1993, p. 49) also notes an expedition from Jervis Bay by George William Evans, in which the expedition met several groups of Aboriginal people on the way through the Wollongong area in 1812.

Following the arrival of European settlers into the Illawarra the movement of Aboriginal hunter-gatherers began to become increasingly restricted. European expansion was swift and soon there had been considerable loss of land to agriculture. This led to violence and conflict between Europeans and Aboriginal people as both groups sought to compete for the same resources. At the same time diseases such as small pox were having a devastating effect on the Aboriginal population. Death, starvation and disease were some of the disrupting factors that led to a reorganisation of the social practices of Aboriginal communities after European contact.

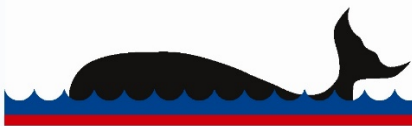
Geology, soils and hydrology

The study area lies within the Coastal Plain physiographic region that is located between the Illawarra Escarpment and the sea (Hazelton 1992, p. 2). It consists of the gentle rises of the Illawarra Coal Measures, rolling to steep low hills of volcanic materials, moderate to steep slopes of Berry Siltstone and undulating Budgong Sandstone and Quaternary alluvium (Figure 4). Soils in the study area are characterised by the *Albion Park* Soil Landscape which is classed as an erosional soils (Hazelton 1992, p. 40-42) (Figure 5). These soils are described as moderately deep Podzolic soils consisting of brownish black sandy clay loams (ap1) or hard setting dark brown loam topsoils (ap2) overlying mottled greyish brown light clays (ap3), bright yellowish brown sandy loams (ap4), or mottled yellow orange heavy clay (ap5) subsoils (Hazelton 1992, p.41). These soils form very rapidly and may take only a few hundred years to form. Erosional soil landscapes comprise soils that have the ability to transport their sediment load. Since erosional soils are generally subject to movement of shallow soils, the result is poor preservation of archaeological record. With little cover, archaeological material is likely to occur at shallow depths or it will be exposed where there is no or little vegetation cover. Therefore, topsoils that will have potential to contain archaeological material will occur on crests, upper and mid slopes, to depths of up to 400 millimetres (Hazelton 1992, p. 41).

One perennial water source, Yellow Rock Creek, is located more than 200 metres to the north of the study area, bisecting an alluvial plain landform. This water course would have provided access to a range of useful resources to Aboriginal people in the area on a reliable basis.

Resources

The study area has been extensively cleared, with some tall open-forest present, as well as introduced low vegetation in the form of lantana. The Albion Park landscape typically supports species such as Thin-leaved Stringybark (*Eucalyptus eugenioides*), Cabbage Gum (*Eucalyptus amplifolia*), Forest Red Gum (*Eucalyptus tereticornis*), and Decorative Paperbark (*Melaleuca decora*) (Hazelton 1992, pp. 40-44).



Aboriginal inhabitants of the region would have had access to a wide range of avian, terrestrial and aquatic fauna and repeated firing of the vegetation would have opened up the foliage allowing ease of access through and between different resource zones.

Plant resources were used in a variety of ways. Fibres were twisted into string, which was used for many purposes, including the weaving of nets, baskets and fishing lines. String was also used for personal adornment. Bark was used in the provision of shelter; a large sheet of bark being propped against a stick to form a gunyah (Attenbrow 2002).

As well as being important food sources, animal products were also used for tool making and fashioning a myriad of utilitarian and ceremonial items. For example, tail sinews are known to have been used to make fastening cord, while 'bone points', which would have functioned as awls or piercers, are often an abundant part of the archaeological record. Animals such as brush-tailed Possums were highly prized for their fur, with possum skin cloaks worn fastened over one shoulder and under the other. Kangaroo teeth were incorporated into decorative items, such as head bands (Attenbrow 2002).

Disturbances

Some of the study area had been cleared of vegetation in the past and the area around the plateaus on the property have possibly been modified to flatten out the sloped landform. The area surrounding the study area also included a number of disturbances, including Yellow Rock and Cooby Road, which have modified the hill and ridgeline landforms.

Step 3. Can you avoid harm to the object or disturbance of the landscape feature?

The project will involve the subdivision of 105 Cooby Rd, and the subsequent construction of houses with associated amenities such as water pipelines and electricity infrastructure so harm cannot be avoided to the study area.

Step 4: Desktop assessment and visual inspection

Desktop assessment

Based upon the results from Stages 2a and 2b of the code a model has been formulated to broadly predict the type and character of Aboriginal cultural heritage sites likely to exist throughout the study area and where they are more likely to be located.

This model is based on:

- local and regional site distribution in relation to landform features identified within the study area
- consideration of site type, raw material types and site densities likely to be present within the study area
- findings of the ethnohistorical research on the potential for material traces to present within the study area
- potential Aboriginal use of natural resources present or once present within the study area
- consideration of the temporal and spatial relationships of sites within the study area and surrounding region.

Based on this information, a predictive model has been developed, indicating the site types most likely to be encountered during the survey and subsequent sub-surface investigations across the present study area (Table 3). The definition of each site type is described firstly, followed by the predicted likelihood of this site type occurring within the study area.

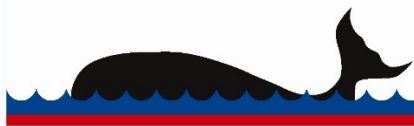
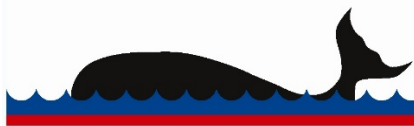


Table 3 **Aboriginal site prediction statements**

Site Type	Site Description	Potential
Flaked Stone Artefact and Isolated Artefacts	Artefact scatter sites can range from high- density concentrations of flaked stone and ground stone artefacts to sparse, low- density 'background' scatters and isolated finds.	High: Stone artefact sites have been previously recorded in the region on level, well-drained topographies in close proximity to reliable sources of fresh water. Isolated finds are the dominant site type for this area. The potential for artefacts to be present within the study area is assessed as high.
Shell Middens	Deposits of shells accumulated over either singular large resource gathering events or over longer periods of time.	Low: Shell midden sites have not been recorded within the vicinity of the study area. There is a low potential for shell middens to be located in the study area due to its distance from water.
Quarries	Raw stone material procurement sites.	Low: There is no record of any quarries being within or surrounding the study area and suitable geological resources are not present.
Potential Archaeological Deposits (PADs)	Potential sub surface deposits of cultural material.	Moderate: PAD sites have been previously recorded in the region across a wide range of landforms. PADs within this area are likely to be present within areas adjacent to water courses or on high points in undisturbed landforms.
Modified Trees	Trees with cultural modifications	Low: Scarred trees have not been previously recorded within the vicinity of the study area. This is due to extensive vegetation clearance that has been carried out within the region, leaving only a small number of mature native trees.
Grinding Grooves	Grooves created in stone platforms through ground stone tool manufacture.	Low: No Grinding grooves have been previously recorded within the study area. Suitable horizontal sandstone rock outcrops are not common throughout the study area.
Burials	Aboriginal burial sites.	Low: Aboriginal burial sites are generally situated within deep, soft sediments, caves or hollow trees. Areas of deep sandy deposits will have the potential for Aboriginal burials. No aboriginal burial sites have been previously recorded within the vicinity of the study area and suitable soils do not occur.

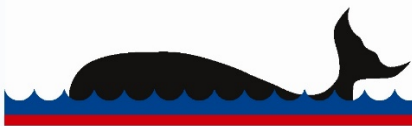


Site Type	Site Description	Potential
Rock shelters with art and / or deposit	Rock shelter sites include rock overhangs, shelters or caves, and generally occur on, or next to, moderate to steeply sloping ground characterised by cliff lines and escarpments. These naturally formed features may contain rock art, stone artefacts or midden deposits and may also be associated with grinding	Low: These site types will only occur where suitable sandstone exposures or overhangs possessing sufficient sheltered space exist. Suitable sandstone formations are present in the study area.
Aboriginal Ceremony and Dreaming Sites	Such sites are often intangible places and features and are identified through oral histories, ethnohistoric data, or Aboriginal informants	Low: There are currently no recorded mythological stories for the study area.
Post-Contact Sites	These are sites relating to the shared history of Aboriginal and non-Aboriginal people of an area and may include places such as missions, massacre sites, post- contact camp sites and buildings associated with	Low: There are no post-contact sites previously recorded in the study area and historical sources do not identify one.
Aboriginal Places	Aboriginal places may not contain any “archaeological” indicators of a site, but are nonetheless important to Aboriginal people. They may be places of cultural, spiritual or historic significance. Often they are places tied to community history and may include natural features (such as swimming and fishing holes), places where Aboriginal political events commenced or particular buildings	Low: There are currently no recorded Aboriginal historical associations for the study area.

Visual inspection

A visual inspection of the study area was undertaken on 8 September 2018 by Paul Knight. The visual inspection consisted of a systematic survey of the study area to identify and record any Aboriginal archaeological sites visible on the surface or areas of Aboriginal archaeological potential and cultural sensitivity. The survey was conducted on foot and one meandering transect was undertaken targeting all landforms within the study area. The methods used during the visual inspection were generic and would not be considered conforming to the Requirements 5 to 8 of the *Code of practice for archaeological investigation of Aboriginal objects in NSW* (DECCW 2010b). For terminology and definitions used within this section, please refer to the aforementioned guideline.

The visual inspection of the study area identified two predominant plateau areas divided by a gully and lower level sloped landform. The western boundary of the study area consisted of a level ridgeline spur running parallel to Cooby Road. This landform sloped to the east and dropped into the distinct gully. There was a level plateau area on the south eastern boundary which fell steeply into a gully to the west and north and a steep slope to the east. There was a further sloping and cleared area in the north east portion of the land.



In most archaeological reports and guidelines visibility refers to ground surface visibility, and is usually a percentage estimate of the ground surface that is visible and allowing for the detection of (usually stone) artefacts that may be present on the ground surface (DECCW 2010b). The overall visibility was low across the study area, at approximately 30%. The low visibility was the result of grass coverage across the study area; although, exposures from scouring and human disturbance provided isolated areas of higher visibility.

Exposure refers to the geomorphic conditions of the local landform being surveyed, and attempts to describe the relationship between those conditions and the likelihood the prevailing conditions provide for the exposure of (buried) archaeological materials. Exposures across the study area accounted for approximately 20% of the observed study area. These exposures were located in areas of disturbance where grass cover had been stripped from the ground surface, exposing surface soils to erosion.

Disturbances were present in the study area and came from both animal and human agents. Disturbances from animals was primarily the result of cattle grazing in the study area and had resulted in small shallow disturbances, particularly around the dam and creek lines. Human disturbances covered a much larger portion of the study area.

The survey identified that the ridgeline spur landforms that were present either side of the gully are likely to contain moderate archaeological potential for low density artefact deposits. There is further potential archaeological material to be found along the creek line dissecting the site. This landform has areas of flat, elevated land which provides an overview of the alluvial plain and Yellow Rock Creek to the north of the study area. The results of background research support this assessment of the ridgeline spur. Navin Officer (2004) identified areas of PAD on the crest of a low spur that was found to contain a low density artefact deposit, while Biosis (2015) identified areas of PAD on a ridgeline at Albion Park that was likely used as a transient corridor. The rest of the study area contains low archaeological potential. This is primarily attributed to the sloped nature of this landform and the disturbances associated with the existing residential buildings. The results of the visual inspection are outlined in Figure 6.

Step 5: Further investigations and impact assessment

Further assessment is warranted based upon the completion of Steps 1 to 4 of the code. The study area has been determined to contain an area of moderate archaeological potential located on a flat, ridgeline overlooking an alluvial plain and Yellow Rock Creek.

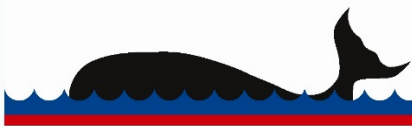
The following recommendations have been formulated for the project based on the results of background research and a visual inspection:

Recommendation 1 Further assessment is required if impacts cannot be avoided to areas of moderate potential.

As an area of moderate potential has been identified as part of this assessment it is recommended that a program of test excavations is undertaken to determine if sub-surface Aboriginal sites are present and whether an AHIP application will be required. This process will consist of an Aboriginal cultural heritage assessment prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011), an archaeological report prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) and consultation with Aboriginal community in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010c).

Recommendation 2 Works can proceed with caution in areas assessed with low archaeological potential.

Works can proceed in areas assessed with low archaeological potential, subject to recommendation 3. However, it should be noted that the advice contained in this report is to be used as guidance only and that it is strongly recommended that further and more comprehensive review of cultural heritage be undertaken.



Recommendation 3: Discovery of Unanticipated Aboriginal Objects, Historical Relics, and/or Aboriginal Ancestral Remains

All Aboriginal objects and Places are protected under the NPW Act. It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the OEH. Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the OEH and Aboriginal stakeholders.

Discovery of Unanticipated Historical Relics

Relics are historical archaeological resources of local or State significance and are protected in NSW under the Heritage Act 1977. Relics cannot be disturbed except with a permit or exception/exemption notification. Should unanticipated relics be discovered during the course of the project, work in the vicinity must cease and an archaeologist contacted to make a preliminary assessment of the find. The Heritage Council will require notification if the find is assessed as a relic.

Discovery of Aboriginal Ancestral Remains

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

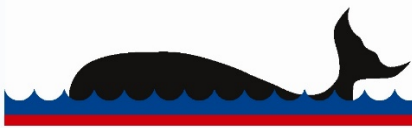
1. Immediately cease all work at that location and not further move or disturb the remains
2. Notify the NSW Police and OEH's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location
3. Not recommence work at that location unless authorised in writing by OEH.

Please contact me if you have any enquiries.

Yours sincerely

Paul Knight

Chief Executive Officer



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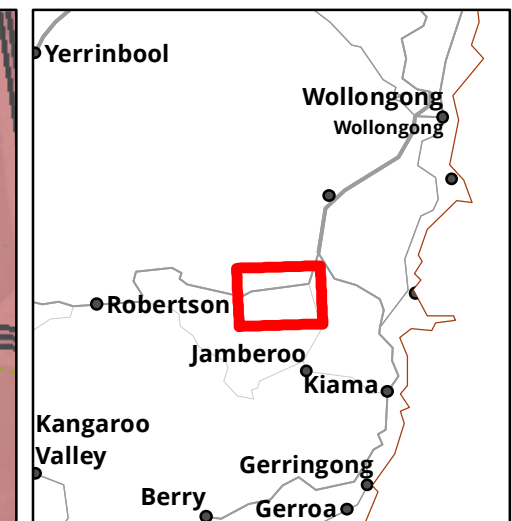
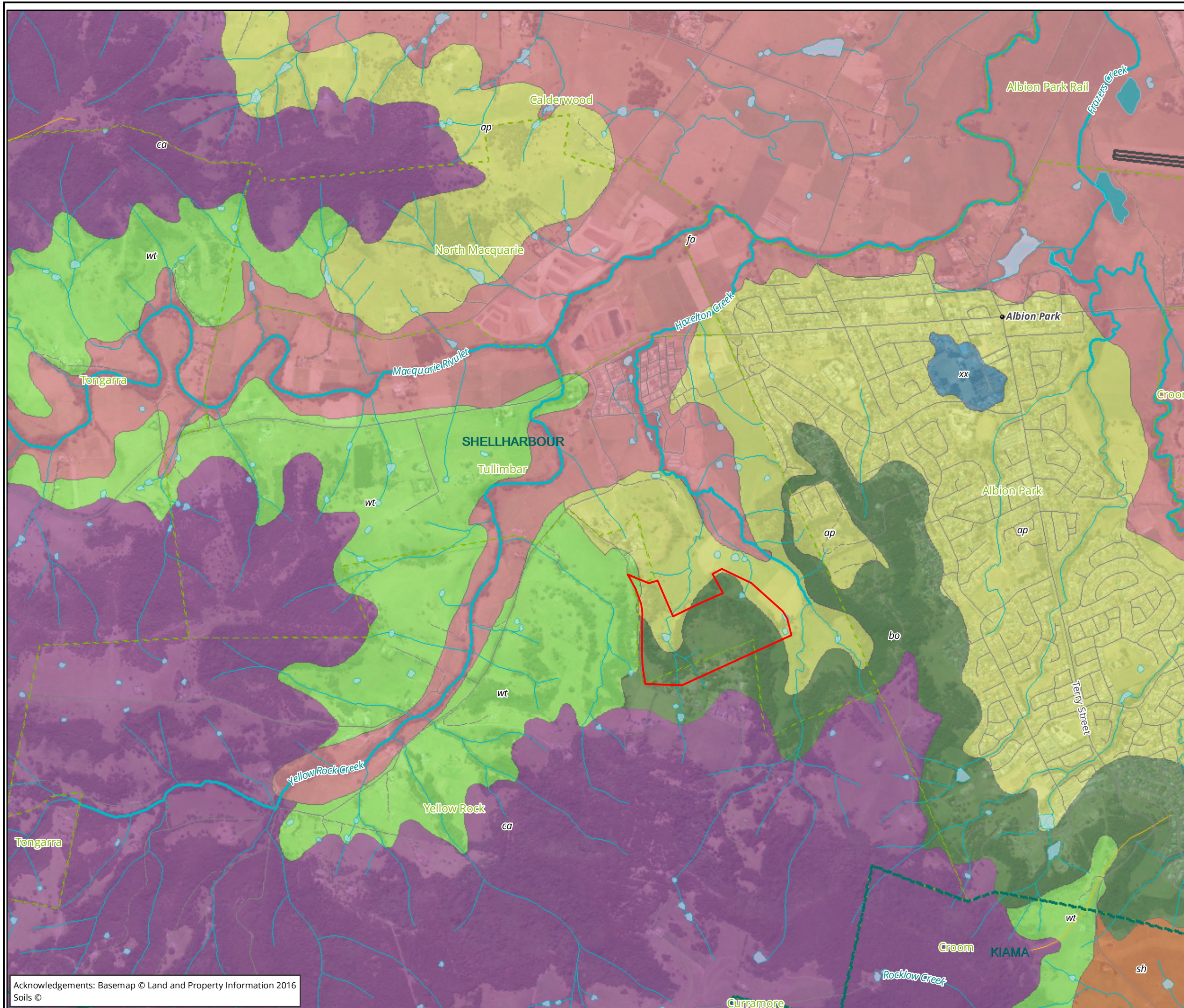
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Subject Land – 105 Cooby Rd, Tullimbah





Legend

Study area

Soil landscape units

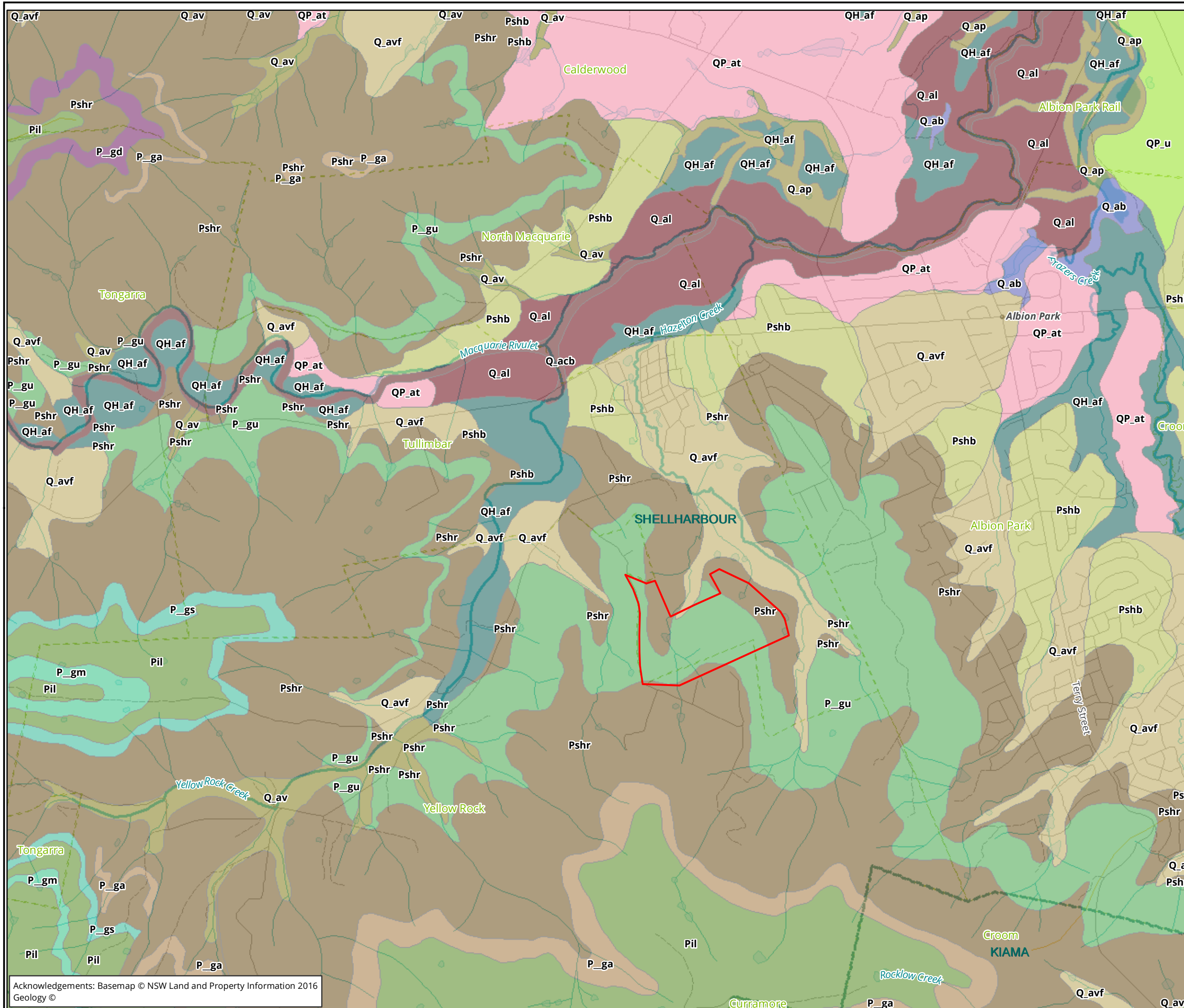
- ALBION PARK
- BOMBO
- CAMBEWARRA
- DISTURBED TERRAIN
- FAIRY MEADOW
- SHELLHARBOUR
- WATTAMOLLA ROAD

Figure 4: Soil landscapes near the study area

0 200 400 600 800 1,000
Metres
Scale: 1:20,000 @ A3



Coordinate System: GDA 1994 MGA Zone 55



Legend

Study

Geological

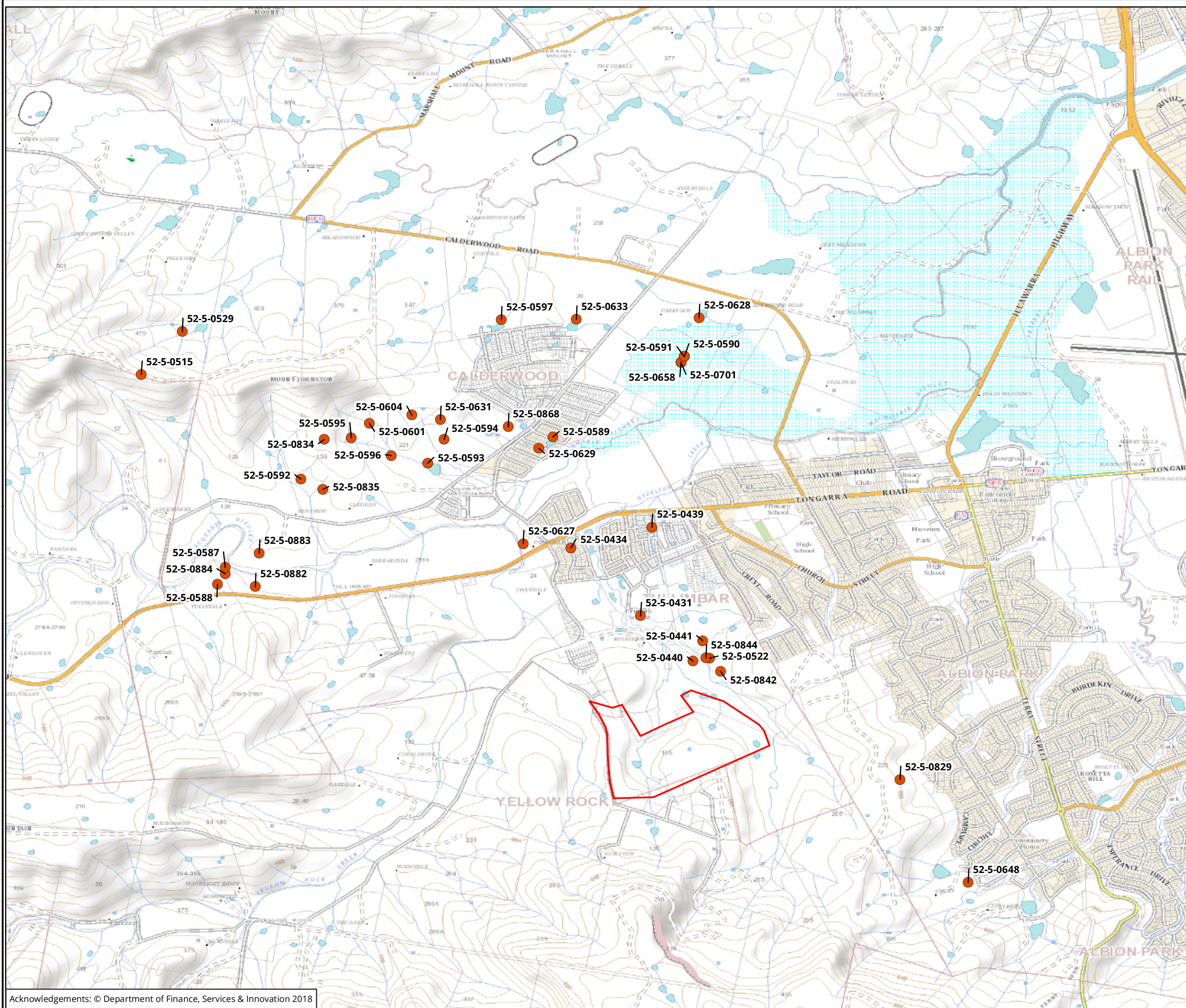
- Alluvial backswamp
- Alluvial channel deposits- in-channel bar
- Alluvial fan
- Alluvial floodplain
- Alluvial levee/overbank
- Alluvial palaeochannel
- Alluvial terrace
- Alluvial valley
- Berry
- Broughton
- Bumbo Latite
- Cambewarra Latite
- Dapto Latite
- Illawarra Coal
- Minnamurra Latite
- Pleistocene undifferentiated regolith
- Saddleback Latite

Figure 4: Geological units near the study area

0 200 400 600 800 1,000
Metres
Scale: 1:20,000 @ A3



Coordinate System: GDA 1994 MGA Zone 55



Legend

- Study area
- AHIMS Record

Figure 3: AHIMS records near the study area

NOT TO BE MADE PUBLIC

0 240 480 720 960 1,200
Metres
Scale: 1:24,000 @ A3
Coordinate System: GCS GDA 1994

