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URBIS

ABORIGINAL CULTURAL HERITAGE ASSESSMENT

345 Appin Road, Appin, NSW
Tharawal Country

Prepared for
INGHAM PROPERTY GROUP
25 September 2024

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Project Code	P00043207
Report Number	D01 – WIP Draft, Issued 26 June 2024 D02 – Issued to client for review 12 January 2024 D03 – Issued for Stage 4 RAP review 3 May 2024 D04 – Issued to Client 25/09/2024

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EXECUTIVE SUMMARY

The current report presents the results of an Aboriginal Cultural Heritage Assessment (ACHA) at 345 Appin Road, Appin, NSW, legally referred to as Lot 105 Deposited Plan (DP) 1188670.

The subject area is located within the Greater Macarthur Growth Area, approximately 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within Campbelltown LGA. The entire subject area is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC).

The ACHA has been undertaken to support a Planning Proposal which seeks to rezone the site comprising of approximately 301 hectares of land in the North Appin Precinct which forms part of the Greater Macarthur Growth Area (**GMGA**).

The ACHA concluded the following:

- The AHIMS search identified seven (7) Aboriginal sites or Aboriginal Places within the subject area, including Artefacts (AHIMS ID#52-2-4943, #52-2-4945, #52-2-4946), Axe Grinding Grooves (AHIMS ID#52-2-3583, #52-2-3581), and Shelters with Artefacts (AHIMS ID#52-2-4942) or PADs (AHIMS ID#52-2-4944).
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape is generally considered sensitive for Isolated Artefacts, Artefact Scatters, Grinding Grooves, Rock Engravings, and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape is considered archaeologically sensitive for sandstone Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape is considered sensitive for Isolated Finds.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.
- The subject area contains multiple landscape features that indicate past Aboriginal land use. These landscape features include a convergence of waterways, presence of sandstone geology, and shallow to moderately deep soils across the subject area. Due to the presence of such landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.

- Two Aboriginal sites were recorded during the archaeological survey consisting of a rock shelter with an artefact and Potential Archaeological Deposit (PAD) a further rock shelter with PAD. These were registered on the Aboriginal Heritage Information Management System (AHIMS) as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD.
- Three Aboriginal sites were observed during the test excavation consisting of a medium density artefact scatter and two low density artefact scatters. These were registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- The subject area is considered to be highly significant as it relates to the social, cultural, historic, and aesthetic values of Aboriginal cultural heritage. It is considered to have moderate value relating to scientific (archaeological) due to the prevalence of similar sites in the surrounding area. The significance of the subject area cannot be fully assessed until the report has been reviewed by the RAPs.
- Currently, there is no impact or no harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusion, Urbis recommends the following:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Conditions of Consent. Archaeological management should be undertaken post-approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.

- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

1. INTRODUCTION

Urbis has been engaged by Ingham Property Group ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for the North Appin Precinct, at 345 Appin Road, Appin, NSW on Tharawal Land ('the subject area') (Figure 1 and Figure 2). Legally, the subject area is defined as Lot 105 Deposited Plan (DP) 1188670.

This report is prepared in response to the recommendations of the previous Aboriginal Objects Due Diligence Assessment (ADD) (Urbis, 2022), and in support for the rezoning of the subject area as part of the North Appin Precinct.

The ACHA has been undertaken to support a Planning Proposal which seeks to rezone the site comprising of approximately 301 hectares of land in the North Appin Precinct which forms part of the Greater Macarthur Growth Area (**GMGA**). The NSW Government Department of Planning, Housing and Infrastructure (**DPHI**) has identified the site to deliver approximately 3,000 new homes and secure and implement a koala corridor along Ousedale Creek.

1.1. LOCATION OF THE SUBJECT AREA

The subject area is located at 345 Appin Road, Appin, NSW on Tharawal Land, legally referred to as Lot 105 Deposited Plan (DP) 1188670. The subject area is located within the Greater Macarthur Growth Area, approximately 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within Campbelltown LGA. The entire site is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC).

The subject area is an irregular-shaped lot that measures approximately 301 hectares in area. Currently, the area is occupied as pastoral land with significant natural assets and corridors. The topography is variable across the holding, ranging from a large level area along the eastern edge and then sloping down towards the Nepean River as the site extends west.

The subject area is located adjacent to the existing Appin township and forms a natural extension of the town to the north. The site is largely surrounded by existing rural and agricultural activities, with the local Appin township, located to the south. The site is surrounded by the following:

- **North:** Rural and agricultural land, that is bisected by the east west flowing Mallaty Creek, a tributary of the Nepean River, beyond which is the Gilead Stage 2 land that has recently been rezoned. Approximately 15 kilometres further north is the Campbelltown-Macarthur Metropolitan Cluster, a major employment, health and education hub.
- **East:** Appin Road bounds the site to the east and serves as the main connector road for the region. Further east is dense bushland to the Georges River and the Wedderburn Airstrip.
- **South:** Located to the immediate southwest along the site's boundary is Ousedale Creek, another tributary of the Nepean River. Immediately south along Brian Road is the Macarthur Motorcycle Complex. Along Appin Road to the immediate southeast is the existing Appin township which consists primarily of low-density residential land uses, supported by local retail, business services and the Appin Public School. Further south is rural and agricultural land currently subject to the Appin (part) (Precinct) rezoning.
- **West:** The western boundary is partly bounded by the heritage listed water supply infrastructure associated with the Upper Nepean Scheme. Further west is the Nepean River and further agricultural and rural land. The Upper Canal is critical infrastructure for Sydney's drinking water supply, conveying bulk raw water from Pheasants Nest and Broughton Pass Weirs through to the Prospect Water Filtration Plant and Prospect Reservoir. The Upper Canal is owned and managed by Water NSW and is Controlled Area declared under the *Water NSW Act 2014* and *Water NSW Regulation 2020* where public access is prohibited.

The periphery of the subject area is heavily vegetated with the exception of rural lands to the north, with the west of the site particularly dense. The subject area is bordered by numerous streams and creeks that converge with the Nepean River.

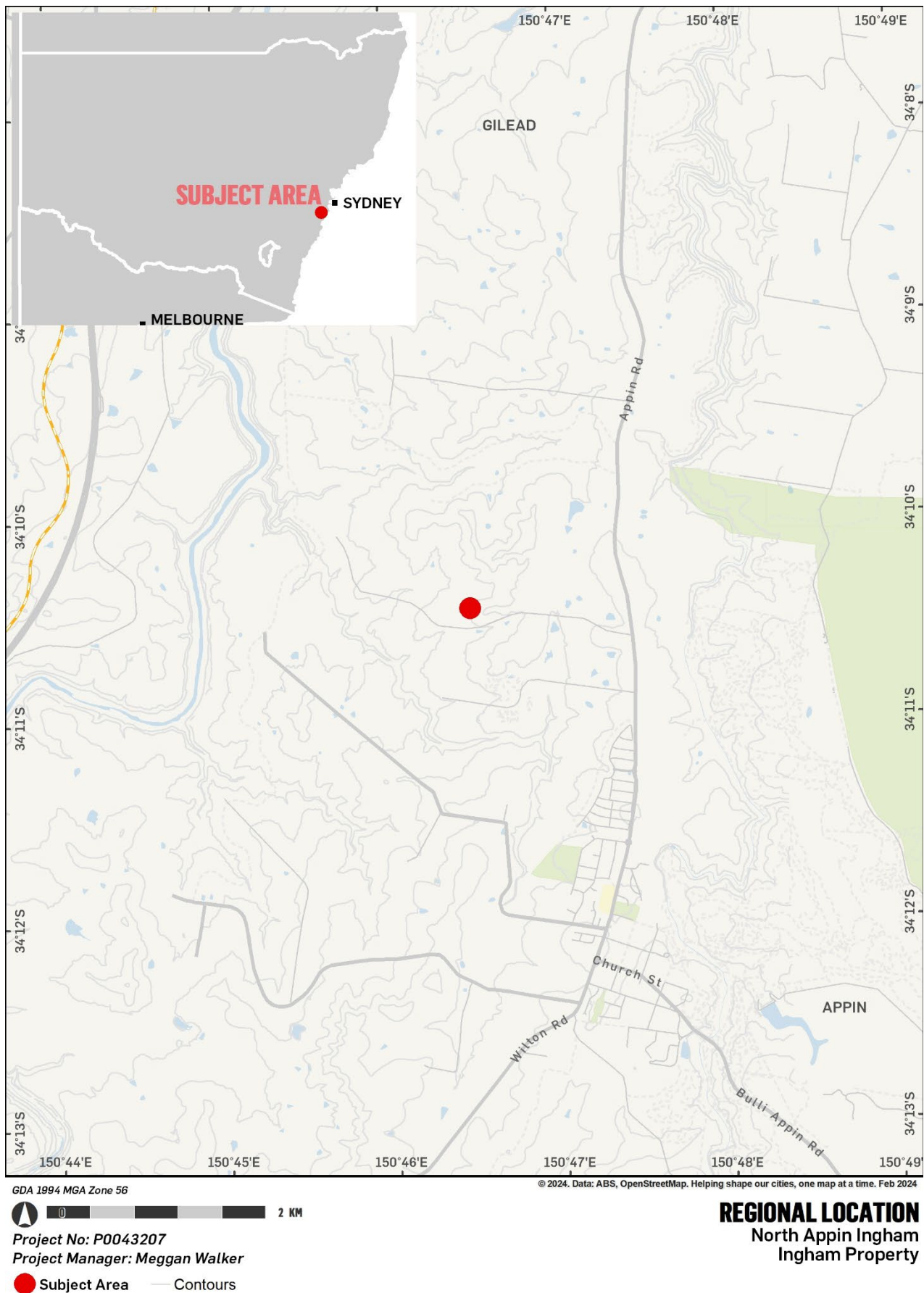


Figure 1 – Regional location

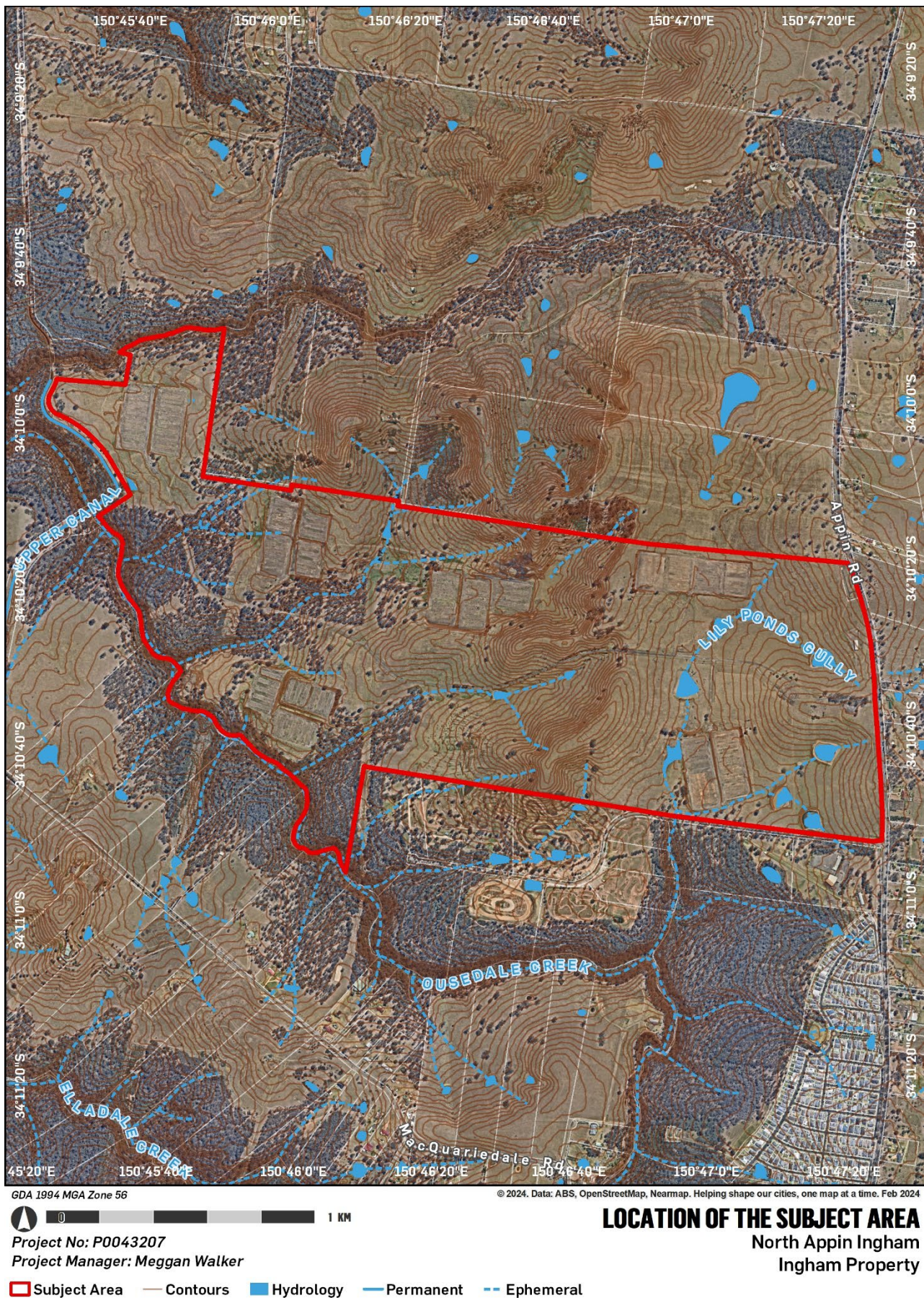


Figure 2 – Location of the subject area

1.2. PROPOSED WORKS

The Planning Proposal seeks to rezone the site comprising of approximately 301 hectares of land in the North Appin Precinct which forms part of the Greater Macarthur Growth Area (GMGA). The NSW Government Department of Planning, Housing and Infrastructure (DPHI) has identified the site to deliver approximately 3,000 new homes and secure and implement a koala corridor along Ousedale Creek.

The Proposal seeks to achieve this vision by amending *State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (WPC SEPP)* with a new Appendix to include the site and rezone the land based on an aligned Draft Structure Plan, to the following:

- UD Urban Development; and
- C2 Environmental Conservation.

The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are proposed.

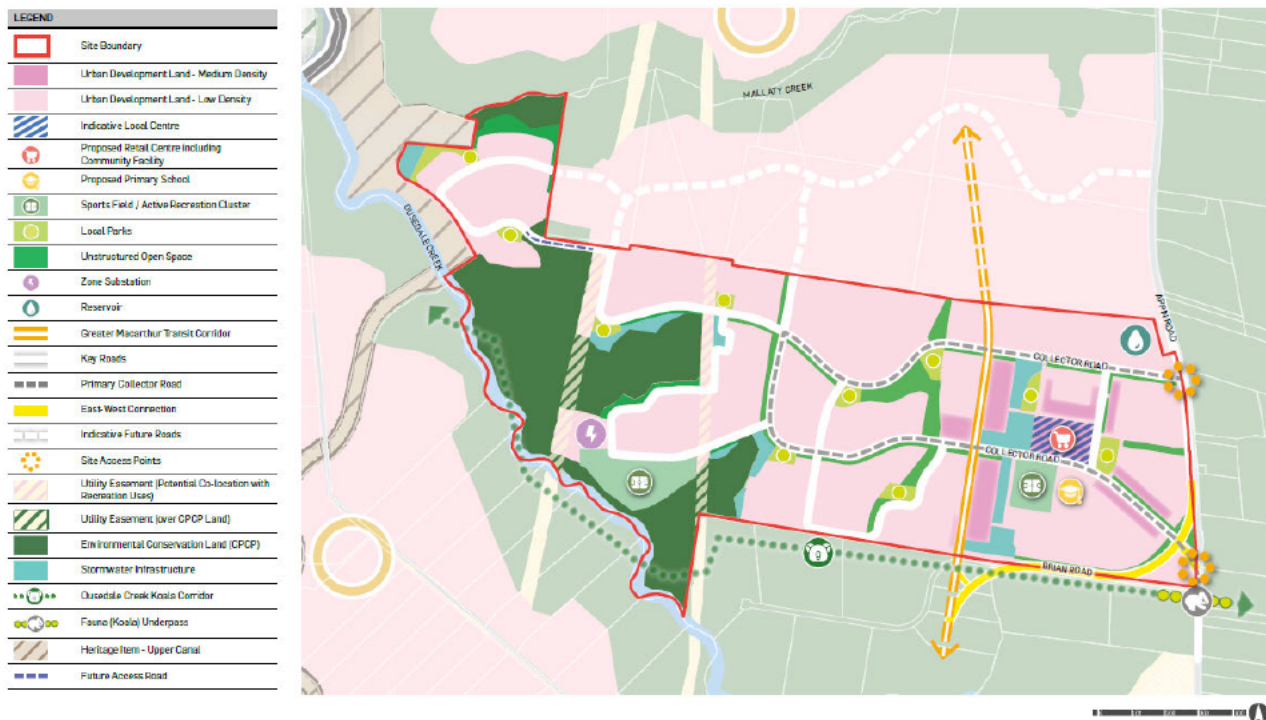


Figure 3 – Draft structure plan

Source: Ingham Property Group, 2024.

1.3. METHODOLOGY

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW, 2010c) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The objectives of the ACHA are to:

- Investigate the presence, or absence, of Aboriginal objects and/or places within and in close proximity to the subject area, and whether those objects and/or places would be impacted by the proposed development.
- Investigate the presence, or absence, of any landscape features that may have the potential to contain Aboriginal objects and/or sites and whether those objects and/or sites would be impacted by the proposed development.
- Document the nature, extent and significance of any Aboriginal objects and/or places and sites that may located within the subject area.
- Document the results of technical investigations including the Site Survey and Test Excavation.
- Document consultation with the Registered Aboriginal Parties (RAPs) with the aim to identify any spiritual, traditional, historical or contemporary associations or attachments to the subject area and any Aboriginal objects and/or places that might be identified within the subject area.
- Provide management strategies for any identified Aboriginal objects and/or places or cultural heritage values.
- Provide recommendations for the implementation of the identified management strategies.
- Prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to be included with an application for an Aboriginal Heritage Impact Permit for the proposed development, if required.

Section 3.1 of the Assessment Guidelines specifies the content requirements of an ACHAR, which includes the requirements of Regulation 61 of the NPW Reg. The requirements are listed in Table 1 below, together with the sections of the present ACHAR in which they are addressed.

Table 1 – ACHAR Requirements

Requirement	Section of Report
A description of the Aboriginal objects and declared Aboriginal Places located within the area of the proposed activity	Section 4
A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal Places, that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the land	Section 8
How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation)	Section 3

Requirement	Section of Report
The views of those Aboriginal people regarding the likely impact of the proposed activity on their cultural heritage (if any submissions have been received as a part of the consultation requirements, the report must include a copy of each submission and your response)	Section 3
Actual or likely harm posed to the Aboriginal objects or declared Aboriginal Places from the proposed activity, with reference to the cultural heritage values identified	Section 9
Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal Places	Section 9
Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.	Section 9

1.4. AUTHORSHIP

The present report has been prepared by Wade Goldwyer (Urbis Consultant Archaeologist), and Kirsten Downey (Urbis Consultant Archaeologist) with review and quality control undertaken by Meggan Walker (Urbis Senior Consultant Archaeologist) and Sam Richards (Urbis, Associate Director).

Wade Goldwyer holds a Bachelor of Arts (Honours - Archaeology) from the University of Western Australia. Kirsten Downey holds a Bachelor of Arts (Honours – Archaeology) from the University of New England. Owen Barrett holds a Bachelor of Arts (Archaeology and Paleoanthropology) from the University of New England. Meggan Walker holds a Bachelor of Arts (Honours - First Class in Archaeology) and Ancient History from the University of Sydney. Sam Richards holds a Bachelor of Arts (Honours – Archaeology) from the University of Liverpool, United Kingdom.

1.5. LIMITATIONS

The ACHA was limited to an assessment of the archaeological remains of Aboriginal cultural heritage and does not consider historical archaeological remains or built heritage items. A separate Heritage Impact Statement (HIS) has been prepared by Urbis (2021) to accompany the Planning Proposal.

2. STATUTORY CONTEXT

2.1. HERITAGE CONTROLS

The protection and management of Aboriginal cultural heritage items, places and archaeological sites within New South Wales is governed by the relevant Commonwealth, State or local government legislation. These are discussed below in relation to the present subject area.

2.1.1. Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) protects any items listed in the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The National Heritage List (NHL) is a list of natural, historic and Indigenous places of outstanding significance to the nation. It was established to protect places that have outstanding value to the nation. The Commonwealth Heritage List (CHL) was established to protect items and places owned or managed by Commonwealth agencies. The Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the NHL or CHL.

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

Consideration is given to whether any heritage items listed on the NHL or CHL are likely to be harmed by the proposed development in Section 2.3.2 below.

2.1.2. The National Parks and Wildlife Act 1974

The protection of Aboriginal heritage in NSW falls under the statutory control of the *National Parks and Wildlife Act 1974* ("NPW Act") as applied in accordance with the *National Parks and Wildlife Regulation 2019* ("NPW Reg").

The NPW Act defines Aboriginal heritage in terms of 'Aboriginal objects' and 'Aboriginal places' as follows:

- **Aboriginal object** means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.
- **Aboriginal place** means any place, which may or may not contain Aboriginal objects, that is declared to be an Aboriginal place under section 84 of the NPW Act because it is or was of special significance with respect to Aboriginal culture.

Section 86 of the NPW Act identifies rules and penalties surrounding harming or desecrating Aboriginal objects and Aboriginal places. These are identified as follows:

- (1) *A person must not harm or desecrate an object that the person knows is an Aboriginal object*

Maximum penalty:

- (a) *in the case of an individual—2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or*

- (b) *in the case of a corporation—10,000 penalty units.*

- (2) *A person must not harm an Aboriginal object.*

Maximum penalty:

(a) in the case of an individual—500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or

(b) in the case of a corporation—2,000 penalty units.

(4) A person must not harm or desecrate an Aboriginal place.

Maximum penalty:

(a) in the case of an individual—5,000 penalty units or imprisonment for 2 years, or both, or

(b) in the case of a corporation—10,000 penalty units.

Section 87 of the NPW Act establishes defences against prosecution under s.86. For activities not considered to be low impact, the defences are as follows:

- The harm was authorised by an Aboriginal Heritage Impact Permit ('AHIP') (s.87(1))
- Due diligence was exercised to and reasonably determined that no Aboriginal object would be harmed (s.87(2))

In accordance with s.87(3) of the NPW Act and reg. 57 of the NPW Reg, due diligence may be exercised by compliance with requirements set out in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (Department of Environment, Climate Change and Water 2010) ("Due Diligence Code"). If a due diligence assessment determines that Aboriginal objects are likely to be harmed by a proposed development, then further investigation in the form of an Aboriginal Cultural Heritage Assessment ("ACHA") is required.

The present ACHA was undertaken, in part, to determine whether or not any 'Aboriginal objects' or 'Aboriginal places' subject to the controls of Section 86 of the NPW Act are present within the subject area.

2.1.3. Wollondilly Local Environment Plan 2011

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires each LGA to produce a Local Environment Plan (LEP). The LEP identifies items and areas of local heritage significance and outlines development consent requirements.

The majority of the subject area falls within the Wollondilly Shire LGA and is subject to the Wollondilly Local Environment Plan 2011 ('Wollondilly LEP'). Under Section 5.10(2) of the LEP, development consent is required for:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

(i) a heritage item,

(ii) an Aboriginal object,

(iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land—

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

The ACHA was undertaken to determine whether or not any Aboriginal objects or places are present within the subject area, which would be subject to Section 5.10(2) of the Wollondilly LEP.

2.1.4. Campbelltown Local Environment Plan 2015

The north-western section of the subject area falls within the Campbelltown LGA and is subject to the Campbelltown Local Environmental Plan 2015 ('Campbelltown LEP'). Under Section 5.10(2) of the LEP, development consent is required for:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

- (i) a heritage item,*
- (ii) an Aboriginal object,*
- (iii) a building, work, relic or tree within a heritage conservation area,*

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

(f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

The ACHAR was undertaken to determine whether or not any Aboriginal objects or places are present within the subject area, which would be subject to Section 5.10(2) of the Campbelltown LEP.

2.2. NON-STATUTORY IMPLEMENTS

2.2.1. Wollondilly Development Control Plan 2016

The EP&A Act requires each LGA to produce a Development Control Plan (DCP). The subject area is subject to the *Wollondilly Development Control Plan 2016* ('Wollondilly DCP'). Section 7 of the Wollondilly DCP pertains to Aboriginal heritage. Under Section 7.2 Aboriginal Heritage Controls, it states that:

An indigenous heritage and archaeological report must be prepared for any development application on land which contains a known Aboriginal object or Aboriginal place of heritage significance. The report must be prepared by a suitably qualified archaeologist. The report must be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal objects in NSW. A report may also be required at the discretion of the assessing officer where:

- 1. There is impact or disturbance to the content, or within the immediate vicinity (100 metres) of a known Aboriginal object or Aboriginal place of heritage significance;*

2. *There is impact or disturbance to, or within the immediate vicinity (100 metres) of a previously recorded or known Aboriginal object or Aboriginal place of heritage significance and can include a cultural landscape, an existing or former ceremonial ground, a burial ground or cemetery, a story place or mythological site, a former Aboriginal reserve or historic encampment, or an archaeological site of high significance;*
3. *A proposal (including subdivision) which affects primarily undeveloped land (irrespective of land size) and has the following site features: river frontage creek line; sandstone exposures at ground level larger than 5m²; sandstone cliff line or isolated boulder higher than 2m; disturbance to the roots, trunk, branches, of old growth trees, which are native to the Wollondilly Shire and greater than 150 years of age.*
4. *Ensure that all works cease in the vicinity of any previously unidentified Aboriginal objects or places identified during excavation and construction and that the following be notified: The Office of Environment and Heritage NSW (OEH), A qualified archaeologist, and Aboriginal stakeholders.*
5. *Ensure that should human skeletal remains be discovered that the following process will be undertaken:*
 - a. *The remains will be reported to the police and the state coroner.*
 - b. *Wollondilly Shire Council and the land owner will be notified of the find.*
 - c. *Aboriginal stakeholders will be notified of the find.*
 - d. *OEH NSW will be notified.*
6. *If the skeletal remains are of Aboriginal ancestral origin an appropriate management strategy will be developed in consultation with the Aboriginal stakeholders.*
7. *The find will be recorded in accordance with the National Parks and Wildlife Act 1974 (NSW) and the NSW NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit.*
8. *The findings will be incorporated into any proposed Aboriginal Heritage Plan's management regime.*

The ACHA was undertaken to determine whether or not Aboriginal archaeological sites and places of Aboriginal heritage significance are present within the subject area, which would be subject to Section 7.2 of the Wollondilly DCP. Notably, the subject area requires assessment under point 3, being a proposal, which affects primarily undeveloped land with sandstone exposures and contains creek lines.

2.2.2. Campbelltown Sustainable Cities Development Control Plan 2015

The north-western section of the subject area falls within the Campbelltown LGA and is subject to the *Campbelltown Sustainable Cities Development Control Plan 2015* (Campbelltown DCP). Section 2.11 of Volume 1 of the Campbelltown DCP pertains to Heritage Conservation. Under Section 2.11.1 Aboriginal Heritage, Design Requirements, it states:

- (a) All developments that have the potential to impact upon Aboriginal cultural heritage must provide an assessment in accordance with the "Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW", published by the Office of Environment and Heritage (OEH). This requires an initial investigation of the potential impact of a development on Aboriginal Cultural Heritage in circumstances where the proposed development involves disturbance to cultural sites (e.g. Aboriginal culturally modified trees), or the ground surface. This initial investigation is to be undertaken by the applicant and requires an assessment of whether there are:
 - i) any known Aboriginal sites within the development site (determined by undertaking a search of the Aboriginal Heritage Information Management System (AHIMS) database (which is maintained by the Office of Environment and Heritage); and/or
 - ii) any other sources of relevant information of which a person is already aware; and/or

- iii) Whether the development is on a site that is not disturbed land and
 - within 200m of waters, or
 - located on a ridge top, ridge line or headland, or
 - located within 200m below or above a cliff face, or
 - within 20m of/or in a cave, rock shelter, or a cave mouth.
- (b) Where the initial investigation confirms the presence or likely presence of Aboriginal objects or the above landscape features, further assessment and visual inspection must be conducted in accordance with the “Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW” by a person with expertise in Aboriginal cultural heritage management.
- (c) If this assessment indicates that there are, or are likely to be, Aboriginal objects, and/or an Aboriginal Place in the area of the proposed activity, more detailed investigation and an impact assessment shall be required and must be prepared by a person with expertise in Aboriginal cultural heritage management. Where it is determined that harm could occur to Aboriginal objects then an Aboriginal Heritage Impact Permit application must be made to the OEH (and be approved prior to works occurring).
- (d) The assessment shall be prepared in accordance with the following documents:
 - i) Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010);
 - ii) Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010); and
 - iii) Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974 (2010).
- (e) The assessment shall take into account the following documents:
 - i) Operational Policy: Protecting Aboriginal Cultural Heritage (February 2009);
 - ii) OEH Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011).

The ACHA was undertaken to determine whether or not Aboriginal archaeological sites and places of Aboriginal heritage significance are present within the subject area, which would be subject to Section 2.11.1 of the Campbelltown DCP.

2.2.3. Greater Macarthur 2040 Structure Plan and Accompanying Guide, 2022.

The Guide to the Greater Macarthur Growth Area (GGMGA), while a strategic planning document, does provide information regarding cultural significance. This includes mapping of culturally sensitive values within the Greater Macarthur region. Mallaty Creek is identified as an area of cultural sensitivity on this map, however this is mapped as to the north-east of the subject area, where Mallaty Creek meets Appin Road (see Figure 4). The map does, however, identify a culturally sensitive movement corridor to the east of the subject area, which follows the approximate alignment of Appin Road. This is noted as culturally significant within the current assessment.

This document also provides principles for the engagement with community throughout the planning proposal and master planning process, including consideration of favourable design outcomes from a cultural heritage perspective.

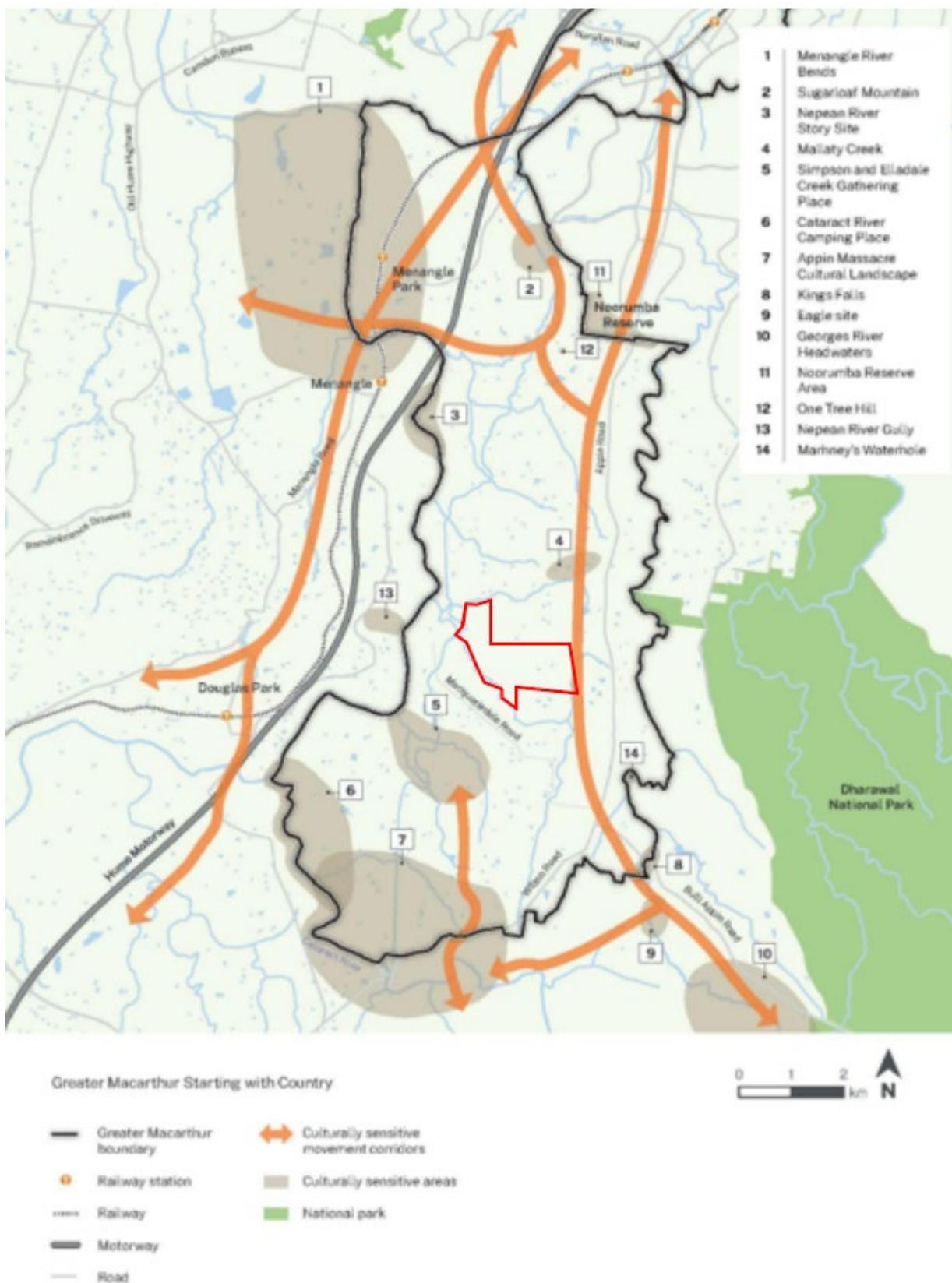


Figure 6. Starting with Country Map showing areas of cultural sensitivity. GHD (and DPE) 2022

Figure 4 – Guide to the Greater Macarthur Growth Area, cultural sensitivity map, approximate location of the subject area in red.

Source: *Starting With Country, Guide to the Greater Macarthur Growth Area, 2022*

2.2.4. Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area 2018

The subject area is encompassed by *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area 2018* (the 'Greater Macarthur Plan'). The Greater Macarthur Plan is a land use and infrastructure implementation plan for the Growth Area that seeks to enhance its liveability, productivity and sustainability. It is supported by a strategy for major items of State and local infrastructure, including public transport, roads, schools, green infrastructure and open space and medical and community facilities.

One of the planning priorities set by the Greater Macarthur Plan is the identification, conservation and enhancement of the District's heritage. In general, the following provisions are recommended for planning authorities:

- (a) *Engage with the community early in the planning process to understand heritage values and how they contribute to the significance of the place.*
- (b) *Apply adaptive re-use and interpreting of heritage to foster distinctive local places.*
- (c) *Manage and monitor the cumulative impact of development on the heritage values and character of places.¹*

With regards to Aboriginal heritage and archaeology, the Greater Macarthur Plan acknowledges that the growth area is situated at the interface between land originally inhabited by the Darug, Dharawal and Gandangara people. It notes presence of Aboriginal objects/sites of significance and areas of cultural value along the Nepean River and its tributaries. These sites include important places for subsistence activities, particularly along the lagoons and creeks, a traditional story place, and a massacre and burial site. These sites, it concludes, are unsuitable for development.²

Archaeological research is identified as a precursor to any development that holds heritage implications. The following is said with regards to the role of archaeology in the emergence of this new Growth Area:

To better inform future planning, rezoning and development processes in the Growth Area, the Department prepared archaeological studies to:

- (a) *Provide a framework for the research, assessment and management of heritage items and archaeological sites that require further investigation to support detailed precinct planning.*
- (b) *Identify areas of high, medium and low heritage sensitivity based on predictive modelling ° ensure consistency in Aboriginal and non-Aboriginal assessments.*
- (c) *Facilitate the development of a regional archaeological zoning plan.*
- (d) *Identify, in accordance with the Office of Environment and Heritage guidelines, the appropriate Aboriginal representatives to be involved in further studies.*

Areas set aside for long-term protection from development will need to preclude any activities and require active management within the protection curtilage. Mechanisms to ensure this will be determined at precinct planning stage and will include:

- (a) *Public or trustee ownership and funding for conservation of significant sites.*

¹ NSW Department of Planning, Housing and Infrastructure, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 20.

² NSW Department of Planning, Housing and Infrastructure, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 21.

- (b) *Agreements for the adaptive re-use and management of sites by the private sector including commitments to funding for ongoing conservation.*³

The following provisions are, therefore, recommended for future developments with heritage significance in the Greater Macarthur precinct:

- (a) *Be informed by Aboriginal Cultural Heritage Assessments, including consultation with the Aboriginal community.*
- (b) *Include further investigation to define appropriate design of precincts to protect heritage significance.*
- (c) *Address sympathetic adaptive re-use of heritage items consistent with their significance opportunities for using heritage item curtilages for open space or environmental conservation and where appropriate, to preserve the character of the area and identified cultural values.*
- (d) *Protect all heritage items from development.*⁴

The ACHA was undertaken to determine whether or not Aboriginal archaeological sites and places of Aboriginal heritage significance are present within the subject area, which would be subject to this section of the Greater Macarthur Plan.

2.3. HERITAGE LISTS & REGISTERS

A review of relevant heritage lists and registers was undertaken to determine whether any Aboriginal cultural heritage items are located within the curtilage of, or in proximity to, the subject area. Identified heritage items are mapped in Figure 5 below.

2.3.1. Australian Heritage Database

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

A search of the Australian Heritage Database was undertaken on 15 February 2023. Several items of heritage significance were identified within the proximity of the subject area. These are identified in Table 2 below.

Table 2 – Heritage items located within proximity of the subject area. Taken from the Australian Heritage Database.

Item Name	Place ID	Location
Westcliff Colliery Area 5, Appin Rd, Appin, NSW, Australia	105906	About 315ha, 2km north of Appin, comprising Westcliff Colliery Area 5 both above and below ground (longwall mining blocks 31, 32 and 33), plus a 1km buffer.
Upper Nepean Water Catchment, Mount Keira Rd, Mount Keira, NSW, Australia	14746	Approximately 90,000ha, located 2km east of Mittagong. Extending from opposite Clifton on the north-east to Robertson on the south-eastern corner, thence across to Mittagong at the south-western Corner to near Appin on the north-west and comprising the Metropolitan Water supply Catchment.

³ NSW Department of Planning, Housing and Infrastructure, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 23.

⁴ NSW Department of Planning, Housing and Infrastructure, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 23.

Item Name	Place ID	Location
Cataract Dam & Reservoir, Appin Rd, Appin, NSW, Australia	101629	About 850ha, comprising dam wall and reservoir, 7km south-south-east of Appin.
Indigenous Place, Appin, NSW, Australia	13673	Appin, NSW
Indigenous Place, Appin, NSW, Australia	13674	Appin, NSW
Indigenous Place, Appin, NSW, Australia	13675	Appin, NSW

2.3.2. NSW State Heritage Inventory

The State Heritage Inventory (SHI) is a database of heritage items in NSW which includes declared Aboriginal Places, items listed on the SHR, listed Interim Heritage Orders (IHOs) and items listed of local heritage significance on a local council's LEP.

A search of the SHI was undertaken on 15 February 2023. The search did not identify any items of Aboriginal heritage within the curtilage of the subject area. The subject area is located in close proximity to the below heritage items (Figure 5).

Table 3 – State Heritage Items located within proximity to the subject area.

Listing Title	Listing Number	Gazette Date	Gazette No.	Location
Appin Massacre Cultural Landscape	SHR#02067	25/1/2022	553	Appin, NSW. Located approximately 4.6 km south of the subject area in 5 key locations.
Windmill Hill Group, including Ruins	SHR #01931	27/06/2014	58	Wilton Road, Appin, NSW
Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)	SHR#01373	18/11/1999	-	Prospect, NSW

2.4. SUMMARY

The statutory context of the subject area is summarised as follows:

- Searches of the State Heritage Inventory and Australian Heritage Database did not identify any archaeological heritage items within the curtilage of the subject area. However, several items which are listed on the SHI were identified within the proximity of the site. These included:
 - the Appin Massacre Cultural Landscape (SHR#02067).
 - Windmill Group, including Ruins (SHR#01931).
 - Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) (SHR#01373).

- The ACHA aims to establish whether any Aboriginal objects are likely to be present within the curtilage of the subject area, which would be subject to Section 87(2) of the NPW Act, Section 5.10(2) of the Wollondilly and Campbelltown LEPs and Section 3.9.3 of the Wollondilly DCP.
- This report complies with the provisions outlined in the *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area 2018* by engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place, provides an interpretation of the heritage, and manages and monitors the cumulative impact of development on the heritage values and character of the subject area.

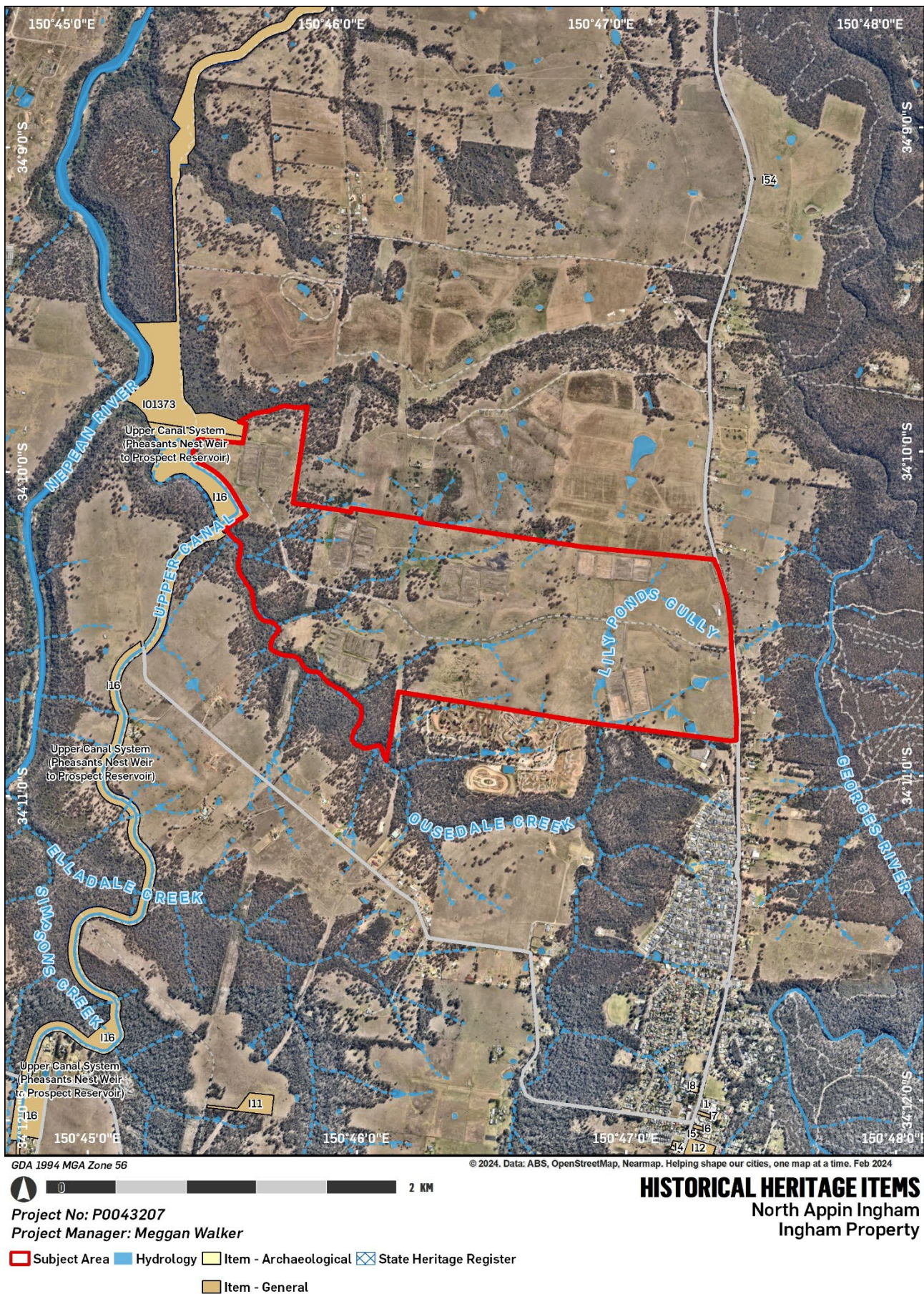


Figure 5 – Heritage Items in proximity to subject area

3. ABORIGINAL COMMUNITY CONSULTATION

In administering its statutory functions under Part 6 of the *NSW National Parks and Wildlife Act 1974*, the Department of Planning, Housing and Infrastructure (DPHI) requires that Proponent consult with Aboriginal people about the Aboriginal cultural heritage values (cultural significance) of Aboriginal objects and/or places within any given development area in accordance with Clause 80c of the *NSW National Parks and Wildlife Regulation 2019*.

The DPHI maintains that the objective of consultation with Aboriginal communities about the cultural heritage values of Aboriginal objects and places is to ensure that Aboriginal people have the opportunity to improve ACHA outcomes by (DECCW 2010a):

- Providing relevant information about the cultural significance and values of Aboriginal objects and/or places.
- Influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places.
- Actively contributing to the development of cultural heritage management options and recommendations for any Aboriginal objects and/or places within the proposed subject area.
- Commenting on draft assessment reports before they are submitted by the Proponent to the DPHI.

Consultation in line with the Consultation Requirements (DECCW 2010) is a formal requirement where a Proponent is aware that their development activity has the potential to harm Aboriginal objects or places. The DPHI also recommends that these requirements be used when the certainty of harm is not yet established but a proponent has, through some formal development mechanism, been required to undertake a cultural heritage assessment to establish the potential harm their proposal may have on Aboriginal objects and places.

The Consultation Requirements outline a four-stage consultation process that includes the following:

- Stage 1 – Notification of project proposal and registration of interest.
- Stage 2 – Presentation of information about the proposed project.
- Stage 3 – Gathering information about the cultural significance.
- Stage 4 – Review of draft cultural heritage assessment report.

The document also outlines the roles and responsibilities of the DPHI, Registered Aboriginal Parties (RAPs) including Local and State Aboriginal Land Councils, and proponents throughout the consultation process.

To meet the requirements of consultation it is expected that proponents will:

- Bring the RAPs, or their nominated representatives, together and be responsible for ensuring appropriate administration and management of the consultation process.
- Consider the cultural perspectives, views, knowledge and advice of the RAPs involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal object(s) and/or place(s).
- Provide evidence to the DPHI of consultation by including information relevant to the cultural perspectives, views, knowledge and advice provided by the RAPs.
- Accurately record and clearly articulate all consultation findings in the final cultural heritage assessment report.
- Provide copies of the cultural heritage assessment report to the RAPs who have been consulted.

The consultation process undertaken to seek active involvement from relevant Aboriginal representatives for the project followed the current NSW statutory guideline, namely, the Consultation Requirements. Section 1.3 of the Consultation Requirements describes the guiding principles of the document. The principles have been derived directly from the principles section of the *Australian Heritage Commission's Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002).

The following outlines the process and results of the consultation conducted during this assessment to ascertain and reflect the Aboriginal cultural heritage values of the subject area.

3.1. STAGE 1: NOTIFICATION OF PROJECT AND REGISTRATION OF INTEREST

The aim of Stage 1 of the community consultation process is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the subject area.

3.1.1. Stage 1.1: Native Title

A search of the National Native Title Tribunal (NNTT) registers and databases was undertaken on 28th February 2023. The search of the online databases identified no Native Title claims or registrations for the subject area. The NNTT was also contacted by email on 28th of February 2023 to request a formal search of the NNTT Register. A reply was received on 1 March 2023 indicating that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area.

3.1.2. Stage 1.2: Identification of Cultural Knowledge Holders

To identify Aboriginal people who may be interested in registering as Aboriginal parties for the project, the organisations stipulated in Section 4.1.2 of the Consultation Guidelines were contacted on 28th of February 2023 (Table 4). The template for the emails sent to the above-mentioned organisations is included in Appendix D. A total of 89 Aboriginal groups and individuals with a potential interest in the subject area were identified during this stage.

Table 4 – Contacted organisations

Organisation	Date Notification Sent	Date Response Received
Greater Sydney Local Land Services	28/02/2023	1/03/2023
Tharawal Local Aboriginal Land Council	28/02/2023	N/A
Wollondilly Shire Council	28/02/2023	1/03/2023
Campbelltown City Council	28/02/2023	N/A
Native Title Services Corporation Limited	28/02/2023	1/03/2023
Heritage NSW	28/02/2023	8/03/2023
Office of the Registrar. Aboriginal Land Rights Act.	28/02/2023	3/03/2023

3.1.3. Stage 1.3: Registration of Interest

In accordance with Section 4.1.3 of the Consultation Guidelines, letters were sent to the 89 identified Aboriginal groups and individuals by either email or post on 8th of March 2023, to notify them of the proposed project. The letters included a brief introduction to the project and the project location and set a deadline for response of, providing more than the minimum 14 days to register an interest required by the Consultation Requirements. A copy of the letter template is included in Appendix D.

Further in accordance with Section 4.1.3 of the Consultation Guidelines, an advertisement was placed in one local newspaper, the Koori Mail on 8th of March 2023. This advertisement was published in the edition and registration was open until 22nd of March 2023, providing 14 days to register an interest required by the Consultation Requirements. A copy of the advertisement is included in Appendix D.

A total of 29 groups registered interest in the project as a result of this phase (Table 5). Acknowledgement emails were made by Urbis to all respondents to confirm registration had been received.

Table 5 – Registered Aboriginal Parties

3.2. STAGE 2: PRESENTATION OF PROJECT INFORMATION

3.2.1. Information Pack

- Project overview, location and purpose.

- Proposed works.
- Project history.
- Brief archaeological and environmental background.
- Protocol of gathering information on cultural heritage significance.
- Request for comment on methodology and recommendations for site investigation, and request for any cultural information the respondent wished to share.

A response to the Stage 2 information pack was requested by 26th of April 2023, providing the 28 days to respond required by the Consultation Requirements. A copy of the Stage 2/3 information pack is included in Appendix D of this report.

STAGE 3: GATHERING CULTURAL INFORMATION

Stage 3 of the community consultation process is concerned with gathering feedback on a project, proposed methodologies, and obtaining any cultural information that registered Aboriginal parties wish to share. This may include ethno-historical information, or identification of significant sites or places in the local area.

Responses to Information Pack

Twelve responses were received as part of Stage 3 in response to the Stage 2/3 questionnaire. The responses are included in Appendix D.

Table 6 – RAP responses to the Stage 2/3 Information Pack

RAP	Response	Urbis Response
[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	[REDACTED]
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	

RAP	Response	Urbis Response
	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED]	[REDACTED] [REDACTED]

RAP	Response	Urbis Response
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

RAP	Response	Urbis Response
	[REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]

RAP	Response	Urbis Response
	[REDACTED]	
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]

RAP	Response	Urbis Response
	[REDACTED]	
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]

RAP	Response	Urbis Response
	[REDACTED]	[REDACTED]

3.3. STAGE 4: REVIEW OF DRAFT ACHAR

The aim of Stage 4 of the community consultation process is to prepare and finalise an ACHAR with input from Registered Aboriginal Parties.

A draft of the present ACHAR was sent to RAPs via email on the 3rd of May 2024 with one (1) comment on the draft ACHAR requested by 31st of May 2024 providing 4 weeks to respond. It is noted that the time allowed for comment should reflect the size and complexity of the project.

Three (3) response/s were received in relation to the Stage 4 draft ACHAR. The responses are included in Appendix D and addressed in Table 7 below.

Table 7 – RAP responses to the Stage 4 Draft ACHAR

RAP	Response	Urbis Response
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

RAP	Response	Urbis Response
	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	

RAP	Response	Urbis Response
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]

4. ARCHAEOLOGICAL CONTEXT

A summary of background research for Aboriginal cultural heritage resources within and around the subject area is provided below, including search results from the Aboriginal Heritage Information Management System (AHIMS) and consideration of previous archaeological investigations pertinent to the subject area.

4.1. ETHNOGRAPHIC CONTEXT

Due to the absence of written records prior to the arrival of Europeans, much of our understanding of Aboriginal life is informed by the histories documented in the late 18th and early 19th century by European observers. These histories provide an inherently biased interpretation of Aboriginal life both from the perspective of the observer but also through the act of observation. The social functions, activities and rituals recorded by Europeans may have been impacted by the Observer Effect (or Hawthorne Effect), which predicts that individuals will modify their behaviour in response to their awareness of being observed. With this in mind, by comparing/contrasting these early observations with archaeological evidence, it is possible to establish a general understanding of the customs, social structure, languages and beliefs of Aboriginal people (Attenbrow 2010).

The archaeological record provides evidence of the long occupation of Aboriginal people in Australia. Current archaeological record establishes occupation of the Australian mainland by as early as 65,000 years before present (BP) (Clarkson et al. 2017). The oldest date for a site in the Sydney region is at Pitt Town on the Hawkesbury River, approximately 83 km north of the subject area, which is dated to around 36,000 BP (Williams et al. 2014).

The subject area is situated on the traditional lands of the Tharawal people and is located within the administrative catchment of the Tharawal Local Aboriginal Land Council. The Tharawal people occupied the coastal land between La Perouse and Jervis Bay, bordered, on the east, by the coastline and, on the west, by the Nepean River. Neighbouring groups included the Gandangara and Dharug people. The Tharawal people was also divided between two groups: the 'Salt Water People', who inhabited coastline, and the "Sweet (or Fresh) Water People", who lived inland towards Camden. Contemporary colonial accounts identify that Gandangara and Dharug groups could converse with relative ease due to similarities in the language, with the Tharawal language similar in structure although different in vocabulary (Attenbrow, 2010).

Although the subject area is partially situated within the Campbelltown LGA, the majority of the site is considered part of the Wollondilly LGA. Following European settlement, the area was described as dense vine forests and scrub in places, forming impenetrable corridors along creeks and rivers (SMH, 1865:5). In fact, the word 'Wollondilly' is attributed several different definitions, including "*A place where spirits dwell*" and "*Water trickling over rocks*". It is also connected to a story about the burning black coal carried in the skull of a bunyip (Wollondilly Shire Council, accessed 2020). In reflection, the subject area includes a mixture of forested and grazing lands, perforated by several waterways. These include the Georges and Nepean Rivers and a number of their tributaries – namely, the Maltby Creek, Ousedale Creek and Lily Pond Gully.

The subject area would have been abundant in resources, providing past Aboriginal people with water, food and shelter. European observations from 1791 identified groups in the region:

"They depend but little on fish, as the river yields only mullets [sic], and that their principle support is derived from small animals which they kill, and some roots (a species of wild yams chiefly) which they dig out of the earth". (Tench, 1791; cited in Attenbrow, 2010).

The streams and swamplands would have provided a variety of subsistence – such as roots, berries and seeds to gather. This is also true for the forested portions of the site, which would have sheltered lizards, kangaroos, birds and wallabies. The sandstone outcrops associated with the creek lines and river banks – especially, throughout the west of the subject area – could have formed rock overhangs that may have been used for shelter and/or rock art (Campbelltown City Council 2020:3). There are several known Aboriginal sites located to the west and south of the subject area, which are each indicative of Aboriginal habitation around Ousedale Creek.

The Appin region is notoriously significant for Aboriginal people, with the Appin Massacre occurring in 1816 at a location on the Nepean River. This event was arguably the most significant massacre event in the history of colonial Sydney and a turning point in the Cumberland Plain's occupation. Forming part of a military campaign ordered by Governor Macquarie, it is also the most documented massacre in Sydney's history, resulting in the death of 14 Aboriginal people (Campbelltown City Council 2020:6). In recent history, the Winda Myamly Reconciliation Group and local Aboriginal community have gathered every April to

remember the Appin Massacre (Campbelltown City Council 2020:6). The site of the Appin Massacre has recently been recommended for listing on the State Heritage Register for its exceptional social and cultural value, being the Appin Massacre Cultural Landscape.

Further research was conducted into whether the subject area was a part of the Appin Massacre Cultural Landscape. Information from Gapps 'The Sydney Wars: Conflict in the Early Conflict 1877-1817' states that an incident occurred on a Robert Myles (or Miles) at Mallaty Creek near Appin in 1814. The incident is described in the following account:

On 7 May 1814, Isaac Eustace and two other ex-NSW Corps soldiers in the Veteran Corps were working on the farm of Robert Myles (or Miles) at Mallaty Creek, near Gilead just north of Appin. The men saw 'a large body of the natives who were plundering the corn fields of a settler'. When the raiders 'refused to desist' and made 'use of every term of provocation and defiance', menacing their spears 'in token of a determined spirit' the three men fired and 'a native boy was unfortunately killed'. Eustace and his two comrades were then 'immediately attacked'. While his comrades managed to evade their pursuers, Eustace 'was killed on the spot'. His stripped and mangled body was later found with one hand cut off.

The warriors then attacked the nearby farm of John Butcher. An armed party of 14 soldiers, constables and settlers was gathered and defence quickly spiralled into reprisal. That night the party 'fell in with' a 'group of natives' and fired on them, apparently 'in the most treacherous manner'. As Governor Macquarie later described it, 'a Native Woman and two Children were in the dead Hour of Night, and whilst sleeping, inhumanly put to death'. A 73rd Regiment soldier and 'Henry McKudding' [McCudden] a constable at Liverpool, were implicated. They had shot a woman and some children, and then set about mutilating them, possibly in a frenzy of revenge for the mutilation of Eustace.

The very next day the warriors who had killed Eustace retaliated. According to John Macarthur's nephew Hannibal, they then 'inhumanly murdered' one of John's 'old favourites', shepherd William Baker as well as a shepherd's wife Elizabeth Durant at the Macarthur's Upper Camden Yards (Gapps 2018

The information above states that this conflict occurred on Robert Myles farm in 1814. As shown in the historical mapping from 1822, the subject area is located to the south of Mallaty Creek within the land grants of Alexander Riley and John Oxley. One of the allotments is shown as that property of Robert Myles (Figure 6). From the location of the farm to the subject area, it is clear the incident that Gapps relates to is unlikely to have occurred on within the subject area.

While European settlement did considerably impact the Traditional Owners of the Wollondilly region, it did not decimate populations as popular narrative would suggest. Aboriginal people continued to live in the area, adapting to the changes brought by settlement. The fight for recognition was a political one. On 26th January 1938, a "Day of Mourning" protest was held, following campaigns by Aboriginal individuals including Jack Patten, William Cooper and Pearl Gibbs who fought for civil rights including the right to vote and representation in Parliament. This struggle was long fought, and Aboriginal and Torres Strait Islanders were granted the right to vote Australia wide by 1965. Aboriginal people were recognised in the census and subject to Commonwealth laws following the referendum for Indigenous Rights in 1967. Aboriginal people across Australia continue to fight for recognition. In February 2008, then Prime Minister Kevin Rudd delivered an address apologising for the mistreatment of Aboriginal people throughout history and committing to closing the gap, recognising Aboriginal cultures as "the oldest continuing cultures in human history" (Rudd, 2008). In contemporary times, respect for Aboriginal people and connection to Country continues to grow. Despite attempts to eradicate Aboriginal people throughout the 19th and 20th centuries, Aboriginal communities continue to thrive across Australia, and Aboriginal individuals play a vital role in all levels of society.

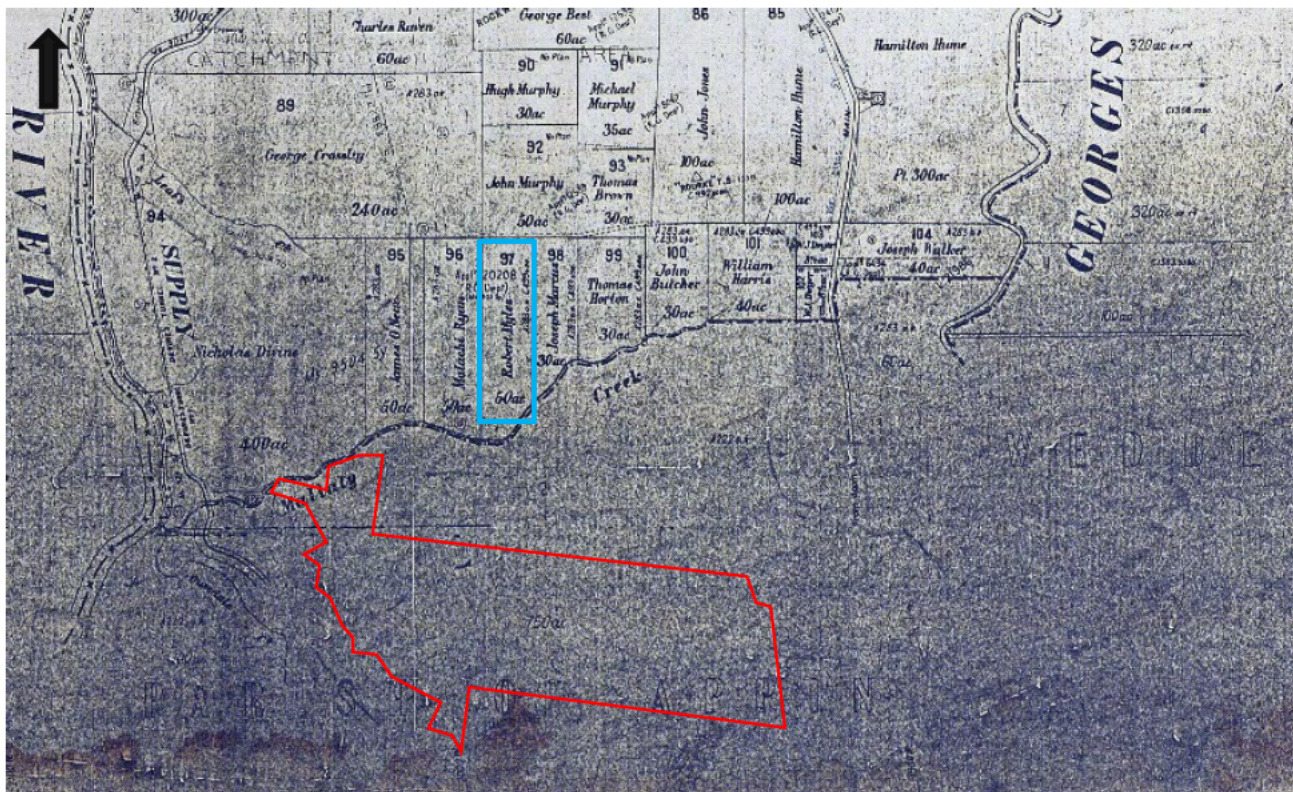


Figure 6 – Undated map of the Appin area showing the subject area indicated in red outline located to the south of Mallaty Creek and Robert Myles farm where the incident occurred in blue outline to the north of the subject area.

Source: HLRV, Parish of Managle, County of Cumberland

4.2. PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

Previous archaeological investigations may provide invaluable information on the spatial distribution, nature and extent of archaeological resources in a given area. Reports from previous investigations of relevance to the present subject area are discussed below.

4.2.1. Archaeological Investigations of the subject area

Archaeological and Heritage Management Solutions (AHMS), 2017. Greater Macarthur Investigation Area (GMIA): Archaeological Research Design and Management Strategy

This assessment included the subject area, which falls within the Greater Macarthur Investigation Area (GMIA), being the 'Urban Capable' area within the Greater Macarthur Priority Area. This assessment was prepared by AHMS to understand and manage the known and unknown archaeological resources across the Greater Macarthur area, including identifying known Aboriginal objects or sites of cultural significance and preparing a predictive model for the region. The report was prepared through literature review and consultation with local Aboriginal Traditional Elders and Knowledge Holders, with targeted survey of listed items across the area.

This study acknowledged the broad cultural significance of Appin associated with the Appin Massacre and the known Aboriginal sites within the broader area which indicate the ongoing use and habitation within the area. No specific comments were made regarding the significance of the subject area within this report. However, the report did provide a broad predictive model for the region which can be surmised as follows:

- Distribution of known sites within the area are biased towards areas which have been subject to greater investigation due to development and resource extraction activities.

- Post-contact use of the GMIA has primarily consisted of agricultural practices which may have impacted resources such as modified trees, stone arrangements, habitation structures, and ceremonial rings.
- Sites of both tangible and intangible value are underrepresented in records due to accessibility for survey and the flaws in recording systems incapable of recording intangible cultural sites, as well as the incomplete and biased historic record.

On mapping of the GMIA, the subject area is within an area mapped as containing Low-Moderate sensitivity (see Figure 7). This Research Design recommended test excavation in areas requiring it follow a standardised system to ensure a comparison between sites could be made. A detailed methodology is provided by AHMS, consideration to which should be given in future assessments of the subject area.

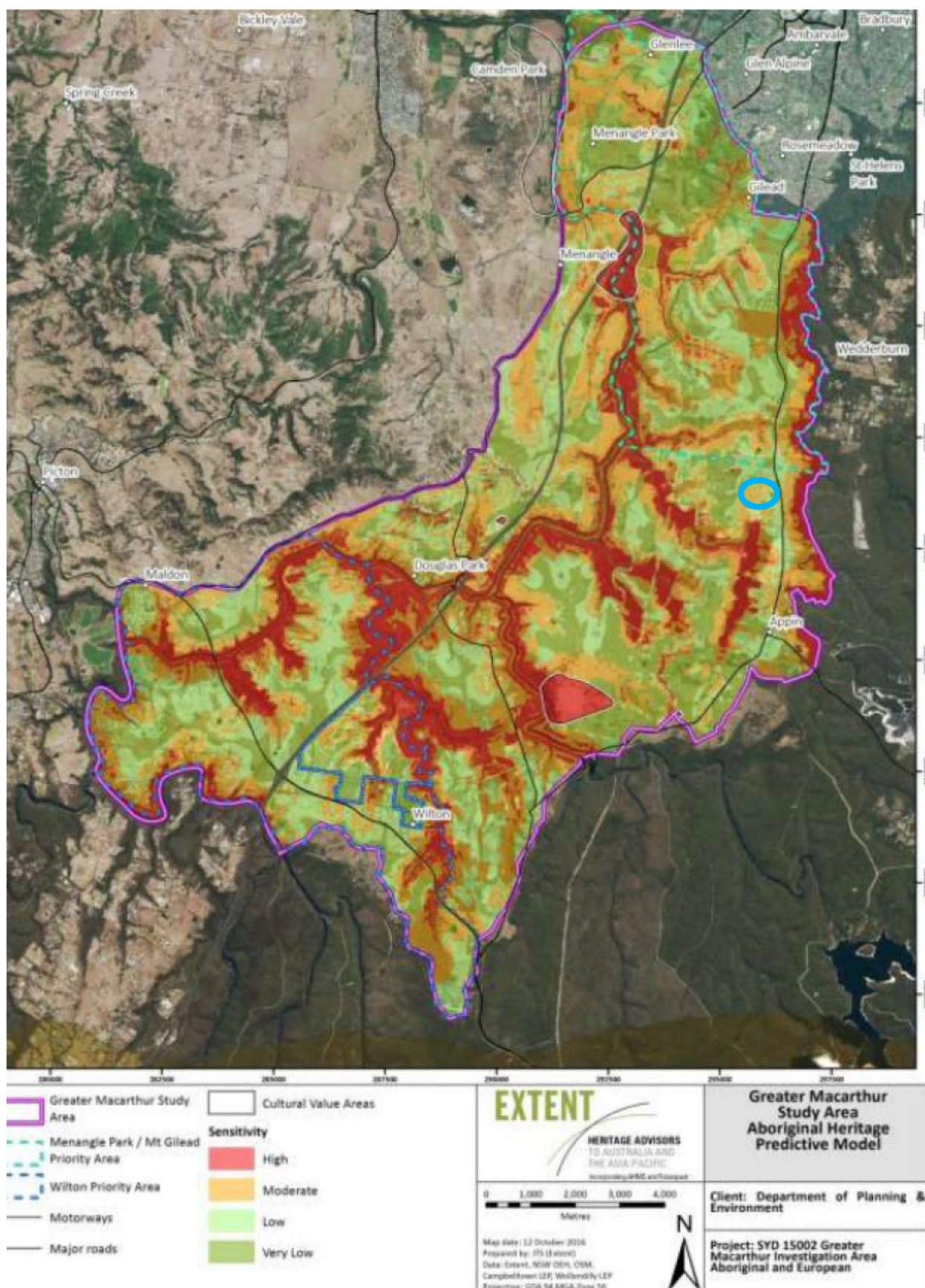


Figure 7 – GMIA Aboriginal Heritage Predictive Model, approximate location of the subject area is indicated in by a blue circle.

Source: AHMS, 2017.

4.2.2. Archaeological Investigation of the Local area

Summaries of the most pertinent reports for the present subject area, which were undertaken in similar environmental contexts, are provided below.

Niche Environment and Heritage Pty Ltd, 2022, Appin (Part) Precinct Plan: Aboriginal Objects Due Diligence Assessment

Niche Environment and Heritage Pty Ltd (Niche) were engaged by Walker Corporation in October 2022 to prepare an Aboriginal Objects Due Diligence Assessment for the Appin (Part) Precinct Plan. The Appin (Part) Precinct Plan concerns a portion of land comprising 1,378ha, approximately 2.5km south of the subject area. It is bounded by the Nepean and Cataract rivers to the west, farmland to the south, Appin Road and Elladale Creek to the east, and Ousedale Creek to the north.

The site was found to be located within 200m of waters, near to ridge lines and associated with outcropping sandstone. This sandstone outcropping was identified within the Hawkesbury colluvial soils along the tributaries of the Nepean River. On this basis, it was considered an archaeologically sensitive landscape feature within the activity area, with some existing AHIMS registered shelter sites. A number of non-perennial order drainage lines were also identified within the study area, which was interpreted as having a high potential to retain Aboriginal objects.

Four physiographic soil landscapes were identified within the study area, including Blacktown residual, Luddenham erosional and Hawkesbury colluvial. Table 8 below notes the archaeological resources identified by Niche as potentially occurring within each soil landscape:

Table 8 – Potential archaeological resources within Blacktown residual, Luddenham erosional and Hawkesbury colluvial soil landscapes

Soil Landscape	Potential Resources
Blacktown Residual	Site types would likely include isolated artefacts, open camp sites and where suitable geology occurs, axe grinding grooves, rock engravings and shelters with art, artefacts and/or deposit.
Luddenham Erosional	This soil landscape is known to preserve Aboriginal objects in association with hill crests, lower slopes and flats associated with good outlook and/or drainage lines. These site types are more likely to comprise isolated stone artefacts rather than more significant concentrations. This landscape is prone to localised erosion, which may impact the integrity of archaeological deposits
Hawkesbury Colluvial	The most common site types associated with the Hawkesbury soil landscape type comprise of sandstone Shelters.

Source: Niche 2022, pages 14-15.

The geology of the wider Wollondilly area was also identified as a potential reservoir for Aboriginal people, providing silcrete, silicified wood, tuff, mudstone, quartz, quartzite and basalt. Silcrete is commonly used for stone tool making and has been recovered from archaeological sites across the Cumberland Plain (Niche 2022: 15).

Numerous disturbances were identified throughout the site. These included widespread vegetation clearances; pastoral and agricultural impacts; road, track and easement construction; and some development including houses and farming infrastructure. Works on the Upper Canal of the Nepean River were also identified likely to cause ground disturbances in adjacent portions of the site. The gorges and gullies were considered to be minimally disturbed, with no infiltration of weeds or evidence of cattle damage.

As the site is located within close proximity to the present subject area, it can provide information as to the site types that have potential to occur. A survey of the site identified seven previously unrecorded sites including one Shelter with Artefacts, two Scarred Trees, and four Isolated Artefacts. These sites were identified on archaeologically sensitive landscape features of terraces above or within drainage lines, and creek gullies.

The sites that were able to be re-identified include five Shelters with Art that showed hand stencils and a large kangaroo motif. The art sites were found to be in the same condition as recorded in the site cards and contained artefacts such as stone tools and Grinding Grooves within the site demonstrating the ability for these sites to be retained in the wider area.

The sites identified on the survey have a high potential to occur in a similar context in the present subject area due to similarities in location and environmental contexts between the sites.

GML Heritage, 2022. Mt Gilead Stage 2: First Nations Cultural Heritage Summary Report

GML Heritage were engaged by Lendlease Communities Pty Ltd in July 2022 to prepare a First Nations heritage and culture interviews report for the Mount Gilead Stage 2 (MGS2) area. The MGS2 area is 495ha in area, encompassing the land from the Nepean River to Appin Road, and is located approximately 2.8km north-west of the subject area.

The site was found to be located between the Nepean and Georges Rivers, with a complex network of high order creeks and springs disbursed throughout the area. Remnant native vegetation was generally constrained to locations along the creek lines – especially along the Menangle Creek, Nepean Creek and Woodhouse Creek and along the Nepean River. The entire area is located across Hawkesbury sandstones with some Wianamatta group shales (GML 2022:14-15).

Three soil landscapes were identified within the study area. The Blacktown soil unit dominates the site, found across 80% of the landforms, away from all the major waterways. A thick colluvial Hawkesbury unit was identified along the lower reaches of Woodhouse, Nepean and Menangle Creek. These locations all were associated with steep open gorges and sandstone bedrock exposures. One fluvial landscape, Theresa Park, was found in parts of Menangle Creek (GML 2022: 14-15).

Through the course of 10 visual inspections of the site, including one archaeological survey, numerous items of significance were identified. These included 7 Shelters with Art, 45 Cultural Trees, 7 Grinding Groove sites, 34 separate Artefact Scatters and Isolated Finds (lithics), 16 unenclosed zones with Potential Archaeological Deposits (PAD), 36 PADs in shelters, 14 Waterholes, 1 Spring, and 3 other Cultural Items/Places (GML 2022, 52-64).

The results of the archaeological work and community engagement indicates a high tangible and intangible cultural heritage exists in the Appin area. Eight identified movement corridors were identified including, the Nepean River, the Georges River, Nepean River, Appin Road and the Ridgeline route, local wayfinding routes, and locations around Woodhouse Creek. These movement corridors have high cultural heritage associations and are associated with the traditions and movement routes of Aboriginal people in the Late Holocene era. Appin Road was found to be associated with archaeologically sensitive landforms of elevated ridgelines that extend to the eastern side of the present subject area. Representatives of the local Aboriginal community identified that the ridgelines were travel routes that linked significant places and traditions through a song line pathway.

The report states that Appin Road leading into the Woodhouse Creek cultural corridor is marked by a series of ring trees which provided navigation to 'family areas'. The report provides evidence that the tangible and intangible cultural heritage present in the Mount Gilead area extends further south along Appin Road into the present subject area. The tangible sites expected to occur in the subject area on the basis of this study include Stone Artefact sites, engraved sandstone Grinding Grooves, smaller Shelters in deep gorges with art, and remnant culturally modified trees. Intangible cultural heritage is also expected to be present within the current subject area on the basis of this study.

4.3. ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM (AHIMS)

4.3.1. The AHIMS Database

The AHIMS database is a collection of registered Aboriginal archaeological objects and places in NSW. Each registered Aboriginal site includes one or more site 'features', which may be an Aboriginal object or place under the NPW Act.

The *Guide to completing the AHIMS Site Recording Form* (OEH 2012) lists 20 different features that may be recorded on AHIMS. The most common site features registered in NSW are artefacts, modified trees, art, grinding grooves and shell deposits (see Glossary for definitions). However, the likelihood of any particular site feature being found will vary according to region and environment. Less common site features that are encountered are burials, ceremonial rings, earth mounds, fish traps, habitation structures, hearths, non-

human bone and organic material, ochre quarries, stone arrangements and stone quarries (see Glossary for definitions).

Other Aboriginal site features that are recorded on AHIMS but are not 'Aboriginal objects' within the meaning of that term as it is defined in the NPW Act (i.e. are not a 'deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation') are potential archaeological deposits (PADs), Aboriginal ceremony and dreaming sites, Aboriginal resource and gathering sites, conflict sites and waterholes (see Glossary for definitions). These features are only considered to be 'Aboriginal objects' for the purpose of the NPW Act if accompanied by at least one of the other site types defined above.

It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or places as it is limited to sites that have been previously identified and registered. Registration is typically the result of previous archaeological investigation, so the number of registered Aboriginal sites in area is dependent on the amount of such research previously undertaken.

4.3.2. AHIMS Search

A search of the Aboriginal Heritage Information Management System (AHIMS) was carried out on 20 September 2024 (AHIMS Client Service ID: 932637 and 932635). The parameters of the search followed the area at Lot 105/DP1188670 with a buffer of 3 km from the centre of the subject area. A summary of all previously registered Aboriginal sites within the extensive search area is provided in Table 9 and their spatial distribution is shown in Figure 8. The Basic and Extensive AHIMS search results are included in Appendix B.

The AHIMS search identified seven (7) Aboriginal sites or Aboriginal Places within the subject area. These sites included Artefacts (AHIMS ID#52-2-4943, #52-2-4945, #52-2-4946), Axe Grinding Grooves (AHIMS ID#52-2-3583, #52-2-3581), and Shelters with Artefacts (AHIMS ID#52-2-4942) or PADs (AHIMS ID#52-2-4944). Two (2) previously registered Axe Grinding Groove sites were also identified within close proximity to the western boundary of the subject area (AHIMS ID#52-2-3580, #52-2-3583) (Figure 9).

In the broader search area, a total of 100 Aboriginal sites are registered. Four sites were labelled as 'Not a Site', reducing the number of valid sites to 94. This included 2 restricted sites for which the location data was not available. The locations of the 94 identified Aboriginal sites are shown in Figure 8 and Figure 9 excluding the two restricted sites. The number and types of sites are presented in Table 9 below.

Table 9 – Summary of extensive AHIMS search (AHIMS Client Service ID: 932637 and 932635)

Site Type	Number of Registered Sites	Percentage of Registered Sites
Artefacts	32	34
Shelter with PAD	10	11
Shelter with Art	8	9
Culturally Modified Tree	7	7
Shelter with Artefacts	6	6
Shelter with Art & Artefacts	6	6
PAD	6	6
Axe Grinding Groove	5	5
Shelter with Art & Axe Grinding Groove	4	4
Shelter with Art & PAD	3	3
Art & Artefacts	2	2
Stone Arrangement	1	1
Grinding Grooves	1	1

Site Type	Number of Registered Sites	Percentage of Registered Sites
Water Hole	1	1
Aboriginal Ceremony and Dreaming	1	1
Shelter with Shell & Artefacts	1	1
Total	94	100%

The distribution of sites in a landscape may be representative of the interaction between Aboriginal people and their environment. The majority of registered Aboriginal sites within the search area are focused along riverbanks and creek lines. This scatter of sites may reflect a reliance of local Aboriginal people on marine and terrestrial resources. The streams and swamplands would have provided a variety of subsistence – such as roots, berries and seeds to gather, whereas the forested land adjacent to these waterways would have sheltered lizards, kangaroos, birds and wallabies.

It is equally likely that this distribution of sites throughout the broader AHIMS search area is informed by the underlying geology of the region. A large number of the sites identified within the search area, 84% (n=79) are associated with sandstone geology. Relevant site types include grinding grooves, shelters with associated sites of art and deposits, as well as Potential Archaeological Deposits (PADs). Within the broader search radius and within the subject area, sandstone typically occurs alongside waterways. The Nepean River is associated with large sandstone outcrops that extend throughout the Appin region (including the subject area). Due to sandstone's high erosion hazard, there is a high likelihood of shelters occurring along these creek lines.

The majority of the sites identified within the extensive search area were Artefacts, comprising 32% (n=32) of search results. These sites represent past Aboriginal subsistence and stone knapping activities. This site type usually appears as surface scatters of stone artefacts in areas where vegetation is limited, and ground surface visibility increases. They can also be found in a sub-surface capacity during archaeological excavation. The high prevalence of such sites in the extensive search area reveals the high likelihood of similar sites to be located within the subject area.

On the basis of the Extensive search results, Artefact Scatters, Isolated Finds, PAD's, Shelters with Art, Scarred Trees, and Grinding Grooves have the potential to occur within the subject area.

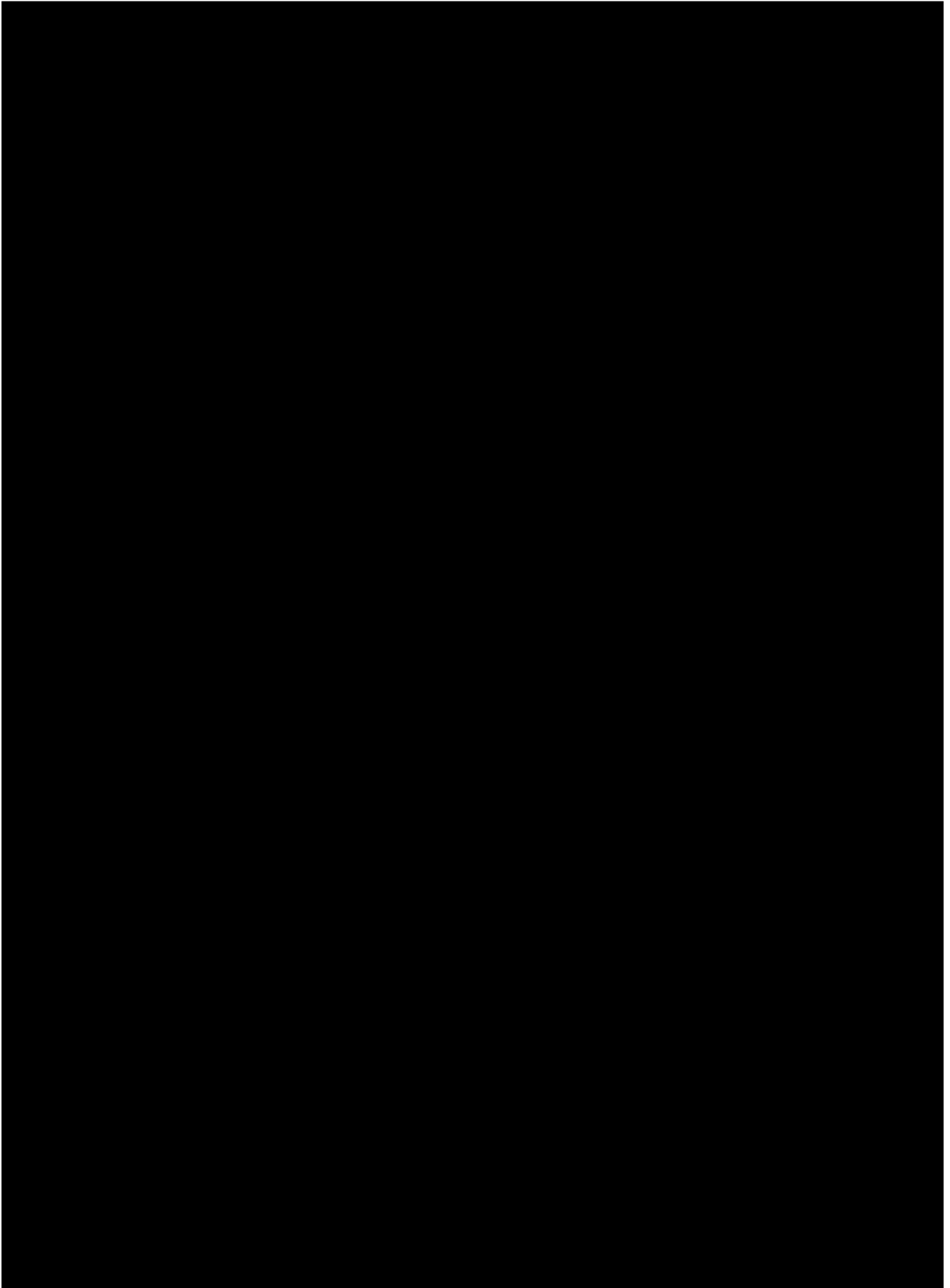


Figure 8 – Map of AHIMS sites in extensive search area

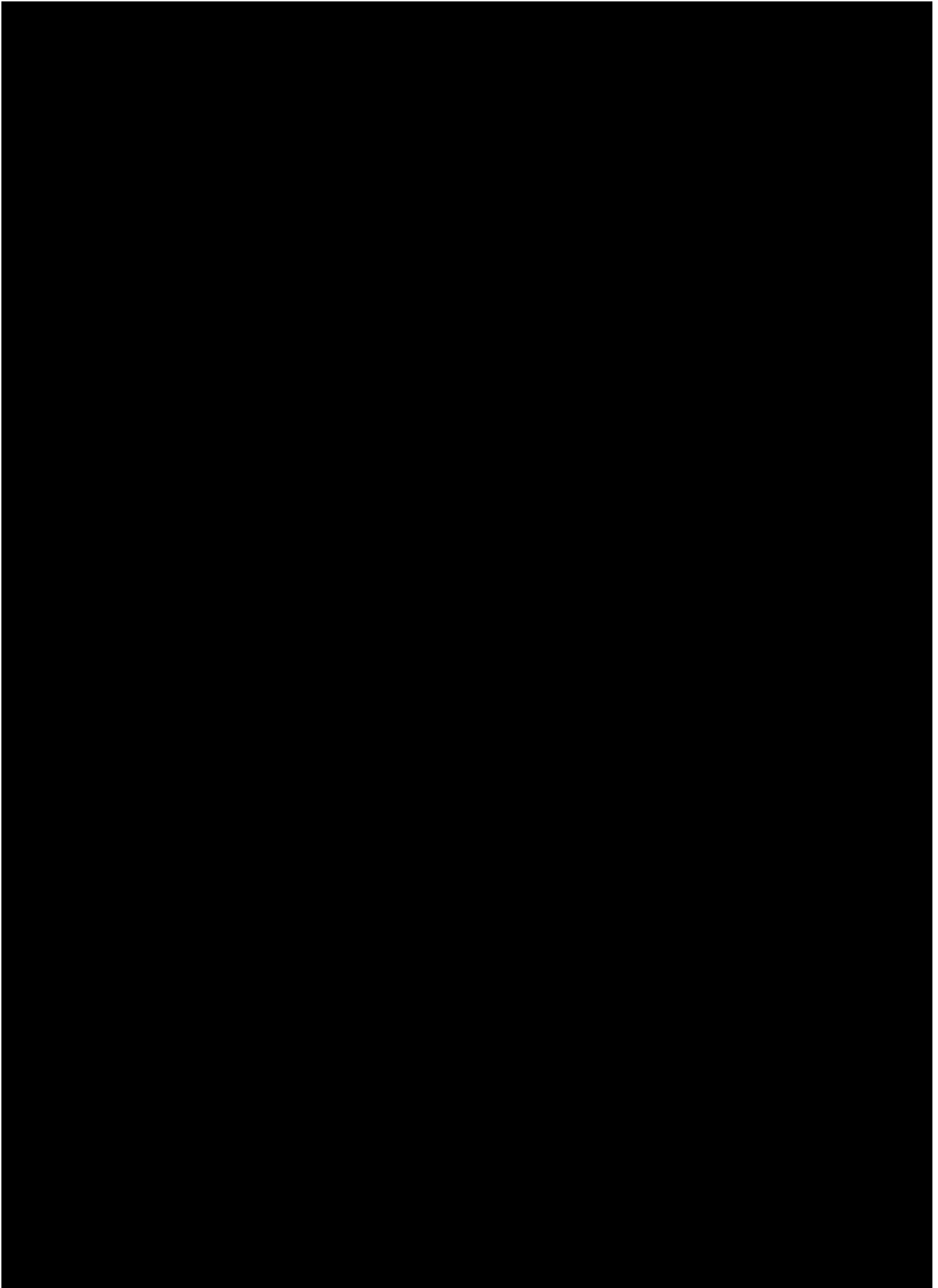


Figure 9 – Map of AHIMS sites within proximity to the subject area

4.4. SUMMARY OF ARCHAEOLOGICAL CONTEXT

- The AHIMS search identified seven (7) Aboriginal sites or Aboriginal Places within the subject area, including Artefacts (AHIMS ID#52-2-4943, #52-2-4945, #52-2-4946), Axe Grinding Grooves (AHIMS ID#52-2-3583, #52-2-3581), and Shelters with Artefacts (AHIMS ID#52-2-4942) or PADs (AHIMS ID#52-2-4944).
- On the basis of the Extensive search results, Artefact Scatters, Isolated Finds, PAD's, Shelters with Art, Scarred Trees, and Grinding Grooves have the potential to occur in the subject area.
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Locations of the Appin Massacre Cultural Landscape are located within close proximity to the subject area, though did not occur within the bounds of the subject area.
- The Greater Macarthur Investigation Area study provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and post-contact agricultural use of the land may have disturbed Aboriginal sites located in the area.
- The assessment by Niche 2022 concluded that Aboriginal objects occur within the activity area with high potential for further Aboriginal objects to be present on the surface and subsurface. The study indicates there is also a high likelihood to find similar Aboriginal sites such as Shelter with Artefacts, Scarred Trees, and Isolated Finds are likely to occur on archaeologically sensitive landscape features of terraces above or within drainage lines, and creek gullies within the present subject area.
- The results of the assessment by GML in 2022 indicates a high tangible and intangible cultural heritage exists in the Appin area through the identification of movement corridors, one of which is located at Appin Road in close proximity to the subject area.

5. ENVIRONMENTAL CONTEXT

The environmental context of a subject area is relevant to its potential for Aboriginal objects and places. Aboriginal objects may be associated with certain landscape features that played a part in the everyday lives and traditional cultural activities of Aboriginal people. Landscape features that are considered indicative of archaeological potential include rock shelters, sand dunes, waterways, waterholes and wetlands. Conversely, disturbance to the landscape after Aboriginal use may reduce the potential for Aboriginal objects and places. An analysis of the landscape within and near to the subject area is provided below.

5.1.1. Topography

Certain landform elements are associated with greater archaeological potential for Aboriginal objects and places. Areas that are located on a ridge top, ridge line or headland, located within 200m below or above a cliff face or within 20m of or in a cave, rock shelter or cave mouth are considered sensitive areas for Aboriginal objects and places.

The subject area is a vast expanse of land perforated by numerous creek line flats and associated spurs. Generally, the site is occupied by expansive floodplains associated with the Nepean River as well as with the Mallaty Creek, Ousedale Creek and Lily Ponds Gully. Due to this complex system of waterways, the areas surrounding the floodplains include a series of slopes with peaks, interspersed with deep drainage lines with steep embankments. There is sandstone outcropping towards the west and south-west of the site, along the Nepean Riverbed and Ousedale Creek line.

This varied landscape would have likely provided past Aboriginal people with a diverse range of land use opportunities. The streams and swamplands would have provided a variety of subsistence – such as roots, berries and seeds to gather. This is also true for the forested portions of the site, which would have sheltered lizards, kangaroos, birds and wallabies. The sandstone outcrops associated with the creek lines and incised riverbanks would have formed rock overhangs that may have been used for shelter and/or rock art (Campbelltown City Council 2020).

5.1.2. Hydrology

Proximity to a body of water is a factor in determining archaeological potential. Areas within 200m of the whole or any part of a river, stream, lake, lagoon, swamp, wetlands, natural watercourse or the high-tide mark of shorelines (including the sea) are considered sensitive areas for Aboriginal objects and places.

The subject area is situated approximately 470m west of the Georges River and 580m east of the Nepean River – two major and significant waterways. The subject area is also immediately to the east of a converging point between Mallaty Creek, which partially runs alongside the north-western boundary of the area, with Ousedale Creek, which demarcates its western and southern bounds. Lily Ponds Gully is also located within the subject area's south-west.

This proximity to waterways (and associated resources) was likely a contributing factor in the subject area's occupation by the Tharawal people. The subject area is also in close proximity to a number of Aboriginal sites known to be associated with waterways – for example, the Minerva Pools are located approximately 3.24km north-east of the site.

5.1.3. Soil Landscape and Geology

Certain soil landscapes and geological features are associated with greater archaeological potential for Aboriginal objects and places. For example, sand dune systems are associated with the potential presence of burials and sandstone outcrops are associated with the potential presence of grinding grooves and rock art. The depth of natural soils is also relevant to the potential for archaeological materials to be present, especially in areas where disturbance is high. In general, as disturbance level increases, the integrity of any potential archaeological resource decreases. However, disturbance might not remove the archaeological potential even if it decreases integrity of the resources substantially.

The NSW Soil and Land Information System (SALIS) provides information on expected soil landscapes within NSW. The SALIS identifies three shallow-moderately deep soil landscapes across the subject area. These include the Blacktown, Luddenham and Hawkesbury soil landscapes – each of which retain potential for archaeology.

The Blacktown soil landscape occupies the majority of the study area. It is described as occurring in two locations: (1) on crests, upper slopes and well-drained areas; and (2) on lower slopes and in drainage depressions and localised areas of poor drainage. Blacktown soils vary considerably between these two locations. In the first place, soils are shallow to moderately deep (<150 cm) Red Podzolic Soils and Brown Podzolic Soils, whereas, in the second, they are deep (150–300 cm) Yellow Podzolic Soils and Soloths. Dominant soil materials include friable greyish brown loam; hard setting brown clay loam; strongly pedal, mottled brown, light clay; and light grey plastic mottled clay. All soil types within the Blacktown soil landscape are moderately susceptible to sheet erosion following vegetation clearance. Sheet erosion is likely to impact the retention of Aboriginal objects within natural soil deposits. The higher the sheet erosion the less likely there is to be Aboriginal objects *in situ*.

The Hawkesbury soil landscape occurs along the Ousedale Creekline, throughout the south-western extent of the site. Typically, Hawkesbury soils are located on the slopes and ridges of the Woronora Plateau – particularly, along narrow crests and ridges, narrow incised valleys, steep side slopes with narrow rocky benches, broken scarps and boulders. The soil differs considerably, depending on its location; for instance, shale lenses are associated with localised Yellow Podzolic Soils and Red Podzolic Soils. Dominant soil materials include loose coarse quartz sand; earthy, yellowish brown sandy clay loam; and pale, strongly pedal light clay. The Hawkesbury soil landscape spans much of area within the south-west portion of the site. Its erosion hazard is generally very high and ranges from moderate to extreme. Nonetheless, the outcrops of sandstone associated with Ousedale Creek are likely to be archaeologically sensitive, with potential for shelters, engravings and art.

The Luddenham soil landscape occupies a portion of the site to the north-east. It is described as occurring on the Cumberland Plain of the Campbelltown area in three locations: narrow ridges, hillcrests and valleys. The soil differs considerably, based on the local topography. This includes shallow Brown Podzolic Soils (<100 cm) and massive earthy clays on crests, moderately deep Red Podzolic Soils (70–150 cm) on upper slopes, and moderately deep Yellow Podzolic Soils and Prairie Soils (<150 cm) on lower slopes and near drainage lines. Dominant soil materials include loose dark brown loam; hard setting brown clay loam; whole-coloured, strongly pedal clay; mottled bright brown plastic clay; and apedal brown sandy clay. All soil types within the Luddenham soil landscape are moderately erodible. Aboriginal objects retained in natural soil deposits within this landscape are likely to be impacted.

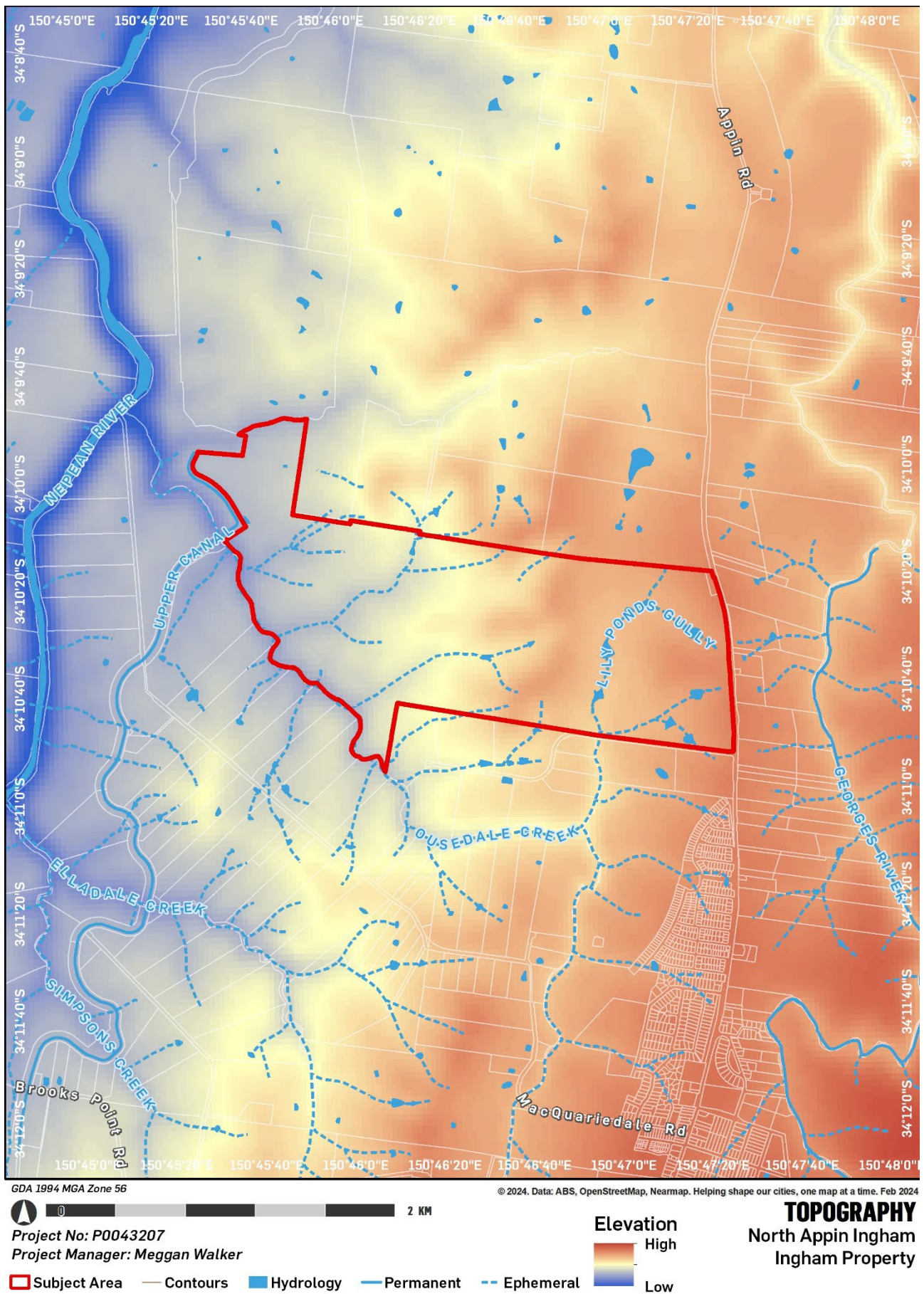


Figure 10 – Topography

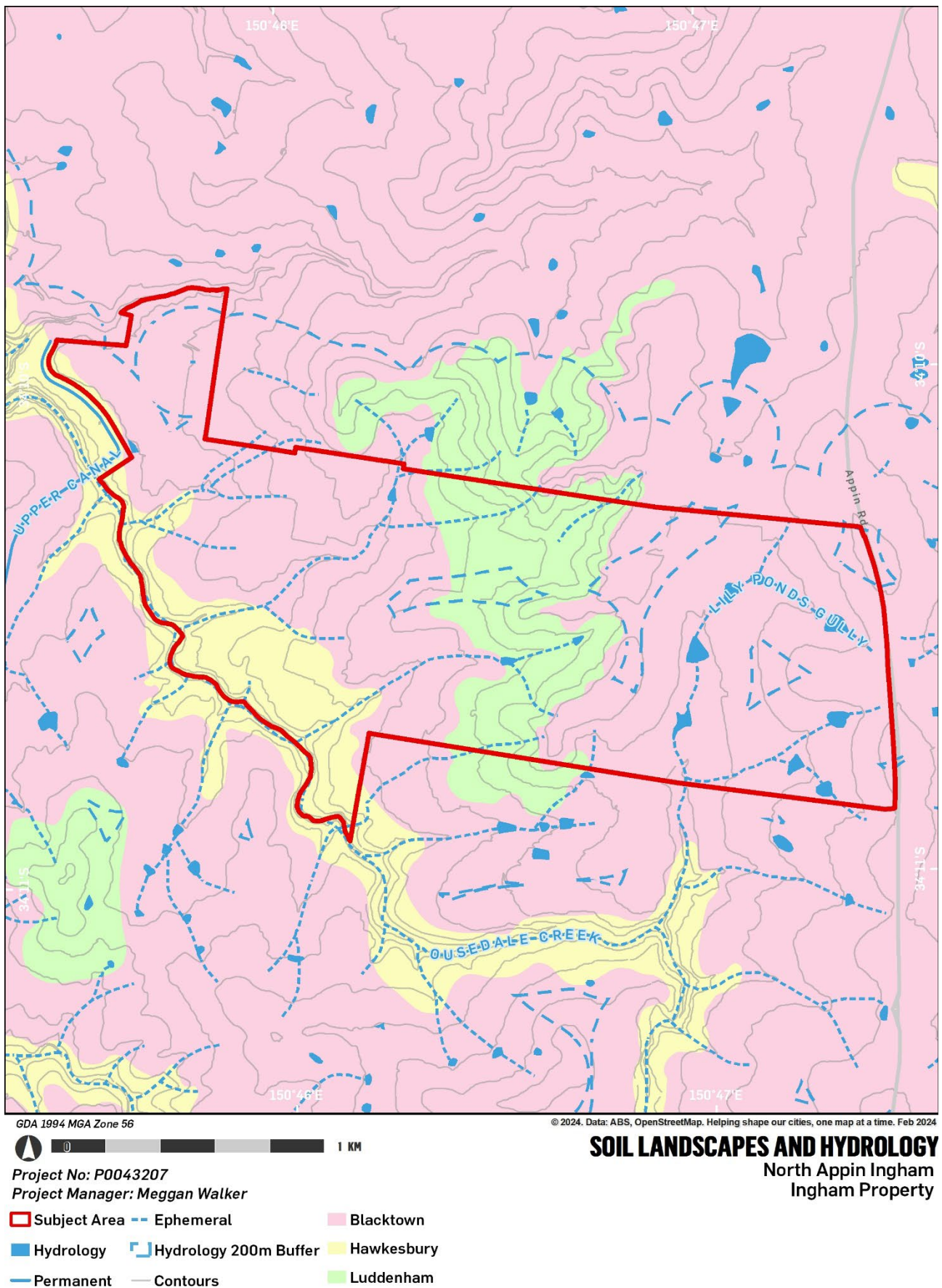


Figure 11 – Soil Landscapes and Hydrology

5.1.4. Vegetation

The presence of certain types of vegetation within an area may be indicative of archaeological potential for certain site types, such as modified trees, or more generally of the habitability of an area for Aboriginal people.

Remnant vegetation is present throughout the subject area, however, most likely consists of secondary regrowth. The occurrence of different plant species may be predicted, based on the soil landscapes which constitute the site.

Soils within the Blacktown soil landscape is generally moderately fertile. They are relatively deep and well-structured, which is a hospitable environment for moderate volumes for root penetration. The original vegetation of the Blacktown soil landscape includes cleared tall open-forest (wet sclerophyll forest) and open-forest/woodland (dry sclerophyll forest). The former often includes remnant Sydney blue gum and blackbutt, which grow in higher rainfall areas. The latter often includes forest red gum, narrow-leaved ironbark and grey box, which grow in more arid environments.

Soils within the Hawkesbury soil landscape is not very fertile, except where fractures allow deep root penetration and debris dams to form, which allow pockets of organic material to collect. They are highly acidic with a low nutrient status and are generally shallow with low available water holding capacities. The original vegetation of the Hawkesbury soil landscape is typified by uncleared woodlands and open-forests (dry sclerophyll forest), tall open forests (wet sclerophyll forest) and closed-forests (rainforest) in sheltered gullies. Common species within exposed areas include red bloodwood, narrow-leaved stringybark, snappy gum, hard-leaved scribbly gum, blue mountains mallee ash and old man banksia. Whereas silvertop ash, Sydney peppermint, smooth-barked apple and black she-oak predominates in sheltered side slopes. Emergent trees include blackbutt and Sydney blue gum, with water gum, coachwood, black wattle, native myrtle and bracken often constituting understorey vegetation.

Soils within the Luddenham soil landscape are somewhat fertile. They are fairly deep and well-structured, which allows for deep root penetration and low-moderate soil fertility. The original vegetation of the Luddenham soil landscape is typically extensively cleared open forest (dry sclerophyll forest). Common species include spotted gum, forest red gum and grey box. Although less common, this soil landscape often also includes broad-leaved ironbark, narrow-leaved ironbark, woollybutt, and forest oak. Understorey vegetation typically includes blackthorn, coffee bush, hickory and hairy clerodendrum, with grasses such as wire grass, bordered panic grass, paddock lovegrass and kangaroo grass.

The variety of floral species in the subject area could have been utilised by Aboriginal people for medicinal, ceremonial, subsistence purposes as well as for cultural modification. There is potential for Aboriginal modified and scarred trees to be present within the subject area.

5.1.5. Historical Ground Disturbance

The archaeological potential of a subject area may be reduced through ground disturbance that occurred after deposition of archaeological remains. Ground disturbance, either through human activity (e.g., clearing of vegetation, ploughing and construction of buildings) or natural processes (e.g., erosion), can reduce the spatial and vertical integrity of archaeological resources or result in their complete removal or destruction.

The subject area has sustained moderate localised historic ground disturbance associated with specific areas of the site, service installation, dams, and minor construction. Events associated with ground disturbance include:

- The subject area comprises two historical land grants. The first was granted to Alexander Riley, a merchant and pastoralist, in 1817. His parcel spanned 750 acres of land (partially including the subject area) (HLRV, 1817. Book 6, No. 126). The second was granted in 1844 to John Oxley, a surveyor and explorer, receiving 630 acres (partially including the subject area) (HLRV, 1844. Book 6, No. 125). Historical ground disturbance during this time would have been low and consisted of clearing the land of original vegetation and utilising the land for grazing livestock.
- The subject area has been historically utilised for agricultural purposes through to the present day, with landscaping and earthworks to support the agricultural uses, including creating levelled areas for animal containment. These areas are in 6 specific locations within the subject area and consists of heavily terraced ground that has been significantly disturbed. Disturbance also included by the construction of tin sheds for livestock use and then the subsequent disturbance from the demolition of the sheds, with demolition debris scattered into nearby creeklines. Rough roads have also been constructed throughout

the property for private farming use along with fence lines separating each field. The main road runs east to west across the subject area.

- Further use of the site exhibits the modification of natural waterways to manmade dam structures in five locations across the eastern portion of the subject area. The construction of the dams included moving sandstone boulders to build the dam walls and caused significant modification to the original environment.

5.2. SUMMARY OF ENVIRONMENTAL CONTEXT

- The subject area includes floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, interspersed with deep drainage lines with steep embankments. There is significant sandstone outcropping towards the west and south-west of the site. This varied landscape would have likely provided past Aboriginal people with a diverse range of land use opportunities, rendering it generally sensitive for Aboriginal objects and places.
- The subject area is situated between the Georges and Nepean Rivers – two major and significant waterways. The subject area also includes a converging point between Mallaty Creek and Ousedale Creek, with other tributaries disbursed throughout the site. Lily Ponds Gully is also located within the subject area's south-west. This proximity to numerous waterways likely increases the sensitivity of the subject area for Aboriginal objects and places.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape occupies the majority of the study area. All soil types within the Blacktown soil landscape are moderately susceptible to sheet erosion following vegetation clearance. This soil landscape is generally considered sensitive for Isolated Finds, Artefact Scatters, Grinding Grooves, Rock Engravings and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape occurs along the Ousedale Creekline, throughout the south-western extent of the site. Its erosion hazard is generally very high and ranges from moderate to extreme. The outcrops of sandstone associated this soil landscape are considered archaeologically sensitive for Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape occupies a portion of the site to the northeast. All soil types within the Luddenham soil landscape are moderately erodible. Aboriginal objects retained in natural soil deposits are, therefore, likely to be impacted. This soil landscape is considered sensitive for Isolated Finds.
- Native remnant vegetation is present throughout the subject area. There is potential for Aboriginal scarred or modified trees to be present within the subject area.
- As the subject area has been used for agricultural purposes throughout its history, it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.

6. ASSESSMENT OF ABORIGINAL ARCHAEOLOGICAL POTENTIAL

Aboriginal archaeological potential is assessed with regard to the environmental context, archaeological context and historic disturbance. This assessment is formed on the basis of a model which combines the theory of Environmental Determinism with information regarding the spatial distribution of archaeological resources in the region and an assessment of the historical use of the place to understand the following:

- (f) The likelihood that the subject site would have supported Aboriginal habitation and occupation in the past, which may have resulted in the deposition of archaeological resources, and;
- (g) The likelihood that subsequent activity within the subject site would have removed evidence of habitation or occupation, should it have occurred, due to high levels of disturbance.

For the purposes of archaeological assessment in New South Wales, the following definition of 'Environmental Determinism' is applied:

Environmental determinism asserts that physical geographic features such as climate and terrain exert a strong and unmediated influence upon human affairs, although it need not be, and usually is not, deterministic in the strict sense of the word.

While criticisms of the application Environmental Determinism in archaeological assessment are valid in asserting that it may place too much value on the environmental characteristics of a place, and therefore preclude detailed investigation of areas which do not fit a proscriptive model, thereby becoming a self-fulfilling prophecy for the identification of evidence of habitation, this model is appropriate in considering the likelihood for a site to be utilised for habitation and thus the potential for evidence of this habitation to be deposited, as it applies sound logical reasoning and is largely supported by the archaeological record in New South Wales.

Environmental characteristics or landscape features which are understood to hold potential include:

- Within 200m of waters,
- Located within a sand dune system,
- Located on a ridge top, ridge line or headland,
- Located within 200m below or above a cliff face, or
- Within 20m of or in a cave, rock shelter or cave mouth.

Where sites meet any of the above characteristics and have experienced little disturbance, there may be potential for archaeological remains, in accordance with the Due Diligence Code of Practice.

6.1. PREDICTIVE MODEL

A predictive model may be used to estimate the nature and distribution of evidence of Aboriginal land use in a subject area. A predictive model should consider variables that may influence the location, distribution and density of sites, features or artefacts within a subject area. Variables typically relate to the environment and topography, such as soils, landscape features, slope, landform and cultural resources.

The general process archaeologists employ to determine the likelihood of any particular site type (artefact scatter, shelter, midden etc) occurring within a given subject area requires the synthesis of information for general distribution of archaeological sites within the wider area including:

- Detailed analysis of previous archaeological investigations within the same region.
- Presence or absence of landscape features that present potential for archaeological resources (human occupation, use) such as raised terraces adjacent to permeant water.
- Analysis of the geology and soil landscape within the subject area which allows for a determination to be made of the type of raw material that would have been available for artefact production (silcrete, tuff, quartz etc) and the potential for the accumulation of archaeological resource within the subject area.

- Investigation of and determination of the level of disturbance/historical land use within the subject area which may impact on or remove entirely any potential archaeological material.

An indicative process of determining the likelihood of a given site occurring within a subject area is provided in Table 10 below.

Table 10 – Indicative process for determining the potential presence of a site.

Likelihood	Indicative subject area context	Indicative action
High	Low level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area.	Detailed archaeological investigation including but not limited to survey, test excavation and potentially (depending on density and/or significance of archaeological deposit) salvage excavation.
Moderate	Moderate level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area.	Detailed archaeological investigation including but not limited to survey, test excavation and potentially (depending on density and/or significance of archaeological deposit) salvage excavation.
Low	High level of ground disturbance in combination with at least one archaeologically sensitive landscape feature (either registered or newly identified) within the subject area.	Employ chance finds procedure and works can continue without further archaeological investigation.
Nil	Complete ground disturbance (i.e. complete removal of natural soil landscape); or no archaeologically sensitive landscape features and no archaeological sites within subject area.	Employ chance finds procedure and works can continue without further archaeological investigation.

6.2. TYPICAL SITE TYPES

A range of Aboriginal site types are known to occur within New South Wales. Site types that are typically encountered in the Cumberland Plain are described below.

Art sites can occur in the form of rock engravings or pigment on sandstone outcrops or within shelters. An engraving is some form of image which has been pecked or carved into a rock surface. Engravings typically vary in size and nature, with small abstract geometric forms as well as anthropomorphic figures and animals also depicted. In the Sydney region engravings tend to be located on the tops of Hawkesbury Sandstone ridges where vistas occur. Pigment art is the result of the application of material to a stone to leave a distinct impression. Pigment types include ochre, charcoal and pipeclay. Pigment art within the Sydney region is usually located in areas associated with habitation and sustenance.

Artefact Scatters/Camp Sites represent past Aboriginal subsistence and stone knapping activities and include archaeological remains such as stone artefacts and hearths. This site type usually appears as surface scatters of stone artefacts in areas where vegetation is limited, and ground surface visibility increases. Such scatters of artefacts are also often exposed by erosion, agricultural events such as ploughing, and the creation of informal, unsealed vehicle access tracks and walking paths. These types of sites are often located on dry, relatively flat land along or adjacent to rivers and creeks. Camp sites containing surface or subsurface deposit from repeated or continued occupation are more likely to occur on

elevated ground near the most permanent, reliable water sources. Flat, open areas associated with creeks and their resource-rich surrounds would have offered ideal camping areas to the Aboriginal inhabitants of the local area.

Bora / Ceremonial Sites are locations that have spiritual or ceremonial values to Aboriginal people. Aboriginal ceremonial sites may comprise natural landforms and, in some cases, will also have archaeological material. Bora grounds are a ceremonial site type, usually consisting of a cleared area around one or more raised earth circles, and often comprised of two circles of different sizes, connected by a pathway, and accompanied by ground drawings or mouldings of people, animals or deities, and geometrically carved designs on the surrounding trees.

Burials of the dead often took place relatively close to camp site locations. This is due to the fact that most people tended to die in or close to camp (unless killed in warfare or hunting accidents), and it is difficult to move a body long distance. Soft, sandy soils on, or close to, rivers and creeks allowed for easier movement of earth for burial; and burials may also occur within rock shelters or middens. Aboriginal burial sites may be marked by stone cairns, carved trees or a natural landmark. Burial sites may also be identified through historic records or oral histories.

Contact Sites are most likely to occur in locations of Aboriginal and settler interaction, such as on the edge of pastoral properties or towns. Artefacts located at such sites may involve the use of introduced materials such as glass or ceramics by Aboriginal people or be sites of Aboriginal occupation in the historical period.

Grinding Grooves are the physical evidence of tool making or food processing activities undertaken by Aboriginal people. The manual rubbing of stones against other stones creates grooves in the rock; these are usually found on flat areas of abrasive rock such as sandstone. They may be associated with creek beds, or water sources such as rock pools in creek beds and on platforms, as water enables wet grinding to occur.

Isolated Finds represent artefactual material in singular, one-off occurrences. Isolated finds are generally indicative of stone tool production, although can also include contact sites. Isolated finds may represent a single item discard event or be the result of limited stone knapping activity. The presence of such isolated artefacts may indicate the presence of a more extensive, in situ buried archaeological deposit, or a larger deposit obscured by low ground visibility. Isolated artefacts are likely to be located on landforms associated with past Aboriginal activities, such as ridgelines that would have provided ease of movement through the area, and level areas with access to water, particularly creeks and rivers.

Middens are indicative of Aboriginal habitation, subsistence and resource extraction. Midden sites are expressed through the occurrence of shell deposits of edible shell species often associated with dark, ashy soil and charcoal. Middens often occur in shelters, or in eroded or collapsed sand dunes. Middens occur along the coast or in proximity to waterways, where edible resources were extracted. Midden may represent a single meal or an accumulation over a long period of time involving many different activities. They are also often associated with other artefact types.

Modified Trees are evidence of the utilisation of trees by Aboriginal people for various purposes, including the construction of shelters (huts), canoes, paddles, shields, baskets and bowls, fishing lines, cloaks, torches and bedding, as well as being beaten into fibre for string bags or ornaments. The removal of bark exposes the heart wood of the tree, resulting in a scar. Trees may also have been scarred in order to gain access to food resources (e.g. cutting toeholds so as to climb the tree and catch possums or birds), or to mark locations such as tribal territories. Such scars, when they occur, are typically described as scarred trees. These sites most often occur in areas with mature, remnant native vegetation. The locations of scarred trees often reflect an absence of historical clearance of vegetation rather than the actual pattern of scarred trees. Carved trees are different from scarred trees, and the carved designs may indicate totemic affiliation; they may also have been carved for ceremonial purposes or as grave markers.

Potential Archaeological Deposits (PADs) are areas where there is no surface expression of stone artefacts, but due to a landscape feature there is a strong likelihood that the area will contain buried deposits of stone artefacts. Landscape features which may feature in PADs include proximity to waterways, particularly terraces and flats near third order streams and above; ridge lines, ridge tops and sand dune systems.

Shelters are places of Aboriginal habitation. They take the form of rock overhangs which provided shelter and safety to Aboriginal people. Suitable overhangs must be large and wide enough to have accommodated people with low flooding risk. Due to the nature of these sites, with generic rock overhangs common particularly in areas with an abundance of sandstone, their use by Aboriginal people is generally confirmed through the correlation of other site types including middens, art, PAD and/or artefactual deposits.

6.3. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The likelihood of the site types described in Section 6.2 above occurring within the present subject area is assessed in Table 11 below.

Table 11 – Predictive Model

Site Type	Assessment	Potential
Art	The subject area contains a large amount of sandstone geology and incised creek lines with steep gradients and overhangs in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape (see Section 5.1.1). Due to the presence of such sandstone overhangs and deep incised creek lines with a steep gradient, there is high potential for art sites to be located within the subject area.	High
Artefact Scatters / Campsites	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Artefact Scatters. The three soil landscapes namely the Blacktown, the Hawkesbury, and the Luddenham soil landscape indicate it is likely that Artefact Scatters have been retained due to the depth of natural soils (see Section 5.1.3). The subject area is also located with proximity to a convergence point to multiple waterways which increases the potential of Artefact Scatters to occur (see Section 5.1.2). There is high potential for Artefact Scatters to occur within the subject area.	High
Bora / Ceremonial	The subject area underwent historical disturbance through clearance of original vegetation for agricultural use of the land which would have decreased the likelihood for Bora Ceremonial sites to be retained with a high degree of integrity. However, the subject area is located within in the Greater Macarthur area which contains identified Movement Corridors associated with past Aboriginal land use as discussed in Section 4.2.1. While there has been mention of the Appin area as a significant area, no specific sites have been identified as bora / ceremonial by the RAPs during the consultation process. There is low potential for bora / ceremonial sites to occur within the subject area.	Low
Burial	The subject area is identified as being located within close proximity to the Appin Massacre Cultural Landscape sites. However, no conflict is recorded as occurring within the subject area. No other information from the consultation process or previously registered sites indicates that burial sites are likely. The shallow nature of the soil profile which has been subject to disturbance and erosion also indicates there is low potential for burial sites to occur within the subject area.	Low
Contact site	The subject area was occupied early in colonial times from the early to mid-19 th Century as evidenced by land grants to	Low

Site Type	Assessment	Potential
	Alexander Riley and John Oxley (see Section 4.1). Incidents related to the Appin Massacre occurred close to the bounds of the subject area though not within the subject area. There is low potential for contact sites to occur.	
Grinding Grooves	The subject area contains a large amount of sandstone geology near to the deeply incised creek lines and steep slope gradient in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape (see Section 5.1.3). Due to the presence of flat sandstone exposure within proximity to creek lines, as well as the prevalence of grinding grooves in the previously registered sites in the extensive search area (see Section 4.3), there is high potential for grinding grooves to occur within the subject area.	High
Isolated Finds	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Isolated Finds. The three soil landscapes namely the Blacktown, the Hawkesbury, and the Luddenham indicate the likelihood of retaining Isolated Finds due to the depth of natural soils (see Section 5.1.3). The subject area is also located with proximity to a convergence point to multiple waterways which increases the potential of Isolated Finds to occur (see Section 5.1.2). There is high potential for Isolated Finds to occur within the subject area.	High
Midden	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways and prevalence of sandstone geology and deeply incised creek lines on a steep slope gradient in the southern and western portions of the subject area (see Section 5.1.1 and 5.1.2). On the basis of previously registered sites in the Extensive search area, there is a low potential for middens to occur within the subject area.	Low
Modified Trees	The subject area is currently undeveloped and has been disturbed only in six main localised areas. However, the area was likely to have been cleared for agricultural use early in the 19 th Century and may not retain primary growth vegetation. As discussed in Section 4.2.2, the Greater Macarthur area contains identified Movement Corridors such as Appin Road. These corridors are associated with intangible Aboriginal cultural heritage and as a result may also be associated with modified trees. There is a high potential for modified trees to occur within the subject area.	High

Site Type	Assessment	Potential
PAD	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, a prevalence of sandstone geology and deeply incised creek lines with steep slope gradients and overhangs in the southern and western portions of the subject area, and shallow to moderately deep soils across the subject area (see Sections 5.1.1, 5.1.2, 5.1.3). Due to the presence of the sandstone geology and deeply incised creeklines, there is high potential for Shelters with PAD to occur within the subject area. Due to the presence of landscape features, natural soils, and mostly undeveloped nature of the subject area, there is high potential for a PAD to occur within the subject area.	High
Shelters	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, and a prevalence of sandstone geology and deeply incised creeklines with steep slope gradients and overhangs in the southern and western portions of the subject area (see Sections 5.1.1, 5.1.2, 5.1.3). The sandstone geology and deep incised creek lines with a steep gradient indicates a high potential for shelters to be located in these areas.	High

6.4. SUMMARY OF ARCHAEOLOGICAL POTENTIAL

The archaeological potential is summarised as follows:

- The subject area contains multiple landscape features that indicate past Aboriginal land use. These landscape features include a convergence of waterways, presence of sandstone geology, and shallow to moderately deep soils across the subject area. Due to the presence of such landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- There is a low potential for Middens, Bora / Ceremonial sites, Burials, Contact sites to occur due to the ephemeral nature of such sites and not previously recorded historical or cultural documentation of such sites within the subject area.

7. TECHNICAL INVESTIGATIONS

To inform the current ACHA, technical investigations have been undertaken at the subject area in accordance with the requirements of the Code of Practice. These included archaeological survey to test the validity of the desktop assessment of archaeological potential, and a test excavation, undertaken to inform an understanding of the nature, extent and spatial distribution of Aboriginal archaeological objects within the subject area.

The site survey and test excavation were undertaken consecutively, with the attendance and inclusion of representatives from the RAPs for the project. Full details of these investigations can be found in the accompanying Archaeological Technical Report (ATR) attached at 0. Results are summarised in the following sections.

7.1. ARCHAEOLOGICAL SURVEY

The Department of Planning, Housing and Infrastructure state that the 'purpose of an archaeological field survey is to record all (or a representative sample of all) the material traces and evidence of Aboriginal land use that are visible at or on the ground surface, or exposed in sections or visible as features' (OEH 2010a: 12). The subject area was surveyed in accordance with the requirements as set out in OEH statutory guidelines *the Code of Practice and the Assessment Guidelines* (Code of Practice).

An archaeological survey of the subject area was undertaken from 27th April 2023 - 1st May 2023. The purpose of the survey was to adequately record the material traces and evidence of Aboriginal land use within the subject area. The archaeological survey was conducted by Urbis representatives including Senior Archaeologist Meggan Walker and Consultant Archaeologist Kirsten Downey with assistance from Consultant Archaeologist Owen Barrett, with a total of 5 RAP site officers in attending on different days over the three-day period. Representatives and dates attended are listed in Table 12.

Table 12 – RAP survey attendees

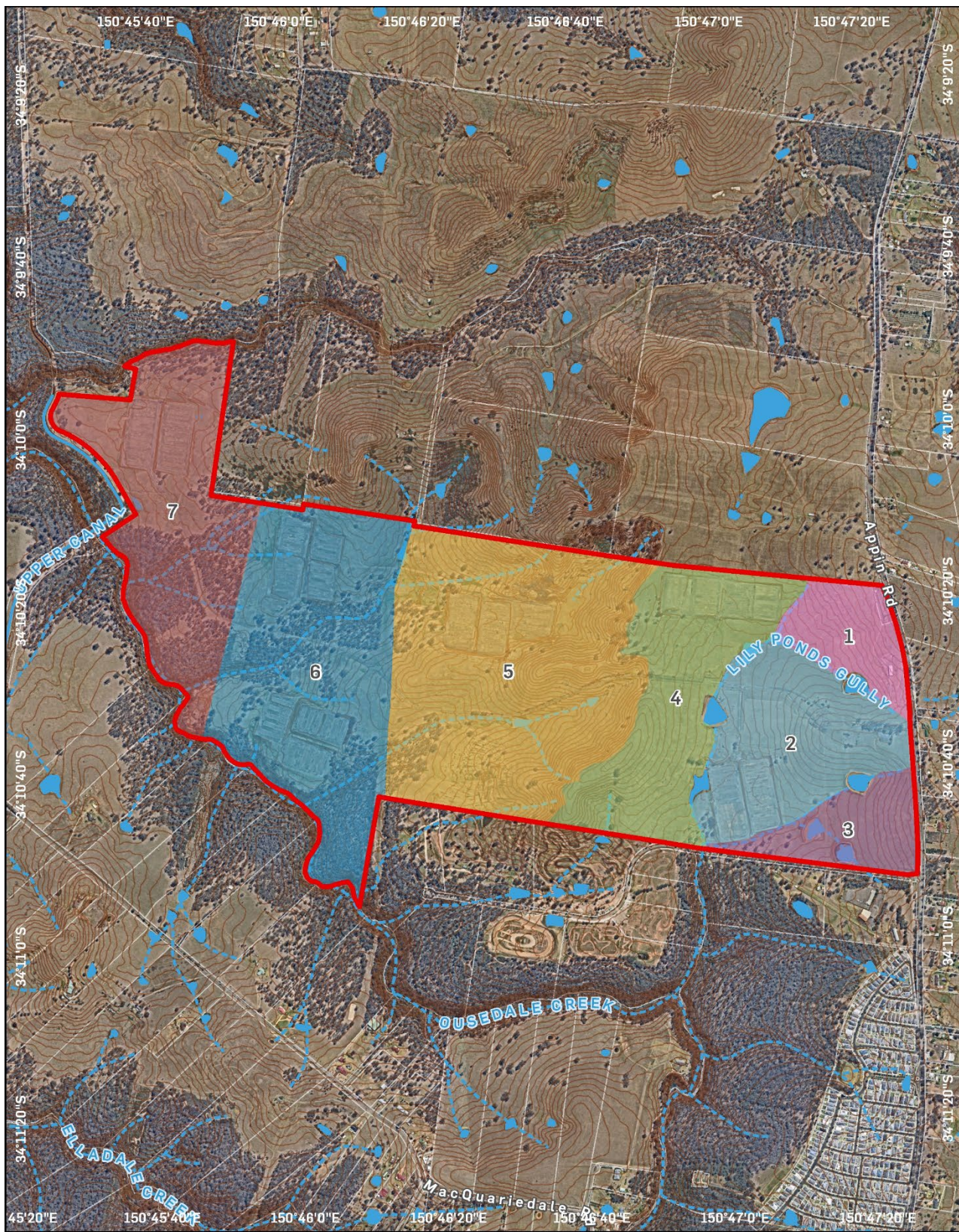
Date	RAP Group	Representative
27 th April 2023	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
28 th April 2023	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
1 st May 2023	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]

The purpose of the survey was to inspect the site including visible ground surfaces, soil exposures and visible soil profiles, in order to identify whether surface Aboriginal artefacts are present, to further determine the potential for Aboriginal archaeological deposits within the subject area, and for the project RAPs to identify any additional cultural sites present or identifiable features, including culturally sensitive trees, within the landscape. The survey also aimed to allow for discussion of the project with the RAPs, encouraging questions and comment on the proposed cultural heritage methodology, and input into the proposed process of Aboriginal archaeological management going forward.

As per Heritage NSW recording requirements, the subject area was surveyed according to survey units, landforms and landscapes. The survey was conducted on foot, and aimed to achieve 100% coverage of the subject area divided into seven Survey Units (SU's) broadly defined by paddock boundaries and creek lines. The division of the site was further defined as separate Survey Units to cover at least one archaeologically sensitive landscape feature for each area. Emphasis was placed on the areas of higher potential such as the crests, ridgelines and near the creek lines. Visibility and exposure were recorded for each survey unit. Survey Units are depicted in Figure 12 below.

The survey team traversed the subject area utilising GPS navigation, with reference to aerial photographs. Spacing between survey team members was 5m – 10m with archaeologists with GPS trackers at each end of the group. Spacing was increased when deemed necessary due to constraints such as dense vegetation and standing water, hazards such as steep eroding creek banks, and any other site-specific variables. In instances where closer examination was warranted such as exposures or potentially culturally significant trees spacing was not adhered to allow for adequate assessment.

Survey units were recorded through a combination of digital photography and field notes including observations of exposure and visibility, levels of disturbance, erosion, vegetation, and the presence of Aboriginal sites or PADs, and other relevant observations or features. GPS waypoints were recorded for exposures, sites and features. GPS tracking was utilised to record effective coverage.



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0 1 KM

Project No: P0043207

Project Manager: Meggan Walker

Subject Area Contours Hydrology Permanent Ephemeral

SURVEY UNITS
North Appin Ingham
Ingham Property

Figure 12 – Survey units

The findings of the archaeological survey are detailed in full in the appended ATR and summarised below:

- The eastern portion of the subject area contained Lily Ponds Gully, an ephemeral first order creek, now dammed and with no flowing water. The western portion of the subject area contained similar first order creeks, however flowing water was observed at the time of the survey in a tributary to Ousedale Creek transversing SU6 and SU7.
- The deeply incised Ousedale and Mallaty Creeks which form the western boundaries of the subject area also contained flowing water.
- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- Evidence from the site survey also shows the installation of gas pipelines throughout portions of the subject area to the west, and further potential colliery activities, with signposts indicating areas as likely to contain noxious gas due to subsurface activities associated with Appin colliery. Other services including overhead transmission line were also observed to the west of the site.
- Visibility was low within the subject area, being limited to disturbed areas and concurrent erosion. Visibility in rock overhangs, however, was generally good, depending on variable amounts of rock fall.
- Two previously unrecorded sites were identified during the survey. An Aboriginal object was observed within a rock shelter within a tributary of Ousedale Creek. The rock shelter has been registered on AHIMS as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. A further rock shelter was observed further south in Ousedale Creek. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD. The locations of the newly identified sites are shown in Figure 13 below. AHIMS site cards are appended to the ATR.

The archaeological survey confirmed the predictions of the desktop assessment that the subject area has high potential for rock shelters, isolated finds and PAD. While no Art or Grinding Grooves were observed it is possible that these site types are extant within the subject area but were not observed during the survey due to lack of visibility and/or the complexity of the incised creek banks within the subject area.

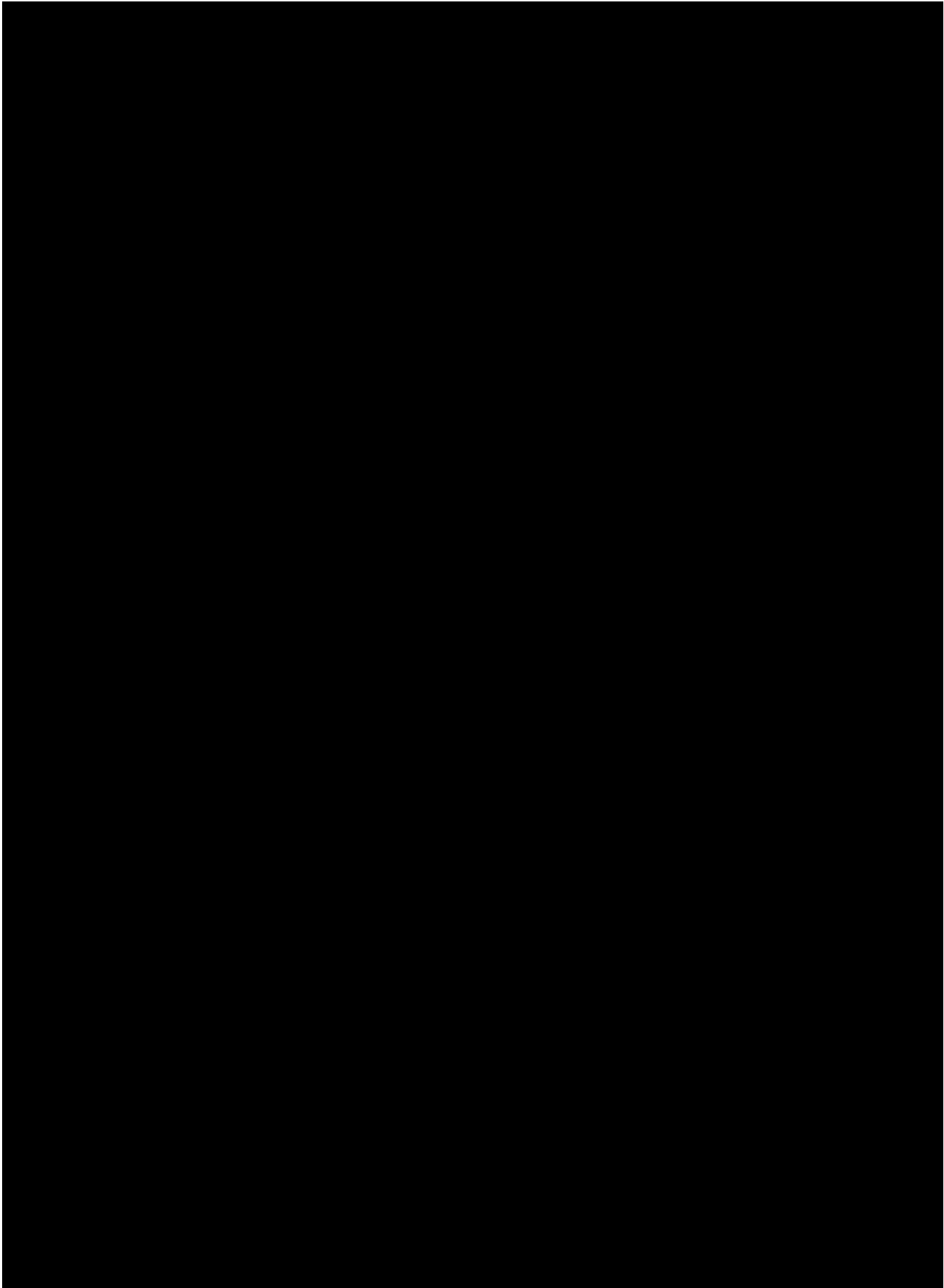


Figure 13 – Newly identified sites

7.2. ARCHAEOLOGICAL TEST EXCAVATION

A test excavation program was undertaken at the subject area from 2nd May 2023 - 25th May 2023 in line with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) (the Code of Practice) in order to understand the nature and extent, integrity and research significance of the Aboriginal archaeological resource. The excavation was conducted by representatives from Urbis and RAPs.

The archaeological research design and excavation methodology (ARD & EM) for the test excavation and full results are detailed in the ATR attached at 0 and are summarised as follows.

The test excavation program was conducted in accordance with the EM provided to Heritage NSW on 13th April 2023 in accordance with Requirement 15c of the Code of Practice proposed to undertake the archaeological investigations. The excavation consisted of 50cm x 50cm test pits excavated utilising standard archaeological excavation methods informed by the Code of Practice. The test excavation targeted landforms across the subject area to form a representative sample of the site conditions and develop a site-specific predictive model. The location of the test pits was informed by the predictive model of the ACHAR, determined in the field based on the identified indicative locations and in conversation with RAPs. A total of 143 test pits were excavated. Final test pit locations are shown in Figure 14 below.

Test excavation ceased following the determination that sufficient information had been received to adequately characterise the archaeological potential of the subject area.

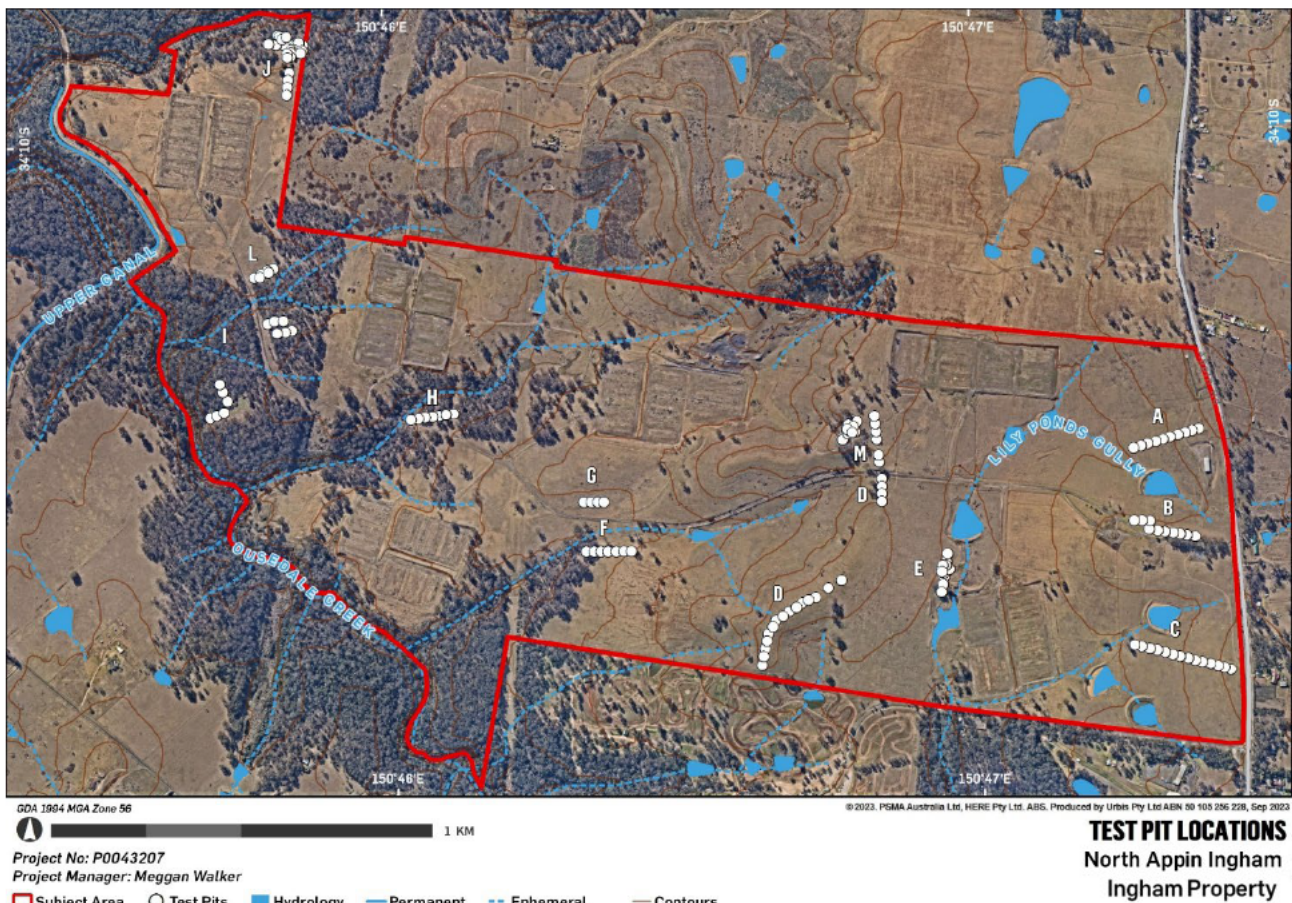


Figure 14 – Transect and test pit locations.

The results of the archaeological test excavation confirm the presence of Aboriginal objects within the subject area. On this basis three new AHIMS sites have been registered. Details regarding the newly identified sites are summarised below in Table 13. The locations of newly identified sites are shown in Figure 15 – Sites identified during the test excavation.

Table 13 – Newly identified sites

AHIMS Site ID	Name	Feature(s)	Landform
52-2-4945	345 Appin Road AFT 1	Artefact	Lower slopes
52-2-4946	345 Appin Road AFT 2	Artefact	Ridgeline
52-2-4943	Mallaty Creek AFT1	Artefact	Creek Terrace

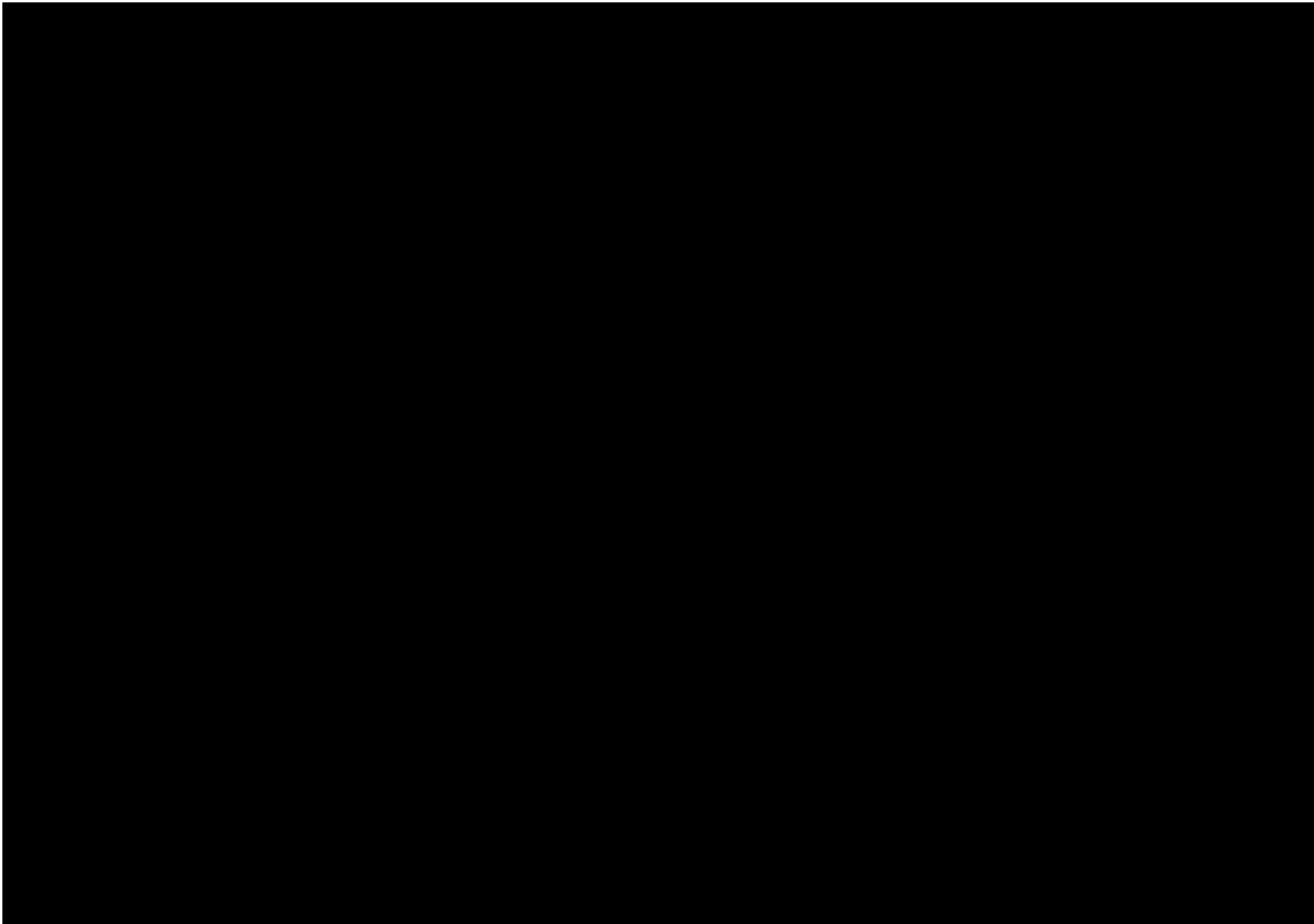
- AHIMS ID# 52-2-4945: 345 Appin Road AFT1, a low-density artefact scatter (N=2) recovered from two test pits in the eastern portion of the subject area. Located on flats adjacent to Lily Ponds Gully this site indicates low intensity transient use of ephemeral waterways within the subject area. Lily Ponds Gully has been heavily modified for dam construction however the area tested was relatively intact.
- AHIMS ID# 52-2-4946: 345 Appin Road AFT 2, a low-density artefact scatter (N=2) recovered from two test pits on a spur below the highest point within the subject area. This area and the nearby crest provide a good vantage point over a large area and would have been a focus of activity for Aboriginal people. The test excavation however revealed a truncated and disturbed soil profile.
- AHIMS ID# 52-2-4943 Mallaty Creek AFT1, a moderate density artefact scatter (N=47) recovered from 14 test pits out of a total of 28 excavated on a creek terrace above the deeply incised Mallaty Creek. This site confirms the importance of access to water for Aboriginal people and the associated increase in archaeological potential. This location also showed signs of truncation and erosion.

The remaining 129 test pits excavated during the excavation program returned zero artefacts.

These results indicate that the subject area has been utilised by Aboriginal people prior to European occupation. However, test excavations revealed that occupation was likely transient and intermittent, especially in locations of ephemeral water. Further test excavation locations at Lily Ponds Gully and first order creeks in the western portion of the subject area recovered no artefacts. Limited material traces of such low intensity activity are especially susceptible to erosion and disturbance.

Locations of permanent water such as Mallaty Creek and Ousedale Creek on the western boundaries of the subject area have higher archaeological potential as evidenced by Transect J at AHIMS ID# 52-2-4943: Mallaty Creek AFT1. This is further confirmed by the Rock shelter containing an Aboriginal artefact observed during the archaeological survey (AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, Section 7.1). Thin sandy soils overlying sandstone bedrock is, however, highly susceptible to erosion. While these locations currently contain eucalypt regrowth, historical land clearing is likely to have caused significant disturbance in the past.

Disturbance varied across the subject area, most were intact, with some showing truncation and gravel inclusions, often when lying in or adjacent to vehicle tracks. The transect with the highest density of artefacts, Transect J was bordered to the west by disturbed ground which was distinctly undulating with deep furrows and included pits of unknown origin and areas of dumped soil and rubbish, to the south was a previous location of chicken sheds showing extreme disturbance. Transect M also saw significant disturbance, the crest within the area had been levelled and underground services were evident.



8. SIGNIFICANCE ASSESSMENT

The following is an assessment and discussion of the cultural significance of the subject area, made in consultation with the RAPs. The assessment follows principles and procedures outlined in the Burra Charter the Assessment Guidelines.

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

Heritage significance is assessed by considering each cultural or archaeological site against the significance criteria set out in the Assessment Guidelines. The Assessment Guidelines require that the assessment and justification in a statement of significance includes a discussion of whether any value meets the following criteria:

- Does the subject area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons? – social value.
- Is the subject area important to the cultural or natural history of the local area and/or region and/or state? – historic value.
- Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state? – scientific (archaeological) value.
- Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state? – aesthetic value.

Assessment of each value should be graded in terms that allow the significance to be described and compared (e.g. high, moderate, or low). In applying these criteria, consideration should be given to:

- Research potential: does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?
- Representativeness: how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?
- Rarity: is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential: does the subject area contain teaching sites or sites that might have teaching potential?

8.1. ASSESSMENT OF HERITAGE VALUES

The following assessment of the social or cultural, historic, scientific and aesthetic values of the subject area has been prepared in accordance with the Assessment Guidelines.

In acknowledgment that the Aboriginal community themselves are in the best position to identify heritage values, the assessment is informed by consultation with the Aboriginal community. Consultation with Aboriginal people should provide insight into past events. The RAPs were invited to provide comment and input into this ACHAR and to the assessment of cultural heritage values for the subject area, as documented in this report. Any culturally sensitive values identified have not been explicitly included in the report or made publicly available. Any such values would be documented and lodged with the knowledge holder providing the information.

8.1.1. Social or Cultural Value

Social or cultural value encompasses the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them. Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods, or events. Communities can experience a sense of loss should a

place of social or cultural value be damaged or destroyed. Social or cultural values can therefore only be identified through consultation with Aboriginal people.

Comments received during Stage 3 from RAPs are of relevance to assessing the social and cultural value of the subject area and are as follows:

[REDACTED]

[REDACTED]

Comments received during Stage 4 from RAPs are of relevance to assessing the social and cultural value of the subject area and are as follows:

[REDACTED]

[REDACTED]

[REDACTED]

8.1.2. Historic Value

Historic value encompasses the history of aesthetics, science and society. A place may have historic value because it is associated with a historic figure, event, phase or activity in an Aboriginal community. The significance of a place will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. Places may also have 'shared' historic values with other (non-Aboriginal) communities.

Places of post-contact Aboriginal history have generally been poorly recognised in investigations of Aboriginal heritage. Consequently, the Aboriginal involvement and contribution to important regional historical themes is often missing from accepted historical narratives. For this reason, it is often necessary to collect oral histories along with archival or documentary research to gain a sufficient understanding of historic values.

The subject area is located in close proximity to known locations of the Appin Massacre Cultural Landscape, though none of these known sites are located within the boundary of the site. The wider Appin area has high historic value to Aboriginal people for this reason, and the subject area may also hold this value due to the close proximity of such sites.

8.1.3. Scientific (Archaeological) Value

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information. Information about scientific value will be gathered through any archaeological investigation undertaken. Archaeological investigations must be carried out according to the Code of Practice.

Five Aboriginal sites were identified as being located within the subject area, including three Artefact Scatters and two Rock Shelters. These are considered to have scientific (archaeological) value for their ability to provide information about the Aboriginal cultural practices of the Appin area as connected to the wider archaeological site distribution in southwest Sydney. These sites however do not exhibit any uniqueness or rarity compared with previously recorded Aboriginal sites.

The excavated artefact assemblage recovered during the test excavation consisted of 51 stone artefacts. Such artefacts are common in the region around the subject area and in the Cumberland Plain and Sydney basin more generally. The assemblage is relatively small, precluding robust statistical analysis or comparison with other assemblages. Furthermore, the soil profiles within the subject area displayed a level of disturbance from prior land use which precludes drawing accurate assumptions or conclusions in regard to the subject area.

Based on the above the subject area is assessed as having low scientific value.

8.1.4. Aesthetic Value

Aesthetic value of a place relates to the sensory, scenic, architectural and creative aspects of a place. It may include visual aspects, such as form, scale, colour, texture and material of the fabric, and the smells and sounds associated with the place and its use.

The subject area has been partially cleared of original vegetation and used for agricultural purposes. However, the subject area still retains high aesthetic value relating to Aboriginal cultural Heritage as it remains largely undeveloped and the natural resources of the creek lines and mature trees are still present. Comments from RAPs have identified that aesthetic value is held in the natural landscape present at the site.

8.2. STATEMENT OF SIGNIFICANCE

The subject area is considered to be highly significant as it relates to the social, cultural, historic, and aesthetic values of Aboriginal cultural heritage. It is considered to have moderate value relating to scientific (archaeological) due to the prevalence of similar sites in the surrounding area.

9. IMPACT ASSESSMENT

The following is an assessment of the potential impact of the proposed development on any Aboriginal objects and/or Aboriginal Places within the subject area and the possible strategies for avoiding or minimising harm to those Aboriginal objects and/or Aboriginal Places.

The potential harm to Aboriginal objects and Aboriginal Places that is likely to be caused by a proposed activity is the effect of that activity on the Aboriginal heritage values identified above. According to the NPW Act, "harm" to an object or place includes any act or omission that:

- Destroys, defaces, or damages the object or place.
- Moves the object from the land on which it had been situated.
- Causes or permits the object or place to be harmed.

Harm does not include something that is trivial or negligible, such as picking up and replacing a small stone artefact, breaking a small Aboriginal object below the surface when you are gardening, crushing a small Aboriginal object when you walk on or off a track, picnicking, camping or other similar recreational activities.

The Assessment Guidelines define harm to Aboriginal objects and Aboriginal Places as being either direct or indirect:

- **Direct harm** may occur as the result of any activity which disturbs the ground including, but not limited to, site preparation activities, installation of services and infrastructure, roadworks, excavation, flood mitigation measures.
- **Indirect harm** may affect sites or features located immediately beyond or within the area of the proposed activity. Examples include, but are not limited to, increased impact on art in a shelter from increased visitation, destruction from increased erosion and changes in access to wild food resources.

The present assessment of potential harm follows the principles of ecologically sustainable development (ESD), in particular the precautionary principle and the principle of inter-generational equity:

- The **precautionary principle** states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.
- The **principle of inter-generational equity** holds that the present generation should make every effort to ensure the health, diversity and productivity of the environment, which includes cultural heritage, is available for the benefit of future generations. If a site type that was once common in an area becomes rare, the loss of that site (and site type) will result in an incomplete archaeological record and will negatively affect intergenerational equity.

Consideration of potential harm to Aboriginal objects and Aboriginal Places according to ecologically sustainable development (ESD) principles allows for an understanding of the cumulative impact of the proposed activity and an understanding of how harm can be avoided or minimised, if possible.

9.1. ASSESSMENT OF POTENTIAL HARM

The desktop assessment undertaken as part of the present ACHA determined that there are no previously identified Aboriginal objects within the subject area. However, during field investigations including site survey and test excavation, five Aboriginal sites were identified, confirming the presence of Aboriginal objects and cultural sites within the curtilage of the subject area.

No physical works are presently proposed for the subject area. A comprehensive assessment of the potential harm to the Aboriginal object and any as yet unknown Aboriginal objects should be undertaken prior to undertaking any physical works within the subject area.

9.2. AVOIDANCE & MINIMISATION OF HARM

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal Places, along with their cultural heritage values. If harm to Aboriginal objects and/or Aboriginal Places is unavoidable, management strategies must be considered to minimise the harm. The type of management strategies proposed must be appropriate to the significance of Aboriginal heritage values,

Aboriginal objects and/or Aboriginal Places. Harm avoidance and minimisation measures must be feasible and within the financial viability of the proposed activity.

There are no proposed works assessed as part of the current proposal, which relates to a Planning Proposal to re-zone the subject area for the purpose of the establishment of a residential community. Works associated with the construction of dwellings and other facilities will be undertaken under a subsequent DA following the approval of the Planning Proposal. There is potential that, at this phase, works could impact known or unknown tangible cultural heritage values within the subject area. As such, the following mitigation measures as proposed:

- **Avoidance through design.** The first preference would be that known sites and areas of high potential be avoided through detailed design input, to ensure cultural heritage values are retained *in-situ* where practical.
- **Ongoing consultation.** The current consultation process will be carried through the project to ensure Aboriginal community members are kept informed regarding the works and development of design.
- **Update the ACHAR for Detailed Design.** The ACHAR will require an update at the Detailed Design phase of the project.
- **Aboriginal Cultural Heritage Management Plan (ACHMP).** It is recommended that an ACHMP be prepared which provides ongoing management strategies for known sites within the subject area, including identified shelters. This would include strategies to prevent intentional or incidental impact to these sites during construction and use of the residential subdivision.
- **Aboriginal Heritage Impact Permit (AHIP).** Should the final design result in proposed activity within areas of known or potential archaeological sensitivity, mitigate measure will be formulated to minimise harm to Aboriginal objects that will be impacted. This should be undertaken under an Approved AHIP, with ongoing management of objects subject to consultation with RAPs.

10. CONCLUSIONS & RECOMMENDATIONS

The current report presents the results of an Aboriginal Cultural Heritage Assessment (ACHA) at 345 Appin Road, Appin, NSW, legally referred to as Lot 105 Deposited Plan (DP) 1188670.

The ACHA has been undertaken to support a Planning Proposal which seeks to rezone the site comprising of approximately 301 hectares of land in the North Appin Precinct which forms part of the Greater Macarthur Growth Area (**GMGA**).

The ACHA concluded the following:

- The AHIMS search identified seven (7) Aboriginal sites or Aboriginal Places within the subject area, including Artefacts (AHIMS ID#52-2-4943, #52-2-4945, #52-2-4946), Axe Grinding Grooves (AHIMS ID#52-2-3583, #52-2-3581), and Shelters with Artefacts (AHIMS ID#52-2-4942) or PADs (AHIMS ID#52-2-4944).
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape is generally considered sensitive for Isolated Artefacts, Artefact Scatters, Grinding Grooves, Rock Engravings, and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape is considered archaeologically sensitive for sandstone Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape is considered sensitive for Isolated Finds.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.
- The subject area contains multiple landscape features that indicate past Aboriginal land use. These landscape features include a convergence of waterways, presence of sandstone geology, and shallow to moderately deep soils across the subject area. Due to the presence of such landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- Two Aboriginal sites were recorded during the archaeological survey consisting of a rock shelter with an artefact and Potential Archaeological Deposit (PAD) a further rock shelter with PAD. These were registered on the Aboriginal Heritage Information System (AHIMS) as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD.

- Three Aboriginal sites were observed during the test excavation consisting of a medium density artefact scatter and two low density artefacts scatters. These were registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- The subject area is considered to be highly significant as it relates to the social, cultural, historic, and aesthetic values of Aboriginal cultural heritage. It is considered to have moderate value relating to scientific (archaeological) due to the prevalence of similar sites in the surrounding area. The significance of the subject area cannot be fully assessed until the report has been reviewed by the RAPs.
- Currently, there is no impact or no harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusion, Urbis recommends the following:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Conditions of Consent. Archaeological management should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.

- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

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APPENDIX A - ARCHAEOLOGICAL TECHNICAL REPORT

DRAFT ABORIGINAL ARCHAEOLOGICAL TECHNICAL REPORT

345 Appin Road, Appin, NSW
Tharawal Country

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Report Number	Draft 01 issued to client for review 12/01/24 Draft 02 issued to client for review 01/05/24

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Aboriginal and Torres Strait Islander people make in
creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices, the Traditional
Owners on whose land we stand.**

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EXECUTIVE SUMMARY

Urbis Pty Ltd (Urbis) undertook an archaeological survey and test excavation program on behalf of Ingham Property Group ('the proponent') for 345 Appin Road, Appin, NSW, legally described as Lot 105 in Deposited Plan (DP) 1188670 in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a).

The archaeological survey and test excavation were conducted in line with the recommendations of the Aboriginal Cultural Heritage Assessment Report (ACHAR) for the subject area (Urbis 2023). The ACHA was undertaken to support a Planning Proposal which is being undertaken as a State-led Planning Proposal and, as such, no physical works are proposed. This Archaeological Technical Report (ATR) has been prepared to accompany the ACHAR.

The conclusions of the ACHAR are summarised as follows:

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area.
- Three previously registered AHIMS sites of Grinding Grooves (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) were located in close proximity to the subject area outside of the western boundary.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas.
- Due to the presence of sensitive landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- Currently, there is no impact or harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusions an archaeological survey and test excavation program were conducted to inform the understanding of the nature, extent, integrity and research significance of the Aboriginal archaeological resources within the subject area.

Following the results of the survey and test excavation program the following conclusions were made:

- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- One Aboriginal object was observed during the archaeological survey found within a rock shelter within a deeply incised creek gully transversing SU6 and SU7. The rock shelter has been registered as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD.

- A further rock shelter was observed in Ousedale Creek with potential to have been utilised by aboriginal people. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD.
- The test excavation undertaken in the subject area recovered 51 Aboriginal objects, all stone artefacts, from a total of 143 excavated test pits.
- A low-density artefact scatter (AHIMS ID# 52-2-4945: 345 Appin Road AFT 1) was observed in area E consisting of two stone artefacts. No other artefacts were recovered at this location.
- A low-density artefact scatter (AHIMS ID# 52-2-4946: 345 Appin Road AFT 2) was observed in area M consisting of two stone artefacts. No other artefacts were recovered at this location.
- The highest concentration of artefacts was located on an elevated creek terrace in the north-western portion of the subject area in a partially disturbed context consisting of 47 artefacts recovered from 14 out of a total of 28 test pits. This area was registered as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1.
- Test excavation confirmed the predictions of the desktop assessment that the subject area had high potential for Artefact Scatters / Campsites, Isolated Finds and PADs. Test excavation results, however, indicate that the archaeological potential is predominantly confined to areas in proximity to the major creeks in the western portion of the subject area. The ephemeral waterways in the eastern portion of the subject area have low potential, further reinforced by high levels of disturbance due to dams and livestock activity. Due to landforms with low archaeological sensitivity confirmed during the archaeological test excavation program, and due to areas of moderate to extreme levels of disturbance, potential in the remainder of the subject area is nil to low for all archaeological site types.
- The subject area is assessed as having high Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and low scientific (archaeological) value as a common example of a low-density stone artefact-bearing site within the Cumberland plain. UPDATE FOLLOWING STAGE 4.
- The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are yet proposed. The Environmental Conservation Land in the draft structure plan corresponds with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas are the least disturbed portions of the subject area with the highest archaeological potential due to proximity to water ways. AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD are located within these areas designated as Environmental Conservation Land.

In view of the above conclusions, the following recommendations are made:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Condition of Consent. archaeological remains should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA.

Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

1. INTRODUCTION AND PROJECT BACKGROUND

1.1. PROJECT BACKGROUND

Urbis Pty Ltd (Urbis) has been engaged by Ingham Property Group ('the proponent') to undertake an archaeological survey and test excavation program in support of the Planning Proposal for the rezoning of for the North Appin Precinct at 345 Appin Road, Appin, NSW legally described as Lot 105 in Deposited Plan (DP) 1188670 ('the subject area') (Figure 1 and Figure 2). The subject area is located within the Greater Macarthur Growth Area, approximately 35 km north of Wollongong and 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within the Campbelltown LGA. The entire site is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC). The archaeological investigations inform an Aboriginal Cultural Heritage Assessment (ACHA) of the subject area (Urbis in prep.) The subject area is predominantly undeveloped semi-rural agricultural land, with highly modified portions in the previous locations of large-scale chicken sheds and access roads.

The archaeological survey and test excavation program was undertaken to investigate whether any surface or subsurface Aboriginal archaeological deposits or features are present within the subject area and, if so, to determine the nature, spatial and stratigraphical extent, condition and integrity of those deposits. The present Archaeological Technical Report (ATR) details the methodology and findings of the archaeological survey and test excavation program.

The ATR has been prepared in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW), 2010) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

1.2. PROPOSED WORKS

As the majority landowner within the North Appin precinct, the Proponent seeks a planning pathway to establish a new community within the Greater Macarthur Growth Area. Through a cultural landscape-led approach, the proposed rezoning seeks to deliver high-quality housing with a genuine connection to the region's cultural history, natural assets and the existing Appin township. Altogether, the draft structure plan for the site proposes the following:

- Delivery of approximately 3,000 new dwellings by 2045.
- Accommodate a new community of circa. 9,000 people.
- Delivery of key community infrastructure that provides learnings through the traditional custodians to existing and future community members about country.
- Development that will foster the connection to country through initiatives that strengthen the connection between people and the land, flora and fauna.
- Development that reinforces and complements the character of Appin as a rural village that is a unique and desirable place to live.

The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are yet proposed. Figure 3 below shows a draft structure plan for the subject area. It should be noted that the Environmental Conservation Land, shaded green, corresponds with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas, as discussed below, are the least disturbed portions of the subject area with the highest archaeological potential.

1.3. OBJECTIVES

The objectives of the archaeological survey and test excavation presented in this Aboriginal Archaeological Technical Report are to:

- Present background research (environmental and archaeological) in order to identify any Aboriginal site location and distribution trends and potential influence of landscape and environmental form on potential sites.
- To investigate the levels of disturbance and impact that previous historical activities may have had within the study area that may have removed archaeological signatures in the landscape.
- Present an archaeological predictive model for the study area, based on background research and assessment.
- Present results of the field survey and test excavation within the study area in order to locate and investigate the Aboriginal archaeological resource and its nature and extent.
- Identify the archaeological potential within the study area.
- Assess the significance of identified sites within the study area, through archaeological field work, and detailed consultation with project RAPs.
- Identify impacts the proposed activity may have to identified Aboriginal sites, values and significance.
- Identify opportunities for conservation management (i.e. avoidance of sites) where possible.
- Recommend management and mitigation strategies for management of the Aboriginal archaeological resource within the study area.

This report complies with the requirements of the Code of Practice. Please refer to Table 1 for details on where each requirement is met. Please note, the below table refers to sections of the accompanying ACHAR for some requirements. Where this is the case, the ACHAR provides a more detailed overview of the requirement, which will be summarised within this ATR. The relevant sections of both the ACHAR and the present ATR are indicated.

Table 1 – Code of Practice Requirements

Requirement	Response
1 – Review previous archaeological work	ACHAR Section 4.2 ATR Section 2
2 – Review the Landscape Context	ACHAR Section 5 ATR Section 3
3 – Summarise and discuss the local and regional character of Aboriginal land use and its material traces.	ACHAR Section 4 ATR Section 5
4 – Predict the nature and distribution of evidence	ACHAR Section 6 ATR Section 4
5 – Archaeological Survey	ATR Section 4
6 – Site definition	ATR Sections 4.4 & 5.5 and Appendix C

Requirement	Response
7 – Site recording	ATR Sections 4.4 & 5.5 and Appendix C
8 – Location information and geographic reporting	ATR Sections 4.4 & 5.5 and Appendix C
9 – Record survey coverage data	ATR Section 4
10 – Analyse survey coverage	ATR Section 4
11 – Archaeological Report content and format	The ACHAR and ATR have been formatted in accordance with the requirements of the Code of Practice.
12 – Records	Records have been stored and will be made available upon request.
13 – Notifying DECCW and reporting	This assessment has complied with the Code of Practice. Urbis will provide all information on request.
14 – Test Excavation which is not excluded from the definition of harm	No excavation was undertaken in any of the identified areas or exclusion zones.
15 – Pre-Conditions to carrying out Test excavation.	Urbis has complied with all requirements for notification, strategy and consultation prior to commencing excavation.
16 – Test excavation that can be carried out in accordance with this code.	Test excavation was undertaken in accordance with the requirements of the Code of Practice. Management protocols for objects uncovered are in accordance with the protocols.
17 – When to stop test excavation.	Test excavation was ceased following the testing of an adequate sample of the subject area.
18 – Artefact recording.	Artefact recording complies with the requirements of the Code of Practice.
19 – Attribute recording	Attribute recording complies with the requirements of the Code of Practice.

Requirement	Response
20 – Photography and drawing	Photographs and drawings have been stored and will be available on request.

1.4. INVESTIGATORS AND CONTRIBUTORS

This ATR has been prepared by Owen Barrett and Kirsten Downey (Urbis Consultant Archaeologists). Review and quality control were undertaken by Sam Richards (Urbis Associate Director Archaeology) and Balazs Hansel (Urbis Director Archaeology).

Owen Barrett holds a Bachelor of Arts (Archaeology and Paleoanthropology) and a Diploma (Indigenous Archaeology) from the University of New England. Kirsten Downey holds a Bachelor of Arts (Honours – Archaeology) from the University of New England. Sam Richards holds a Bachelor of Arts (Honours - First Class in Archaeology) from the University of Liverpool, United Kingdom. Balazs Hansel holds a Masters (History) and a Masters (Archaeology and Museum Studies) from the University of Szeged.

The archaeological survey was conducted by Meggan Walker and Kirsten Downey with assistance from Owen Barrett. The Registered Aboriginal Parties (RAPs) in attendance are indicated in Table 2 below. The personnel responsible for undertaking the archaeological test excavation are indicated in Table 3.

Table 2 – RAP survey attendees

Date	RAP Group	Representative
27 th April	[REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
28 th April	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
1 st May	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]

Table 3 – Excavation Personnel

Name	Organisation	Role
Sam Richards	Urbis	Excavation Director
Meggan Walker	Urbis	Senior Archaeologist
Samara Allen	Urbis	Senior Consultant
Sarah Hawkins	Urbis	Senior Consultant
Owen Barrett	Urbis	Archaeologist
Therese McCormick	Urbis	Archaeologist
Kirsten Downey	Urbis	Archaeologist
Madeline Vitnell	Urbis	Archaeologist
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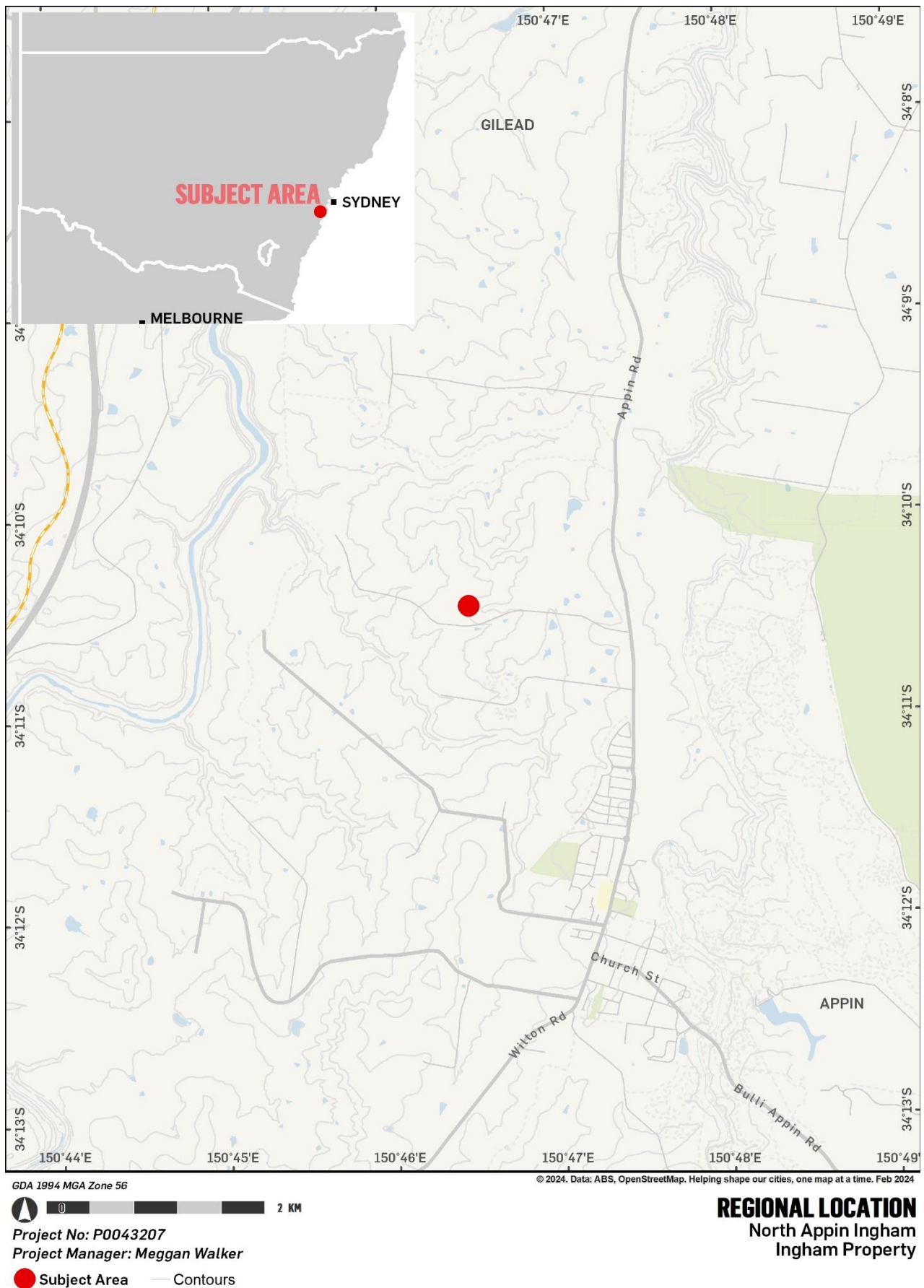


Figure 1 – Regional location

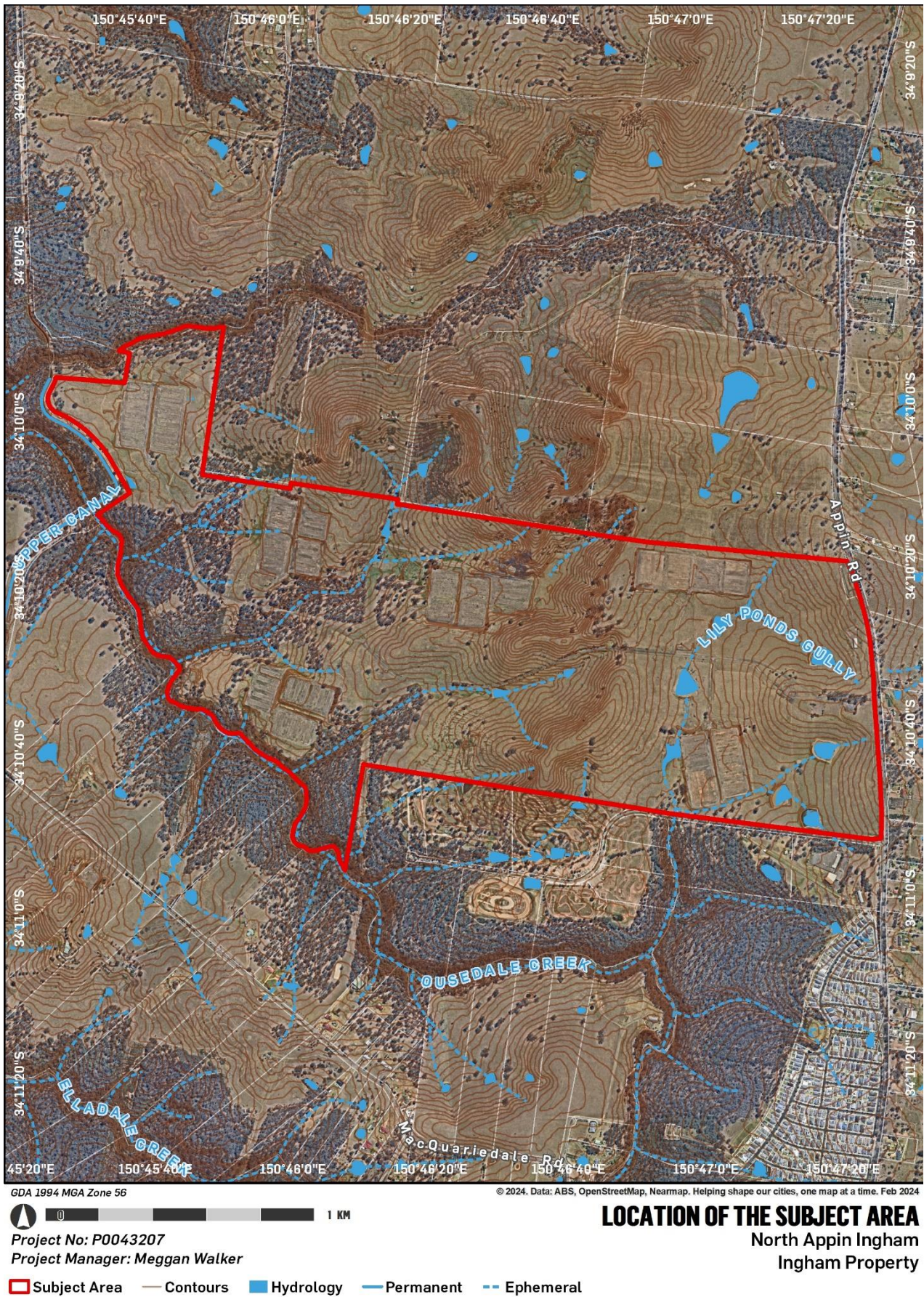


Figure 2 – Subject Area

DRAFT STRUCTURE PLAN

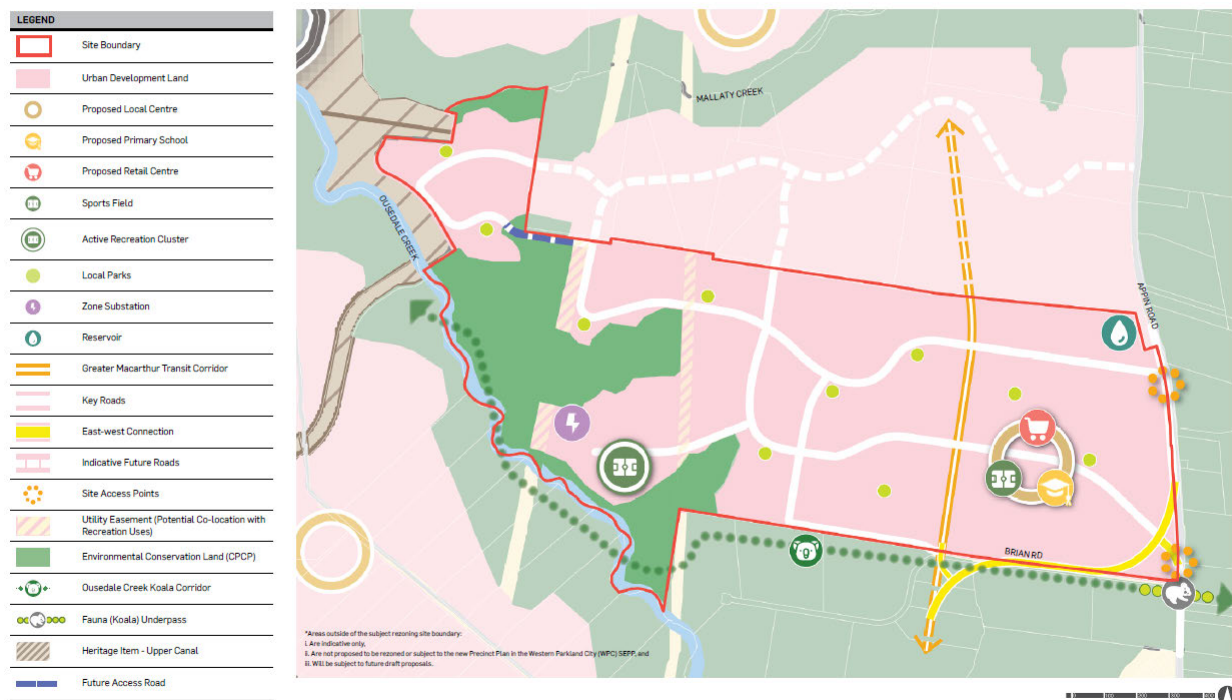


Figure 3 – Draft structure plan
Source: Ingham Property Group, 2024

2. ARCHAEOLOGICAL CONTEXT

A detailed discussion of the archaeological context of the subject area is provided in Section 4 of the accompanying ACHAR. This includes the search of the Aboriginal Heritage Information Management System (AHIMS) and previous archaeological investigations pertinent to the subject area and broader region. Presented here is a summary of the archaeological context of the subject area.

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area. Three previously registered Grinding Groove sites are located within close proximity to the western boundary of the subject area (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583).
- On the basis of the Extensive search results, Artefact Scatters, Isolated Finds, PAD's, Shelters with Art, Scarred Trees, and Grinding Grooves have the potential to occur in the subject area.
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Locations of the Appin Massacre Cultural Landscape are located within close proximity to the subject area, though did not occur within the bounds of the subject area.
- The Greater Macarthur Investigation Area study provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and post-contact agricultural use of the land may have disturbed Aboriginal sites located in the area.
- An assessment by Niche 2022 concluded that Aboriginal objects occur within the activity area with high potential for further Aboriginal objects to be present on the surface and subsurface. The study indicates there is also a high likelihood to find similar Aboriginal sites such as Shelter with Artefacts, Scarred Trees, and Isolated Finds are likely to occur on archaeologically sensitive landscape features of terraces above or within drainage lines, and creek gullies within the present subject area.
- The results of an assessment by GML in 2022 indicates a high tangible and intangible cultural heritage exists in the Appin area through the identification of movement corridors, one of which is located at Appin Road in close proximity to the subject area.

3. ENVIRONMENTAL CONTEXT

The environmental context for the study area is elaborated in Section 5 of the accompanying ACHAR. Presented here is a summary as identifies through desktop assessment and field survey.

- The subject area includes floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, interspersed with deep drainage lines with steep embankments. There is significant sandstone outcropping towards the west and south-west of the site. This varied landscape would have likely provided past Aboriginal people with a diverse range of land use opportunities, rendering it generally sensitive for Aboriginal objects and places.
- The subject area is situated between the Georges and Nepean Rivers – two major and significant waterways. The subject area also includes a converging point between Mallaty Creek and Ousedale Creek, with other tributaries disbursed throughout the site. Lily Ponds Gully is also located within the subject area's south-west. This proximity to numerous waterways likely increases the sensitivity of the subject area for Aboriginal objects and places.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape occupies the majority of the study area. All soil types within the Blacktown soil landscape are moderately susceptible to sheet erosion following vegetation clearance. This soil landscape is generally considered sensitive for Isolated Finds, Artefact Scatters, Grinding Grooves, Rock Engravings and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape occurs along the Ousedale Creekline, throughout the south-western extent of the site. Its erosion hazard is generally very high and ranges from moderate to extreme. The outcrops of sandstone associated this soil landscape are considered archaeologically sensitive for Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape occupies a portion of the site to the northeast. All soil types within the Luddenham soil landscape are moderately erodible. Aboriginal objects retained in natural soil deposits are, therefore, likely to be impacted. This soil landscape is considered sensitive for Isolated Finds.
- Native vegetation is present in the subject area. This appears to be predominantly regrowth. There is, however, potential for Aboriginal scarred or modified trees to be present within the subject area.
- As the subject area has been used for agricultural purposes throughout its history, it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.

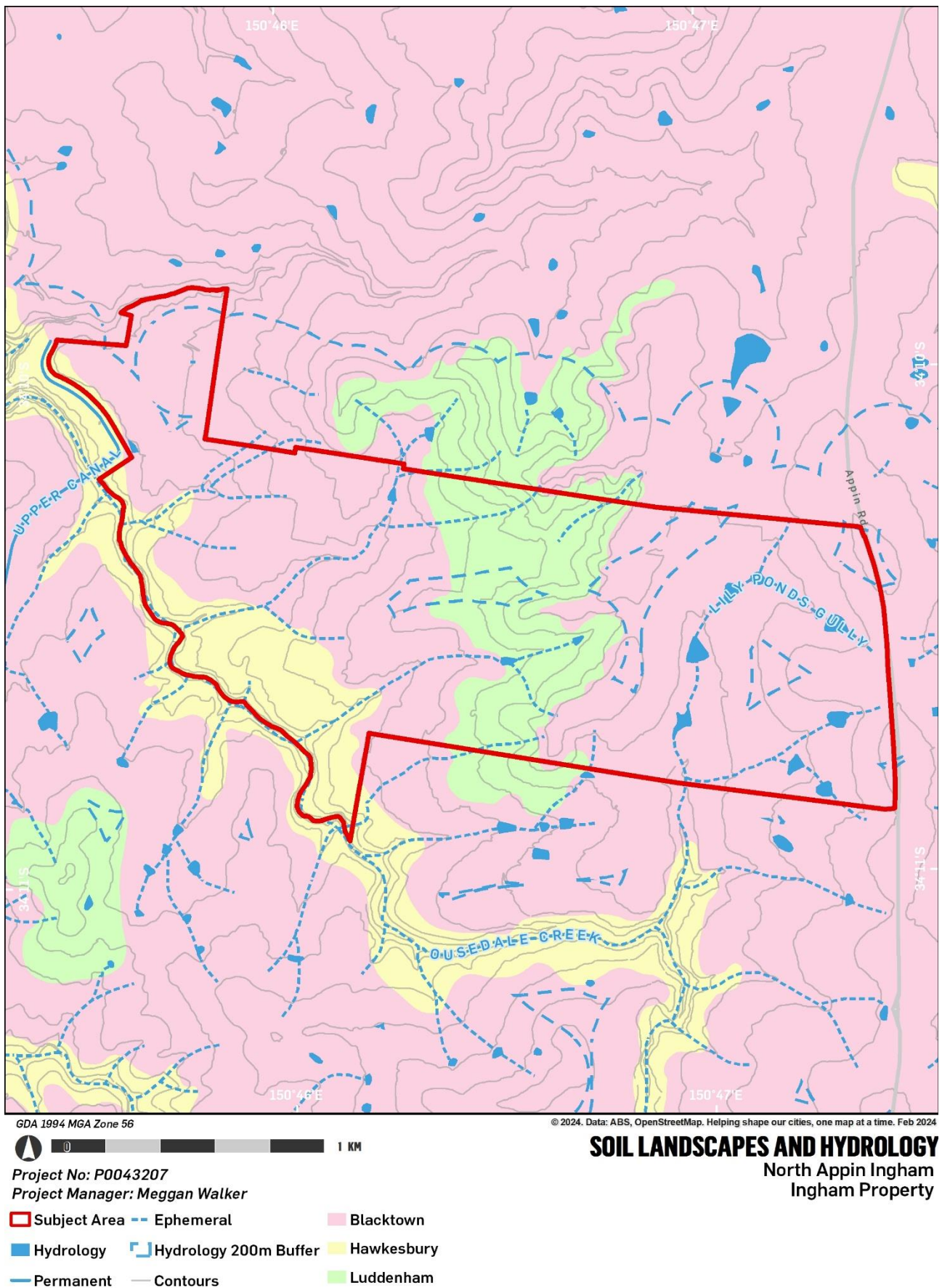


Figure 4 – Soil Landscapes and Hydrology

4. ARCHAEOLOGICAL SURVEY

Heritage New South Wales (formerly the Office of Environment and Heritage) state, 'the purpose of an archaeological field survey is to record all (or a representative sample of all) the material traces and evidence of Aboriginal land use that are:

'...visible at or on the ground surface, or exposed in sections or visible as features' (e.g. rock shelters, rock art, scar trees) and to identify those areas where it can be inferred that, although not visible, material traces or evidence of Aboriginal land use have a likelihood of being present under the ground surface (potential archaeological deposits).' (OEH 2010a:12).

The subject area was surveyed in accordance with the requirements as set out in OEH statutory guidelines 'Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales' (Part 6 National Parks and Wildlife Act 1974).

The archaeological survey of the subject area was undertaken on 27th April, 28th April, and 1st May 2023. The purpose of the survey was to adequately record the material traces and evidence of Aboriginal land use within the subject area. Urbis Senior Archaeologist Meggan Walker and Urbis Consultant Archaeologist Kirsten Downey conducted the archaeological survey, with a total of six RAP site officers in attendance on different days over the three-day period. Representatives and dates attended are listed in Table 2 above.

4.1. SURVEY SAMPLING STRATEGY

The purpose of the survey was to inspect visible ground surfaces, soil exposures and visible soil profiles, in order to identify whether surface Aboriginal artefacts are present to further determine the potential for Aboriginal archaeological deposits within the subject area. The survey also provided the project RAPs the opportunity to identify any additional cultural sites or identifiable features if present, such as culturally sensitive trees and grinding grooves. The survey aimed to allow for discussion of the project with the RAPs, encouraging questions and comment on the proposed cultural heritage methodology, and input into the proposed process of Aboriginal archaeological management going forward for the project.

The current project is being undertaken as a state-led rezoning proposal and, as such, no specific impacts are yet specified. The draft Structure Plan for the subject area includes areas of Environmental Conservation Land corresponding with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas are the least disturbed portions of the subject area with the highest archaeological potential. While the rezoning proposal does not include impact to these areas, they were included in the archaeological survey to allow for detailed design scenarios within future development proposals.

The subject area was, therefore, surveyed with the goal of 100% coverage, where possible. The subject area was divided into seven Survey Units (SUs) loosely defined by natural creek lines, landforms, and arbitrary boundaries. The division into SUs was largely based upon logistical requirements for the large subject area.

Particular emphasis was placed on landforms known for Aboriginal heritage sensitivity such as ridgelines and other elevated areas, and areas within 200m of creek lines. Large, heavily modified areas received less emphasis. Visibility and exposure were recorded for each survey unit.

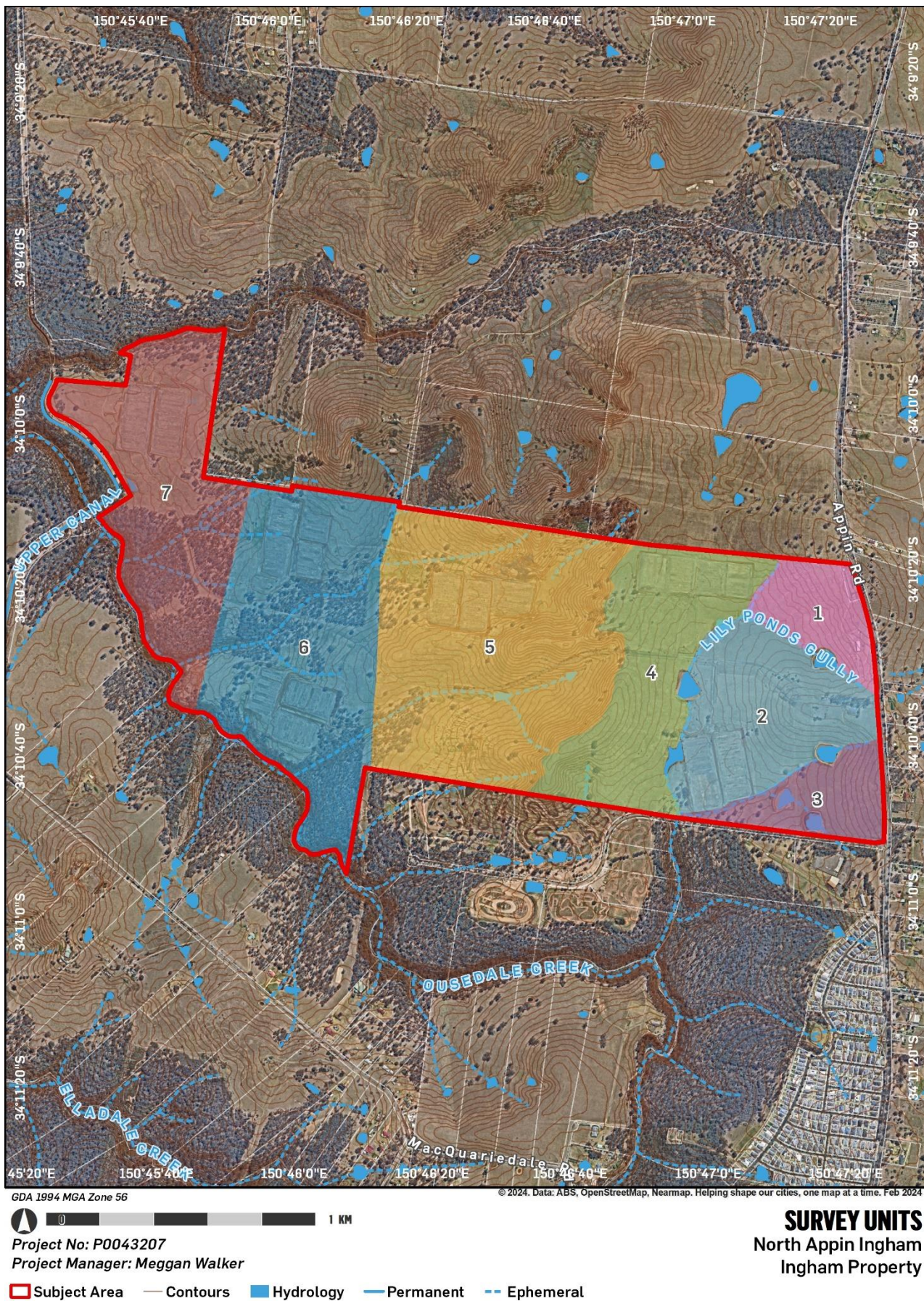


Figure 5 – Survey units dividing the subject area for the purpose of the archaeological survey.

4.2. FIELD METHODS

In accordance with Heritage NSW recording requirements, the subject area was surveyed according to survey units, landforms, and landscapes. The survey was conducted on foot and aimed to achieved 100% coverage of the subject area. RAPs were invited to participate in this survey.

The survey team traversed the subject area utilising GPS navigation, with reference to aerial photographs. Spacing between survey team members was 5m – 10m with Urbis Archaeologists with GPS trackers at each end of the group. Spacing was increased when deemed necessary due to constraints such as dense vegetation, steep or hazardous terrain such as steep eroding creek banks, heavily disturbed areas and any other site-specific variables. In instances where closer examination was warranted such as exposures or potentially culturally significant trees spacing was not adhered to allow for adequate assessment.

Survey units were recorded through a combination of digital photography and field notes including observations of exposure and visibility, levels of disturbance, erosion, vegetation, and the presence of Aboriginal sites or PADs, and other relevant observations or features. GPS waypoints were recorded for exposures, sites and features. GPS tracking was utilised to record effective coverage and can be seen in Figure 6 below. Following the survey it became apparent, however, that one of the GPS units was not recording tracklogs. The blue tracks in Figure 6 are instead derived from waypoints recorded and are indicative only.

The beginning and end points of transects were guided by the logistics of accessing the survey units in an efficient manner, constrained by the location of fences and gates for access.

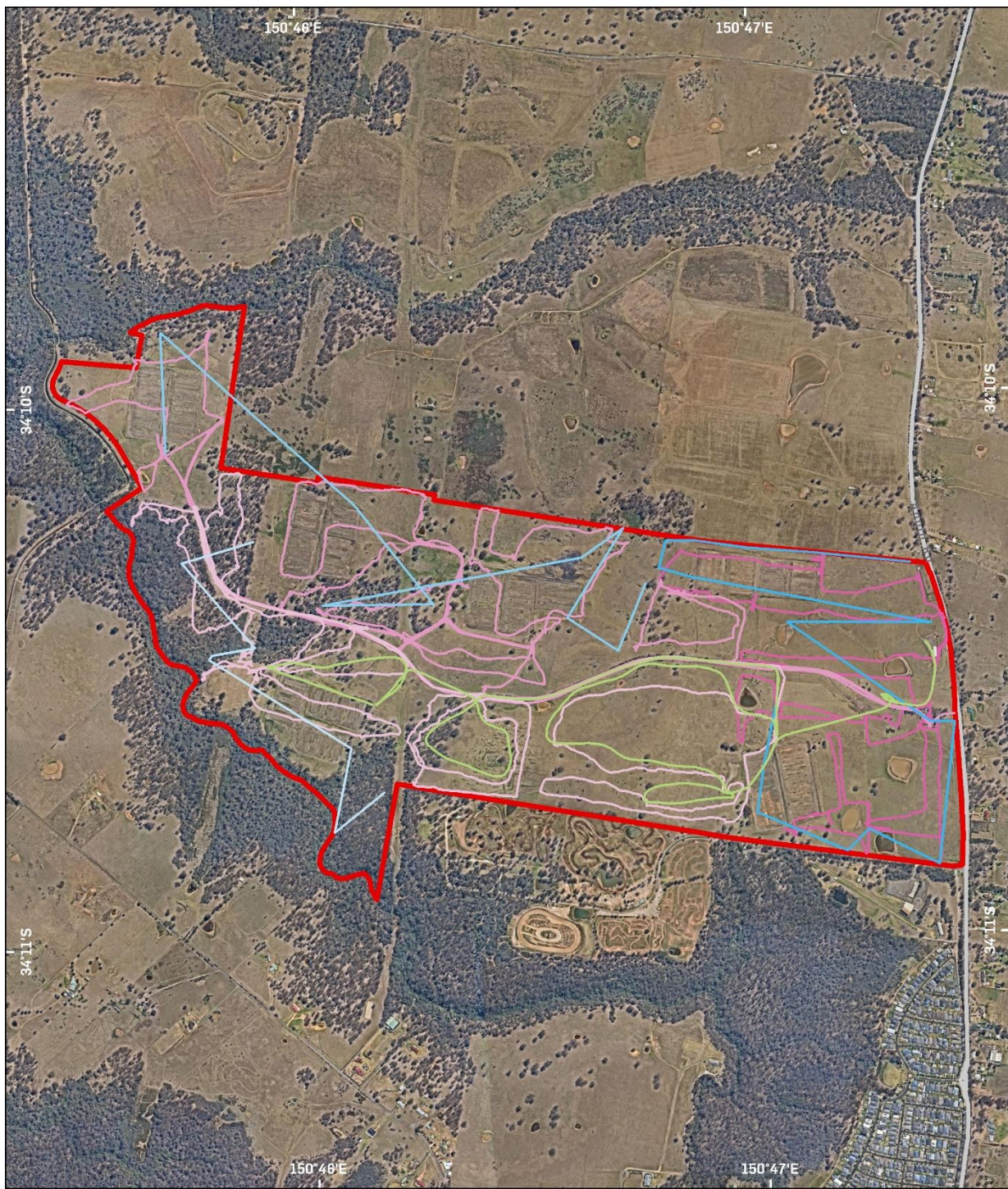


Figure 6 – Survey track logs with GPS trackers depicting the transects walked during the survey.

4.3. RESULTS

The subject area can be broadly described as undulating slopes originating in the eastern portion of the subject area from the ridgeline on which Appin Road is located, and including a ridgeline at the boundary between SU4 and SU5, sloping towards the western portion where the deeply incised Mallaty Creek and Ousedale Creek form the property boundaries.

The eastern portion of the subject area contained Lily Ponds Gully, an ephemeral first order creek, now dammed and with no flowing water. The western portion of the subject area contained similar first order creeks, however the creek transversing the subject area through SU6 and into the southern portion of SU7 had flowing water at the time of the survey.

The subject area consisted of cleared areas currently utilised for grazing purposes, areas heavily vegetated with eucalypt regrowth, and heavily disturbed areas previously used for chicken sheds (demolished). These areas required extensive cut and fill to considerable depths to provide level surfaces.

Generally, visibility was low across the survey units due to the thick vegetation and long grass present. Visibility for surface finds was limited to exposures resulting from disturbance including, paths and tracks, heavily grazed areas, dam embankments, and localised erosion scours (caused by cattle movement/impacts) and within rock shelters.

One Aboriginal object was observed during the archaeological survey consisting of a red silcrete flake found within a rock shelter within deeply incised tributary of Ousedale Creek in SU7. The rock shelter has been registered on AHIMS as AHIMS ID# 52-2-4942 Ousedale Creek AFT and PAD. A further rock shelter was observed further south in Ousedale Creek. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944 Ousedale Creek PAD. These sites are discussed below in Section 4.4.

The Archaeological survey results guided the locations investigated during the archaeological test excavation program outline in Section 5.

4.3.1. Survey Units and Landforms

In accordance with HNSW requirements, the percentage of exposures and ground surface visibility (GSV) was estimated for each survey unit. Survey units and survey coverage are summarised in Table 4, with the location of all survey units presented in Figure 5.

Table 4 – Field survey data – Survey coverage

Survey Unit	Landform	Survey Unit Area (m ²)	Visibility (%)	Exposure (%)	Effective Coverage (m ²)	Effective coverage (%)
SU1	Simple slopes	103,370	<5	<5	258	0.25
SU2	Ridge, Simple slopes	389,420	<5	<5	974	0.25
SU3	Simple slopes	145,840	<5	<5	365	0.25
SU4	Ridge, Simple slopes	388,220	<5	<5	971	0.25
SU5	Ridge, Simple slopes	807,010	<10	<5	4035	0.5

Survey Unit	Landform	Survey Unit Area (m ²)	Visibility (%)	Exposure (%)	Effective Coverage (m ²)	Effective coverage (%)
SU6	Flats, Creek terraces	698,670	<5	<5	1747	0.25
SU7	Flats, Creek terraces	450,420	<5	0	0	0

Survey Unit 1 (SU1)

Survey Unit 1 covered approximately 103,370 m². The south-eastern portion of the SU contained areas of disturbance that included an extant shed and vehicle tracks running north to south.

The remaining area of SU1 consisted of simple slopes. The landform element ran downslope from Appin Road in the east to the disturbed flats to the west and Lily Ponds Gully to the south.

At the time of the survey, SU1 was utilised as cattle pasture, and vegetation consisted of exotic grasses which reduced GSV to less than 5%. Exposures were also less than 5% limited to the vehicle track, eroded areas adjacent to the extant shed, cattle tracks and dam embankments.

No Aboriginal objects were identified within SU1. Images of SU1 are shown in Figure 7 to Figure 10 below.



Figure 7 – Typical terrain of SU1 showing grassy paddock area. View west.



Figure 8 – Typical terrain of SU1. View south from the northeastern point.



Figure 9 – Photo of extant farm shed and uneven terrain from disturbance by cattle grazing. View east.



Figure 10 – Photo of dam in SU1 showing modification to original environment in surrounding area. View south.

Survey Unit 2 (SU2)

SU2 covered approximately 389,420 m². SU2 consisted of a ridgeline and simple slopes from a vehicle track downward to the west toward the two dams on Lily Ponds Gully. Visibility was low at less than 5% and exposures limited to the vehicle track and the exposed area surrounding the dams (<5%).

The access road to the subject area divided SU2 into two areas. In the central portion of SU2, disturbance consisted of the remains of farmhouse structures, roads and associated infrastructure such as fencing. Remnant vegetation was mainly contained to these areas of disturbance.

The southern portion of the SU consisted of lower slopes towards a large, terraced chicken flat in the west. Some remnant vegetation was present in the far south-west corner. The chicken flat area was identified as an area of extreme disturbance due to the previous historical land use of the subject area. Lily Ponds Gully and drainage lines leading into it were also heavily modified with dams and earth embankments.

No Aboriginal objects were identified within SU2. Images of SU2 are included in Figure 11 to Figure 14 below.



Figure 11 – Dam present in SU2 showing disturbance to area surrounding. View south.



Figure 12 – Disturbed bitumen area in central portion of SU2. View north.



Figure 13 – Extreme disturbance in chicken flat area in SU2. View south.



Figure 14 – Extreme disturbance present in SU2 showing vehicle tracks and mounds of imported soils. View north.

Survey Unit 3 (SU3)

SU3 covered approximately 145, 840 m². SU3 consisted of a simple slope leading from Appin Road in the east to Lily Ponds Gully in the western portion of the area.

SU3 contained three dams associated with Lily Ponds Gully and its drainage lines. The SU was heavily grassed with sparse strands of native trees, predominately regrowth. Visibility was low at less than five percent and exposures likewise less than 5% being limited to dam edges.

During the survey, what was thought to be grinding groove sites were identified. However, upon further inspection it was determined not to be a site due to the highly disturbed surrounding context. One potential grinding groove site consisted of a boulder with linear marks on a dam wall. It was assessed that the marks were likely caused by machinery during construction of the dam wall (Figure 18). A further potential grinding groove sites was located in the area to the south of the SU2 chicken flats. It consisted of a rock outcrop with line markings faintly visible. Upon further review, it was concluded these markings were most likely from machinery as the rock outcrop was located within a heavily modified drainage line adjacent to the terraced chicken flat. The striations were very regular and appeared to have been caused by the teeth on an excavator bucket (see Figure 19).

No Aboriginal objects were identified within SU3. Images of SU3 are shown in Figure 15 to Figure 20 below.



Figure 15 – SU3 typical terrain of heavily grassed paddock. View west.



Figure 16 – SU3 showing the two dams present. View west.



Figure 17 – Disturbed boulders on the side of the dam wall. View south.



Figure 18 – Close up of rock with linear striations interpreted to have been caused by machinery. View north.



Figure 19 – Area of exposed rock outcrop directly adjacent to disturbed area of imported soil mounds evident in the background of the photograph. View north.



Figure 20 – Close up of the rock outcrop showing linear markings. Note the regularity of the lines interpreted to have been made by machinery.

Survey Unit 4 (SU4)

SU4 covered approximately 388,220 m². The SU predominately consisted of a ridgeline on its western edge which ran from the subject area's highest point on the northern boundary, continuing to the southern boundary, with a small saddle crossed by the subject area's access road (Figure 22). The SU sloped towards Lily Ponds Gully in the east. Slopes were moderately steep. Remnant vegetation was present along the ridge predominantly in the northern portion of the landform and more sparsely in the south.

The northern portion of SU4 consisted of a disturbed chicken flat area located on lower ground (Figure 21). The original landform had been modified by the historical disturbance though was likely to have been flat ground. Disturbance in SU4 was contained to the chicken flat area, a vehicle track running through the centre of the SU, and the area surrounding the dam.

The southern portion of SU4 consisted of the landforms of a mid-slope and lower slope. The area was heavily grassed and had been used for animal grazing purposes.

Visibility was less than 5% in SU4, limited exposures (<5%) in vehicle tracks and the dam wall. No Aboriginal objects were identified within SU4. Images of SU4 are shown in Figure 21 to Figure 26 below.



Figure 21 – SU4 Disturbed Chicken Flat area in the northern portion of the SU. View west.



Figure 22 – SU4 showing the western slope of the ridgeline present in the northern portion of the SU.



Figure 23 – View from the ridge facing north.



Figure 24 – View of the slope on the ridgeline facing west.



Figure 25 – Example of the slope facing south.



Figure 26 – View of the crest in the southern portion of SU.

Survey Unit 5 (SU5)

SU5 covered approximately 807,010 m². The landforms of SU5 were varied. A mid slope landform was present off the ridge in the eastern boundary.

There was an upper slope present in the northern portion of the SU (Figure 27). This northern portion contained an area of modified terrain (Figure 28) The terrain consisted of disturbed chicken flats in the north of the subject area with large areas of exposed ground. The exposures likely related to the erosion of the ground surface (Figure 29). There were also ridges present in the central portion of the SU (Figure 30).

The terrain contained steep slopes in the northern portion of the SU. In the southern portion of the SU, the terrain consisted of a paddocked area that was mostly cleared (Figure 31). Some patches of remnant vegetation and a creek line were present (Figure 32).

The subject area's access road traversed SU5 adjacent to a dammed drainage line forming a tributary to Ousedale Creek.

Visibility was less than 5% in SU4, limited to eroded vehicle tracks, erosion scars and a cutting for the access road in disturbed areas. No Aboriginal objects were identified during the survey in SU5.



Figure 27 – Photo of SU5 showing the landform of an upper slope in the northern portion with disturbance present. View north.



Figure 28 – Modified terrain and chicken flat area present in SU5. View south.



Figure 29 – Exposures present in northern portion of SU5. View north.



Figure 30 – rolling ridgeline present in SU5. View north.



Figure 31 – Typical terrain of southern portion of SU5 showing cleared area. View north.



Figure 32 – Creek line present in southern portion of SU5. View south.

Survey Unit 6 (SU6)

SU6 covered approximately 698,670 m². The area consisted of two disturbed chicken flat areas and a large area of remnant vegetation. The landform in SU6 consisted of undulating gentle slopes incised by two main creek lines and smaller drainage lines. Two large areas had been developed for chicken flats. The access road divided the SU into two parts which were surveyed on different days.

The central portion of SU6 contained a tributary of Ousedale Creek which contained flowing water at the time of the survey. In the western part of SU6 the creek had incised a deep gully which contained numerous rock shelters and overhangs (Figure 37). The majority of these had no direct evidence of human occupation and their small size precluded intensive use by large groups of people, however the potential remains that small groups or individual Aboriginal persons may have utilised these for shelter in the past. One large overhang was identified, however, which contained a red silcrete flake indicating utilisation by Aboriginal people. The site was registered on the Aboriginal Heritage Information System (AHIMS) as AHIMS ID# 52-2-4942 Ousedale Creek AFT and PAD and is discussed in greater detail below in Section 4.4.1.1.

A further rock overhang was observed in Ousedale Creek at the southern end of SU6 located on the western creek bank. No direct evidence of Aboriginal occupation was observed however its size indicated potential use as a shelter. A sandy deposit in the shelter indicated potential for sub-surface Aboriginal objects. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD and is discussed in greater detail below in Section 4.4.1.1.

An area of rock outcrop was present in close proximity to the creek line. Evenly distributed claw markings were present across the outcrop. Upon further review the marks were deemed to be a result of machinery. There were large piles of aluminium roofing associated with the demolition of the chicken sheds nearby to the rock outcrop which added to the conclusion that machinery had disturbed the area (Figure 38).

No rock art was observed in any of the shelters observed during the archaeological survey.

Visibility was less than 5% in the majority of SU5, limited to vehicle tracks and erosion scars in disturbed areas. Visibility in rock shelters and beneath overhangs was around 20 - 80% depending on the degree of rockfall. No further Aboriginal objects were identified during the survey in SU5.



Figure 33 – Example of exposure in SU6. View north.



Figure 34 – Disturbance associated with chicken flats in northern portion of SU6. View south.



Figure 35 – Young eucalypt trees within SU6; embankment for chicken flats on right.



Figure 36- Disturbed chicken flats in southern portion of SU6. View north.

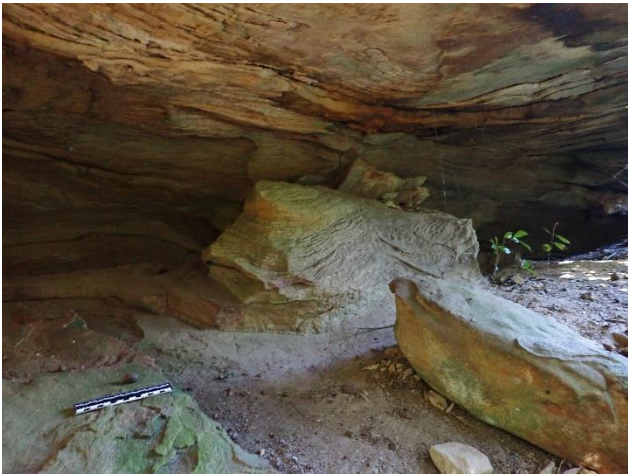


Figure 37 – An example of a small rock overhang next to creek line. View east.



Figure 38 – Rock outcrop located close to the creek gully containing rock overhangs.



Figure 39 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD; view south



Figure 40 – Red silcrete flake identified in AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD.



Figure 41 – AHIMS ID# 52-2-4944: Ousedale Creek PAD view north. Sandy deposit visible in foreground.



Figure 42 – AHIMS ID# 52-2-4944: Ousedale Creek PAD view west.

Survey Unit 7 (SU7)

SU7 covered approximately 450,420 m². SU7 consisted of flats incised by drainage lines. SU7 was divided into two main portions. The northern portion of the SU contained disturbed chicken flat area. There were some exposures present in the area surrounding the disturbance (Figure 43). The locations of chicken flats and cleared areas surrounding them were extremely disturbed through terracing and importation of soils (Figure 44).

The southern portion of SU7 contained dense vegetation, predominantly eucalypt regrowth. The main landforms consisted of steep embankments and upper slopes around the creek lines and drainage lines (Figure 45). There were deeply incised sandstone embankments and small overhangs surrounding the creek lines (Figure 46).

Visibility in SU7 was low at less than 5% due to vegetation. No exposures were observed. No Aboriginal objects were identified within SU5.



Figure 43 – Typical terrain of the northern portion of SU7 consisting of terraces for chicken flats. View east.



Figure 44 – Disturbed area present in SU7.



Figure 45 – Steep embankment at the western boundary of SU7.



Figure 46 – Example of the creek line area with small sandstone overhangs present.

4.3.2. Disturbance

Disturbance was highly varied across the subject area depending on previous utilisation of the landscape. The level of disturbance can be summarised as follows:

- **Low:** In areas utilised primarily for grazing of livestock disturbance was limited.
- **Moderate:** Localised disturbance occurred in areas affected by causes such as ploughing, trenches, cattle tracks and informal vehicle tracks, communications cables, and agriculture infrastructure such as water troughs.
- **High:** Roads, creek crossings, dams and modified drainage lines, locations of current and previous small-scale structures etc. showed a high level of modification of the original landscape. In some locations a high level of erosion appears to have occurred, and in some instances introduced soil and rubbish were deposited.
- **Extreme:** Areas associated with previous industrial scale chicken sheds have been cut and filled to depths of up to approximately five metres. These areas had then been levelled with introduced material. Introduced weeds and grasses in the vicinity of these locations suggest disturbance extended considerably beyond the levelled areas perhaps due to disturbance during construction, utilisation and demolition. Asbestos was observed in several of these locations. An underground gas line corridor transversing the centre of the subject area from south to north is also likely to have resulted in significant ground disturbance.

Vehicle tracks had caused generally high disturbance in localised areas throughout the whole of the subject area as seen in Figure 55.

In Survey Unit 2, the area of high disturbance was contained to the central portion of the survey unit. The area consisted of a flat cleared area that was overlain with a gravel bitumen surface (Figure 47).

Survey Unit 4 contained two areas of extreme disturbance and one area of high disturbance. The extreme disturbance in this survey unit related to the chicken sheds that have since been demolished (Figure 48 to Figure 50). There was also an area of high disturbance in the land surrounding the dam. The land around the dam had been modified from the original environment through the creation of embankment areas (Figure 49).

Further evidence of the extreme disturbance within the footprint of the chicken flat areas was evident in Survey Units 5 and 6. In Survey Unit 5, imported gravel material was present to the north of the chicken flat area showing the disturbance within this location (Figure 52).

Locations within Survey Unit 6 and 7 were also noted to contain these areas of extreme disturbance. The chicken flat locations were identified as containing uneven terrain due to the mounds of imported fill and or waste materials (Figure 53 - Figure 56).

Figure 57 below shows areas of high and extreme disturbance within the subject area. It can be seen that high proportion of the subject area is heavily disturbed by previous industrial scale farming.



Figure 47 – Photo of high disturbance in cleared bitumen area in SU2.



Figure 48 – Photo of extreme disturbance in heavily ploughed chicken flat area in northern portion of SU4.



Figure 49 – Photo of high disturbance in dam embankment area in central portion of SU4.



Figure 50 – Photo of extreme disturbance in chicken flat area in southern portion of SU4.



Figure 51 – Photo of high disturbance showing the vehicle track running in an east to west direction along SU4 and SU5



Figure 52 – Photo of extreme disturbance in northern portion of SU5.



Figure 53 – Photo of extreme disturbance of chicken flat area in northern portion of SU6.



Figure 54 – Photo of high disturbance in clearing of SU6 showing uneven terrain and introduced weeds.



Figure 55 – Photo of extreme disturbance in chicken flat area in SU7 showing mounds of imported soil.



Figure 56 - Typical disturbance within SU7: mounded imported soil and/or waste with infestation of exotic grasses and weeds.

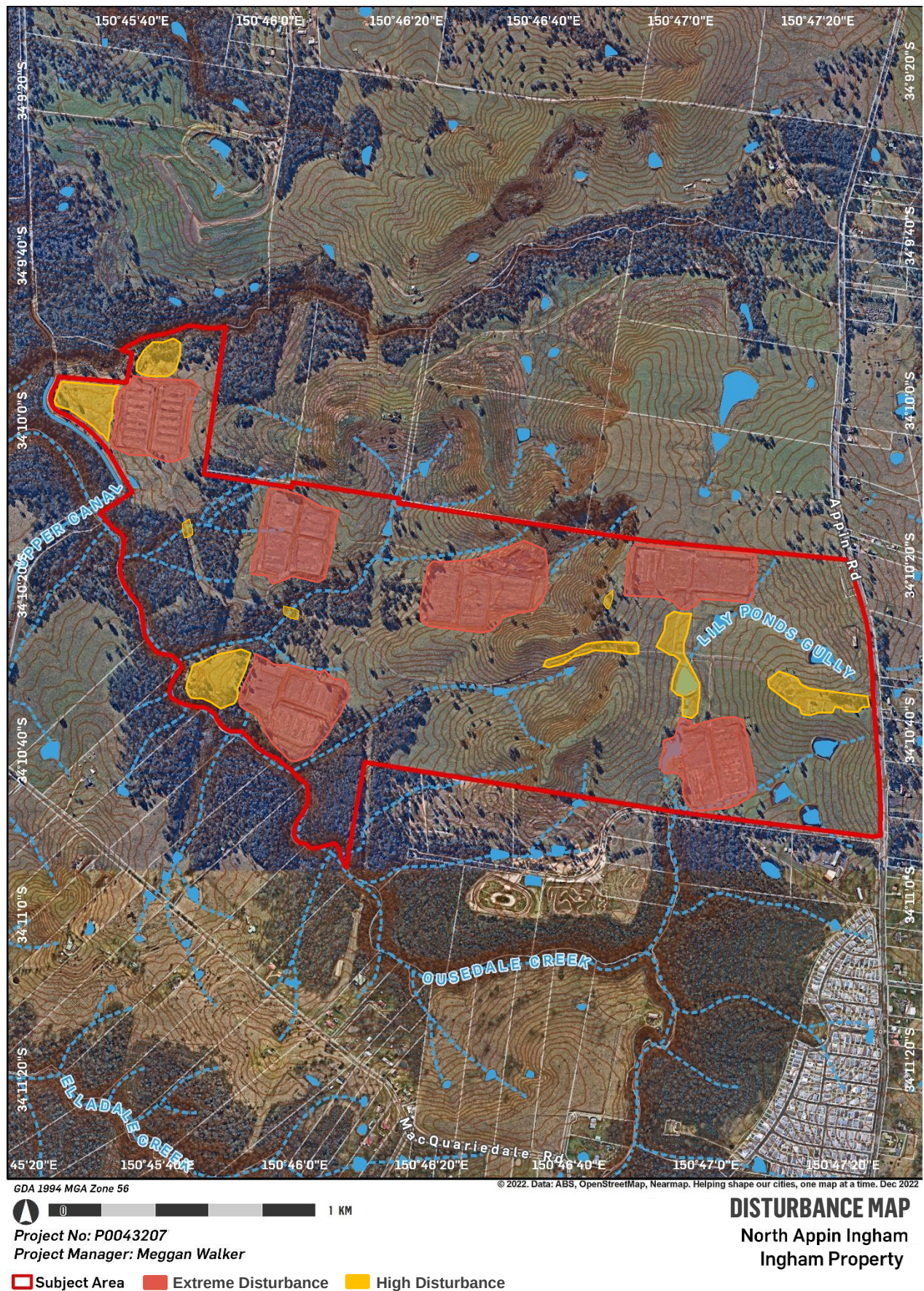


Figure 57 – Disturbance map showing areas of high and extreme disturbance. Other locations appeared either intact or displayed small-scale localised disturbance.

4.4. NEWLY IDENTIFIED SITES

During the archaeological survey two previously unrecorded Aboriginal sites were observed. These consisted of two sandstone rock shelters in deeply incised creek lines. The sites were registered on the Aboriginal Heritage Management System (AHIMS) as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD. AHIMS site cards area attached in Appendix C. The location of the AHIMS registered sites is shown in Figure 66 below.

4.4.1.1. AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD

During the archaeological survey a sandstone rock shelter was identified within SU6 in a gully incised by a tributary of Ousedale Creek. The shelter has been registered on AHIMS as AHIMS ID# 2-2-4942: Ousedale Creek AFT and PAD. The site consisted of one large overhang and a smaller overhang to the west. One red silcrete flake was identified upon a sandy deposit of the main shelter. Another sandy deposit was identified within the smaller shelter. These have the potential to retain further Aboriginal artefacts. Some animal bone was observed on the floor of the shelter however this appeared relatively to be of recent origin. The lithic artefact was not collected in accordance with the Code of Practice and should be subject to a community collection if future development proposals include impacts to AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. It is, however, recommended that in the first instance final detailed design protects this area from impacts.

The larger overhang was approximately 30m long, 5m at its deepest, averaging around 2.5m, and with a height ranging from approximately 1-2m in the rear of the shelter to a maximum of around four metres at the dripline (Figure 58 to Figure 61). Abundant rock fall reduced visibility of the dandy deposit.

AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD is located at [REDACTED].



Figure 58 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. View west.



Figure 59 - AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. Close up. Sandy deposit is evident. View west.



Figure 60 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. View east.

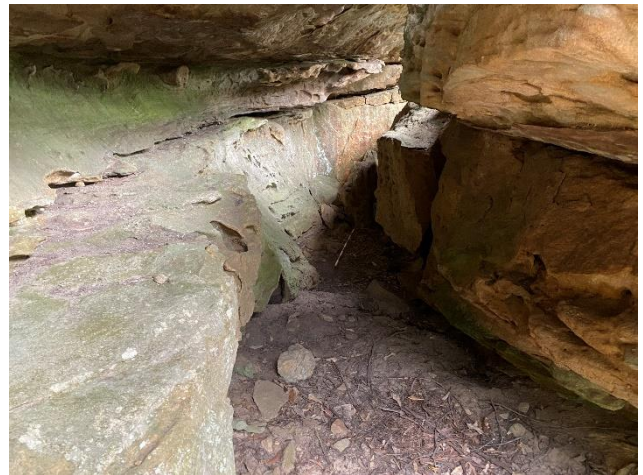


Figure 61 – Smaller overhang to south-west of main shelter with sandy deposit.



Figure 62 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD; creek line on right; view north-east.



Figure 63 – Silcrete flake observed within AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD.

4.4.1.2. AHIMS ID# 52-2-4944: Ousedale Creek PAD

A second rock overhang with potential for human habitation was identified in Ousedale Creek further to the south-east of AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. The potential shelter has been registered on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek Shelter PAD. The potential shelter was located on the western bank of Ousedale Creek. The potential shelter was recorded as approximately 13 metres wide, up to 4m depth and 6 metres high at its highest point. It contained a sandy deposit with potential to retain Aboriginal objects, although no Aboriginal artefacts were observed. No art was observed within the rock overhang.

AHIMS ID# 52-2-4944: Ousedale Creek PAD is located at [REDACTED].



Figure 64 – AHIMS ID# 52-2-4944: Ousedale Creek PAD; sandy deposit is evident; view north.



Figure 65 – view from AHIMS ID# 52-2-4944: Ousedale Creek PAD; sandy deposit in foreground; view east.

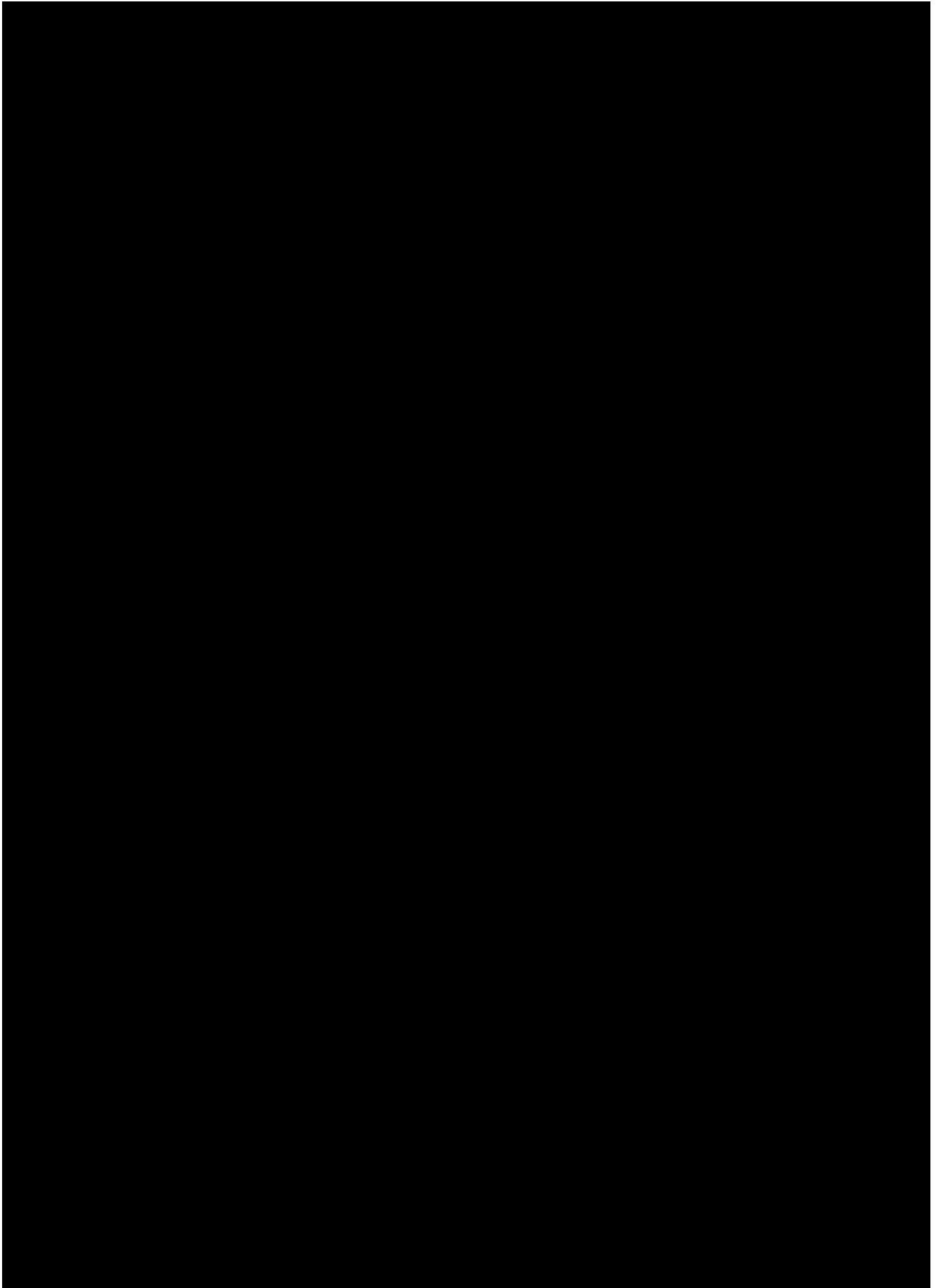


Figure 66 – Newly identified sites within the subject area

4.5. SUMMARY OF SURVEY RESULTS

An archaeological survey was conducted within the subject area in accordance with the requirements as set out in OEH statutory guidelines with the purpose of recording the material traces and evidence of Aboriginal land use within the subject area. The survey also provided the project RAPs the opportunity to identify any additional cultural sites or identifiable features if present. The subject area was surveyed with the goal of 100% coverage and was divided into seven Survey Units (labelled SU1 to SU7) loosely defined by natural creek lines, landforms, and arbitrary boundaries based upon logistical requirements for the large subject area. The results of the survey are summarised as follows:

- The eastern portion of the subject area contained Lily Ponds Gully, an ephemeral first order creek, now dammed and with no flowing water. The western portion of the subject area contained similar first order creeks, however flowing water was observed at the time of the survey in a tributary to Ousedale Creek transversing SU6 and SU7.
- The deeply incised Ousedale and Mallaty Creeks which form the western boundaries of the subject area also contained flowing water.
- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- Evidence from the site survey also shows the installation of gas pipelines throughout portions of the subject area to the west, and further potential colliery activities, with signposts indicating areas as likely to contain noxious gas due to subsurface activities associated with Appin colliery (see Section 4). Other services including overhead transmission line were also observed to the west of the site.
- Visibility was low within the subject area, being limited to disturbed areas and concurrent erosion. Visibility in rock overhangs, however, was generally good, depending on variable amounts of rock fall.
- One Aboriginal object was observed during the archaeological survey found within a rock shelter within a deeply incised creek gully transversing SU6 and SU7. The rock shelter has been registered on AHIMS as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. The lithic artefact was not collected in accordance with the Code of Practice and should be subject to a community collection if future development proposals include impacts to this location.
- A further rock shelter was observed in Ousedale Creek with potential to have been utilised by aboriginal people. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD.

The archaeological survey confirmed the predictions of the desktop assessment that the subject area has high potential for rock shelters, isolated finds and PAD. While no Art or Grinding Grooves were observed it is possible that these site types are extant within the subject area but were not observed during the survey due to lack of visibility and/or the complexity of the incised creek banks within the subject area.

5. ARCHAEOLOGICAL TEST EXCAVATION

The following section details the methodology and results of the archaeological test excavation undertaken within the subject area between 1 May and 25 May 2023.

5.1. ARCHAEOLOGICAL RESEARCH DESIGN

The following Archaeological Research Design (ARD) was developed to provide a framework to investigate the nature and origin of the potential archaeological resource within the subject area. The ARD has been designed based on the results of the Aboriginal Cultural Heritage Assessment Report (ACHAR), particularly the results of the archaeological background research and predictive model.

This ARD was prepared to cover the following objectives:

- Investigate the nature, spatial and stratigraphical extent, condition and integrity of any archaeological deposits that may be present.
- If archaeological deposits are identified, apply relevant research questions to interpret the finds and results in context of local and regional archaeological modelling.

To fulfil the objectives of the ARD, the following indicative research questions were formulated:

1. Is there a subsurface archaeological deposit present?
2. If an archaeological deposit present, how can it be interpreted?
 - What is the spatial and vertical extent of the deposit?
 - What is the integrity and condition of the deposit? How has the deposit been impacted by historical land use?
 - What are the physical attributes and compositions of the deposit (e.g., stone artefacts, features, remains of the original environment, contact period artefacts)?
 - What are the characteristics of the stone artefact assemblage? What types of artefacts are present and what specialisation if any can be detected in the assemblage?
 - Does the archaeological deposit have evidence of intra-site patterning or various occupational periods?
 - Should faunal and/or shell material be located, what species present were utilised by Aboriginal people?
3. Can the deposit be dated using standard dating techniques?
4. Can the archaeological deposit be interpreted in a local context?
 - Are there similarities or differences with nearby archaeological sites?
 - Is there evidence of connection to nearby sites in terms of raw material, composition and nature of the assemblage?
5. Can the archaeological deposit be interpreted in the regional context?
 - Where did the raw materials originate from?
 - Is there any indication of trade in connection with raw material procurement?
 - How does the assemblage compare to other archaeological sites within the region?
 - How does the assemblage compare with the proposed Eastern Regional Sequence?
6. Do the results of the archaeological excavation change the scientific and cultural significance of the site?
 - What is the scientific and cultural value of the assemblage?
 - How do the Aboriginal stakeholders view the cultural value of the deposit and assemblage?

7. How does it relate to our understanding of the environment at the time and/or is it consistent with predictive models for the area?
8. Is there any evidence of post 1788 contact between Aboriginal people the archaeological signature of this occupation, and can it be described as 'contact archaeology'?
9. How did post 1788 development impact the Aboriginal archaeological deposit?
10. Are there any Aboriginal objects made from imported material such as glass, porcelain, or flint? If yes, have they been in situ or in secondary or more disturbed context?
11. What are the environmental characteristics associated with the distribution of archaeological deposits within the Appin area?
 - Can the formative processes of the stratigraphic profile provide information on the nature and/or survivability of the archaeological deposits?
 - Are there other key factors relevant to the distribution and extent of archaeological deposits within the Appin area?

5.2. COMPLIANCE WITH THE CODE OF PRACTICE

The archaeological test excavation of the subject area was undertaken in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010).

A notification under Requirement 15C of the Code of Practice was submitted to Heritage NSW on 13 April 2023 detailing the methodology and sampling strategy. The methodology and sampling strategy which were adhered to during the excavation program are described in the following section.

The Code of Practice stipulates conditions in which test excavation is not excluded from the definition of harm as follows:

Acts carried out in the course of sub-surface investigation will not be excluded from harm where they are carried out in the following areas:

1. *in or within 50 m of an area where burial sites are known or are likely to exist*
2. *in or within 50 m of a declared Aboriginal place*
3. *in or within 50 m of a rock shelter, shell midden or earth mound*
4. *in areas known or suspected to be Aboriginal missions or previous Aboriginal reserves or institutes*
5. *in areas known or suspected to be conflict or contact sites.*

The ACHA did not conclude that any of the aforementioned areas are within the subject area, and therefore test excavation is permissible under the conditions of the Code of Practice. Excavation was not conducted within 50m of rock shelters identified during the survey.

According to Requirement 16a of the Code of Practice "test excavations should be sufficiently comprehensive to allow characterisation of the Aboriginal objects present without having a significant impact on the archaeological value of the subject area". In determining what constitutes "sufficiently comprehensive" in the present case, the sampling strategy and excavation methodology outlined below considers the landform elements and levels of disturbance within the subject area.

5.3. ARCHAEOLOGICAL SAMPLING STRATEGY AND EXCAVATION METHODOLOGY

The test excavations were undertaken in line with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) in order to understand the nature, extent, integrity and research significance of the Aboriginal archaeological resource. The proposed methodology was outlined in a letter notifying of intention to undertake a test excavation provided to Heritage NSW under Requirement 15c of the

The Excavation Methodology (EM) proposed to undertake the archaeological investigations in a two-stage process to investigate the deposit for archaeological resources:

- **Stage 1** – Hand excavation of 50cm x 50cm test pits in transects targeting the ridges and slopes and the confluences of waterways, as well as lower slopes within 200m of water, within the subject area utilising standard archaeological excavation methods informed by the Code of Practice.
- **Stage 2** – Should archaeological deposits be recovered excavation pits will be expanded to further refine the understanding of the nature and extent of the deposit.

The test excavation was proposed to target various landforms across the subject area to form a representative sample of the site conditions and develop a site-specific predictive model. Test excavation was largely targeted to sampling landforms to inform an understanding of the spatial distribution of artefactual deposits across the site, as well as disturbance.

Utilising this sampling strategy it was possible to target the following landforms:

- areas of archaeological sensitivity as defined by the Code of Practice including ridge tops and ridge lines, areas within 200m of the cliffs and/or steeply incised creek banks and areas within 200m of waterways and the confluences of streams. These locations were assessed as having a moderate to high archaeological potential for Artefact Scatters/Campsites and Isolated Finds.
- areas with lower archaeological potential such as flats and lower slopes adjacent to ephemeral first order drainage lines, broad mid-slopes and disturbed areas. Testing in these locations served to test the veracity of predictive modelling and to confirm low archaeological potential.

Areas displaying extreme levels of disturbance and/or contamination were considered to have no archaeological potential and were not tested.

5.3.1. Test Excavation Stage 1

The initial Stage 1 of testing consisted of the excavation of 50cm x 50cm test pits (TPs) at locations informed by the predictive model of the ACHAR and based on the sampling strategy outlined above as follows:

- Initial test pits were excavated initially at 20m intervals in 12 transects labelled A - M (transect K was not excavated) across the subject area at locations decided in consultation with the RAPs. Test pits (TPs) were labelled by transect and number, for example TP A1 to A10 in transect A. Transects were not necessarily linear and are therefore also discussed as areas A – M in the following discussion.
- Where Aboriginal objects were identified further test pits were placed at cardinal directions 10m intervals to define the extent of the archaeological deposit. This was repeated until it was assessed that the extent of the deposit had been adequately determined.
- Testing continued until it was determined that a sufficient understanding of the archaeological resources within each location was attained and that a site-specific predictive model was possible for the subject area.
- A total of 143 test pits were excavated.

The results of the excavation program are outlined below in Section 5.4 and locations of excavated test pits shown in Figure 67.

5.3.2. Test Excavation Stage 2

Stage 2 test excavation was to consist of expanding initial test pits to further understand the nature and extent of archaeological resources. Following the completion of Stage 1, the Excavation Director in consultation with RAPs, made the decision that due to relatively low artefact counts in locations that displayed a low-level scatter over an extended area, it was not necessary to expand individual TPs. Time and resources were instead focussed on testing on a larger scale which was considered more appropriate to the size of the subject area.

5.3.3. General Procedures

- The test pits were excavated by hand (inclusive of trowels, shovels and other hand tools).
- The first test pits within each transect and/or landform was excavated in 5cm spits to establish the depth and nature of soil and any stratigraphy present. Subsequent test pits conducted within the same transect and/or landform were then excavated in 10cm spits as no distinct stratigraphy was observed. Test pits were excavated to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay layer (B-horizon).
- All excavated soil was sieved in 5 mm sieves using wet sieving method.
- Artefacts were collected, bagged and tagged with a unique identification number according to test pit location, spit or context number.
- Each test pit was recorded using standard archaeological procedure, including standardised recording forms, coordinates collected using a GPS, photographic recording with scale and stratigraphic / soil profile was recorded in scale drawings for each location as required by Code of Practice recording requirements.
- Test excavation units were excavated to at least the base of the identified Aboriginal object-bearing units, and shall continue to confirm the soils below are culturally sterile, generally clay B horizon soil.
- Test excavation units were backfilled as soon as practicable due to concerns over risk to livestock.
- An AHIMS site card has been prepared and submitted to the AHIMS Registrar for any new sites identified during test excavations.
- In the unlikely event that suspected human remains are identified works were to immediately cease and the NSW Police and DPC will be notified. No human remains were identified.
- Test excavations ceased when enough information* had been recovered to adequately characterise the objects/assemblage(s) present with regard to their nature and significance.

*Enough information is defined by DPC as meaning:

‘that the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not’ (DECCW 2010a).

- The Code of Practice also stipulates that the maximum surface area of all test excavation units must be no greater than 0.5% of the subject area. This limit was not exceeded.

5.4. TEST EXCAVATION RESULTS

This section summarises the results of the test excavation conducted within the subject area. The Test Pit Register is provided at Appendix A. A complete Artefact Catalogue is provided at Appendix B.

A test excavation program was conducted within the subject area over the period between 2 May and 25 May 2023. The test excavation was undertaken in compliance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) and in line with the Sampling Strategy and Excavation Methodology outlined in the previous section.

A total of 143 50cm x 50cm archaeological test pits were excavated during the testing program targeting landforms in the portions of the subject area not heavily disturbed by large scale chicken farms and associated roads and infrastructure. Figure 67 below shows the layout of transects and test pits across the subject area. Detail figures can be seen in the following section along with results of the test excavation summarised by transect/area.

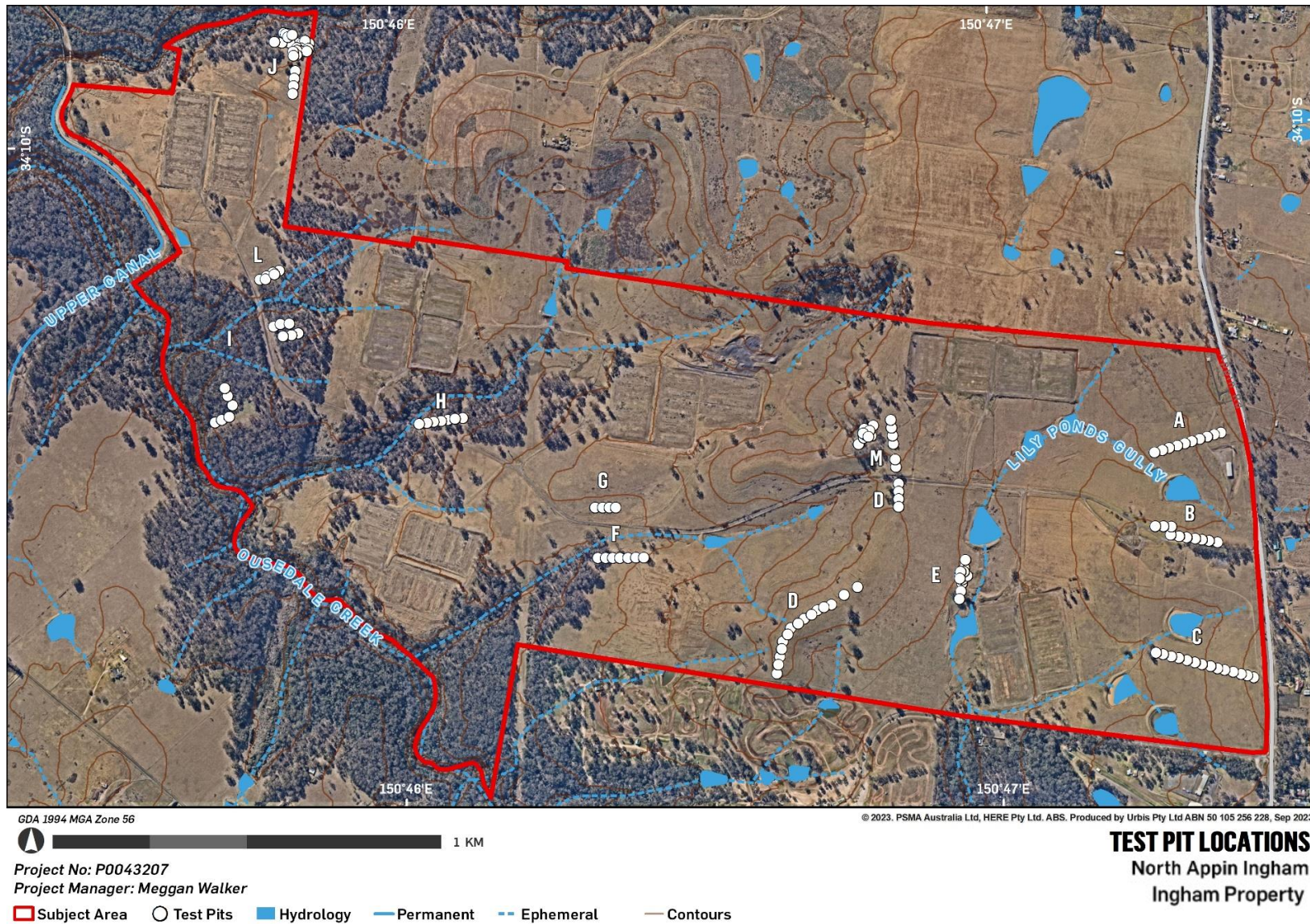


Figure 67 – Transect and test pit locations.

5.4.1. Transects

Transect A

Transect A, located in the northeast of the subject area in Survey Unit 1 (SU1), consisted of broad moderate slopes leading from the ridgeline on which Appin Road is located to the northern section of Lily Ponds Gully, currently modified with dams (Figure 69). Vegetation consisted of exotic grass and weed species.

Ten test pits were excavated at area A labelled A1 – A10. The layout of test pits can be seen in Figure 68 below. The soil profile in Transect A ranged from 27cm to 55cm with an average depth of 38cm. Disturbance included TP A1, which consisted of redeposited soils with gravel inclusions (Figure 70), and TP A3, which lay in a vehicle track and included irregular rock, sand and gravel on burnt clay (Figure 71). The remainder of test pits were undisturbed. A typical soil profile is shown in Figure 72.

Transect A returned zero artefacts.



Figure 68 – Transect A test pit layout



Figure 69 – Landform at Transect A: broad slopes from Appin Road (background left) towards Lily Pond Gully (background right); view south.



Figure 70 – TP A1: redeposited soils with gravel inclusions; north section.



Figure 71 – TP A3, in vehicle track, irregular rock, sand and gravel on burnt clay.



Figure 72 – Undisturbed soil profile in TP A2.

Transect B

Transect B was in the eastern portion of the subject area in SU2, immediately to the south of Transect A and included the access road to the subject area, a carparking area and the site of now demolished structures. Transect B was laid out parallel to the ridge line in the centre of the subject area and targeted what appeared to be an undisturbed portion adjacent to the access road (Figure 74 and Figure 75). Vegetation consisted of eucalypt regrowth within the road corridor and exotic grasses in the location of transect B.

Ten test pits were excavated at area B labelled B1-B10. The layout of test pits can be seen in Figure 73 below. The soil profile in Transect B ranged from 14cm to 30cm with an average depth of 25cm. Disturbance varied between test pits in the area, with test pits B1 to B5 being highly truncated, with the remainder being undisturbed (Figure 76 to Figure 77).

Area B returned zero artefacts.



Figure 73 – Transect B test pit layout



Figure 74 – View east along Transect B.



Figure 75 – Location of TPB1 behind tree line in midground. Modification of the landscape evident view north-east towards Transect A and Appin Road (background).



Figure 76 – North section of TP B2 showing highly truncated soil profile with redeposited topsoils.



Figure 77 – Intact soil profile at TP B10.

Transect C

Transect C was in the southeastern portion of the subject area in SU3, immediately to the south of Transect B and consisted of moderate slopes leading from the ridgeline on which Appin Road is located towards drainage lines feeding Lily Ponds Gully. Vegetation consisted of exotic grasses.

Fourteen test pits were excavated at area C labelled C1 – C14. The layout of test pits can be seen in Figure 78 below. The soil profile in Transect C ranged from 18cm to 33cm with an average depth of 25cm. Disturbance varied across the area, with test pits 1-4 upslope showing disturbance (Figure 79 and Figure 80) and the remainder of the test pits intact (Figure 81).

Area C returned zero artefacts.



Figure 78 – Transect C test pit layout



Figure 79 – Section of TP C1 showing high level of disturbance with concrete, rock and gravel inclusions.



Figure 80 – Section of disturbed TP C3; truncated soil profile with introduced gravel layer in upper layer.



Figure 81 – Intact soil profile of TP C6.



Figure 82 – Transect C view west downslope; TP C4 in foreground.

Transect D

Transect D was in the southern portion of the subject area on the boundary between SU4 and SU5 on a ridgeline and in a small saddle (Figure 86 & Figure 87). Vegetation consisted of sparse mature eucalypts, and exotic grasses and weeds.

Seventeen test pits were excavated at Transect D labelled D1 – D17. The layout of test pits can be seen in Figure 83 below. The soil profile in Transect D ranged from 18cm to 40cm with an average depth of 27cm. Soil profiles in this location were generally intact, with disturbance limited to bioturbation from roots and insects. TP D8 to TP D9 were offset to avoid deep ditches on the crest of the ridge evident in Figure 83 below.

Zero artefacts were recovered from Transect D.

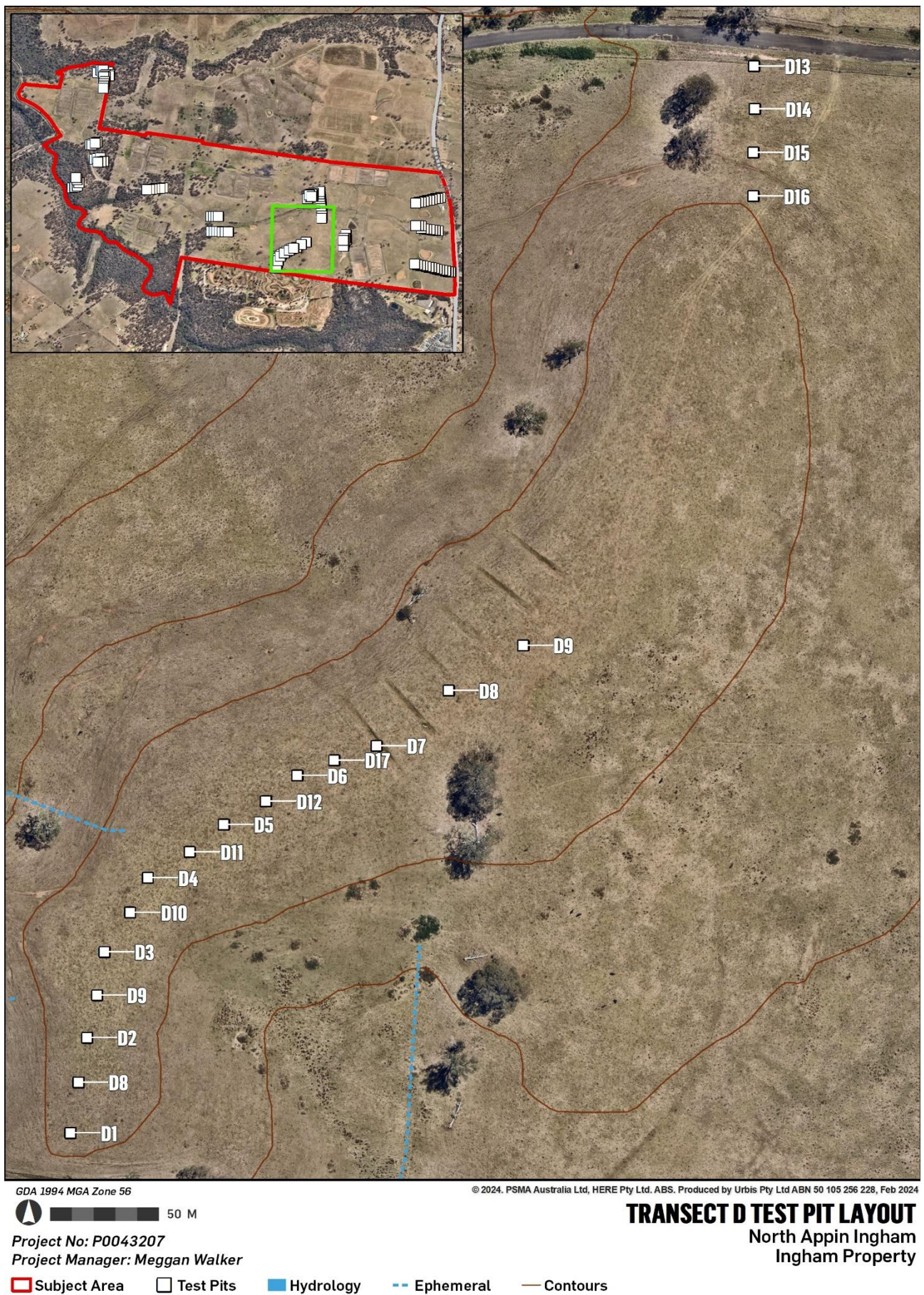


Figure 83 – Transect D test pit layout



Figure 84 – Transect D; view north-east along ridgeline; TP D6 location in foreground.



Figure 85 – Transect D, northern portion in saddle; view west downslope towards modified drainage line.



Figure 86 – Intact loamy soil profile of TP D15.



Figure 87 – Section of TP D11, showing topsoil over degraded shale and silty clay.

Transect E

Transect E was located in the central eastern portion of SU4 downslope from the ridge upon which Transect D was located. The test pits were excavated in lower slopes/ creek flats immediately west of Lily Pond Gully. Vegetation consisted of sparse mature eucalypts and exotic grasses and weeds. Lily Ponds Gully was heavily modified for dams at this location. Transect E targeted an area which appeared to remain intact (Figure 89 & Figure 90).

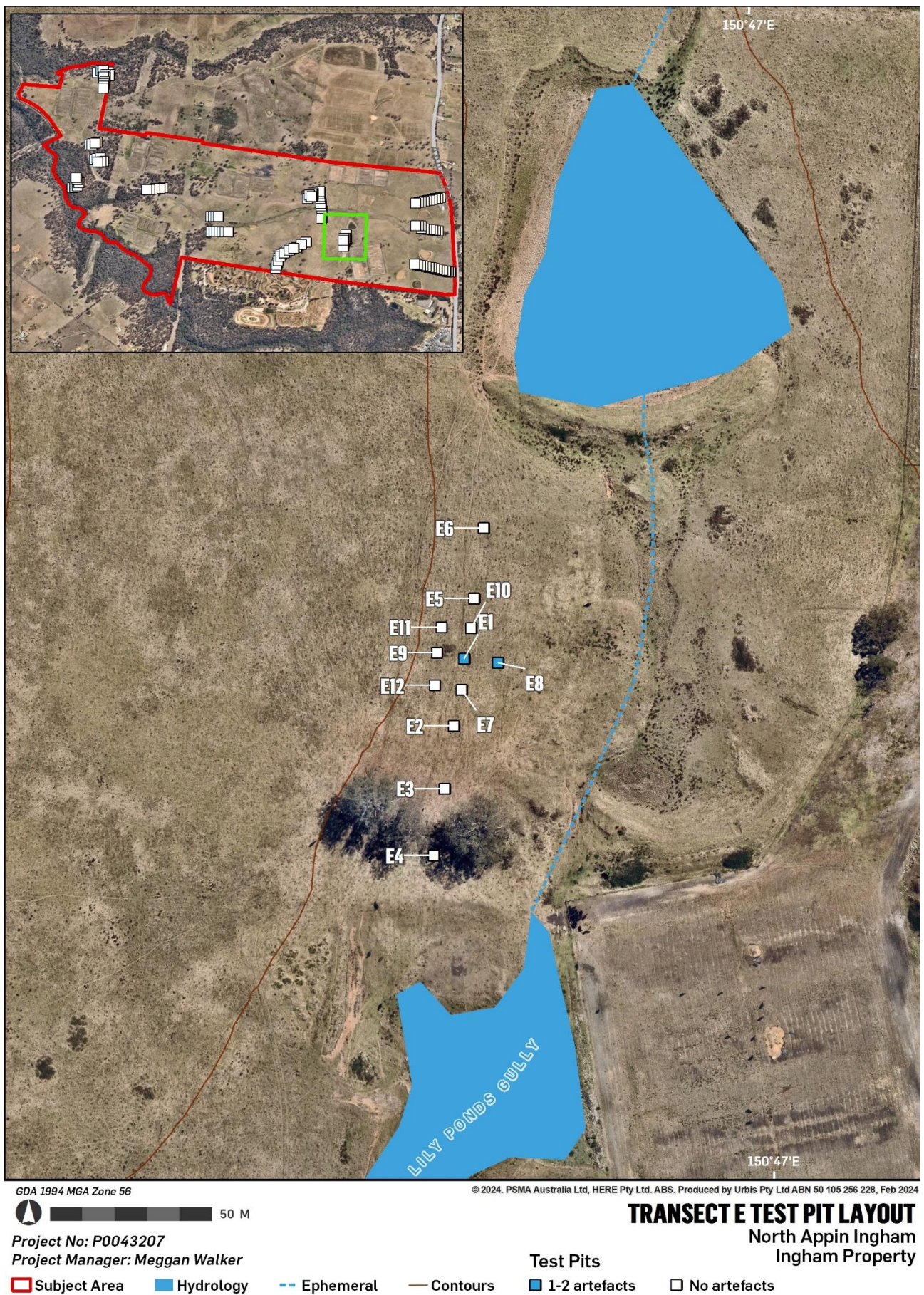
Twelve test pits were excavated at Transect E labelled E1 – E12. The layout of test pits can be seen in Figure 88 below. The soil profile in Transect E ranged from 21cm to 28cm with an average depth of 24cm. Disturbance in the test pits was minimal, with the majority being intact, though displaying some truncation (Figure 91 & Figure 92).

A low-density artefact scatter was identified in two test pits in transect E. One Aboriginal object was recovered from TP E1 consisting of a small core in spit 1. Additional radial pits were positioned at 10m intervals around TP E1 and a further artefact was recovered from TP E8 consisting of a small flake also in spit 1. TP E8 was on the edge of intact ground with disturbed ground and weedy growth further downslope. The remaining ten test pits in area E contained no artefacts.

No artefacts were recovered from the further ten test pits excavated in the area. TPs A10 and C14, also located on lower slopes adjacent to Lily Pond Gully to the north-east and south-east of transect E respectively, likewise recovered no artefacts suggesting that this ephemeral water way was not utilised extensively.

Test pit layout can be seen below in Figure 88. Test pits with artefacts are shaded blue.

Area E has been registered on AHIMS as AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and is discussed further below in Section 5.5.1.



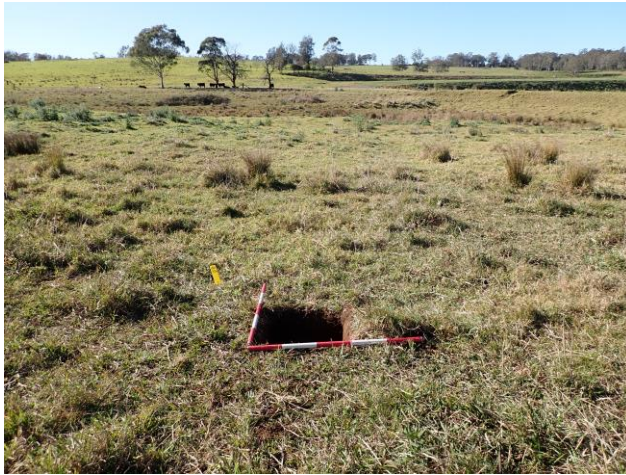


Figure 89 – Location of TP E8 with modified Lily Ponds Gully in background: mounded earth, dams and weedy vegetation; view east towards Appin Road on ridgeline in background.



Figure 90 –TP E4 and Lily Ponds Gully, now dammed, in background; view south.



Figure 91 – Intact soil profile in TP E1, which contained one lithic artefact; north section.



Figure 92 – Truncated soil profile in TP E4; north section. Redeposited topsoil over truncated silty clay.



Figure 93 – Small core recovered from TP E1.



Figure 94 – Small flake recovered from TP E8.

Transect F

Transect F was in the centre of the subject area in SU5 downslope to the west of Transect D and immediately south of the access road transversing the subject area. Transect F was positioned on lower slopes adjacent to an ephemeral drainage line and first order creek currently supporting two dams. Vegetation consisted of sparse mature eucalypts and exotic grasses and weeds, and dense eucalypt and casuarina regrowth in the creek line to the west.

Seven test pits were excavated at area F labelled F1 – F7. The layout of test pits can be seen in Figure 95 below. The soil profile in Transect F ranged from 24cm to 50cm with an average depth of 32cm. Disturbance in the area was minimal, with only TP F5 located near a vehicle track containing gravel (Figure 98). The remaining six test pits were intact. A typical soil profile can be seen in Figure 99.

Area F returned zero artefacts.



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 Test Pits
 - - - Ephemeral
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TRANSECT F TEST PIT LAYOUT North Appin Ingham Ingham Property

Figure 95 – Transect F test pit layout



Figure 96 – Location of Transect F; view north-east towards drainage line; P F5 in foreground.



Figure 97 – Transect F; view east; drainage line on left, ridgeline on which Transect D was located in background; location of TP F3 in foreground.



Figure 98 – Section of TP F5, showing regular gravel in the upper layer. This is the only test pit with disturbance in Transect F.



Figure 99 – Section showing an example of an intact TP F3.

Transect G

Transect G was in the centre of the subject area in SU 5 north of Transect F on the opposite side of the access road and drainage line/first order creek. Vegetation consisted of exotic grasses and weeds.

Four test pits were excavated at area G labelled G1 – G4. The layout of test pits can be seen in Figure 100 below. The soil profile in Transect G ranged from 31cm to 35cm with an average depth of 34cm. Test pits displayed intact soil profiles. Typical soil profiles can be seen in Figure 103 & Figure 104.

Transect G returned zero artefacts.



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TRANSECT G TEST PIT LAYOUT

North Appin Ingham
Ingham Property

Figure 100 – Transect G test pit layout



Figure 101 – Location of TP G1; view south towards drainage line and first order creek, and location of Transect F.



Figure 102 – Location of TP G2, view east towards high point in the subject area



Figure 103 – Typical soil profile in Transect G; TP G4, west section.



Figure 104 – Typical soil profile in Transect G; TP G3, west section.

Transect H

Transect H was located the west of centre within the subject area in SU 6. The transect was located on a high creek terrace with sandstone outcrops in the confluence between two creeks/drainage lines (Figure 106 & Figure 107). The creek in this location had flowing water which appeared to be fed from a spring or ground water up stream. Vegetation consisted of eucalypt regrowth and exotic grasses and weeds.

Seven test pits were excavated at area H labelled H1 – H7. The layout of test pits can be seen in Figure 105 below. The soil profile in Transect H ranged from 7cm to 61cm with an average depth of 41cm. Some test pits contained natural charcoal and gravel or sandstone inclusions (Figure 106) and TP H7 was disturbed by modern electrical wire, imported soil and roots. This test pit was located next to a creek crossing which had evidently been built up with imported fill (Figure 108 & Figure 109). TPH1, the shallowest in Transect H, consisted of thin topsoil directly over sandstone bedrock (Figure 107).

Area H returned zero artefacts.



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TRANSECT H TEST PIT LAYOUT

North Appin Ingham
Ingham Property

Figure 105 – Transect H test pit layout



Figure 106 – Location of Transect H on a high creek terrace; incised creek midground; TP H4 in foreground.



Figure 107 – Context shot of the shallow (intact) TPH1, showing surrounding vegetation and incised creek in midground.



Figure 108 – Context shot of TPH7, showing adjacent road and creek crossing built up with fill.



Figure 109 – Soil profile of TPH7 showing introduced fill and heavy root disturbance.

Transect I

Transect I was within the western portion of the subject area in SU7 at two discreet locations targeting creek terraces/ lower slopes in the confluence between creeks/drainage lines. Vegetation consisted of Eucalypt regrowth.

Twelve test pits were excavated at area I labelled I1 – I12. The layout of test pits can be seen in Figure 110 below. TP I1 – TP I6 were located on a creek terrace adjacent to an ephemeral creek, TP I7 – TP I12 were located on a terrace above Ousedale Creek on the western boundary of the subject area. The soil profile in Transect I ranged from 10cm to 48cm with an average depth of 27cm. Disturbance across the test pits was minimal (Figure 113 to Figure 114).

Area I returned one potential bipolar pebble flake. However this was not inconclusive. In the absence of any confirmed Aboriginal objects this piece was not counted as an artefact.



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TRANSECT I TEST PIT LAYOUT

North Appin Ingham
Ingham Property

Figure 110 – Transect I test pit layout



Figure 111 – Location of TP I2; drop off to creek line on left.

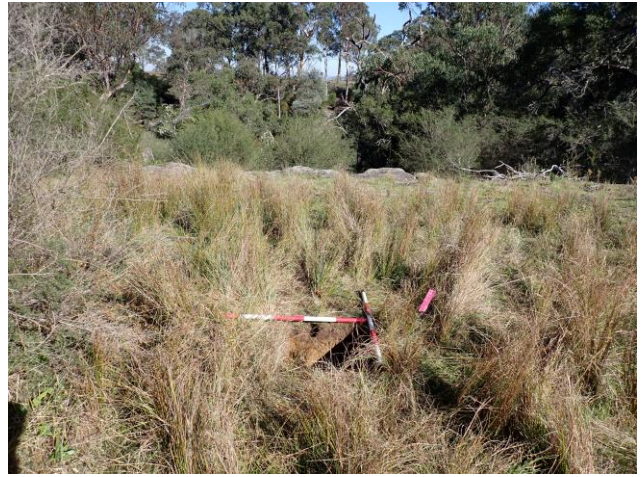


Figure 112 – Context shot of TP I7, view south; steep drop to Ousedale Creek in midground.



Figure 113 – Soil profile showing intact TP I3.



Figure 114 – Shallow soil profile showing intact TP I1

Transect J

Transect J was in the northwest of the subject area in SU7 on an old terrace adjacent to the deeply incised Mallaty Creek. The test pits were excavated on a mix of a creek terrace and lower slopes in an area which allowed easy access to the creek below. Vegetation consisted of Eucalypt regrowth and exotic grasses. The areas surrounding Transect J and SU7 in general, were highly disturbed with modification for chicken sheds and displaying evidence of dumped rubbish and redeposited soils.

Twenty-eight test pits were excavated at area J labelled J1 – J28 in an area that appeared to be the least disturbed within SU7. The layout of test pits can be seen in Figure 115 below. The soil profile in Transect J ranged from 15cm to 51cm with an average depth of 29cm. Soil profiles were varied in this area but appeared generally truncated to B horizon soils or with disturbed and/or redeposited A horizon soils.

An initial transect of 6 test pits returned one flake from TP J1 in spit 2 and five angular fragments from TP J6 in spit 5. Additional radial pits were positioned at 10m intervals around these two test pits and further artefacts were recovered. Further test pits were excavated until the extent of the deposit was established. Area J returned a total of 47 artefacts from 14 test pits constituting a moderate density artefact scatter and the highest density recovered during the test excavation program.

The highest number of artefacts was 11 from TP J21. The next highest number of artefacts was six from TP J6. The average density within artefact bearing test pits was 3.6 artefacts per 50m x 50cm test pit. Artefacts included Flakes and flake fragments and one small core. The majority however were non-diagnostic angular fragments (53%, N=25). The majority of artefacts (55%, N=26) were recovered from spit two. Silcrete was the most common material type (40%, N=19) followed by Quartz (32%, N=15). Examples of recovered artefacts can be seen in Figure 121 to Figure 123 below.

Area J was bounded to the east by the subject area boundary and to the north by the steeply descending creek bank. To the west was disturbed ground which was distinctly undulating with deep furrows and included pits of unknown origin and areas of dumped soil and rubbish. One location was barricaded off as an asbestos contaminated area. No test pits were positioned within this disturbed area. To the south the landform raised by gentle slope to a slightly elevated crest. The transect was extended in this location to assess whether the site extended up-slope. One artefact only was located on the far side of the crest in TP J28. Beyond this landform was a heavily modified landscape and the previous location of chicken sheds showing extreme disturbance.

Test pit layout can be seen below in Figure 115. Test pits with artefacts are shaded according to artefact density.

Area J has been registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1and is discussed in further in Section 5.5.3.

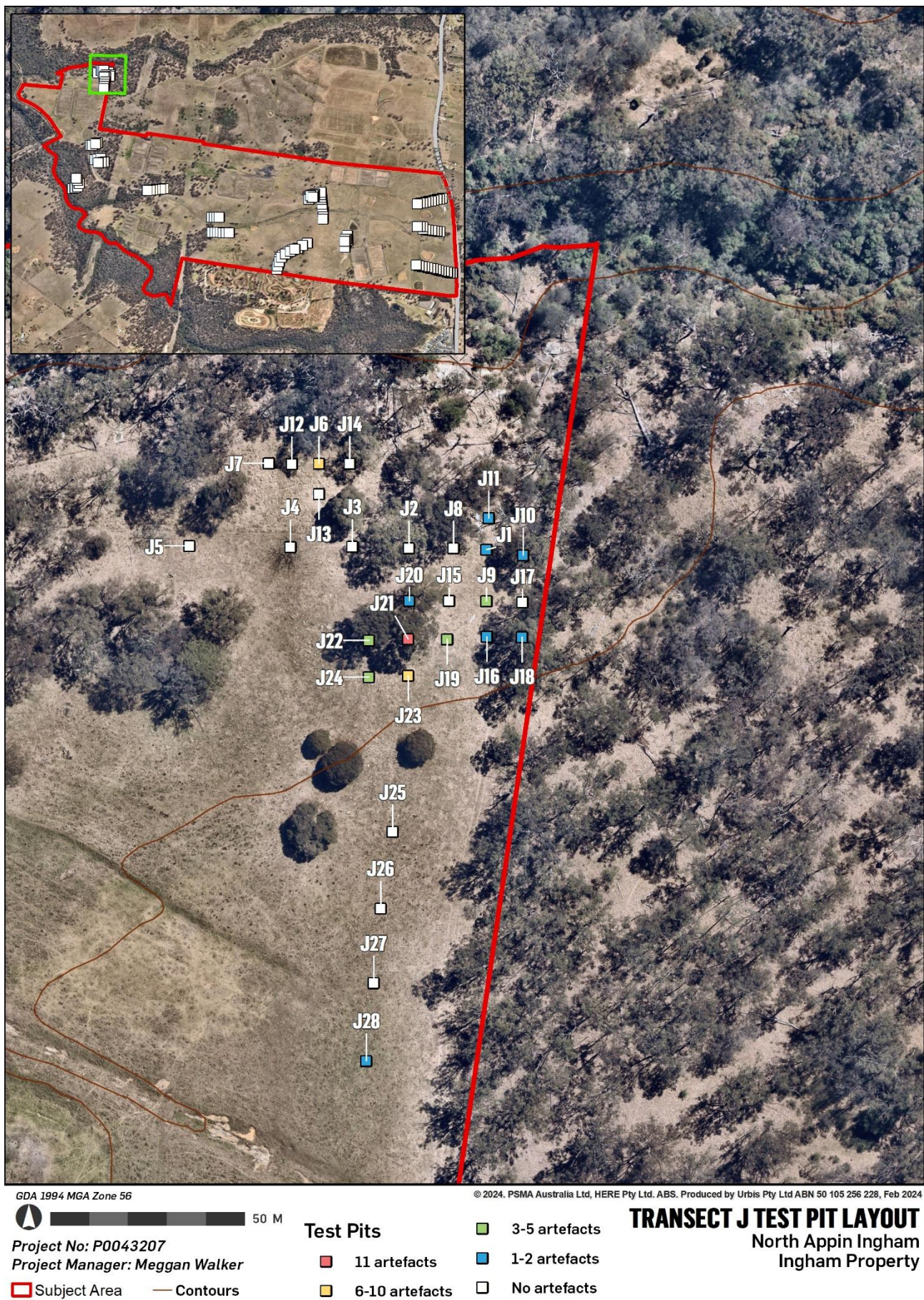


Figure 115 – Transect J test pit layout



Figure 116 – View north towards Transect J from location of chicken sheds; Transect J located within tree line in background.



Figure 117 – Context shot of intact TPJ20, showing surrounding vegetation; view north towards drop off to Mallaty Creek.



Figure 118 – Soil profile of TP J18; little topsoil is evident; one artefact was recovered from TP J18 from spit 3.



Figure 119 – Context shot of intact TP J23; appears to be friable redeposited topsoil over a truncated B horizon soil profile; six artefacts were recovered from TP J23 from spits 2 and 3.



Figure 120 – Soil profile of TP J21; little topsoil is evident; TP J21 had the highest artefact count (N=11) from spits 1 and 2.



Figure 121 – Sample of artefacts from TP J21 including worked quartz and bipolar reduced pebbles; examples shown are from spit 2.



Figure 122 – Flake and small core recovered from TP J24, spit 2.



Figure 123 – Silcrete flake from TP J23, spit 3.

Transect L

Transect L was in the west of the subject area in SU7 and targeted a terrace located near the confluence of several drainage lines. Vegetation consisted of Eucalypt regrowth and exotic grasses.

Six test pits were excavated at area L labelled L1-L6. The layout of test pits can be seen in Figure 124 below. The soil profile in Transect L ranged from 9cm to 49cm with an average depth of 31cm. Disturbance was largely not present across the area, and variation in soil depth could be attributed to variations in the sandstone substrate.

Transect L returned zero artefacts.



GDA 1994 MGA Zone 56

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Project No: P0043207

Project Manager: Meggan Walker

■ Subject Area
 Test Pits
 - - - Ephemeral
 — Contours

TRANSECT L TEST PIT LAYOUT

North Appin Ingham
Ingham Property

Figure 124 – Transect L test pit layout



Figure 125 – Transect L location on slopes above creek (right) below area intensively modified for roads and chicken sheds.



Figure 126 – Location of Transect L: thin soils with rock outcrops.



Figure 127 – Example of shallow soil on bedrock.



Figure 128 – Typical of deeper soil profile in Transect L; north section.

Transect M

Transect M was situated in the central northern portion of the subject area on a mix of a ridgeline, spur and upper slopes adjacent to the highest point within the subject area, and part of a saddle which continued into area D. Vegetation consisted of mature eucalypts and exotic grasses.

Sixteen test pits were excavated at area M labelled M1-M16. The layout of test pits can be seen in Figure 129 below. The soil profile in Transect M ranged from 11cm to 32cm with an average depth of 20cm. Disturbance varied across the area, however the higher points had been truncated and disturbed and displayed redeposited soils with modern gravel inclusions. The crest had been levelled and evidence of underground services and recent demolition of a structure was evident which included asbestos. This area was not excavated. Figure 130 and Figure 132 show the truncated and disturbed soil profiles in artefact bearing TP M9 and TP M11.

A low-density artefact scatter was identified in two test pits in transect M located on a ridge line/spur adjacent to the highest crest within the subject area. One Aboriginal object, an angular fragment, was recovered from TP M9, spit 1, in the initial transect. Additional radial pits were positioned at 10m intervals around TP M9 and a further artefact was recovered from TP M11 consisting of a flake in spit 2.

The layout of test pits in transect M can be seen below in Figure 129. Test pits with artefacts are shaded blue.

Area M has been registered on AHIMS as AHIMS ID# 52-2-4946: 345 Appin Road AFT 2 and is discussed in further below in Section 5.5.2.



Figure 129 – Transect M test pit layout



Figure 130 – Shallow soil profile of TPM9, which contained a lithic artefact in spit 1.



Figure 131 – Context shot of TPM9, which contained a lithic artefact; view south-east.



Figure 132 – Truncated and disturbed soil profile of TPM11, which contained a lithic artefact in spit 2.



Figure 133 – Context shot of TPM11, which contained a lithic artefact; view west.



Figure 134 – Angular Fragment recovered from TP M 9, spit 1.



Figure 135 – Dorsal surface of flake recovered from TPM11, spit 2.

5.5. NEWLY IDENTIFIED SITES

On the basis of the results of the test excavation described above three sites were registered on the Aboriginal Heritage Management System (AHIMS). The location and approximate extent of the AHIMS registered sites can be seen in Figure 154 below. A discussion on the recovered artefact assemblage can be found at Section 5.7 and the Artefact Catalogue is attached at Appendix B. AHIMS Site cards are attached at Appendix C. The newly identified sites are discussed in greater detail above in Section 5.4.1 under their respective transects and are summarised below.

5.5.1. AHIMS ID# 52-2-4945: 345 Appin Road AFT 1

A low-density artefact scatter was identified in two test pits in transect E in an area adjacent to Lily Ponds Gully, the first order creek in the eastern portion of the subject area. The recovered artefacts consisted of a small mudstone core recovered from spit 1 of TP E1 and a mudstone Flake recovered from spot 1 of TP E8. The site has been registered on AHIMS as AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and is located at GDA 94 zone 56 295613E, 6215990N.

The majority of the flats adjacent to the ephemeral water way were highly modified for dams and disturbed from cattle activity. The southern portion of the gully within the subject area was heavily modified due to proximity to a site for chicken sheds. The area selected for transect E was generally intact though displayed some evidence of truncation.

Results suggests transient low intensity utilisation of the area by Aboriginal people. It is also like that further archaeological evidence has been removed or displaced by modern disturbance.



Figure 136 – Transect E; disturbance associated with dammed drainage line and chicken flats in rear-ground; location of TP E3 in foreground.



Figure 137 – TP E1, north section. Appears to retain an intact soil profile.



Figure 138 – Context shot of TP E11, showing slope and vegetation



Figure 139 – Overview of TP E4, showing modified Lily Pond Gully in background.



Figure 140 – Small core recovered from TP E1.



Figure 141 – Small flake recovered form TP E8.

5.5.2. AHIMS ID# 52-2-4946: 345 Appin Road AFT 2

A low-density artefact scatter was identified in two test pits in transect M located on a ridge line adjacent to the highest crest within the subject area consisting of a non-diagnostic angular fragment from spit 1 of TP M9 and a Flake for spit 2 of TP M11. The site has been registered on AHIMS as AHIMS ID# 52-2-4946: 345 Appin Road AFT 2 and is located at GDA 94 Zone 56 295370E, 6216360N.

No artefacts were recovered from the further 14 test pits excavated in the area which included a further 8 upon the ridge line, four on mid-slopes and two in a saddle below the ridge.

The crest and ridge line in area M displayed a high level of truncation and disturbance. The crest had been levelled and underground services were evident. Demolition rubble including concrete and asbestos was observed on the ground surface. This area was not tested. Soil profiles in test pits located on the ridge line appeared truncated and some displayed introduction/redeposition of soils and gravels (Figure 144 and Figure 145).

Test pits downslope displayed more intact soil profiles however no artefacts were recovered from these locations. It is likely that had the site had been more extensive in the past archaeological evidence has been largely removed or displaced due to modern disturbance.



Figure 142 – AHIMS ID# 52-2-4946: 345 Appin Road AFT 2, view down ridge line towards the south-western portion of the subject area; TP M11 in foreground which contained one artefact.



Figure 143 – Context shot of TP M9, containing one lithic artefact; view east towards Appin Road.



Figure 144 – TP M9, north section; appears relatively intact though possibly truncated and eroded. Contained one lithic artefact.



Figure 145 – TP M11, north section; truncated and with redeposited/introduced soil and gravel. Contained one lithic artefact.



Figure 146 – Angular Fragment recovered from TP M 9, spit 1.



Figure 147 – Dorsal surface of flake recovered from TP M11, spit 2.

5.5.3. AHIMS ID# 52-2-4943: Mallaty Creek AFT 1

A moderate density artefact scatter was identified at the location of transect J in the north-western portion of the subject area on an old terrace adjacent to the deeply incised Mallaty Creek. The Creek banks were steep in this location but allowed access to the creek below. Small rock shelters and overhangs were present in this area, however, no direct evidence of human occupation was observed and the small size precludes intensive use by groups of people (Figure 148 and Figure 149).

A total of 28 test pits were excavated at area J returning a total of 47 artefacts from 14 test pits constituting a moderate density artefact scatter and the highest density recovered during the test excavation program. The highest number of artefacts was 11 from TP J21. The average density within artefact bearing test pits was 3.6 artefacts per 50m x 50cm test pit.

The site has been registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1 and is located at GDA 94 Zone 56 293898E, 6217338N.



Figure 148 – Small overhang on creek bank north of Area J, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1.



Figure 149 – Small overhang on creek bank north of Area J, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1.



Figure 150 – Context shot of TPJ22, which contained three artefacts; view south, upslope.



Figure 151 – Soil profile of TPJ22, which contained three artefacts



Figure 152 – Silcrete distal flakes recovered from TP J23 spit 2.



Figure 153 – Angular fragments recovered from TP J19 spit 2.

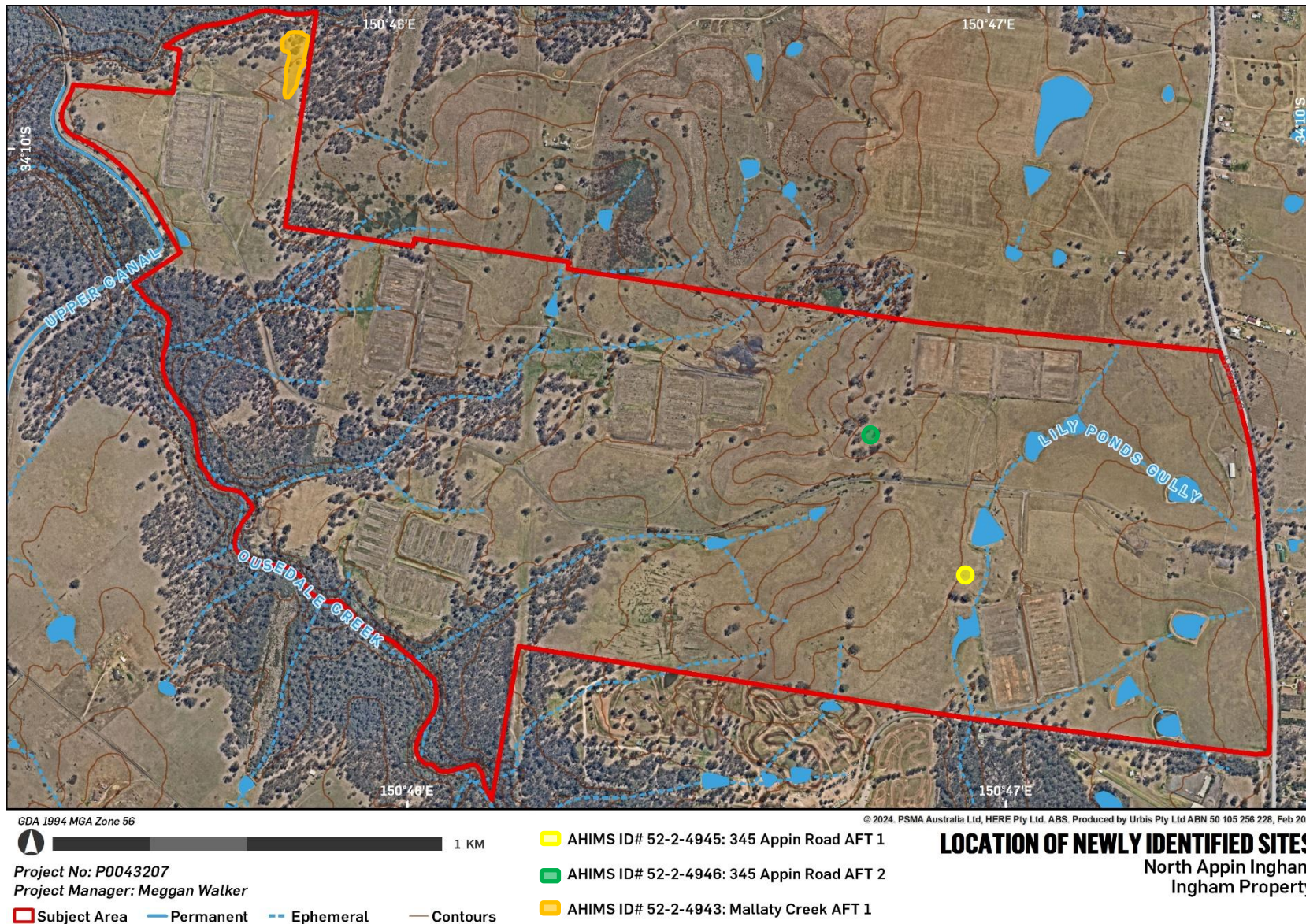


Figure 154 – Sites identified during the test excavation.

5.6. ANALYSIS AND DISCUSSION

The results of the archaeological test excavation confirm the presence of Aboriginal objects within the subject area. On this basis three new AHIMS sites have been registered:

- AHIMS ID# 52-2-4945345: Appin Road AFT1, a low-density artefact scatter (N=2) recovered from two test pits in the eastern portion of the subject area. Located on flats adjacent to Lily Ponds Gully this site indicates low intensity transient use of ephemeral waterways within the subject area. Lily Ponds Gully has been heavily modified for dam construction however the area tested was relatively intact.
- AHIMS ID# 52-2-4946 345: Appin Road AFT 2, a low-density artefact scatter (N=2) recovered from two test pits on a spur below the highest point within the subject area. This area and the nearby crest provide a good vantage point over a large area and would have been a focus of activity for Aboriginal people. The test excavation however revealed a truncated and disturbed soil profile.
- AHIMS ID# 52-2-4943: Mallaty Creek AFT1, a moderate density artefact scatter (N=47) recovered from 14 test pits out of a total of 28 excavated on a creek terrace above the deeply incised Mallaty Creek. This site confirms the importance of access to water for Aboriginal people and the associated increase in archaeological potential. This location also showed signs of truncation and erosion.

The remaining 129 test pits excavated during the excavation program returned zero artefacts.

These results indicate that the subject area has been utilised by Aboriginal people prior to European occupation. However, test excavations revealed that occupation was likely transient and intermittent, especially in locations of ephemeral water. Further test excavation locations at Lily Ponds Gully and first order creeks in the western portion of the subject area recovered no artefacts. Limited material traces of such low intensity activity are especially susceptible to erosion and disturbance.

Locations of permanent water such as Mallaty Creek and Ousedale Creek on the western boundaries of the subject area have higher archaeological potential as evidenced by Transect J at AHIMS ID# 52-2-4943: Mallaty Creek AFT1 and the rock shelter containing an Aboriginal artefact observed during the archaeological survey (AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, Section 4.4.1.1). Thin sandy soils overlying sandstone bedrock is, however, highly susceptible to erosion. While these locations currently contain eucalypt regrowth, historical land clearing is likely to have caused significant disturbance in the past.

5.7. ARTEFACT ANALYSIS

The artefact assemblage recovered from the test excavation program consisted of a small sample size. This imposes limits on inferences or conclusions that can be made in regard to the results of test excavation program. The following represents a summary of the excavated assemblage, primarily recovered from transect J.

A total of 51 artefacts were identified across the subject area during test excavation. The complete artefact catalogue is provided in Appendix B and a summary of artefact types and materials is provided in Figure 155 and Figure 156 below and their vertical distribution by spit in Figure 157.

The artefacts consisted primarily of Angular Fragments (51%, N=26). These are pieces which due to material type and morphology can be categorised as artefacts, however they lack diagnostic features by which they can be ascribed to a certain category. Seventeen complete objects were recovered consisting of 2 Cores (4% of the assemblage) and 15 complete Flakes (29%). Broken Flakes consisted of 16% of the assemblage (N=8). Of these, Distal Flakes were the most common (10%, N=5). Silcrete was the most common material type (37%, N=19) which is typical for the Cumberland Plain. Quartz was the next most frequent at 29% (N=15). The remainder were mudstone or chert.

The majority of artefacts were recovered from spit 2 (N=26) (Figure 157), however this is somewhat skewed by TP J21 which had 9 artefacts in spit 2, higher than any other test pit's total artefact count. Discounting this imbalance artefacts were distributed between all spits. Likewise, no pattern of material distribution is clear between spits. These observations combined suggest that the soil profile from which the assemblage was recovered does not represent an intact stratified deposit. It is likely that modern disturbance has impacted the soil profile or that the deposit is in a secondary location through natural erosion and soil movement.

Overall, the excavated assemblage is typical of those found in the Cumberland Plain. Exceptions to this could be the relatively high amount of quartz within the assemblage. The majority of these were classified as Angular Fragments as Quartz rarely retains distinctive diagnostic features.

As previously noted, it is not possible to draw broad conclusions from a small dataset such as that recovered during the test excavation program. Further to this, as the assemblage is primarily from one location within the subject area therefore comparison across the subject area is not possible. The most notable conclusion to be drawn is from the location of artefacts in relation to waterways. Ephemeral water ways in the eastern and central portions of the subject area returned no artefacts except for the two artefacts recovered from area E as outlined in previous sections. Area J which contained the majority of artefacts indicates the importance of the larger creek systems which form the western boundary of the subject area.

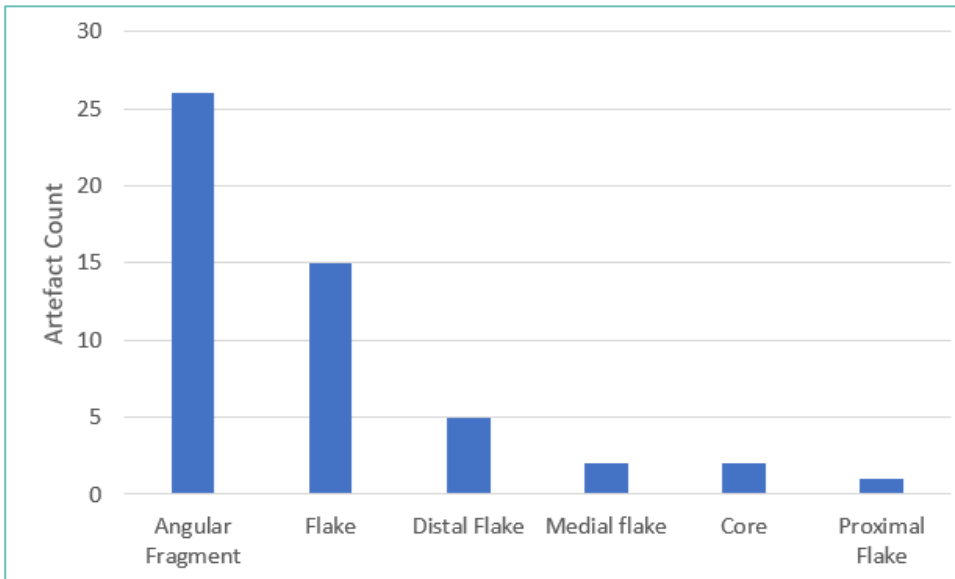


Figure 155 – Artefact types

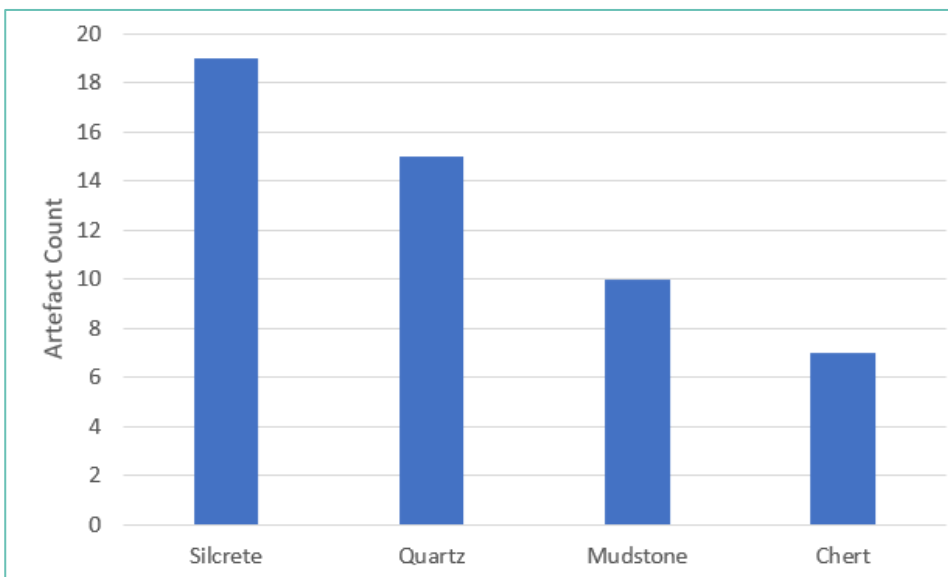


Figure 156 – Artefact raw materials

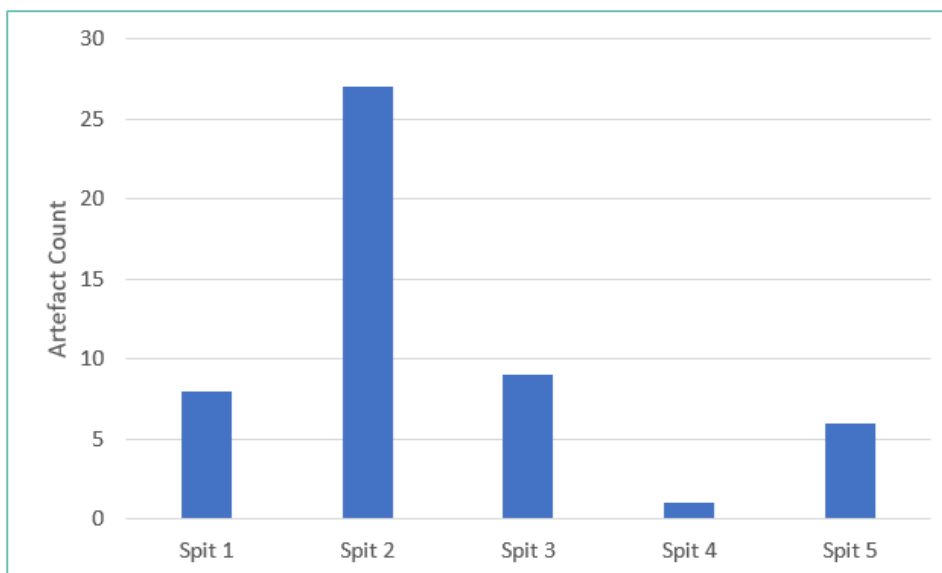


Figure 157 – Artefact vertical distribution by spit.

5.8. OBJECTIVES AND RESEARCH QUESTIONS

This ARD was prepared to cover the objectives of investigating the nature, spatial and stratigraphical extent, condition and integrity of any archaeological deposits that may be present. The research questions outlined in Section 4.1 above are addressed below.

To fulfil the objectives of the ARD, the research questions have been formulated:

1. What is the spatial and vertical extent of the deposit?
 - Artefacts were found throughout the soil profile with a notable concentration in spit 2. Small sample size and varying levels of truncation and erosion of the natural soil profile however mitigate the conclusions that can be drawn from this data. The spatial extent of Aboriginal objects indicate a strong focus of activity in proximity to the main creeks in the western portion of the subject area.
2. What is the integrity and condition of the deposit? How has the deposit been impacted by historical land use?
 - The subject area has been subjected to varying levels of impact in historic times. Large portions display extreme disturbance at the previous locations of industrial scale chicken production sheds. Elsewhere soils were generally intact apart from localised disturbance. Incised creek banks however were often eroded to sandstone bedrock.
3. Can the deposit be dated using standard dating techniques? Can the deposit be attributed to the Holocene based on the aforementioned dating techniques?
 - The deposit was too disturbed to allow for reliable dating.
4. What are the physical attributes and compositions of the deposit (e.g. stone artefacts, features, remains of the original environment)?
 - A low to moderate level stone artefact scatter was recovered from three locations within the subject area.
5. What are the characteristics of the stone artefact assemblage? What types of artefacts are present and what specialisation if any can be detected in the assemblage?
 - The artefact assemblage included Angular Fragments, Flakes, Distal Flakes, Medial flakes, Proximal Flakes and Cores. The most common material was silcrete. While the types of artefacts do not point to a particular specialisation the dominance of red silcrete is indicative

of a specialised reliance on that material. This material is common in Cumberland Plain assemblages.

6. Does the archaeological deposit have evidence of intra-site patterning or various occupational periods?
 - The recovered artefact assemblage consisted of a small sample size recovered from a disturbed context. No detailed analysis or comparisons can be drawn from such an assemblage.
7. How does it relate to our understanding of the environment at the time and/or is it consistent with predictive models for the area.
 - Predictive models for the Cumberland Plain state that proximity to water is an indicator of archaeological potential. The spatial extent of the artefacts recovered appear to confirm this, as they are largely limited to the larger creeks in the western portion of the subject area.
8. Can the archaeological deposit be interpreted in a local context?
 - The lithic materials and artefact types recovered are typical of those found in other sites in Western Sydney. The recovered artefact assemblage, however, consisted of a small sample size recovered from soils displaying various degrees of disturbance. No detailed analysis or comparisons can be drawn from such an assemblage.
9. Can the archaeological deposit be interpreted in the regional context?
 - The lithic materials and artefact types recovered are typical of those found in other sites in the Cumberland Plain. The recovered artefact assemblage, however, consisted of a small sample size recovered from a disturbed context. No detailed analysis or comparisons can be drawn from such an assemblage.
10. Do the results of the archaeological excavation change the scientific and cultural significance of the site?
 - The test excavation revealed that Aboriginal objects remain within the subject area. This allows for an assessment of scientific significance not possible prior to test excavation.
 - The presence of Aboriginal objects confirms the cultural significance of the subject area for Aboriginal people.
 - Significance will be discussed further in Section 5 below.
11. What is the scientific and cultural value of the assemblage?
 - The value of the subject area as explicated by the test excavation results will be discussed in Section 5 below.
12. How do the Aboriginal stakeholders view the cultural value of the deposit and assemblage?
 - UPDATE FOLLOWING RAP REVIEW

5.9. SUMMARY AND CONCLUSIONS

The ACHA concluded that due to the presence of sensitive landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.

The field survey confirmed that large portions of the subject area were heavily disturbed resulting from previous industrial scale chicken production. The remainder of the subject area currently utilised for grazing or within riparian corridors appeared relatively undisturbed.

Two previously unrecorded Aboriginal sites were observed were recorded during the archaeological survey. These consisted of two sandstone rock overhangs in deeply incised creek lines. The sites were registered on the Aboriginal Heritage Management System (AHIMS) as:

- AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD
- AHIMS ID# 52-2-4944: Ousedale Creek PAD.

A test excavation program was conducted within the subject area over seven days in the period between 2 May and 25 May 2023. The test excavation was undertaken in compliance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) and in line with the Sampling Strategy and Excavation Methodology developed by Urbis (Section 4.3 above).

A total of 143 50cm x 50cm archaeological test pits were excavated during the testing program targeting landforms at 12 separate locations within the subject area not previously impacted by modern development.

The results of the archaeological test excavation confirm the presence of Aboriginal objects within the subject area. On this basis three new AHIMS sites have been registered:

- AHIMS ID# 52-2-4945: 345 Appin Road AFT 1, a low-density artefact scatter (N=2) recovered from two test pits in the eastern portion of the subject area.
- AHIMS ID# 2-2-4946: 345 Appin Road AFT 2, a low-density artefact scatter (N=2) recovered from two test pits on a spur below the highest point within the subject area.
- AHIMS ID# 52-2-4943: Mallaty Creek AFT1, a moderate density artefact scatter (N=47) recovered from 14 test pits on a creek terrace above the deeply incised Mallaty Creek.

Test excavation confirmed the predictions of the desktop assessment that the subject area has high potential for Artefact Scatters / Campsites, Isolated Finds and PADs due to sensitive landscape features and proximity to water. Test excavation results, however, indicate that the archaeological potential is predominantly confined to the western portion of the subject area in locations in proximity to Ousedale Creek and Mallaty Creek. Ephemeral waterways in the remainder of the subject area have potential for sparse Aboriginal objects however these are likely to have been impacted by modern disturbance. The recovered artefact assemblage consisted of a small sample size predominantly from one location at AHIMS ID# 52-2-4943: Mallaty Creek AFT1. No detailed analysis or comparisons can be made from such an assemblage.

The test pits revealed varying levels of disturbance across the subject area including the erosion of topsoil and the introduction of fill. Subsurface soil profiles in areas utilised for grazing however were generally intact.

6. ARCHAEOLOGICAL POTENTIAL

The following predictive model reproduced in Table 5 was developed to inform the accompanying ACHAR. For a detailed description on the development of the predictive model, refer to Section 6 of the accompanying ACHAR.

The predictive model took accounts for the results of the desktop study and archaeological survey and test excavation including:

- Detailed analysis of previous archaeological investigations within the same Region.
- Presence or absence of landscape features that present potential for archaeological resources (human occupation, use) such as raised terraces adjacent to a water source.
- Analysis of the geology and soil landscape within the subject area which allows for a determination to be made of the type of raw material that would have been available for artefact production (silcrete, tuff, quartz etc) and the potential for the accumulation of archaeological resource within the subject area.
- Investigation of and determination of the level of disturbance/historical land use within the subject area which may impact on or remove entirely any potential archaeological material. The archaeological survey and test excavation further assessed levels of ground disturbance.
- Test excavation allowed a predictive model for the density and spatial extent of archaeological resources within the subject area.

Based upon the environmental and archaeological context of the subject area and the results of the archaeological survey and test excavation outlined in the following sections the archaeological potential of the subject area can be summarised as follows:

- There is high potential for Artefact Scatters / Campsites, Isolated Finds, PAD and Shelters. These site types were recorded during the archaeological survey and test excavation.
- There is a low potential for Art, Bora / Ceremonial sites, Burials, Contact sites, Grinding Grooves, Middens or Modified Trees to occur. These were not observed during the archaeological survey, however, there remains a small possibility that they are retained in areas which were not clearly visible at the time of survey.

Table 5 – Predictive Model

Site Type	Assessment	Potential
Art	The subject area contains a large amount of sandstone geology and incised creek lines with steep gradients and overhangs in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape. Due to the presence of such sandstone overhangs and deep incised creek lines with a steep gradient, there is high potential for art sites to be located within the subject area. Although no art was observed during the archaeological survey there remains a small possibility that art is retained which was not clearly visible at the time of survey.	Low
Artefact Scatters / Campsites	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Artefact Scatters. Three artefact Scatters were identified during the archaeological test excavation program (Section 5.5). These indicate archaeological potential, particularly in association with the main Creek lines in the western portion of the subject area.	Ephemeral creek lines: Low Ousedale and Mallaty Creek terraces: High

Site Type	Assessment	Potential
Bora / Ceremonial	The subject area underwent historical disturbance through clearance of original vegetation for agricultural use of the land which would have decreased the likelihood for Bora Ceremonial sites to be retained with a high degree of integrity. However, the subject area is located within in the Greater Macarthur area which contains identified Movement Corridors associated with past Aboriginal land use as discussed in Section. While there has been mention of the Appin area as a significant area, no specific sites have been identified as bora / ceremonial by the RAPs during the consultation process. The archaeological survey did not identify any areas with the potential for Bora / Ceremonial grounds. There is low potential for bora / ceremonial sites to occur within the subject area.	Low
Burial	The subject area is identified as being located within close proximity to the Appin Massacre Cultural Landscape sites. However, no conflict is recorded as occurring within the subject area. No other information from the consultation process or previously registered sites indicates that burial sites are likely. The shallow nature of the soil profile which has been subject to disturbance and erosion also indicates there is low potential for burial sites to occur within the subject area.	Low
Contact site	The subject area was occupied early in colonial times from the early to mid-19th Century as evidenced by land grants to Alexander Riley and John Oxley. Incidents related to the Appin Massacre occurred close to the bounds of the subject area though not within the subject area. There is low potential for contact sites to occur.	Low
Grinding Grooves	The subject area contains a large amount of sandstone geology near to the deeply incised creek lines and steep slope gradient in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape (see Section Observations during the archaeological survey, however, indicate that potential Grinding Grooves observed were in fact caused by modern machinery during site modification. Although no Grinding Grooves were observed during the archaeological survey there remains a small possibility that they are retained in areas which were not clearly visible at the time of survey.	Low
Isolated Finds	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Isolated Finds. The three soil landscapes namely the Blacktown, the Hawkesbury, and the Luddenham indicate the likelihood of retaining Isolated Finds due to the depth of natural soils.	Ephemeral creek lines: Low Ousedale and Mallaty Creek terraces: High

Site Type	Assessment	Potential
	The subject area is also located with proximity to a convergence point to multiple waterways which increases the potential of Isolated Finds to occur. There is high potential for Isolated Finds to occur within the subject area. The archaeological test excavation identified low density stone artefacts in association with prominent landscape features and ephemeral water ways. A higher potential was identified in association with the major creeks in the western portion of the subject area.	
Midden	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways and prevalence of sandstone geology and deeply incised creek lines on a steep slope gradient in the southern and western portions of the subject area. On the basis of previously registered sites in the Extensive search area, there is a low potential for middens to occur within the subject area.	Low
Modified Trees	The subject area is currently undeveloped and has been disturbed only in six main localised areas. However, the area was likely to have been cleared for agricultural use early in the 19th Century and may not retain primary growth vegetation. The Greater Macarthur area contains identified Movement Corridors such as Appin Road. These corridors are associated with intangible Aboriginal cultural heritage and as a result may also be associated with modified trees. The archaeological survey, however, noted eucalypt regrowth. None of the trees observed were of an age which indicated archaeological potential.	Low
PAD	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, a prevalence of sandstone geology and deeply incised creek lines with steep slope gradients and overhangs in the southern and western portions of the subject area, and shallow to moderately deep soils across the subject area (see Section 3). Due to the presence of the sandstone geology and deeply incised creek lines, there is high potential for Shelters with PAD to occur within the subject area. Due to the presence of landscape features, natural soils, and mostly undeveloped nature of the subject area, there is high potential for a PAD to occur within the subject area. This is primarily limited to the western portion of the subject area which survey and test excavation revealed rock shelters and Artefact Scatters	Ephemeral creek lines: Low Ousedale and Mallaty Creek terraces: High
Shelters	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, and a prevalence of	High

Site Type	Assessment	Potential
	sandstone geology and deeply incised creeklines with steep slope gradients and overhangs in the southern and western portions of the subject area (see Section 3). The sandstone geology and deep incised creek lines with a steep gradient indicates a high potential for shelters to be located in these areas. The archaeological survey confirmed the presence of Shelters, particularly at AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD. While many smaller shelters were observed with no direct evidence of human occupation, it is likely that the overhangs within the incised creeklines in the western portion of the subject area have been utilised by Aboriginal people.	

7. SIGNIFICANCE ASSESSMENT

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

While the Burra Charter does not include 'archaeological value' specifically it is noted that it can be considered as a sub-set of scientific or other values (Australia ICOMOS Practice Note The-Burra-Charter-and-Archaeological-Practice).

This section is a summary of scientific of archaeological values for the project area. The assessment for social, historical, and aesthetic value is presented in Section 8 of the ACHAR.

7.1.1. Scientific (Archaeological) Value

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.

Five sites were identified as being located within the subject area, including three Artefact Scatters and two Rock Shelters. These are considered to have scientific (archaeological) value for their ability to provide information about the Aboriginal cultural practices of the Appin area as connected to the wider archaeological site distribution in southwest Sydney. These sites however do not exhibit any uniqueness or rarity compared with previously recorded Aboriginal sites.

The excavated artefact assemblage recovered during the test excavation consisted of 51 stone artefacts. Such artefacts are common in common in the region around the subject area and in the Cumberland Plain and Sydney basin more generally. The assemblage is relatively small, precluding robust statistical analysis or comparison with other assemblages. Furthermore, the soil profiles within the subject area displayed a level of disturbance from prior land use which precludes drawing accurate assumptions or conclusions in regard to the subject area.

Based on the above the subject area is assessed as having low scientific value.

8. IMPACT ASSESSMENT

The desktop assessment undertaken as part of the ACHA determined that there are no previously identified Aboriginal objects within the subject area. However, during field investigations including site survey and test excavation, five Aboriginal sites were identified, confirming the presence of Aboriginal objects and cultural sites within the curtilage of the subject area. The following is a summary impact assessment. A more detailed discussion can be found in Section 9 of the ACHAR.

No physical works are presently proposed for the subject area. The draft structure plan for the subject area has the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area designated as Environmental Conservation Land. Three of the five identified Aboriginal sites are located within these areas. The remaining two are in previously disturbed locations.

A comprehensive assessment of the potential harm to these sites and any as yet unknown Aboriginal objects should be undertaken at detailed design stage prior to undertaking any physical works within the subject area.

9. MANAGEMENT & MITIGATION MEASURES

9.1. AVOIDING AND MINIMISING HARM

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal places, along with their cultural heritage values. Avoidance and conservation measures must be feasible and within the financial viability of the proposed activity.

As described in Section 6.1 above, no physical works are presently proposed for the subject area. Management and Mitigation measures will require assessment prior to undertaking any physical works outlined in the Detailed Design.

As a first preference known Aboriginal sites within the currently drafted Environmental Conservation Land should be protected *in situ*.

9.2. ABORIGINAL HERITAGE IMPACT PERMIT

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA).

9.3. ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management of Aboriginal sites or impact to subsurface Aboriginal archaeological remains should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites including identified shelters and Artefact Scatters that may be impacted by the proposal. This would include strategies to prevent intentional or incidental impact to these sites during construction and use of the residential subdivision. The ACHMP should include:

- An Archaeological Research Design and salvage Excavation Methodology (if required) (ARD & EM)
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources including artefacts recovered during the test excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program (if required).

Recommendations for mitigating harm to the identified Aboriginal sites will to be implemented post approval.

9.4. ARCHAEOLOGICAL SALVAGE EXCAVATION

Should the final design result in proposed activity within areas of known or potential archaeological sensitivity, salvage excavation may be required to be undertaken to mitigate harm to Aboriginal objects that will be impacted. This should be undertaken at DA stage under an Approved AHIP, or following SSDA approval, with ongoing management of objects subject to consultation with RAPs.

9.5. ARCHAEOLOGICAL CHANCE FINDS PROCEDURE

Although considered highly unlikely, should any archaeological deposits be uncovered during any site works, a procedure must be implemented. The following steps must be carried out:

- All works stop in the vicinity of the find. The find must not be moved 'out of the way' without assessment.
- Site supervisor, or another nominated site representative must contact either the project archaeologist (if relevant) or DPC to contact a suitably qualified archaeologist.
- The nominated archaeologist examines the find, provides a preliminary assessment of significance, records the item and decides on appropriate management, in conjunction with the RAPs for the project.

Such management may require further consultation with DPC, preparation of a research design and archaeological investigation/salvage methodology and preparation of AHIMS Site Card.

- Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required, and further archaeological investigation undertaken.
- Reporting may need to be prepared regarding the find and approved management strategies. Any such documentation should be appended to this ACHAR and revised accordingly.
- Works in the vicinity of the find can only recommence upon relevant approvals from DPC.

9.6. HUMAN REMAINS PROCEDURE

In the unlikely event that human remains are uncovered during any site works, the following protocols must be undertaken:

- All works within the vicinity of the find must immediately stop. The find must be cordoned-off and signage installed to avoid accidental impact.
- The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
- The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
- Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives.
- Works are not to recommence until the find has been appropriately managed.

9.7. MANAGEMENT OF ABORIGINAL OBJECTS

9.7.1. Short-term Storage

All archaeological material recovered from the test and subsequent salvage excavation will be temporarily retained by Urbis and placed into a lockable, secure place in Urbis' Sydney offices. Consultation with the registered Aboriginal Parties will be carried out in relation to the care and control of the recovered artefacts including the opportunity to carry out the cleaning and analysis of artefacts.

9.7.2. Long Term Management

Further consultation with the RAPs is required to determine long term care and control of any Aboriginal objects excavated. Long term deposition of artefacts will be negotiated with the registered Aboriginal parties and a Care and Control Agreement will be drafted.

Requirement 26 "Stone artefact deposition and storage" in the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW must be complied with.

10. CONCLUSIONS AND RECOMMENDATIONS

An archaeological survey and test excavation program for 345 Appin Road, Appin, NSW (Lot 105 Deposited Plan (DP) 1188670) was undertaken in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a).

Following the results of the archaeological survey and test excavation program the following conclusions were made:

The conclusions of the ACHAR are summarised as follows:

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area.
- Three previously registered AHIMS sites of Grinding Grooves (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) were located in close proximity to the subject area outside of the western boundary.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas.
- Due to the presence of sensitive landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- Currently, there is no impact or harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusions an archaeological survey and test excavation program were conducted to inform the understanding of the nature, extent, integrity and research significance of the Aboriginal archaeological resources within the subject area.

Following the results of the survey and test excavation program the following conclusions were made:

- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- One Aboriginal object was observed during the archaeological survey found within a rock shelter within a deeply incised creek gully transversing SU6 and SU7. The rock shelter has been registered as AHIMS ID# 52-2-4942 Ousedale Creek AFT and PAD.
- A further rock shelter was observed in Ousedale Creek with potential to have been utilised by aboriginal people. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944 Ousedale Creek PAD.

- The test excavation undertaken in the subject area recovered 51 Aboriginal objects, all stone artefacts, from a total of 143 excavated test pits.
- A low-density artefact scatter (AHIMS ID# 52-2-4945 345 Appin Road AFT 1) was observed in area E consisting of two stone artefacts. No other artefacts were recovered at this location.
- A low-density artefact scatter (AHIMS ID# 52-2-4946 345 Appin Road AFT 2) was observed in area M consisting of two stone artefacts. No other artefacts were recovered at this location.
- The highest concentration of artefacts was located on an elevated creek terrace in the north-western portion of the subject area in a partially disturbed context consisting of 47 artefacts recovered from 14 out of a total of 28 test pits. This area was registered as AHIMS ID# 52-2-4943 Mallaty Creek AFT 1.
- Test excavation confirmed the predictions of the desktop assessment that the subject area had high potential for Artefact Scatters / Campsites, Isolated Finds and PADs. Test excavation results, however, indicate that the archaeological potential is predominantly confined to areas in proximity to the major creeks in the western portion of the subject area. The ephemeral waterways in the eastern portion of the subject area have low potential, further reinforced by high levels of disturbance due to dams and livestock activity. Due to landforms with low archaeological sensitivity confirmed during the archaeological test excavation program, and due to areas of moderate to extreme levels of disturbance, potential in the remainder of the subject area is nil to low for all archaeological site types.
- The subject area is assessed as having high Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and low scientific (archaeological) value as a common example of a low-density stone artefact-bearing site within the Cumberland plain. **UPDATE FOLLOWING STAGE 4.**
- The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are yet proposed. The Environmental Conservation Land in the draft structure plan corresponds with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas are the least disturbed portions of the subject area with the highest archaeological potential due to proximity to water ways. AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD are located within these areas designated as Environmental Conservation Land.

In view of the above conclusions, the following recommendations are made:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Conditions of Consent. Archaeological remains should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

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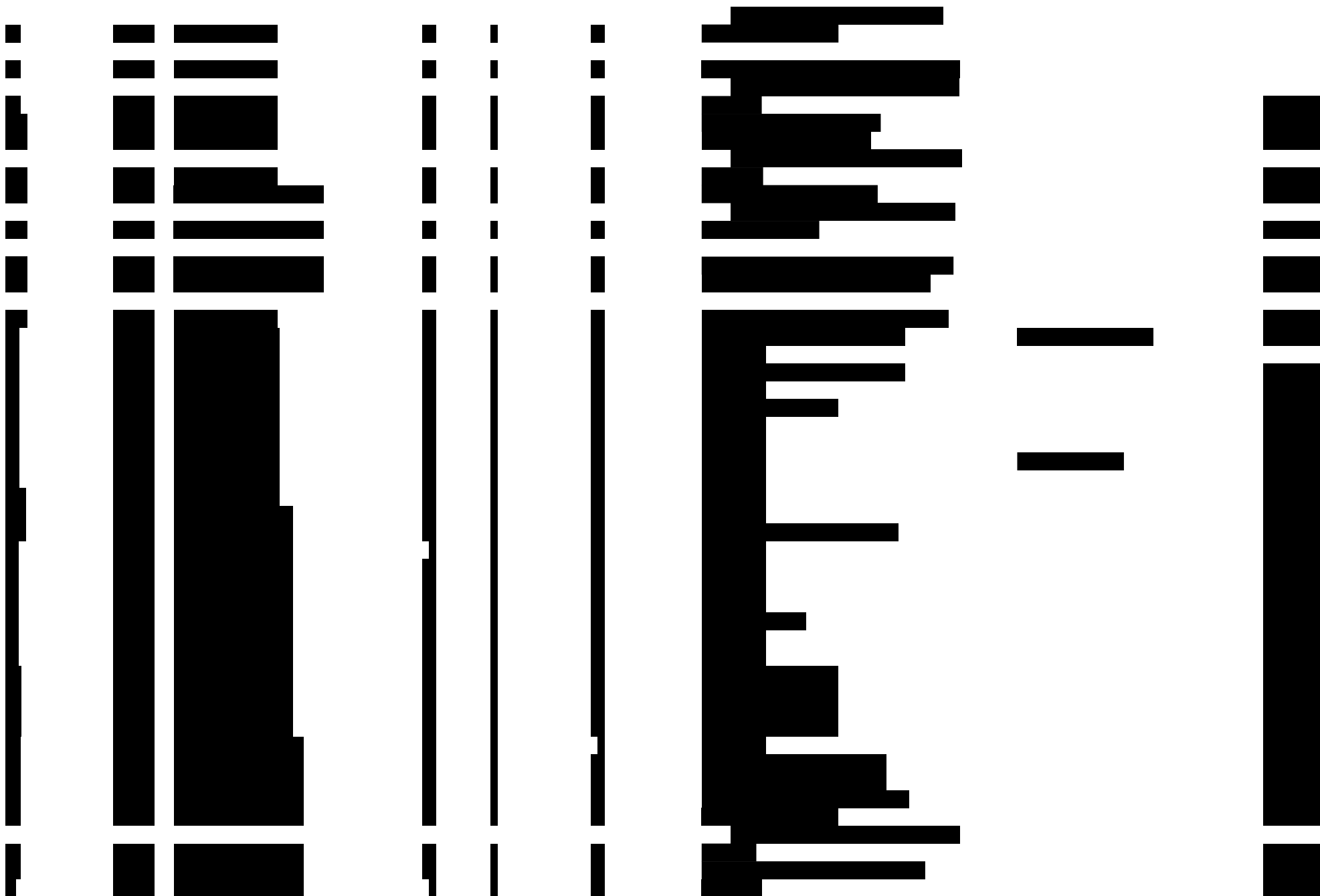
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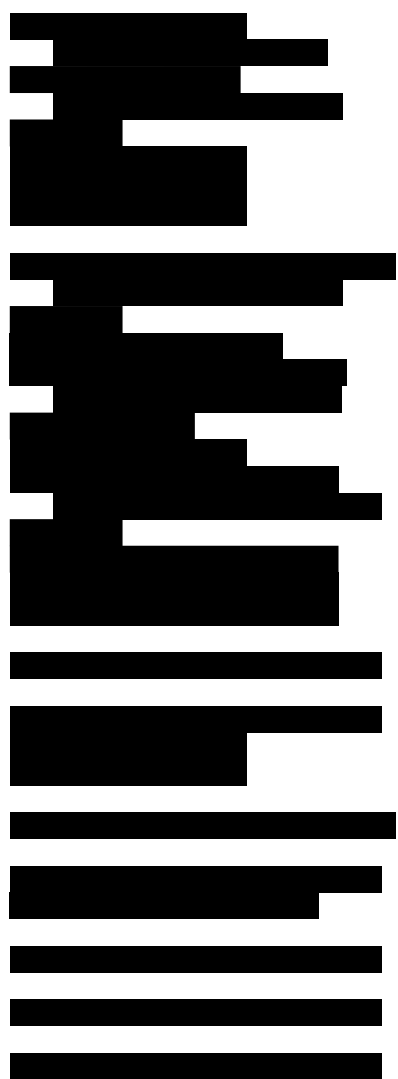
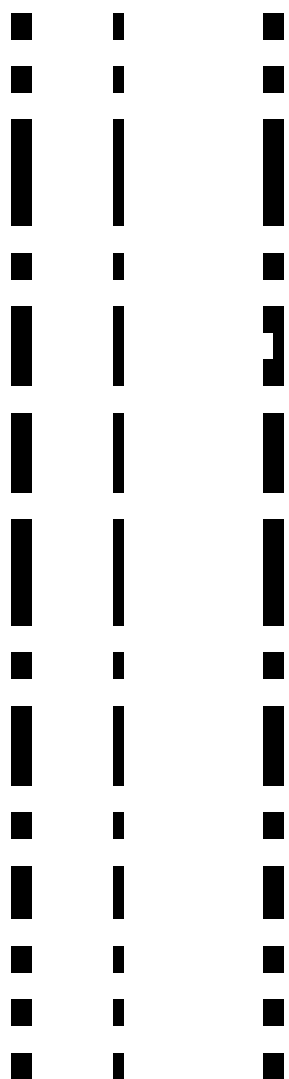
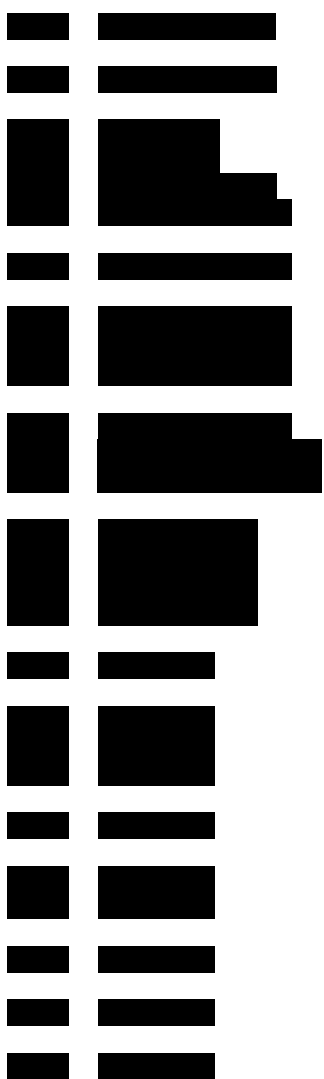
APPENDIX A

TEST PIT REGISTER



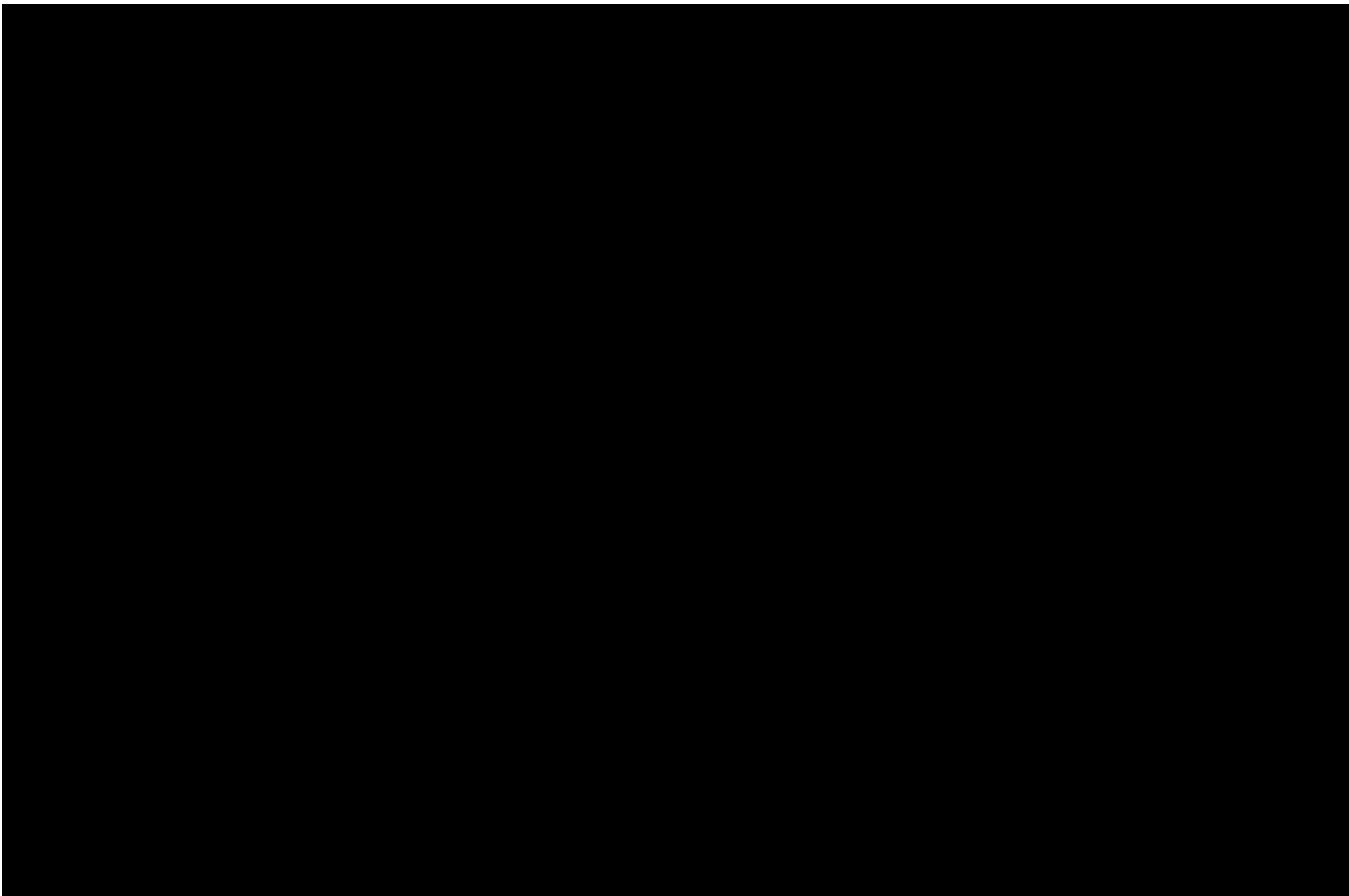






APPENDIX B

ARTEFACT CATALOGUE



APPENDIX C

**AHIMS SITE CARDS NEWLY
REGISTERED SITES**

The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The second part of the paper describes the methodology used in the study, including the data collection and analysis techniques. The third part of the paper presents the results of the study, and the fourth part discusses the conclusions and implications of the findings.

The study was conducted using a quantitative research design. Data was collected from a sample of 100 participants using a survey questionnaire. The data was then analyzed using statistical software to determine the relationships between the variables of interest.

The results of the study indicate that there is a significant positive relationship between the variables of interest. This finding is consistent with the previous research in the field. The implications of these findings suggest that the variables of interest are important factors in the study of the topic.

In conclusion, the study has shown that the variables of interest are important factors in the study of the topic. The findings of the study have implications for future research in the field.

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The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The methodology section describes the research design and the data collection process. The results section presents the findings of the study, and the conclusion section summarizes the main findings and provides recommendations for future research.

The study was conducted in a laboratory setting, and the data were collected using a series of experiments. The results of the experiments were analyzed using statistical methods, and the findings were compared with the results of previous studies. The study found that the research objectives were achieved, and the results were consistent with the findings of previous research.

The study has several limitations, and there are some areas that need to be explored in future research. The study was limited to a specific population, and the results may not be generalizable to other populations. The study also had a limited sample size, and the results may be affected by sampling error.

In conclusion, the study found that the research objectives were achieved, and the results were consistent with the findings of previous research. The study has several limitations, and there are some areas that need to be explored in future research.

the 1990s, the number of people in the UK who are aged 65 and over has increased by 1.5 million (1990–1999) and is projected to increase by a further 1.5 million by 2010 (Office for National Statistics 2000). The number of people aged 65 and over in the UK is projected to increase from 10.5 million in 1999 to 12.5 million in 2010, with the number of people aged 75 and over increasing from 4.5 million to 5.5 million in the same period (Office for National Statistics 2000).

There is a growing awareness of the need to develop strategies to meet the needs of the ageing population. The Department of Health (2000) has published a strategy for ageing, which sets out the government's commitment to improve the lives of older people. The strategy is based on three main principles: (1) to ensure that older people have the opportunity to live independently and actively; (2) to ensure that older people have access to the services and support they need; and (3) to ensure that older people are treated with respect and dignity.

The strategy is based on the following assumptions: (1) that older people are a diverse group with different needs and interests; (2) that older people should be able to live independently and actively; (3) that older people should have access to the services and support they need; and (4) that older people should be treated with respect and dignity. The strategy sets out a range of measures to be taken to improve the lives of older people, including: (1) to improve the physical environment; (2) to improve the social environment; (3) to improve the financial environment; and (4) to improve the health and social care environment.

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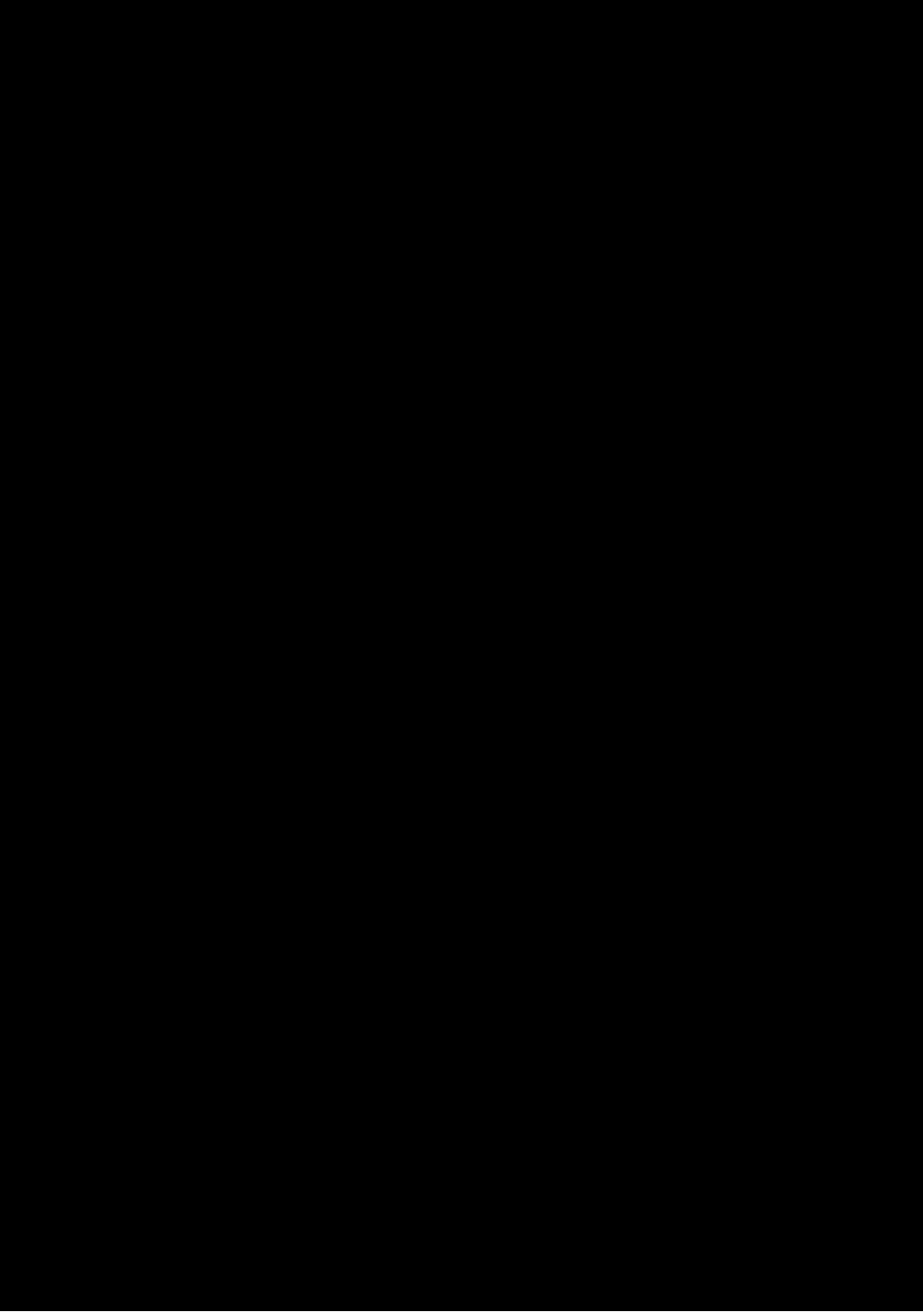
The strategy also sets out a range of measures to be taken to improve the lives of older people, including: (1) to improve the physical environment; (2) to improve the social environment; (3) to improve the financial environment; and (4) to improve the health and social care environment. The strategy is based on the following assumptions: (1) that older people are a diverse group with different needs and interests; (2) that older people should be able to live independently and actively; (3) that older people should have access to the services and support they need; and (4) that older people should be treated with respect and dignity.

The first part of the paper discusses the importance of the research and the objectives of the study. It highlights the need for a comprehensive understanding of the subject matter and the role of the researcher in this process. The second part of the paper presents the methodology used in the study, including the data collection methods and the analysis techniques. The third part of the paper discusses the results of the study and the conclusions drawn from the data. The final part of the paper provides a summary of the findings and offers suggestions for future research.

The research was conducted in a systematic and rigorous manner, following the principles of scientific inquiry. The data was collected from a representative sample of the population, and the analysis was performed using advanced statistical techniques. The results of the study are presented in a clear and concise manner, allowing for a thorough understanding of the findings. The conclusions drawn from the data are based on a careful examination of the results and are supported by the evidence.

The study has several strengths, including the use of a large sample size and the application of advanced statistical methods. However, there are also some limitations to the study, such as the potential for bias in the sample selection and the limited scope of the research. Despite these limitations, the study provides valuable insights into the subject matter and contributes to the existing body of knowledge.

In conclusion, the study has shown that the research is a complex and multifaceted process that requires a deep understanding of the subject matter and a commitment to scientific rigor. The findings of the study are significant and have important implications for the field. Further research is needed to explore the topic in more depth and to address the limitations of the current study.



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[The page contains a large, faint, and mostly illegible watermark or bleed-through from the reverse side. The text is mirrored and difficult to decipher, but appears to be a formal document or letter.]

The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The second part of the paper describes the methodology used in the study, including the data collection and analysis techniques. The third part of the paper presents the results of the study, and the fourth part discusses the conclusions and implications of the findings.

The study was conducted using a quantitative research design. Data was collected from a sample of 100 participants, and the results were analyzed using statistical software. The findings of the study indicate that there is a significant relationship between the variables being studied.

The results of the study suggest that the research has important implications for the field. Further research is needed to explore the relationship between the variables in more detail.

In conclusion, the study has provided valuable insights into the topic and has contributed to the existing body of knowledge. The findings have important implications for the field and suggest that further research is needed.

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APPENDIX B - BASIC AND EXTENSIVE AHIMS SEARCH RESULT

Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 20 September 2024

Level 8 123 Angel Street

Sydney New South Wales 2000

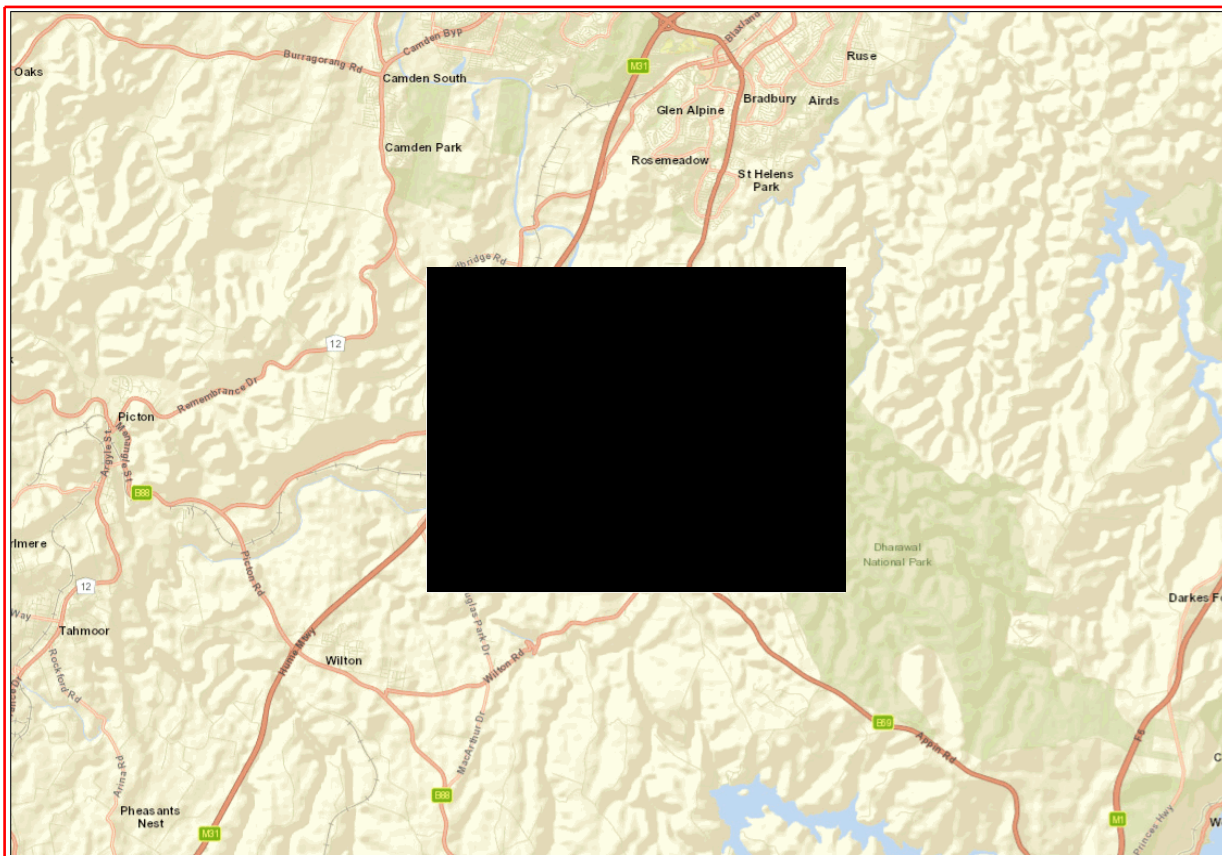
Attention: Ginger-Rose Harrington

Email: gharrington@urbis.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 291474.12 - 297474.12, Northings : 6213526.0 - 6219526.0 with a Buffer of 0 meters, conducted by Ginger-Rose Harrington on 20 September 2024.

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



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

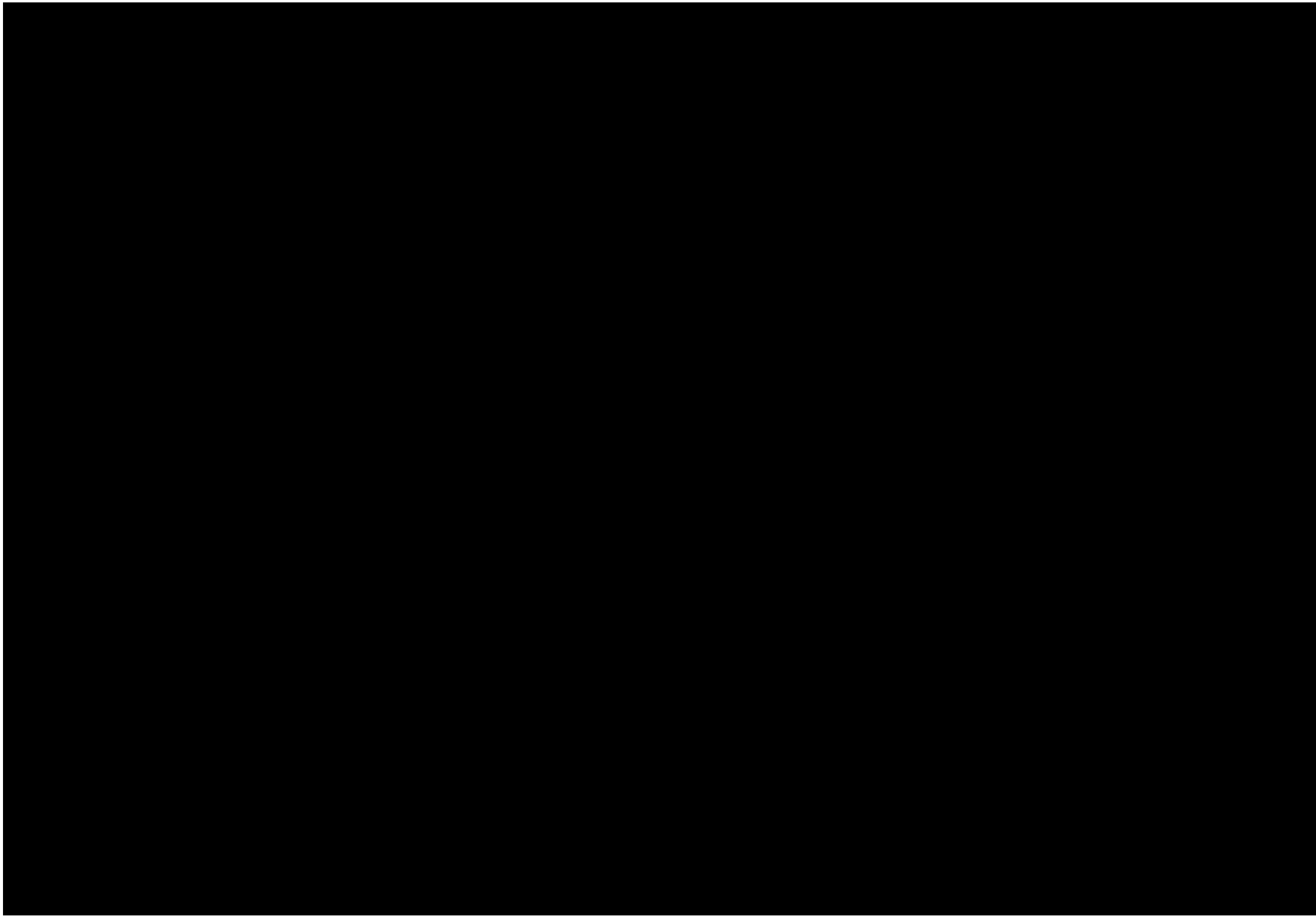
100	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

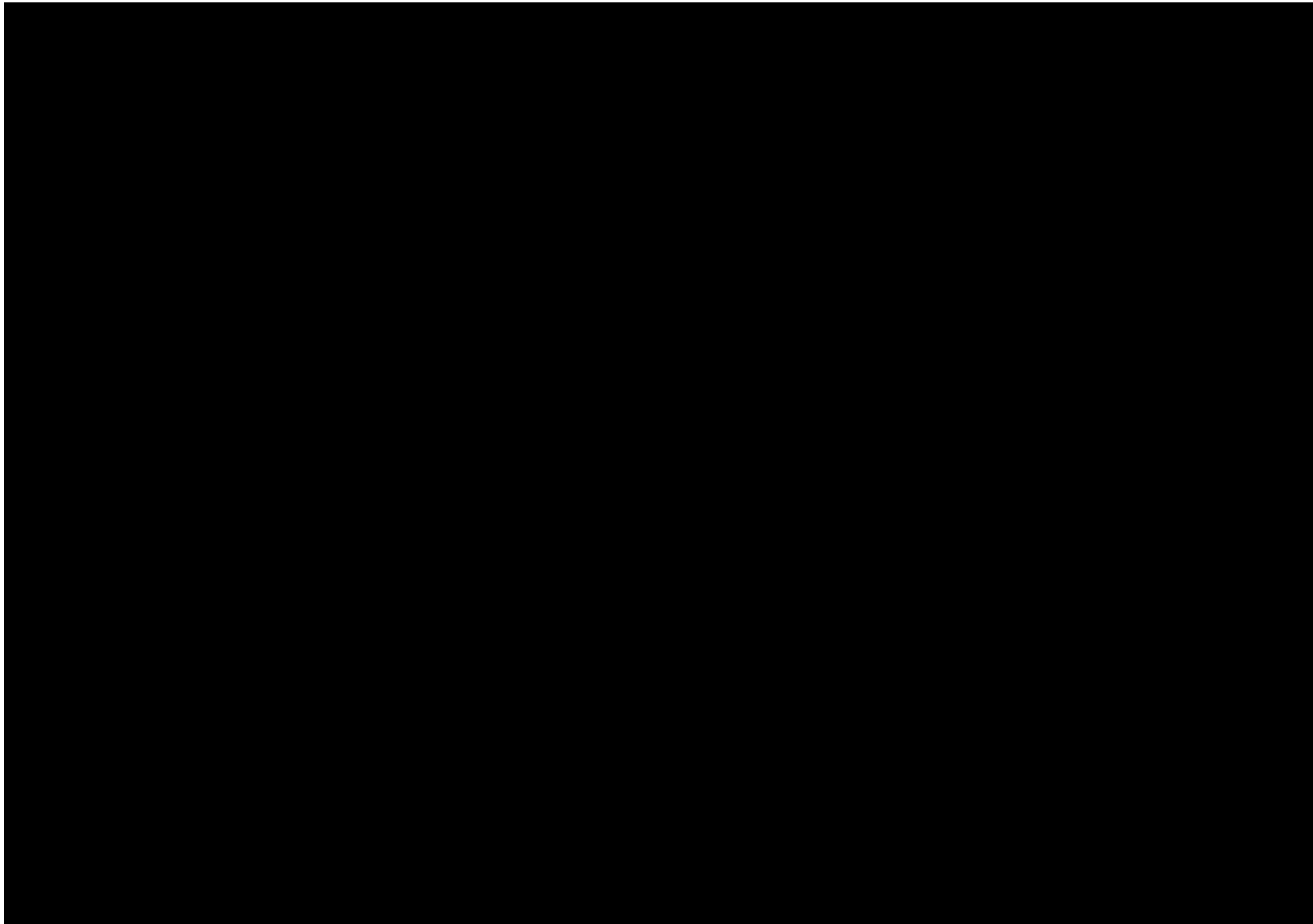
If your search shows Aboriginal sites or places what should you do?

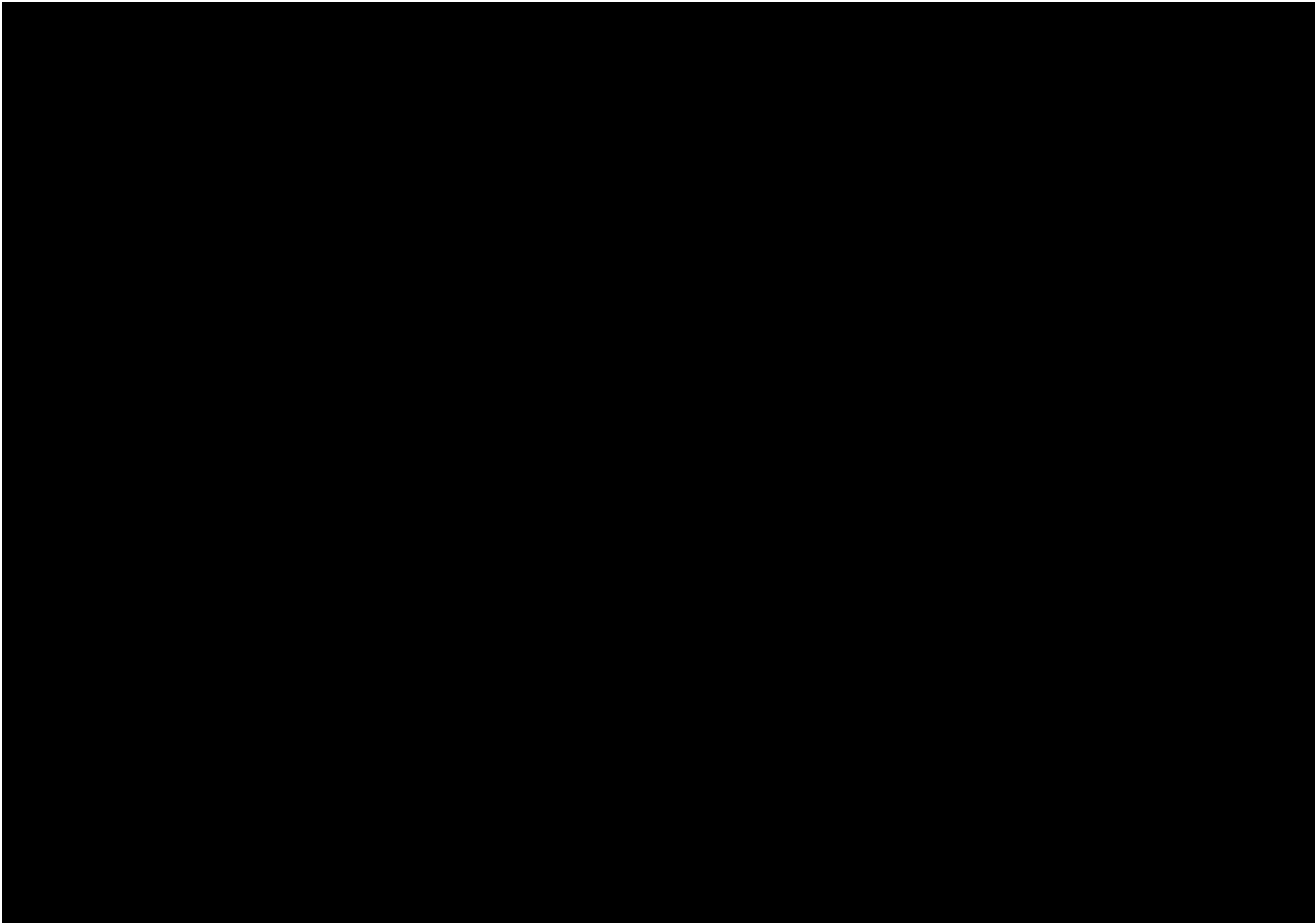
- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places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

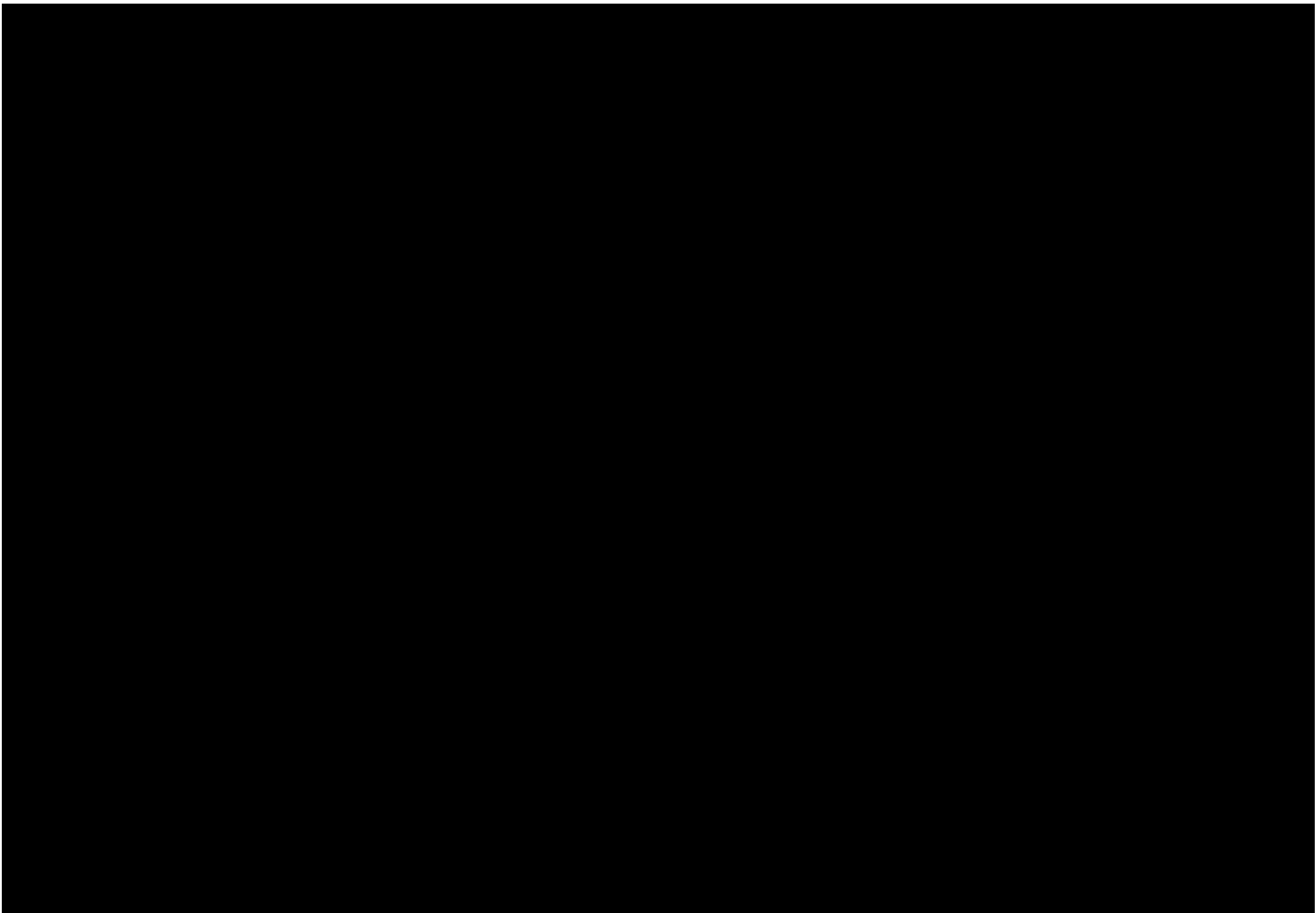
Important information about your AHIMS search

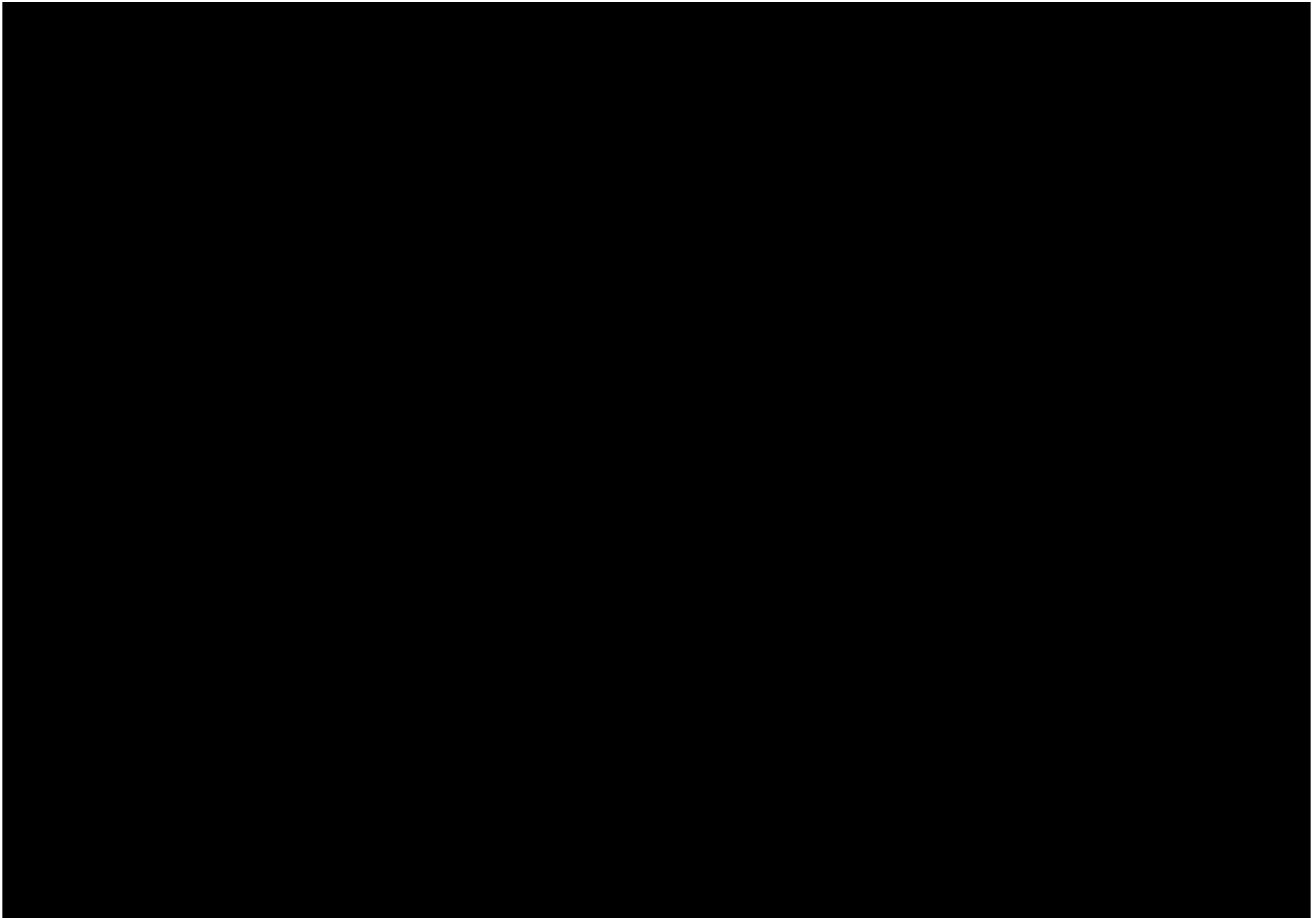
- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the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

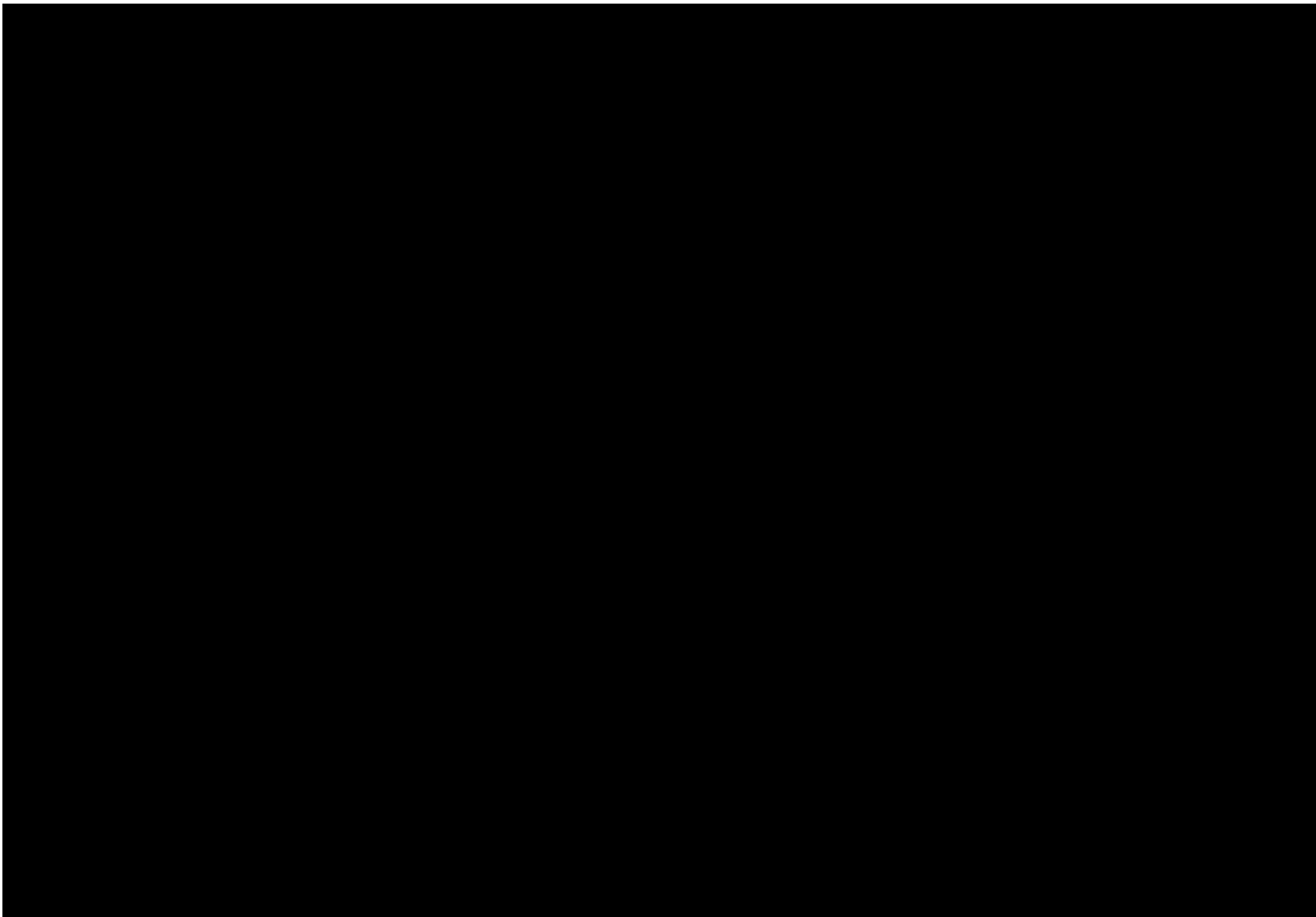


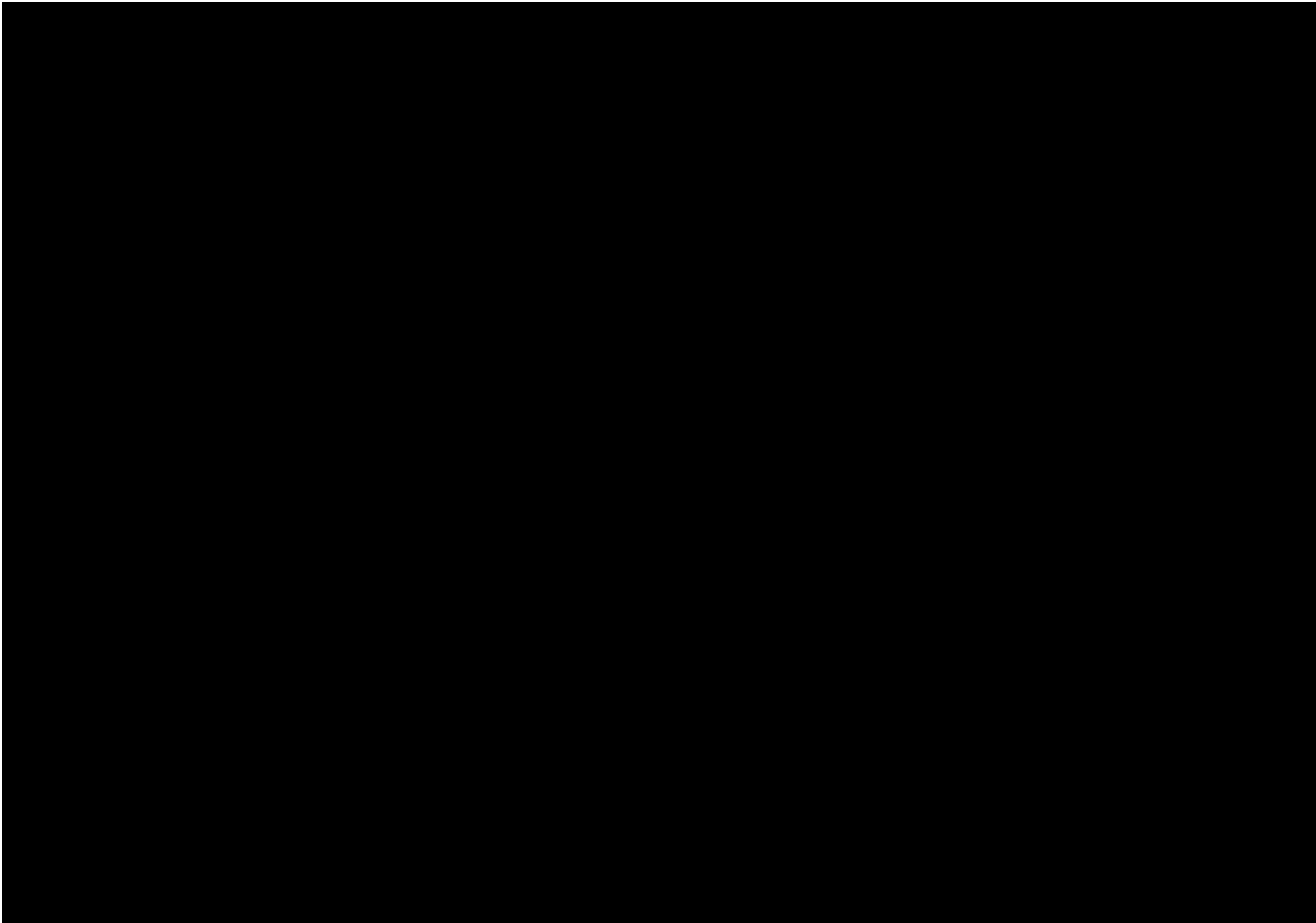


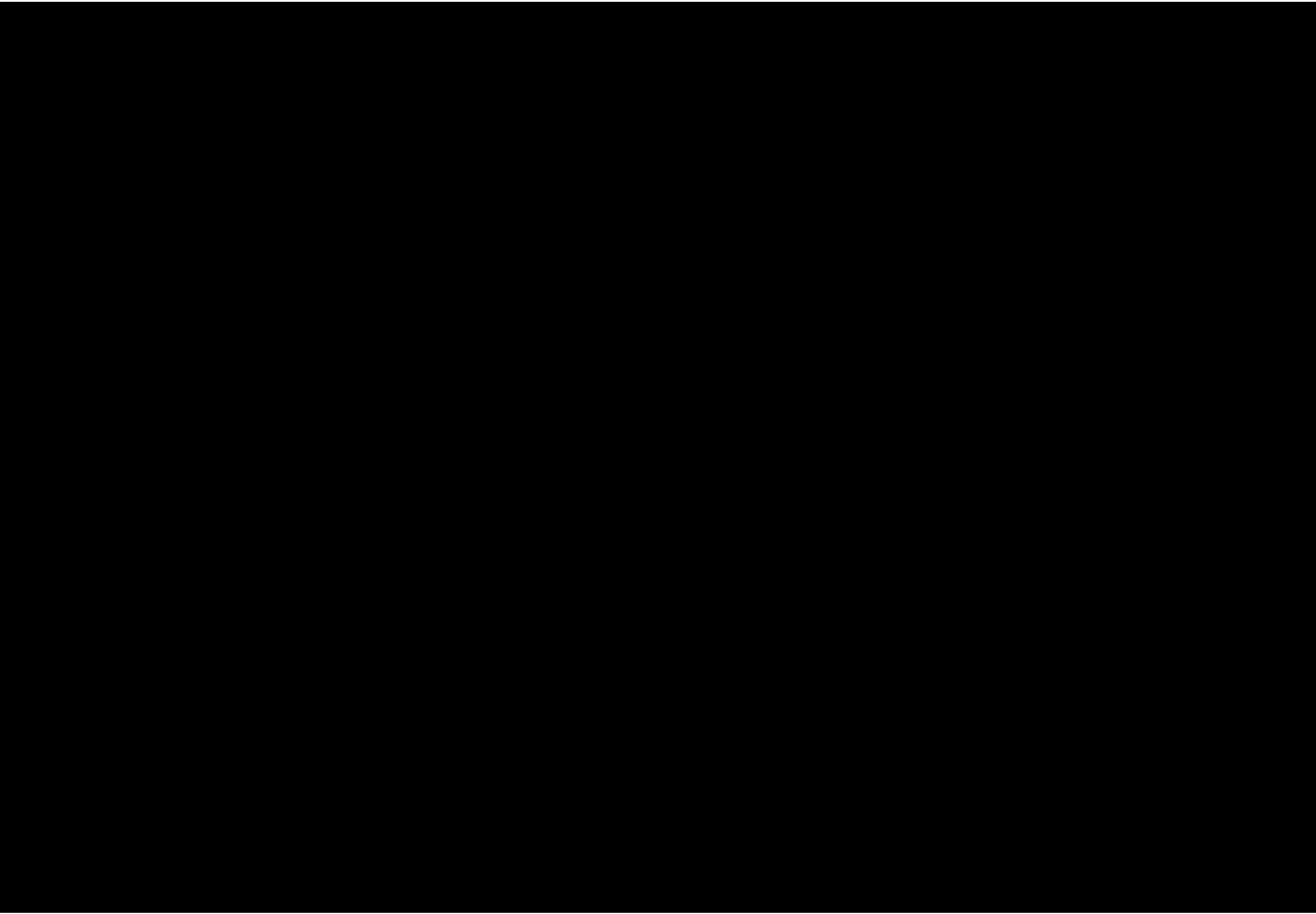




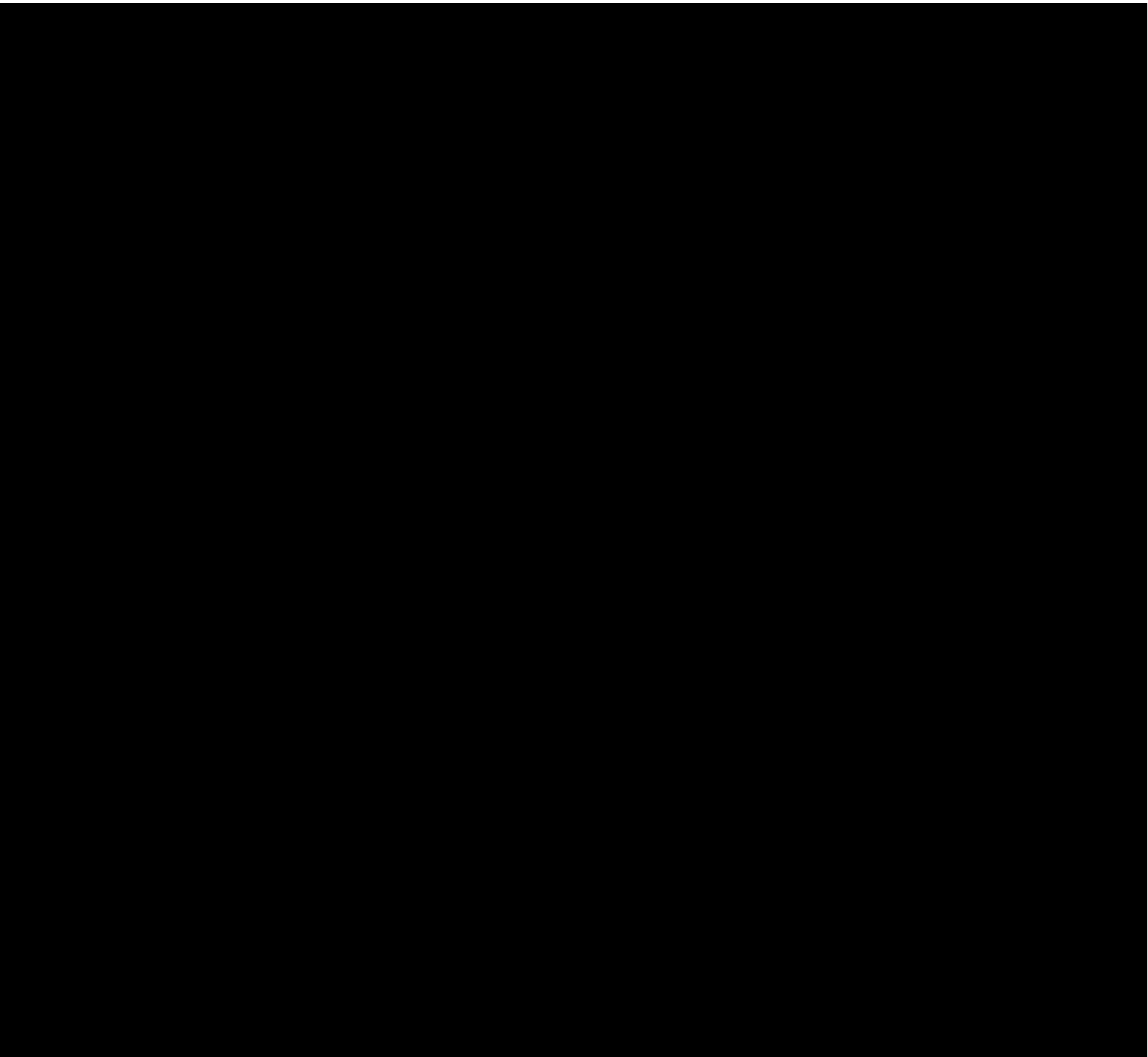








APPENDIX C - REGISTERED ABORIGINAL PARTY CONSULTATION LOG



APPENDIX D – REGISTERED ABORIGINAL PARTY CONSULTATION DOCUMENTS

Search National Native Title Register

The National Native Title Register (NNTR) is a register established under s. 192 of the *Native Title Act 1993* (Cth).

The NNTR contains determinations of native title made by:

- the High Court of Australia
- the Federal Court of Australia
- or a recognised body such as South Australia's Supreme Court and Environment Resources and Development Court.

Further information about the NNTR is available.

Tribunal file no.	
Federal Court file no.	
Short name	
Case name	
State or Territory	ALL
Registered Native Title Body Corporate*	
Representative A/TSI body area	
Local government area	Wollondilly Shire Council
Determination type	ALL
Legal process	ALL
Determination outcome	ALL
Determination date between	and
Sort by	Determination date
Search >	

*Please note: current contact details for the Registered Native Title Body Corporate are available from the Office of the Registrar of Indigenous Corporations www.oric.gov.au

No results for current search criteria

Search National Native Title Register

The National Native Title Register (NNTR) is a register established under s. 192 of the *Native Title Act 1993* (Cth).

The NNTR contains determinations of native title made by:

- the High Court of Australia
- the Federal Court of Australia
- or a recognised body such as South Australia's Supreme Court and Environment Resources and Development Court.

Further information about the NNTR is available.

Tribunal file no.	
Federal Court file no.	
Short name	
Case name	
State or Territory	New South Wales
Registered Native Title Body Corporate*	
Representative A/TSI body area	
Local government area	Campbelltown City Council
Determination type	ALL
Legal process	ALL
Determination outcome	ALL
Determination date between	and
Sort by	Determination date
Search >	

*Please note: current contact details for the Registered Native Title Body Corporate are available from the Office of the Registrar of Indigenous Corporations www.oric.gov.au

No results for current search criteria

Wade Goldwyer

From: Wade Goldwyer
Sent: Tuesday, 28 February 2023 10:07 AM
To: Geospatial Search Requests
Cc: Meggan Walker
Subject: Stage 1 Agency Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment
Attachments: Request for Spatial Search of Tribunal Registers_Feb 2023.pdf

Tracking:	Recipient	Delivery
	Geospatial Search Requests	
	Meggan Walker	Delivered: 28/02/2023 10:07 AM

Good afternoon,

Please find attached search request form for a site located at 345 Appin Road, Appin, NSW , Lot 105 in Deposited Plan (DP) 1188670. We are seeking any information regarding potential Aboriginal stakeholders for our project at this site. If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506
E wgoldwyer@urbis.com.au

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CITIES AND
COMMUNITIES**



LEVEL 14, 1 WILLIAM STREET
PERTH, WA 6000, AUSTRALIA
T +61 8 9346 0500



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Learn more about our [Reconciliation Action Plan](#).

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Request for Spatial Search of Tribunal Registers

1: Your details

Your name:	Wade Goldwyer		
Your company:	Urbis		
E-mail address:	wgoldwyer@urbis.com.au	Phone:	+61 2 8233 9956
Your reference:	P0043207	Your state:	New South Wales
☒	I have read and acknowledge the terms and conditions on the next page.		

2: Areas to be searched

Jurisdiction to be searched:	New South Wales	Tenure to be searched:	Non freehold parcel
------------------------------	-----------------	------------------------	---------------------

Parcel or tenement identifiers (add up to 20 separate identifiers). **Please see over for parcel identifiers.**

Parcel 1:	Lot 105 DP 1188670	Parcel 2:	Click or tap here to enter text.
Parcel 3:	Click or tap here to enter text.	Parcel 4:	Click or tap here to enter text.
Parcel 5:	Click or tap here to enter text.	Parcel 6:	Click or tap here to enter text.
Parcel 7:	Click or tap here to enter text.	Parcel 8:	Click or tap here to enter text.
Parcel 9:	Click or tap here to enter text.	Parcel 10:	Click or tap here to enter text.
Parcel 11:	Click or tap here to enter text.	Parcel 12:	Click or tap here to enter text.
Parcel 13:	Click or tap here to enter text.	Parcel 14:	Click or tap here to enter text.
Parcel 15:	Click or tap here to enter text.	Parcel 16:	Click or tap here to enter text.
Parcel 17:	Click or tap here to enter text.	Parcel 18:	Click or tap here to enter text.
Parcel 19:	Click or tap here to enter text.	Parcel 20:	Click or tap here to enter text.

If your search area is not a parcel or mining or petroleum tenement, you can enter other tenure or administrative regions here (e.g. local government area, townsite or county). Please provide as much detail as you can.

Wollondilly Shire Local Government Area and Campbelltown Local Government Area.

E-mail the completed form to GeospatialSearch@NNTT.gov.au

Parcel Identifiers

In most jurisdictions please identify parcels using lot on plan, or lot/section/plan as appropriate. The NNTT is generally not able to identify parcels using land title information. Where possible, the NNTT uses the terminology and formatting of unique identifiers used in each state to uniquely identify a land parcel. More details are below:

1. **Lot on plan.** Use for Western Australia and Queensland.
2. **Lot/Section/Plan.** Use for New South Wales.
3. **LAISKEY.** Use for the Northern Territory. The laiskey is a unique identifier for each parcel comprised of the location code, LTO code (derived from the survey plan) where applicable and the parcel number.
4. **Parcel ID** – Use for South Australia. Concatenation of Parcel Type, Parcel, Plan Type and Plan.
5. **SPI** (Standard Parcel Identifier) – Use for Victoria.

Terms and Conditions

1. Specify only one jurisdiction (e.g. Queensland) and one type of tenure (e.g. mining tenement) per form. You can add up to 20 separate tenements or parcels per search request. For more than 20 parcels or tenements please submit additional search requests or contact GeospatialSearch@NNTT.gov.au to discuss your requirements.

Note: if your area of interest cannot be clearly identified from the search form, or is not held in NNTT datasets, we may instead provide search results for a surrounding local government area, or other suitable regional area.

2. Freehold land.

Under the Native Title Act 1993 (Cth), the valid grant of a freehold estate (other than certain types of Aboriginal and Torres Strait Islander land) on or before 23 December 1996 is known as a 'previous exclusive possession act'. This means that native title has been extinguished over the area. Native title claimants are not allowed to include land and waters covered by previous exclusive possession acts in their applications; therefore they would normally exclude freehold areas. A native title application may, however, be made over freehold land on the basis that freehold was invalidly granted, but the chances of this happening are very low.

3. Cultural Heritage in NSW.

The National Native Title Tribunal has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

4. Spatial searches rely on data obtained from the relevant custodian. Whilst efforts are taken to update such datasets on a regular basis, the collection and interpretation of such datasets may be influenced by a number of factors that can impact of the completeness and accuracy of your search results.

Disclaimer

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that neither the NNTT, the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise your own judgment and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used.

The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date.

The NNTT and Registrar expressly disclaim any liability arising from the use of this information.

This information should not be relied upon in relation to any matters associated with cultural heritage.

Wade Goldwyer

From: Wade Goldwyer
Sent: Tuesday, 28 February 2023 10:05 AM
Cc: Meggan Walker
Subject: Stage 1 Agency Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment
Attachments: P0043207_345AppinRdAppin_Stage 1.2_AgencyNotice.pdf

Tracking:	Recipient	Delivery
	Meggan Walker	Delivered: 28/02/2023 10:06 AM
	gs.service@lls.nsw.gov.au	
	reception@tharawal.com.au	
	information@ntscorp.com.au	
	heritagemailbox@environment.nsw.gov.au	
	adminofficer@oralra.nsw.gov.au	
	council@wollondilly.nsw.gov.au	
	council@campbelltown.nsw.gov.au	

To whom it may concern,

Please see the attached Stage 1.2 Agency Letter for the preparation of an Aboriginal Cultural Heritage Assessment for a site located at 345 Appin Road, Appin, NSW , Lot 105 in Deposited Plan (DP) 1188670.

The ACHA is to be carried out in accordance with relevant guidelines under the NSW *National Parks and Wildlife Act 1974* (NPW Act). As part of the ACHA, Urbis will conduct a community consultation process with registered Aboriginal parties.

The community consultation will be conducted in accordance with Section 4 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. In accordance with Section 4.1.2 of the Consultation Requirements, Urbis seeks to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please let us know if you have any questions and provide any responses as soon as possible and preferably before **7 March 2023**.

We look forward to hearing from you.

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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CITIES AND
COMMUNITIES**



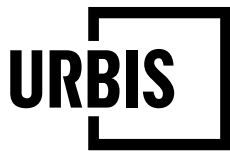


LEVEL 14, 1 WILLIAM STREET
PERTH, WA 6000, AUSTRALIA
T +61 8 9346 0500



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Learn more about our [Reconciliation Action Plan](#).

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**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

28 February 2023

To whom it may concern,

345 APPIN ROAD, APPIN, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1: AGENCY NOTICE

Urbis has been commissioned by Ingham Property Group ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for the North Appin (part) Precinct, at 345 Appin Road, Appin, NSW on Tharawal Land ('the subject area'). Legally, the subject area is defined as Lot 105 in Deposited Plan (DP) 1188670.

The subject area is located within the Wollondilly Shire Local Government Area (LGA) and a small portion of the site is located within the Campbelltown Council LGA, and within the bounds of the Tharawal Local Aboriginal Land Council (LALC).

In December 2022, Urbis prepared an Aboriginal Objects Due Diligence Assessment (ADD) for the subject area. The ADD concluded and recommended that further investigation be undertaken in the form of an ACHA. The ACHA will support a Planning Proposal for the future development of North Appin (part) Precinct.

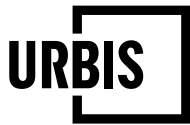
The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act) and will support an application for an AHIP (if required). The assessment will detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.

The proponent can be contacted via:

Ash Bowman
Development Manager
Inghams Property Group
Email: northappin@inghamproperty.com.au

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents (DEECW 2010)* (the Consultation Requirements) and Clause 80C of the *NSW National Parks and Wildlife Regulation 2009*, the Proponent will conduct a community consultation process with registered Aboriginal people to assist with the preparation of the ACHA to identify any Aboriginal cultural heritage values or archaeological materials and mitigate risk of harm.

In accordance with Section 4.1.2 of the Consultation Requirements, Urbis proposes to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area and management measures, including if an Aboriginal Heritage Impact Permit will be needed.



Should you be aware of any Aboriginal persons and/or organisations that may hold an interest in the project, please provide their details at your earliest convenience and preferably by **Close of Business, 7 March 2023** in writing to:

Wade Goldwyer
Consultant
Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

Urbis on behalf of the proponent will write to each Aboriginal person or group whose details are provided to notify them of the proposed project and invite them to register an interest in the community consultation process.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "M. Walker", with a stylized flourish at the end.

Meggan Walker
Senior Consultant
+61 2 8233 7626
mwalker@urbis.com.au

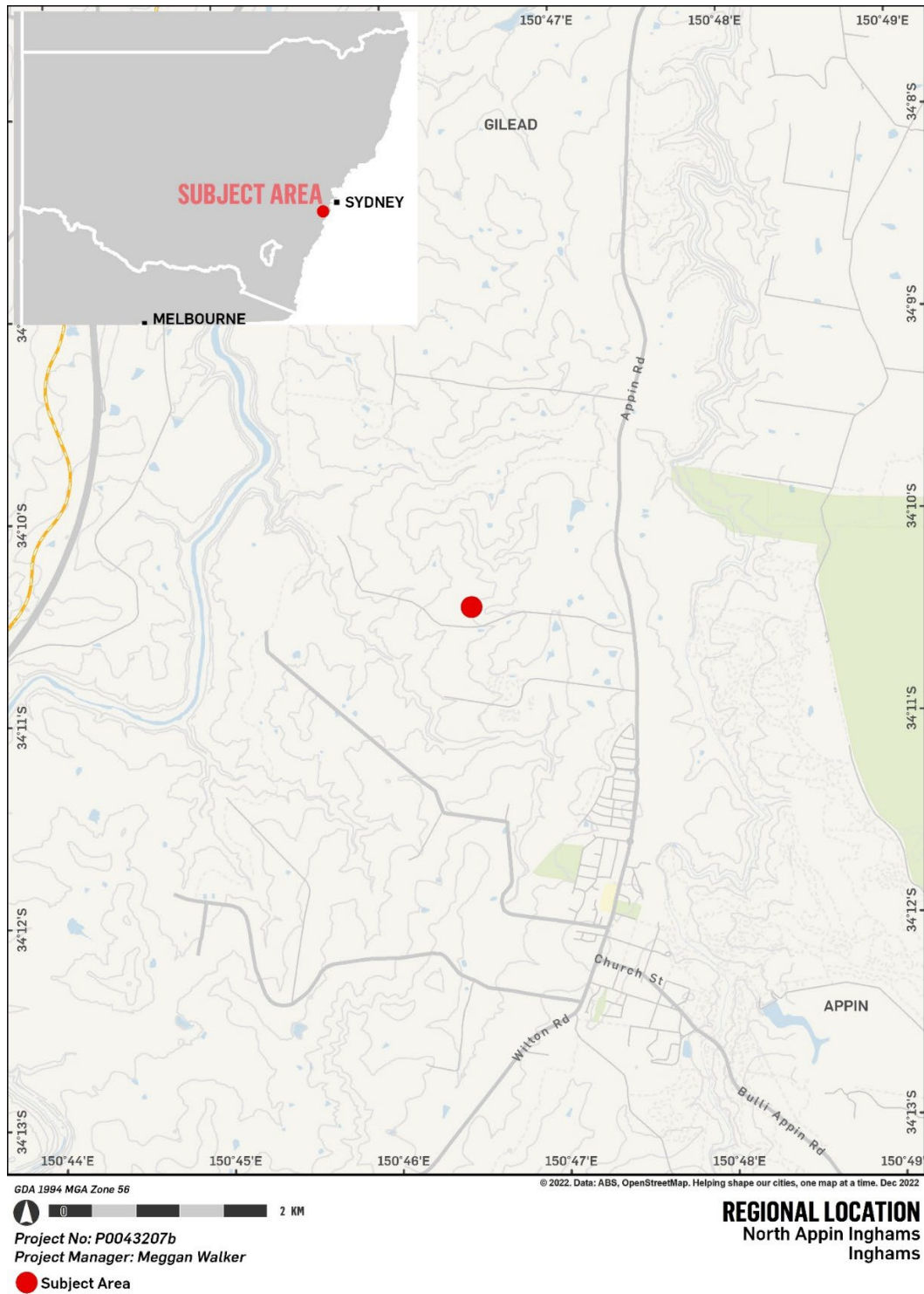


Figure 1 – Regional Location of the subject area

Our Reference: TRIM No. 1306-5RM

Wade Goldwyer
Consultant
Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
wgoldwyer@urbis.com.au

1 March 2023

Dear Wade,

**Re: 345 APPIN ROAD, APPIN, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT –
ABORIGINAL COMMUNITY CONSULTATION STAGE 1:**

Thank you for your recent correspondence with Council requesting the provision of contact details for Aboriginal groups and stakeholders in Wollondilly.

Please find the information below:

- [REDACTED]
- [REDACTED]
- [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Yours faithfully



Rob Moran
Community Projects & Events Team Leader
COMMUNITY OUTCOMES

From: [Geospatial Search Requests](#)
To: Wade Goldwyer
Cc: [Meggan Walker](#)
Subject: RE: SR23/323 - Stage 1 Agency Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - SR23/323 [SEO=OFFICIAL]
Date: Wednesday, 1 March 2023 3:05:22 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

OFFICIAL

Your ref: P0043207 Our ref: SR23/323

Dear Wade Goldwyer,

Thank you for your search request, please find your results below.

Search Results

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- Native Title Determinations
- Indigenous Land Use Agreements (Registered and notified)

Results for overlapping native title matters in NSW:

Feature ID	Tenure	Cadastral Data As At	Feature Area SqKm	Overlapping Native Title Feature				
				NNTT File Number	Name	Category	Overlap Area SqKm	% Selected Feature
105/DP1188670	FREEHOLD	5/09/2022	3.0296	No overlap			-	0.00%

For more information about the Tribunal's registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Information on native title claims and freehold land can also be found on the Tribunal's website here: [Native title claims and freehold land](#).

Please note: There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

Search results and the existence of native title

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

The Tribunal accepts no liability for reliance placed on enclosed information

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us via GeospatialSearch@NNTT.gov.au

Regards,

[Geospatial Searches](#)

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

From: Wade Goldwyer <wgoldwyer@urbis.com.au>

Sent: Tuesday, 28 February 2023 10:07 AM

To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>

Cc: Meggan Walker <mwalker@urbis.com.au>

Subject: SR23/323 - Stage 1 Agency Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon,

Please find attached search request form for a site located at 345 Appin Road, Appin, NSW, Lot 105 in Deposited Plan (DP) 1188670. We are seeking any information regarding potential Aboriginal stakeholders for our project at this site.

If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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From: [LLS GS Service Mailbox](#)
To: [Wade Goldwyer](#)
Subject: Re: Stage 1 Agency Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment
Date: Wednesday, 1 March 2023 5:46:08 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[Outlook-NSW Govern.png](#)
[Outlook-zkddfgyv.png](#)
[Outlook-pyznthvx.png](#)
[Outlook-gou4b03i.png](#)
[Outlook-ilmajise.png](#)

Dear Wade

Thank you for your recent letter seeking assistance to identify Aboriginal stakeholder organisations and persons who may hold an interest in Country at the project area designated in your correspondence.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services (formerly as Catchment Management Authorities) has been listed in Section 4.1.3.(g) of the Aboriginal Cultural Heritage Consultation requirements for proponents 2010, to support Part 6, of the NSW National Parks and Wildlife Act 1974 as a source of information to obtain the 'names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places'.

GS LLS understands and respects the significant role and values that tangible and intangible Aboriginal Cultural Heritage holds for First Nations/Aboriginal people with Country. GS LLS also partners with many First Nations communities on Caring for Country projects that aim to protect and enhance those tangible and intangible values in Country including Aboriginal Cultural Heritage. GS LLS considers Aboriginal Cultural Heritage matters in relation to its role in land management and considers cultural heritage issues in the context of Natural Resource Management.

However, GS LLS feels that it is not a primary source of contact for First Nations (Aboriginal) communities or persons that may inform or provide comment on development or planning issues.

GS LLS strongly recommends you contact Heritage NSW to seek their advice on all-inclusive contact lists of persons and organisations who 'speak for Country' and that may assist with your investigation.

Regards

Customer Service Team
Local Land Services | Greater Sydney
Department of Regional NSW

Telephone 02 4724 2100

Level 4, 2-6 Station Street Penrith
PO Box 4515 WESTFIELD PENRITH

Office Hours: 8.30am - 4.30pm

E: gs.service@lls.nsw.gov.au | **W:** www.lls.nsw.gov.au



Department of Regional NSW

You can also get in touch with us is through our [online enquiry form](#)

How would you rate our service today?



Your opinion is valuable and will help us improve our service

Greater Sydney Local Land Services acknowledges we operate in and deliver services throughout Country of First Nations people in the Greater Sydney Region.

We recognise and respect Elders and cultural knowledge holders, past and present, while acknowledging the unique and diverse enduring cultures and histories of all First Nations people. Always was and always will be Aboriginal land.

From: Wade Goldwyer <wgoldwyer@urbis.com.au>

Sent: Tuesday, 28 February 2023 1:05 PM

Cc: Meggan Walker <mwalker@urbis.com.au>

Subject: Stage 1 Agency Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment

To whom it may concern,

Please see the attached Stage 1.2 Agency Letter for the preparation of an Aboriginal Cultural Heritage Assessment for a site located at 345 Appin Road, Appin, NSW, Lot 105 in Deposited Plan (DP) 1188670.

The ACHA is to be carried out in accordance with relevant guidelines under the NSW National Parks and Wildlife Act 1974 (NPW Act). As part of the ACHA, Urbis will conduct a community consultation process with registered Aboriginal parties.

The community consultation will be conducted in accordance with Section 4 of the *Aboriginal Cultural Heritage*

Consultation Requirements for Proponents 2010. In accordance with Section 4.1.2 of the Consultation Requirements,

Urbis seeks to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please let us know if you have any questions and provide any responses as soon as possible and preferably before **7 March 2023**.

We look forward to hearing from you.

Kind regards,

WADE GOLDWYER

CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

3 March 2023

By email: mwalker@urbis.com.au

Meggan Walker
URBIS
Level 8, 123 Pitt Street
SYDNEY NSW 2000

Dear Meggan

Aboriginal Cultural Heritage Assessment – North Appin (part) Precinct, at 345 Appin Road Appin (Lot 105/DP1188670) NSW: request for list of potential Aboriginal stakeholders

We refer to your email to this Office, dated 28 February 2023, requesting contact information for Aboriginal organisations, stakeholders and/or people who may have cultural knowledge relevant to North Appin (part) Precinct, at 345 Appin Road Appin (Lot 105/DP1188670) NSW, as part of an Aboriginal Cultural Heritage Assessment (ACHA).

Under Section 170 of the *Aboriginal Land Rights Act 1983 (NSW)*, the Office of the Registrar is required to maintain the Register of Aboriginal Owners (RAO) for New South Wales. A search of the RAO has shown that there are currently no Registered Aboriginal Owners in the project area.

The proposed development and study area falls within the boundaries of Tharawal Local Aboriginal Land Council (LALC). We suggest you contact Tharawal LALC (contact details provided below), as they may wish to participate or contribute.

Yours sincerely



Karen Carter
Project Officer
Office of the Registrar, Aboriginal Land Rights Act 1983

Tharawal Local Aboriginal Land Council
PO Box 245
THIRLMERE NSW 2572
(02) 4681 0059



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Urbis recognises the traditional owners of the land on which we work.
Learn more about our [Reconciliation Action Plan](#).

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LIST OF ABORIGINAL STAKEHOLDERS FOR THE DEPARTMENT of PLANNING and ENVIRONMENT (DPE) SOUTHERN REGION HELD BY DPE FOR THE PURPOSES OF THE OEH ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010

These lists are provided to proponents in accordance with section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the "Consultation Requirements") which commenced on 12 April 2010.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

A copy of the Consultation Requirements can be found on the OEH website at:

<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>.

Under the Consultation Requirements; a proponent is required to provide Aboriginal people who may hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places as relevant to the proposed project area, with an opportunity to be involved in consultation. Section 3.3.1 of the Consultation Requirements states that Aboriginal people who can provide this information are, based on Aboriginal lore and custom, the traditional owners or custodians of the land that is the subject of the proposed project.

The Consultation Requirements also state that:

Traditional owners or custodians with appropriate cultural heritage knowledge to inform decision making who seek to register their interest as an Aboriginal party are those people who:

- *continue to maintain a deep respect for their ancestral belief system, traditional lore and custom*
- *recognise their responsibilities and obligations to protect and conserve their culture and heritage and care for their traditional lands or Country*
- *have the trust of their community, knowledge and understanding of their culture, and permission to speak about it.*

Please note: the placement of an organisation's name on any OEH Aboriginal stakeholder list for the Consultation Requirements does not override a proponent's requirement to also advertise in the local newspaper and to seek from other sources the names of any other Aboriginal people who may hold cultural knowledge as required under clause 60 of the National Parks and Wildlife Regulation 2019.

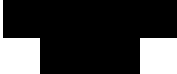
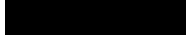
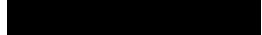
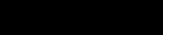
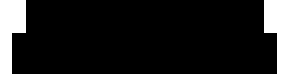
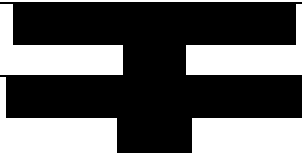
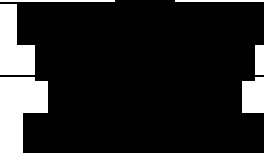
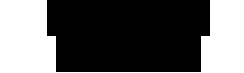
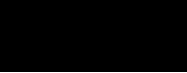
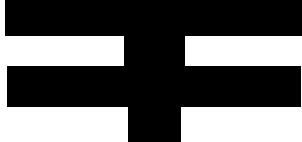
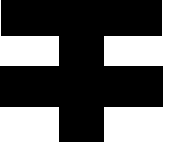
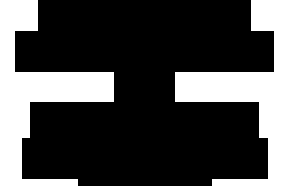
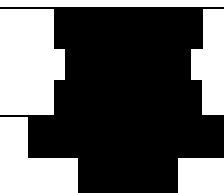
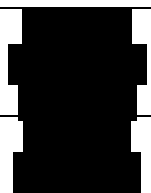
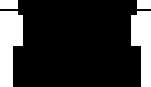
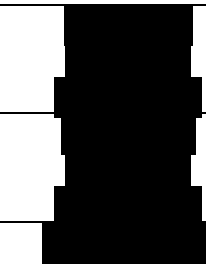
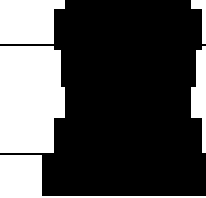
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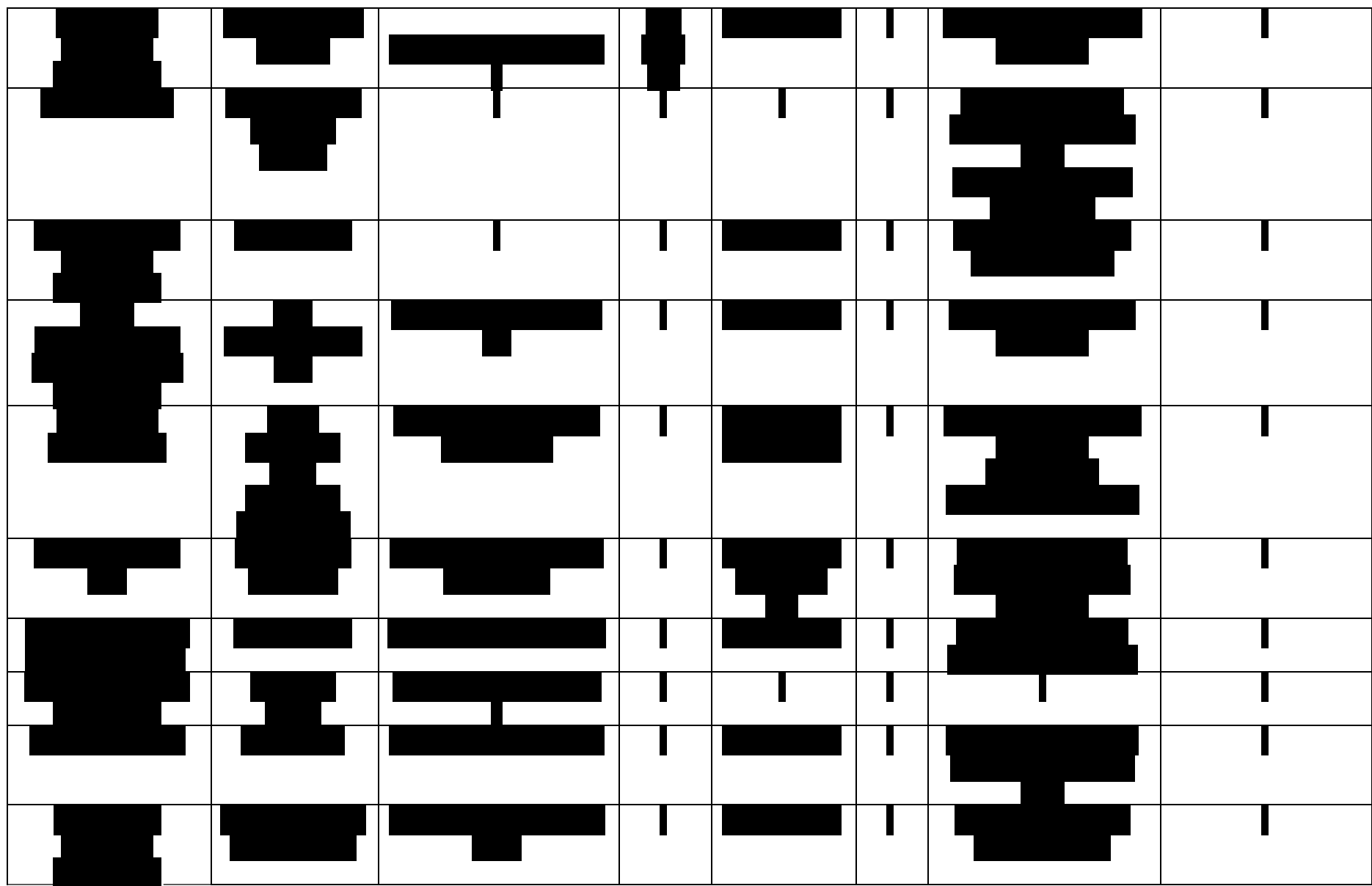
- 1. Contact the organisations/individuals who have indicated an interest in the relevant LGA/s and invite them to register an interest in your project**

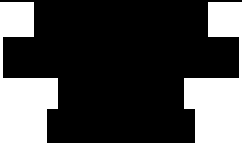
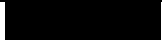
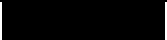
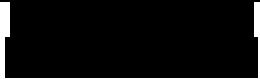
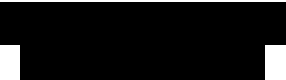
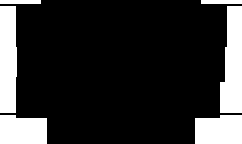
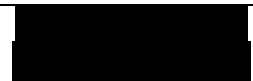
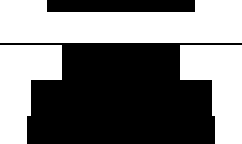
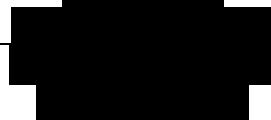
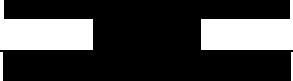
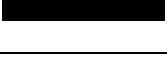
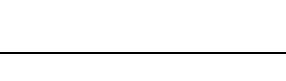
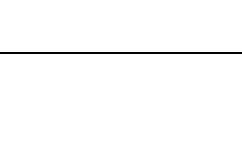
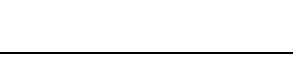
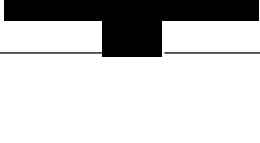
Do not reproduce the attached list in publicly available reports and other documents. Your report should only contain the names of the organisations and individuals who you have invited to register an interest in your project and those who have registered as stakeholders for your project.

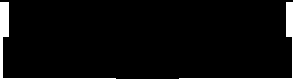
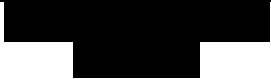
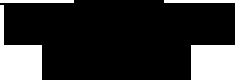
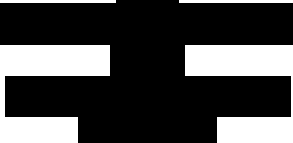
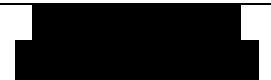
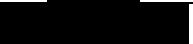
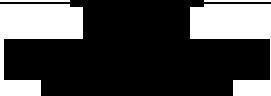
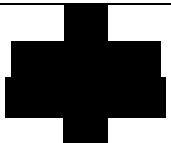
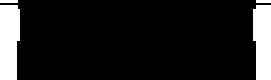
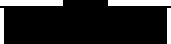
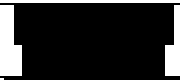
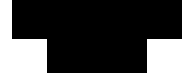
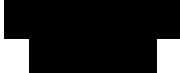
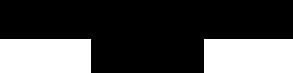
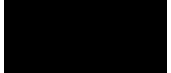
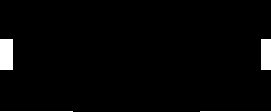
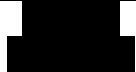
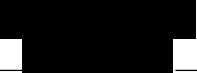
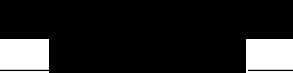
Last updated February 2023

Aboriginal Stakeholders – Wollondilly Local Government Area.

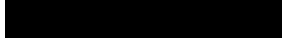
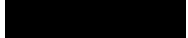
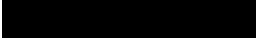
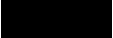
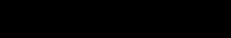
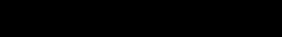
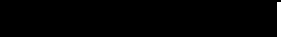
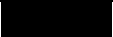
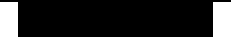
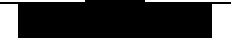
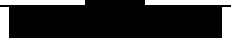
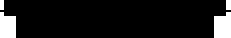
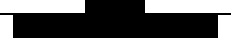
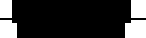


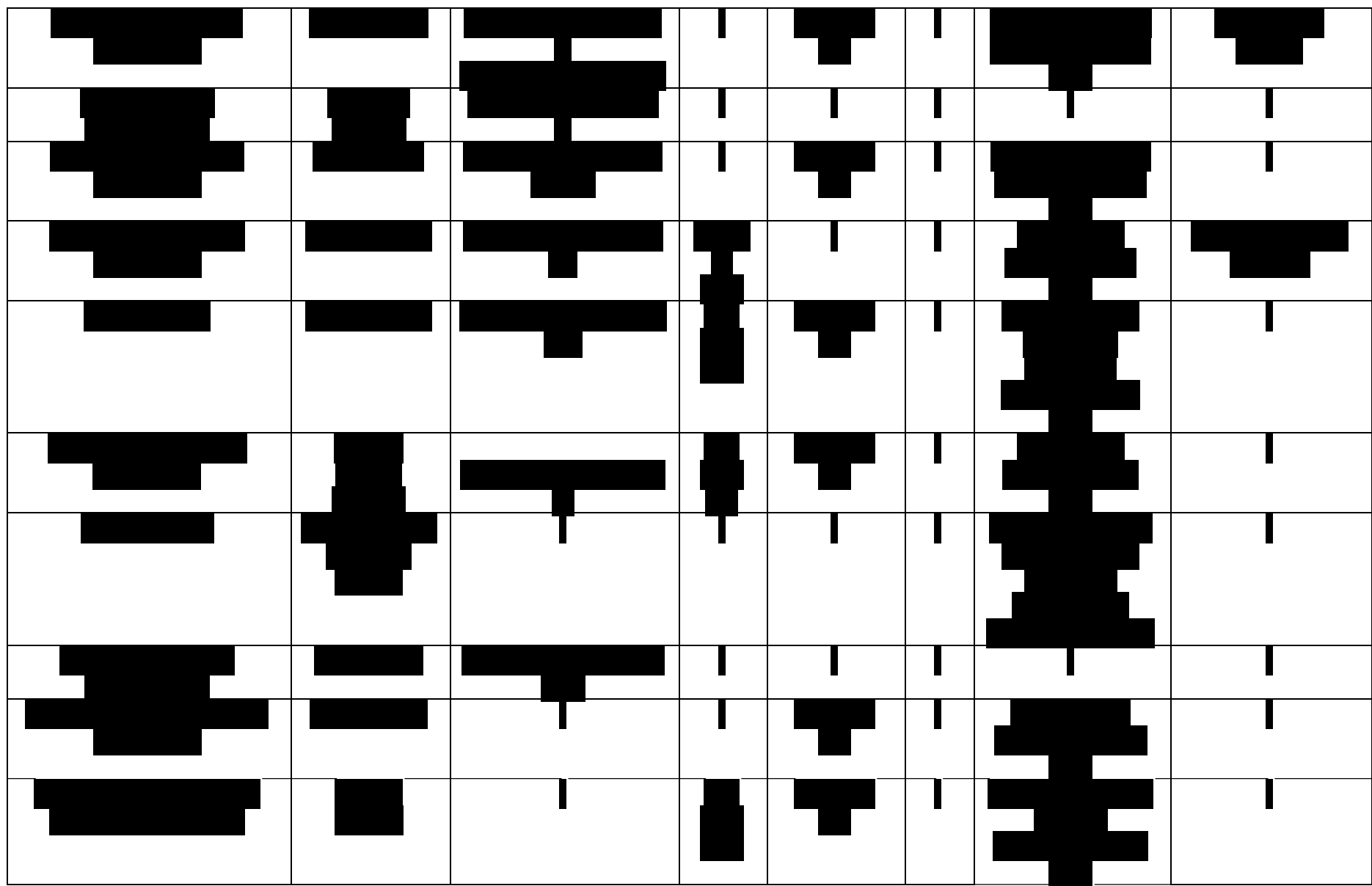
							
							
							
							
							
							
							
							
							

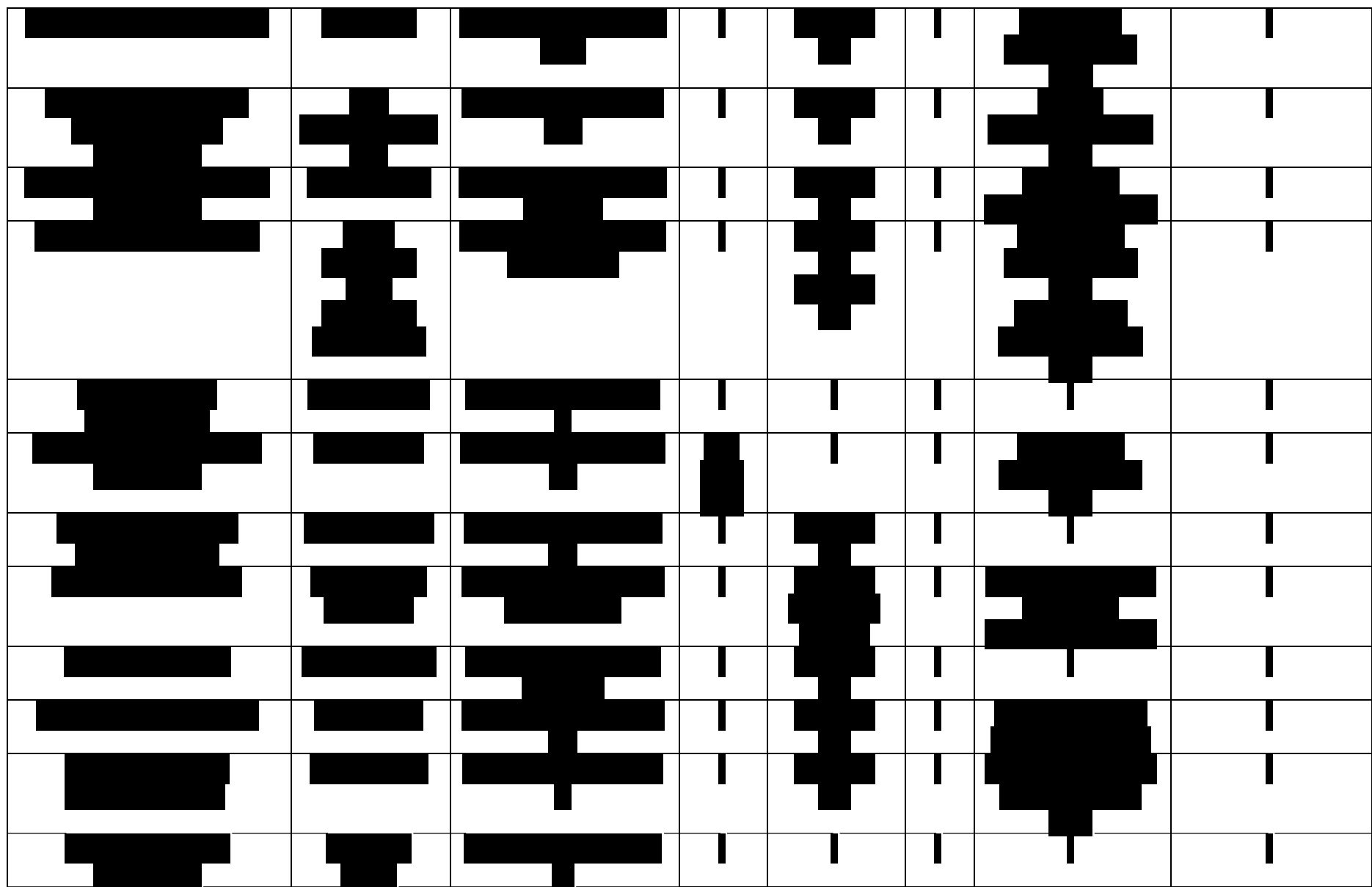
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Aboriginal Stakeholders – Campbelltown Local Government Area.

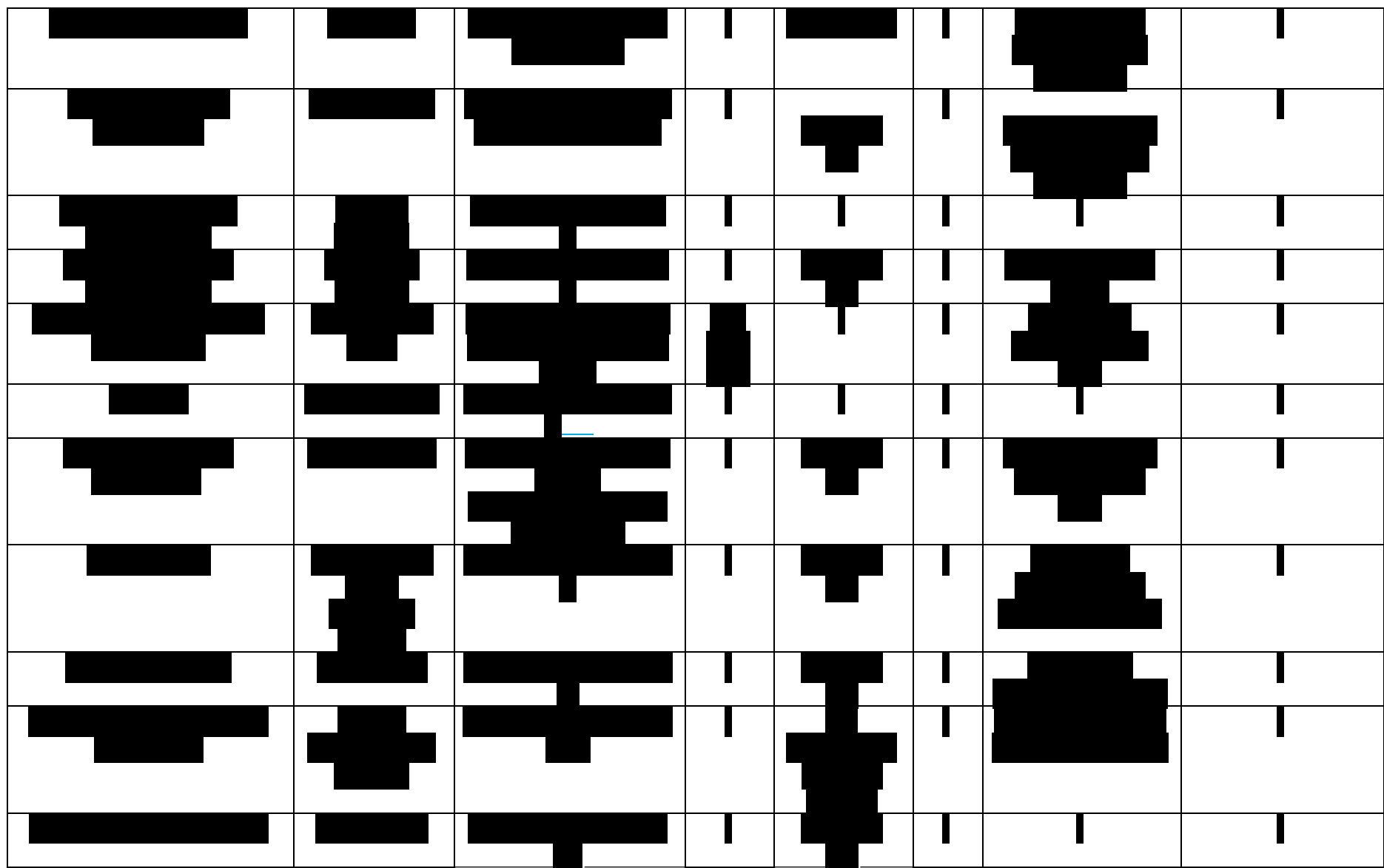
							
							
							
							
							
							
							
							

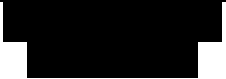
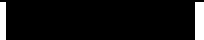
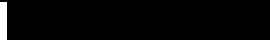
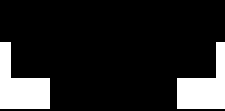
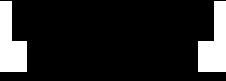
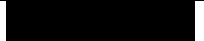
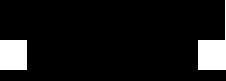
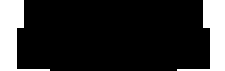
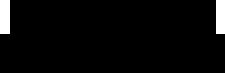
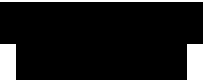
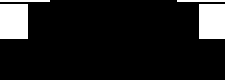
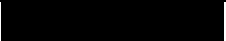
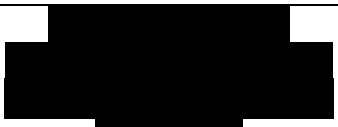
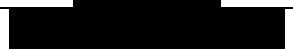
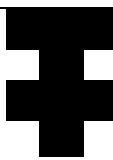
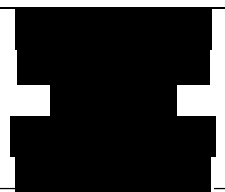


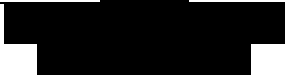
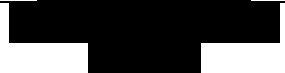








LIST OF ABORIGINAL STAKEHOLDERS FOR THE DEPARTMENT of PLANNING and ENVIRONMENT (DPE) SOUTHERN REGION HELD BY DPE FOR THE PURPOSES OF THE OEH ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010

These lists are provided to proponents in accordance with section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the "Consultation Requirements") which commenced on 12 April 2010.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

A copy of the Consultation Requirements can be found on the OEH website at:

<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>.

Under the Consultation Requirements; a proponent is required to provide Aboriginal people who may hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places as relevant to the proposed project area, with an opportunity to be involved in consultation. Section 3.3.1 of the Consultation Requirements states that Aboriginal people who can provide this information are, based on Aboriginal lore and custom, the traditional owners or custodians of the land that is the subject of the proposed project.

The Consultation Requirements also state that:

Traditional owners or custodians with appropriate cultural heritage knowledge to inform decision making who seek to register their interest as an Aboriginal party are those people who:

- *continue to maintain a deep respect for their ancestral belief system, traditional lore and custom*
- *recognise their responsibilities and obligations to protect and conserve their culture and heritage and care for their traditional lands or Country*
- *have the trust of their community, knowledge and understanding of their culture, and permission to speak about it.*

Please note: the placement of an organisation's name on any OEH Aboriginal stakeholder list for the Consultation Requirements does not override a proponent's requirement to also advertise in the local newspaper and to seek from other sources the names of any other Aboriginal people who may hold cultural knowledge as required under clause 60 of the National Parks and Wildlife Regulation 2019.

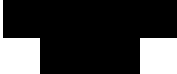
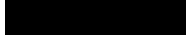
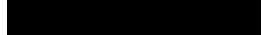
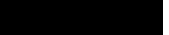
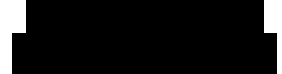
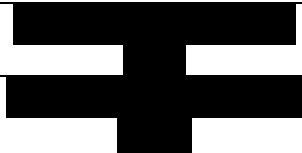
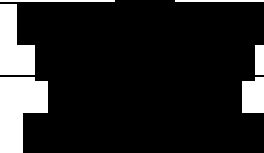
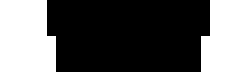
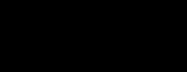
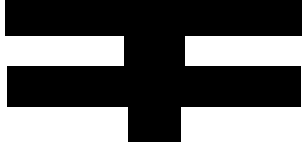
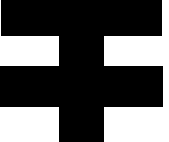
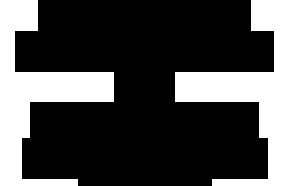
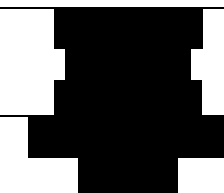
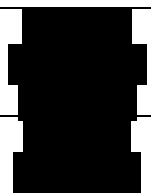
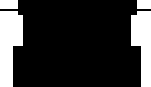
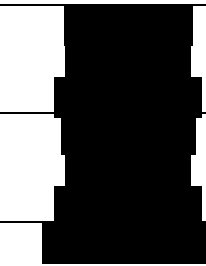
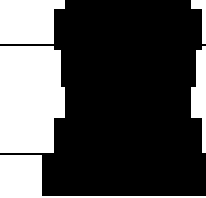
How to use this list

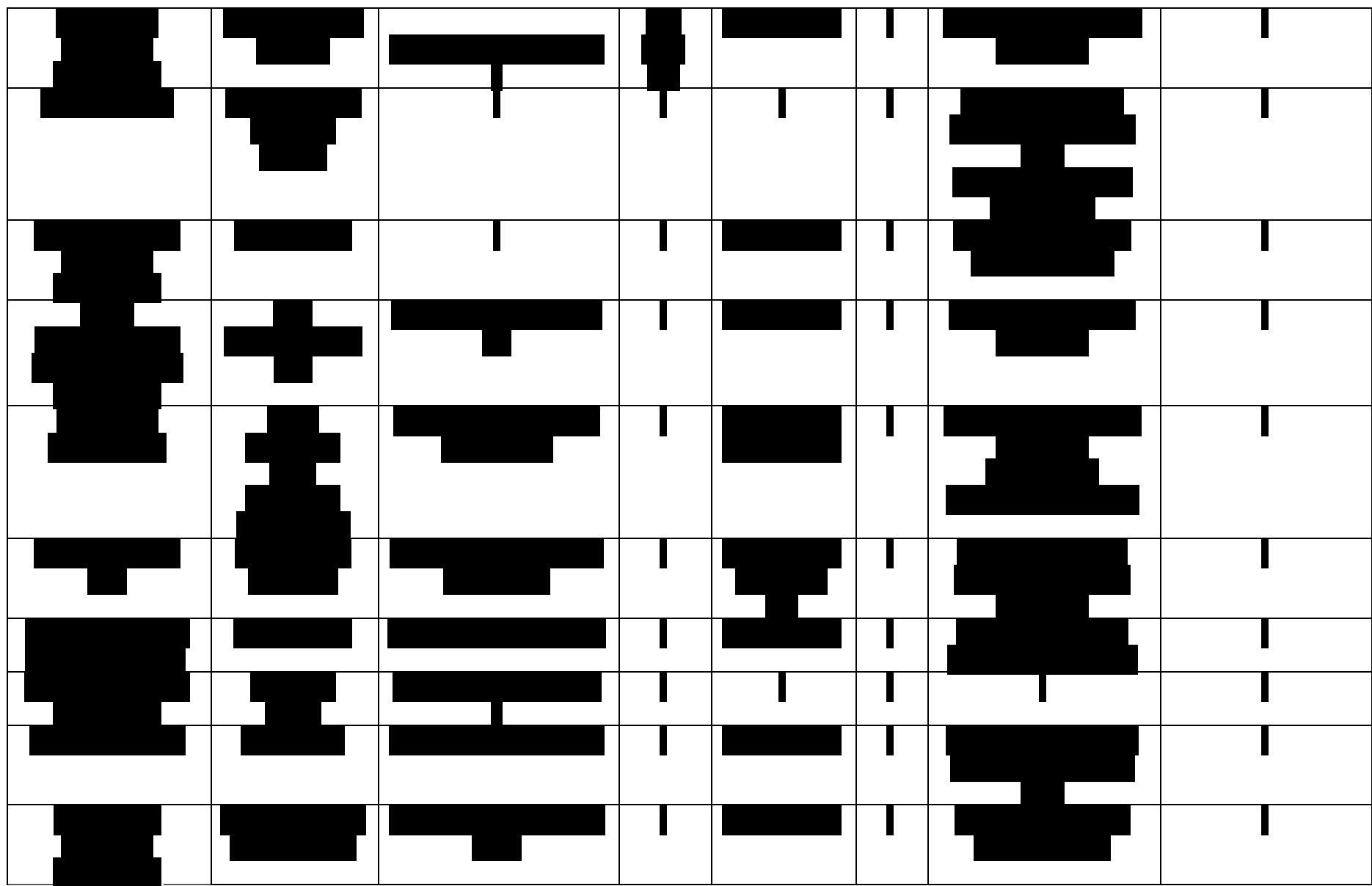
- 1. Contact the organisations/individuals who have indicated an interest in the relevant LGA/s and invite them to register an interest in your project**

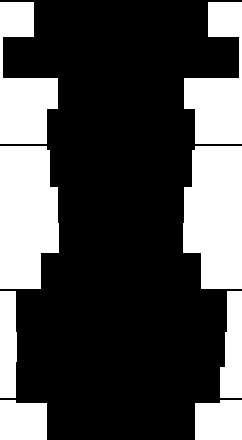
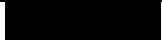
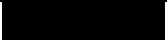
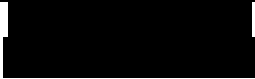
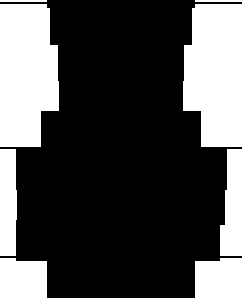
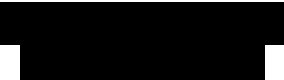
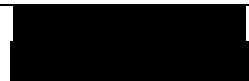
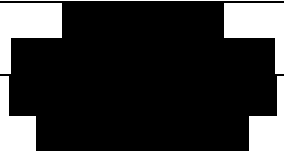
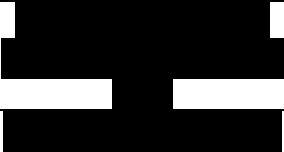
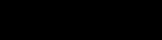
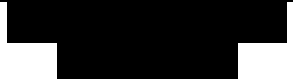
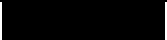
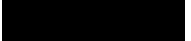
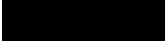
Do not reproduce the attached list in publicly available reports and other documents. Your report should only contain the names of the organisations and individuals who you have invited to register an interest in your project and those who have registered as stakeholders for your project.

Last updated February 2023

Aboriginal Stakeholders – Wollondilly Local Government Area.

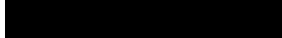
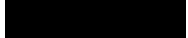
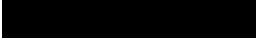
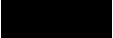
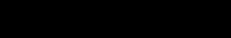
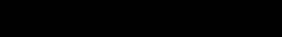
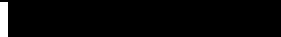
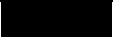
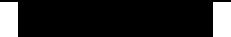
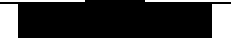
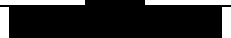
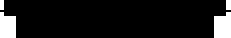
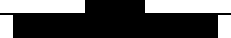
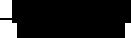


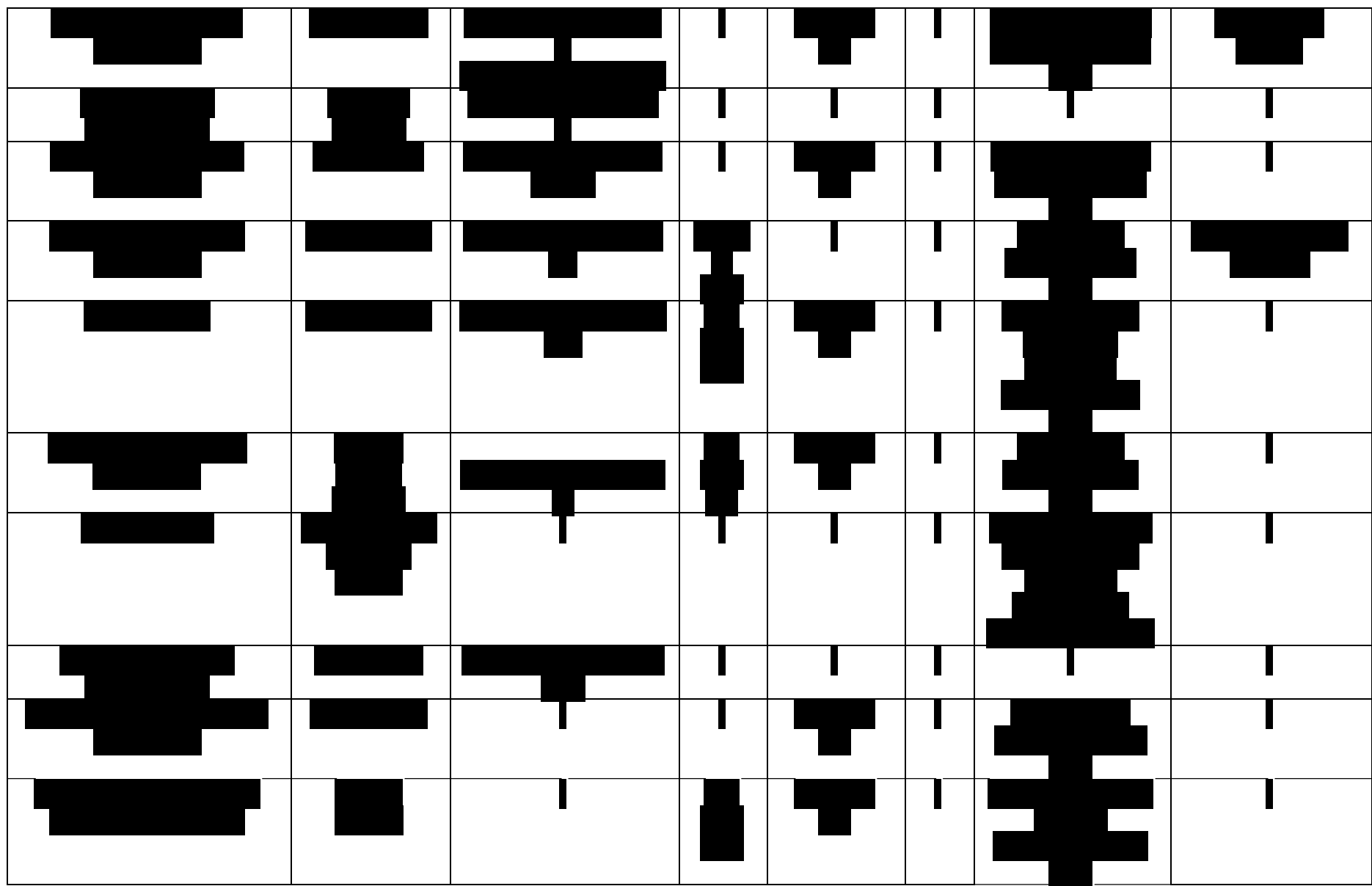
							
							
							
							
							
							
							
							
							

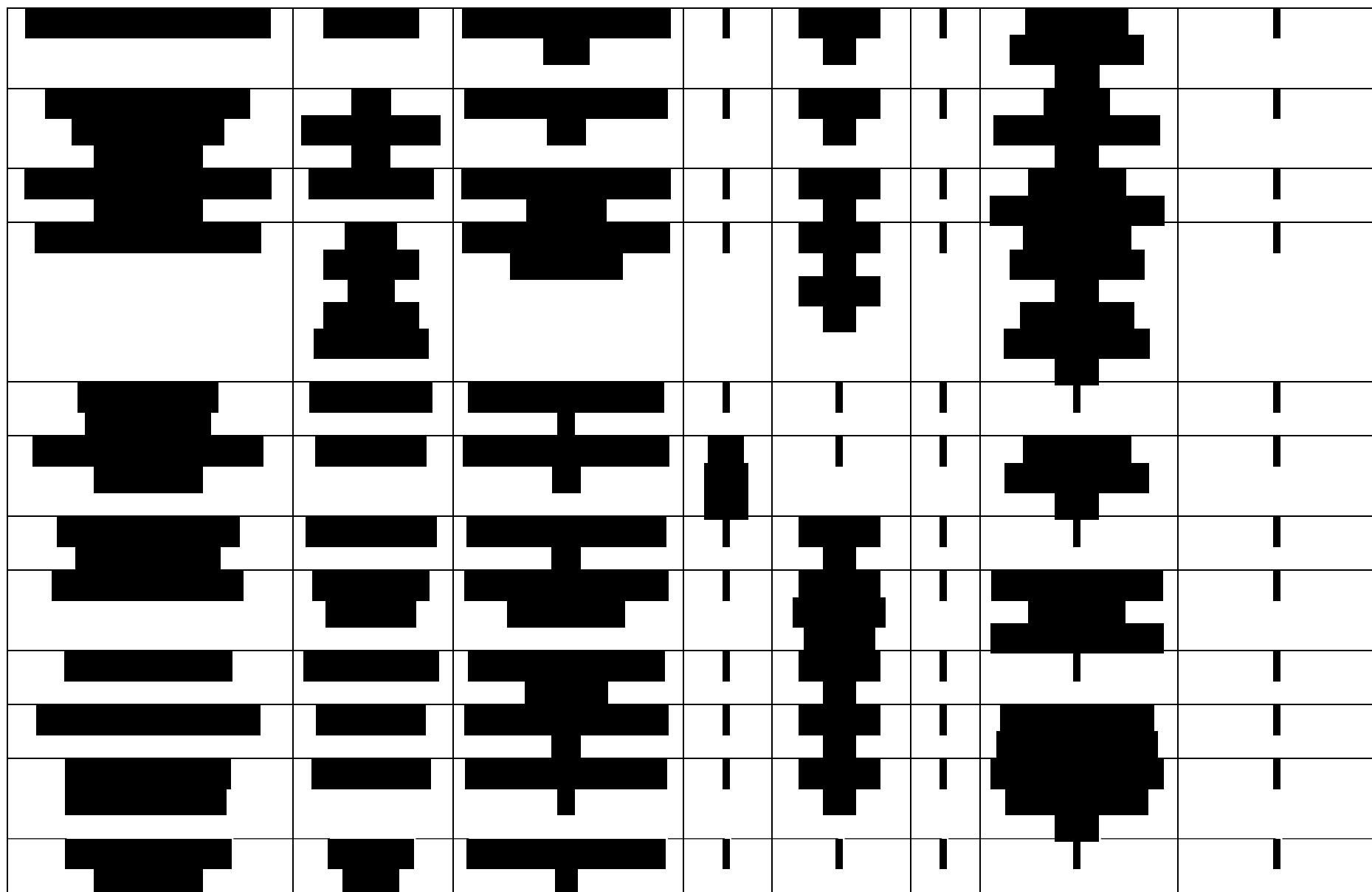


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Aboriginal Stakeholders – Campbelltown Local Government Area.

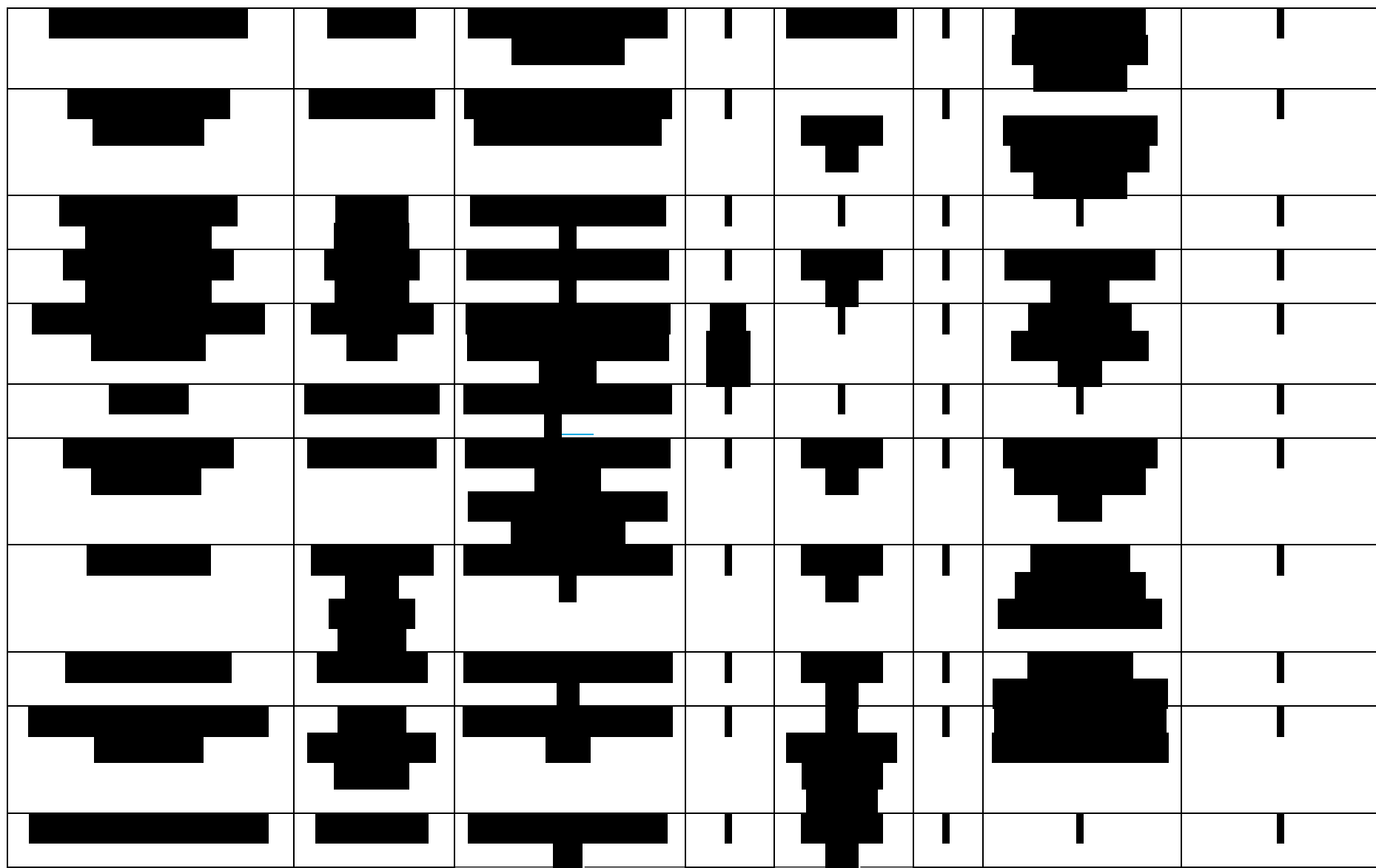
							
							
							
							
							
							
							
							

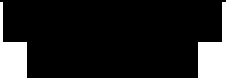
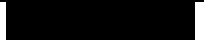
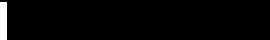
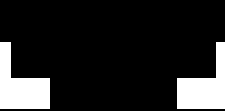
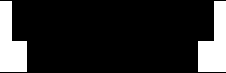
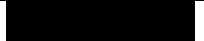
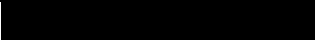
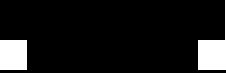
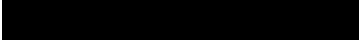
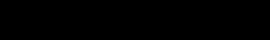
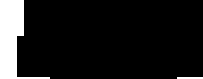
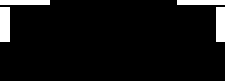
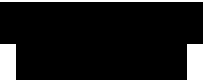
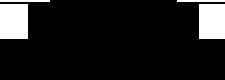
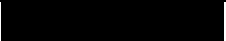
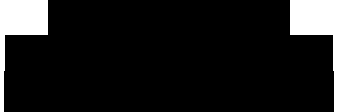
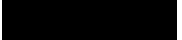
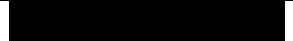
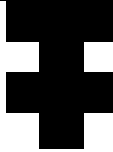
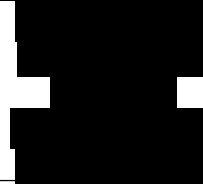


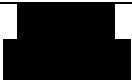
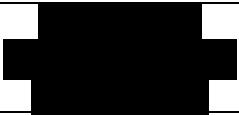
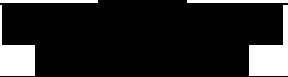
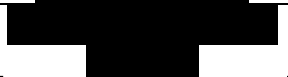
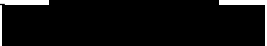
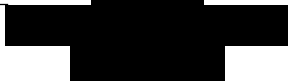










345 Appin Road, Appin, NSW Aboriginal Cultural Heritage Assessment – Community Consultation Stage 1

Urbis is assisting Inghams Property Group (IPG) (the Proponent) in undertaking an Aboriginal Cultural Heritage Assessment (ACHA) to support a Planning Proposal for the future development of North Appin (part) Precinct, located at 345 Appin Road, Appin, NSW on Tharawal Land ('the subject area'). Legally, the subject area is defined as Lot 105 in Deposited Plan (DP) 1188670.

In December 2022, Urbis prepared an Aboriginal Objects Due Diligence Assessment for the North Appin (part) Precinct. The ADD concluded and recommended that further investigation be undertaken in the form of an ACHA. In accordance with Section 4.1.3 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010) and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent is seeking the registration of Aboriginal persons or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) that may be present in the subject area.

The proponent can be contacted directly via:

Ash Bowman
Development Manager
Inghams Property Group
Email: northappin@inghamproperty.com.au

The purpose of community consultation with Aboriginal people is to assist the Proponent in the preparation of the ACHA and the assessment of the cultural heritage significance of the subject area, and to support an application for an Aboriginal Heritage Impact Permit (if required).

Please register your interest in writing to the contact details provided below by 5.00pm, **22 March 2023**.

Wade Goldwyer
Consultant
Urbis
Level 8, 123 Pitt Street Sydney
NSW, 2000
E: wgoldwyer@urbis.com.au

Please be advised that the Proponent is required to forward the names of Aboriginal persons and groups who register an interest to Heritage NSW and the Tharawal Local Aboriginal Land Council (TLALC); unless the person or group specifies that they do not want their details released.



Transport
for NSW

Notification for Registration of Interest for Aboriginal Stakeholders

NGH Pty Ltd has been engaged by Transport for NSW (TfNSW) to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed sand transfer system to transfer sand and seawater from the Coffs Harbour Boat Ramp at the southern end of Jetty Beach, to Park Beach. The proposed project includes approximately 2.5kms of pipeline and a series of pumps & equipment. The Project Area is in the Coffs Harbour City Council LGA.

Proponent Contact Details:

Transport for NSW
Julian Burgess
Senior Project Manager
Julian.burgess2@transport.nsw.gov.au

NGH would complete the ACHA in accordance with a TfNSW Stage 3 *Procedure for Aboriginal Cultural Heritage Consultation and Investigation* (PACHCI) assessment. The ACHA includes completion of consultation in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. The purpose of this consultation is to provide an opportunity for Aboriginal community stakeholders to:

- be involved in consultation regarding Aboriginal cultural heritage;
- be involved in the assessment of sites and management of potential impacts to those sites which may result from the proposal;
- assist in the preparation of the ACHA, which may be used to support an Aboriginal Heritage Impact Permit (AHIP) application; and
- assist Heritage NSW in the determination of any AHIP application.

NGH, on behalf of TfNSW, would like to invite Aboriginal people who hold knowledge relevant to determining the cultural significance of Aboriginal object(s) and/or place(s) in the area of the proposed project to register an interest in a process of community consultation with NGH and TfNSW regarding this project by sending an expression of interest to:

NGH Consulting
C/- Petra Balanzategui

at:
17/21 Mary St Surry Hills NSW 2010

Or Via Email to: nggh@ngghconsulting.com.au

Closing date for registrations is 14-days from publication of this advertisement. We request that all registrations be made by **Friday, 24 March, 2023**.

Those registering interest will be contacted to discuss the project further. Those who do register are advised that their details will be provided to Heritage NSW and the LALC, unless they specifically advise that their details are not to be forwarded.

Notice of applications for determination of native title in Western Australia

Notification day: 22 March 2023

These are applications by native title claim groups which are asking the Federal Court of Australia (Federal Court) to determine that they hold native title in the areas described below.

If you want to become a party to any of these applications, you must file a Form 5 (Notice of Intention to become a Party) with the Federal Court, **on or before 21 June 2023**. Further information regarding how to file a Form 5 is available from www.fedcourt.gov.au. After **21 June 2023**, you will need to seek leave from the Federal Court to become a party.

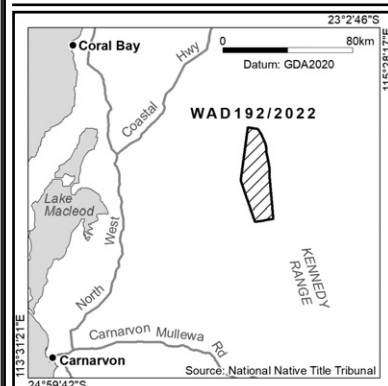
Under the *Native Title Act 1993* (Cth) there can be only one determination of native title for a particular area. If a person with native title rights and interests does not become a party to any of these applications, there may be no other opportunity for the Federal Court, in making its determinations, to take into account those native title rights and interests in relation to the areas concerned.



Application name: Jason Colbung & Ors on behalf of the Karratjibbin People and State of Western Australia & Ors
Federal Court File No: WAD38/2022
Date filed: 18 February 2022
Registration test status: The Native Title Registrar has **not accepted** this application for registration. Although this application has not been registered, the Federal Court may still refer the application for mediation and/or make a determination in relation to it

Description: The application area covers about 49,607 sq km and is located in the Goldfields region in the area surrounding Mount Jackson and Southern Cross

Relevant LGAs: Shires of Coolgardie, Dalwallinu, Koorda, Menzies, Merredin, Mount Marshall, Mukinbudin, Narembeen, Nungarin, Trayning, Westonia, Wongan-Ballidu and Yilgarn



Application name: Loretta Dodd & Ors on behalf of the Middamia Native Title Claim Group and State of Western Australia
Federal Court File No: WAD192/2022
Date filed: 16 September 2022
Registration test status: The Native Title Registrar has **accepted** this application for registration

Description: The application area covers about 734 sq km and is located about 140km north east of Carnarvon and just north of the Kennedy Range

Relevant LGA: Shire of Carnarvon

For assistance and further information about these applications, call Huia McGrath on 08 6317 5442 or visit www.nntt.gov.au.

Ask your mob, your way, RU OK?



ruok.org.au/strongertogether

PUBLIC NOTICE



BEACH ENERGY UPDATE

Beach Energy is continuing development of the Otway Basin offshore natural gas reserves to ensure ongoing production at the Otway Gas Plant (near Port Campbell), which supplies natural gas to Victorian households and businesses.

Otway Offshore Phase 5 Development

The Otway Offshore Project commenced production in 2006 from the Thylacine and Geographe fields. Phase 5 project activities commenced on 10 February 2023 and will take approximately nine weeks. Activities include the installation of additional seabed infrastructure to connect the four new Thylacine production wells to the existing offshore-to-onshore pipeline.

The existing Otway Offshore Operations Environment Plan is now under review. If you would like further information or to consult with us about how this project may impact your functions, interests, or activities, please contact:

Candice Nayda
First Nations Engagement Manager

E: Candice.Nayda@beachenergy.com.au
M: 0409 681 962



READ MORE

For further information please find the most updated information sheet located on our website at beachenergy.com.au

From: Wade Goldwyer
Sent: Wednesday, 8 March 2023 2:06 PM
Cc: Meggan Walker; Sam Richards
Subject: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Attachments: P0043207_345AppinRdAppin_Stage1.3Invitation.pdf

Tracking:

Recipient

Delivery

Age Group	Percentage of Respondents
18-29	90%
30-39	85%
40-49	80%
50-59	75%
60-69	70%
70-79	65%
80-89	60%
90+	55%

Recipient

Delivery



Recipient

Delivery

[REDACTED]

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **22 March 2023**.

Please send responses to the following:

Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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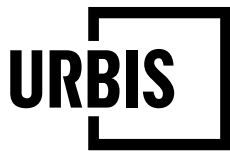


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**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

8 March 2023

To whom it may concern,

345 APPIN ROAD, APPIN, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1: INVITATION TO REGISTER

Please be advised that your contact details have been provided by the Heritage NSW (HNSW) in accordance with Section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010) (hereafter referred as the Consultation Requirements) as a potential Aboriginal stakeholder who may have interest in registering to the abovementioned project.

Urbis is assisting Inghams Property Group (IPG) (the Proponent) in undertaking an Aboriginal Cultural Heritage Assessment (ACHA) to support a Planning Proposal for the future development of North Appin (part) Precinct, located at 345 Appin Road, Appin, NSW on Tharawal Land ('the subject area'). Legally, the subject area is defined as Lot 105 in Deposited Plan (DP) 1188670.

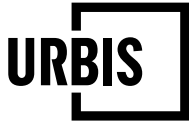
In December 2022, Urbis prepared an Aboriginal Objects Due Diligence Assessment for the North Appin (part) Precinct. The ADD concluded and recommended that further investigation be undertaken in the form of an ACHA. In accordance with Section 4.1.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010) and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent is seeking the registration of Aboriginal persons or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) that may be present in the subject area.

The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act), including the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011), and will support an application for an Aboriginal Heritage Impact Permit (AHIP) (if required). The assessment would detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.

The Proponent can be contacted via:

Ash Bowman
Development Manager
Inghams Property Group
Email: northappin@inghamproperty.com.au

In accordance with the Consultation Requirements and Clause 80C of the *NSW National Parks and Wildlife Regulation 2009*, the Proponent will conduct a community consultation process with registered Aboriginal people to assist with the preparation of the ACHA.



In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Should you wish to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **22 March 2023**. Please send responses to the following:

Wade Goldwyer
Consultant
Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

Please be advised that, as per the Consultation Requirements, the Proponent is required to forward the names of Aboriginal persons and groups who register an interest (Registered Aboriginal Parties) to the Tharawal Local Aboriginal Land Council (TLALC) and Department of Planning, Industry and Environment, unless the person or group specifies that they do not want their details released.

Please be advised that in accordance to Section 3.4 of the Consultation Requirements, inclusion in the consultation process does not automatically result in paid site assessment. The decision on who is engaged for delivering particular services is decided by the proponent and will be based on a range of considerations including skills, relevant experience, and providing necessary certificates of currency.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "M Walker", with a stylized flourish at the end.

Meggan Walker
Senior Consultant
+61 2 8233 7626
mwalker@urbis.com.au

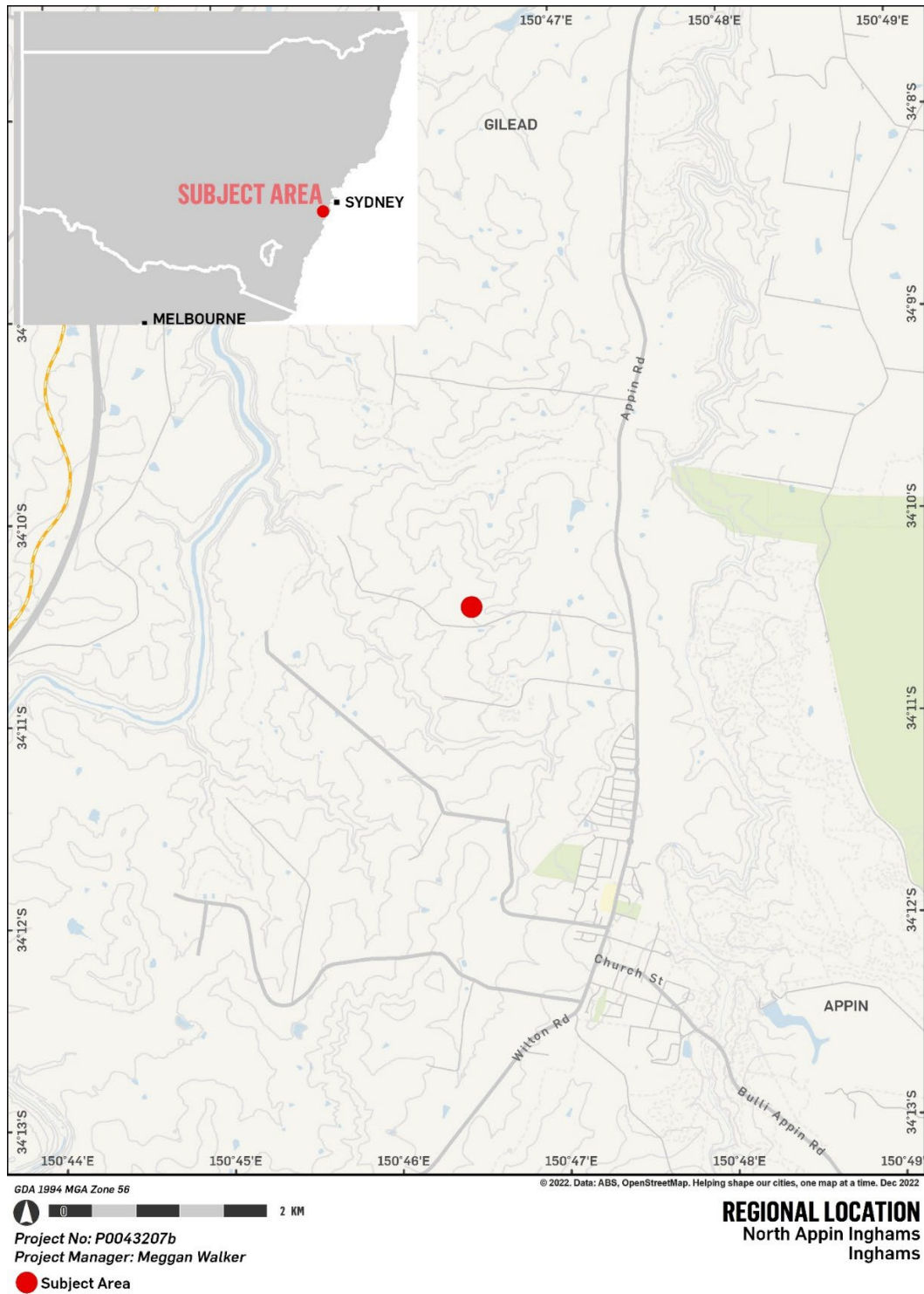


Figure 1 – Regional Location of the Subject Area

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [Butucarbin Heritage](#)

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Kind regards,

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CONSULTANT

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E wgoldwyer@urbis.com.au

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[REDACTED]

S



[Redacted]
[Redacted]
[Redacted]
[Redacted]

From: Wade Goldwyer [mailto:wgoldwyer@urbis.com.au]
Sent: Wednesday, 8 March 2023 5:06 PM
Cc: Meggan Walker; Sam Richards
Subject: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670. In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

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[Redacted]
Wade Goldwyer
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Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

[Redacted]
Kind regards,

WADE GOLDWYER
CONSULTANT

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E wgoldwyer@urbis.com.au

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[Redacted]
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 8 Mar 2023, at 5:06 pm, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

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Kind regards,

WADE GOLDWYER

CONSULTANT

<image001.gif>

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

<image002.png>

[<image003.png><image004.png><image005.png><image006.png>](#)

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[<image007.png>](#)

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<P0043207_345AppinRdAppin_Stage1.3Invitation.pdf>

Follow Up Flag:	Follow up
Flag Status:	Flagged

██████████

[REDACTED]

[REDACTED]

Traditional Owners of the lands upon which we work and pay our deep respect to Elders past, present and emerging.

On Thursday, March 9, 2023, 12:19 pm, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

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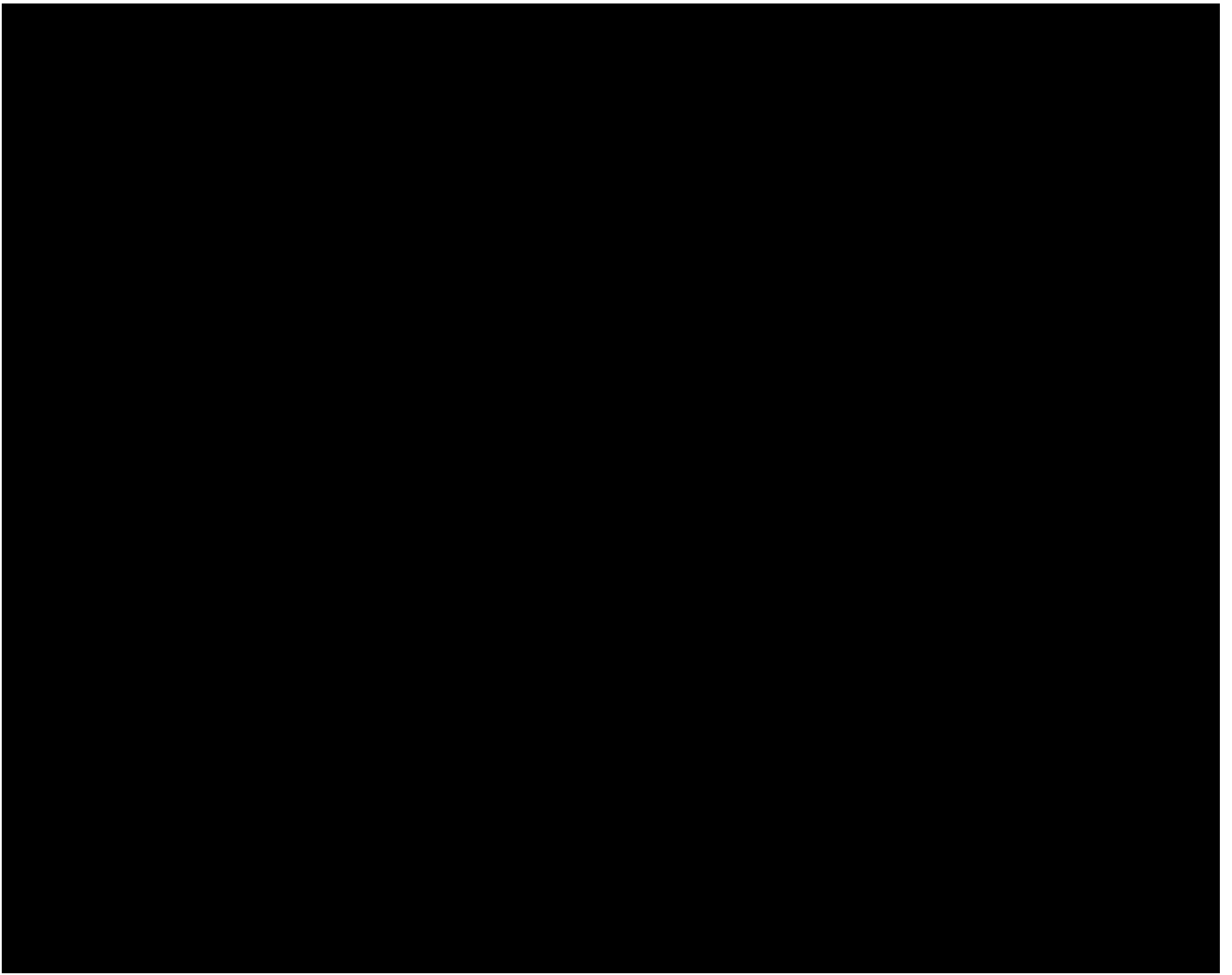


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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Wade Goldwyer <wgoldwyer@urbis.com.au>
Date: 8 March 2023 at 5:06:34 pm AEDT
Cc: Meggan Walker <mwalker@urbis.com.au>, Sam Richards <sam.richards@urbis.com.au>
Subject: Stage 1.3 RAP Notice - [345 Appin Rd, Appin](#) - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Good afternoon,

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Wade Goldwyer
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Level 8, [123 Pitt Street](#)
[Sydney, NSW, 2000](#)
E: wgoldwyer@urbis.com.au

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506
E wgoldwyer@urbis.com.au

Wade Goldwyer

From: [REDACTED]
Sent: Wednesday, 8 March 2023 3:24 PM
To: Wade Goldwyer
Cc: Meggan Walker; Sam Richards
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

0426823944

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, March 8, 2023, 5:06 pm, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good afternoon,

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On Wed, 8 Mar 2023, 5:06 pm Wade Goldwyer, <wgoldwyer@urbis.com.au> wrote:

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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 13 March 2023 4:47 PM
To: Wade Goldwyer
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On Wed, Mar 8, 2023 at 5:06 PM Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

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Wade Goldwyer

From: [REDACTED]
Sent: Wednesday, 8 March 2023 2:25 PM
To: Wade Goldwyer
Cc: Meggan Walker; Sam Richards
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Attachments: Biz Cover 2023 COC.pdf; COI 2023.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a

contact person by **22 March 2023**.

Please send responses to the following:

Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506
E wgoldwyer@urbis.com.au

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LEVEL 14, 1 WILLIAM STREET
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Wade Goldwyer

To: [REDACTED]
Subject: Wednesday, 8 March 2023 2:10 PM
Wade Goldwyer
Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On Wed, 8 Mar 2023 at 5:06 pm, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

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[Sydney, NSW, 2000](#)
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--
Koori digs
Manager
Korri currell
0450015710

From: [REDACTED]
Subject: Wade Goldwyer
Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Wednesday, 8 March 2023 3:06:11 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On Wed, 8 Mar 2023 at 17:06, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good afternoon,

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Wade Goldwyer

From:



Tuesday, 21 March 2023 12:56 AM

To:

Wade Goldwyer

Subject:

Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Follow Up Flag:

Follow up

Flag Status:

Flagged



On Wednesday, 8 March 2023 at 05:06:24 pm AEDT, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

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E wgoldwyer@urbis.com.au

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From: [REDACTED]
To: [Wade Goldwyer](#)
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Thursday, 16 March 2023 9:02:32 AM
Attachments: [image003.png](#)
[image004.png](#)
[image002.png](#)
[image007.png](#)
[image005.png](#)
[image006.png](#)

[REDACTED]

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E wgoldwyer@urbis.com.au

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From: [REDACTED]
To: [Wade Goldwyer](#)
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Wednesday, 15 March 2023 3:25:57 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]
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Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

[REDACTED]
Kind regards,

WADE GOLDWYER
CONSULTANT
<[image001.gif](#)>

D +61 8 9346 0506
E wgoldwyer@urbis.com.au

<image002.png>

[<image003.png><image004.png><image005.png><image006.png>](#)

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[<image007.png>](#)

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<P0043207_345AppinRdAppin_Stage1.3Invitation.pdf>

Wade Goldwyer

From: [REDACTED]
Sent: Wednesday, 8 March 2023 10:10 PM
To: Wade Goldwyer
Subject: FW: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Attachments: P0043207_345AppinRdAppin_Stage1.3Invitation.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

From: Wade Goldwyer <wgoldwyer@urbis.com.au>
Sent: Wednesday, March 8, 2023 5:06 PM
Cc: Meggan Walker <mwalker@urbis.com.au>; Sam Richards <sam.richards@urbis.com.au>
Subject: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

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E wgoldwyer@urbis.com.au

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From: [REDACTED]
Subject: Wade Goldwyer
Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Tuesday, 14 March 2023 11:34:30 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[P0043207_345AppinRdAppin_Stage1.3Invitation.pdf](#)

Sent from my iPhone

On 8 Mar 2023, at 5:06 pm, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

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Kind regards,

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CONSULTANT

D +61 8 9346 0506
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Wade Goldwyer

From: [REDACTED]
Sent: Thursday, 9 March 2023 9:18 AM
To: Wade Goldwyer
Cc: Meggan Walker; Sam Richards
Subject: Re: EOI Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

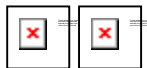
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



We respectfully acknowledge the Traditional Owners of the lands upon which we work and pay our deep respect to Elders past, present and emerging.

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From: [REDACTED]
To: [Wade Goldwyer](#)
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Friday, 10 March 2023 9:40:00 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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From: Wade Goldwyer <wgoldwyer@urbis.com.au>
Sent: Wednesday, March 8, 2023 5:06:18 PM
Cc: Meggan Walker <mwalker@urbis.com.au>; Sam Richards <sam.richards@urbis.com.au>
Subject: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

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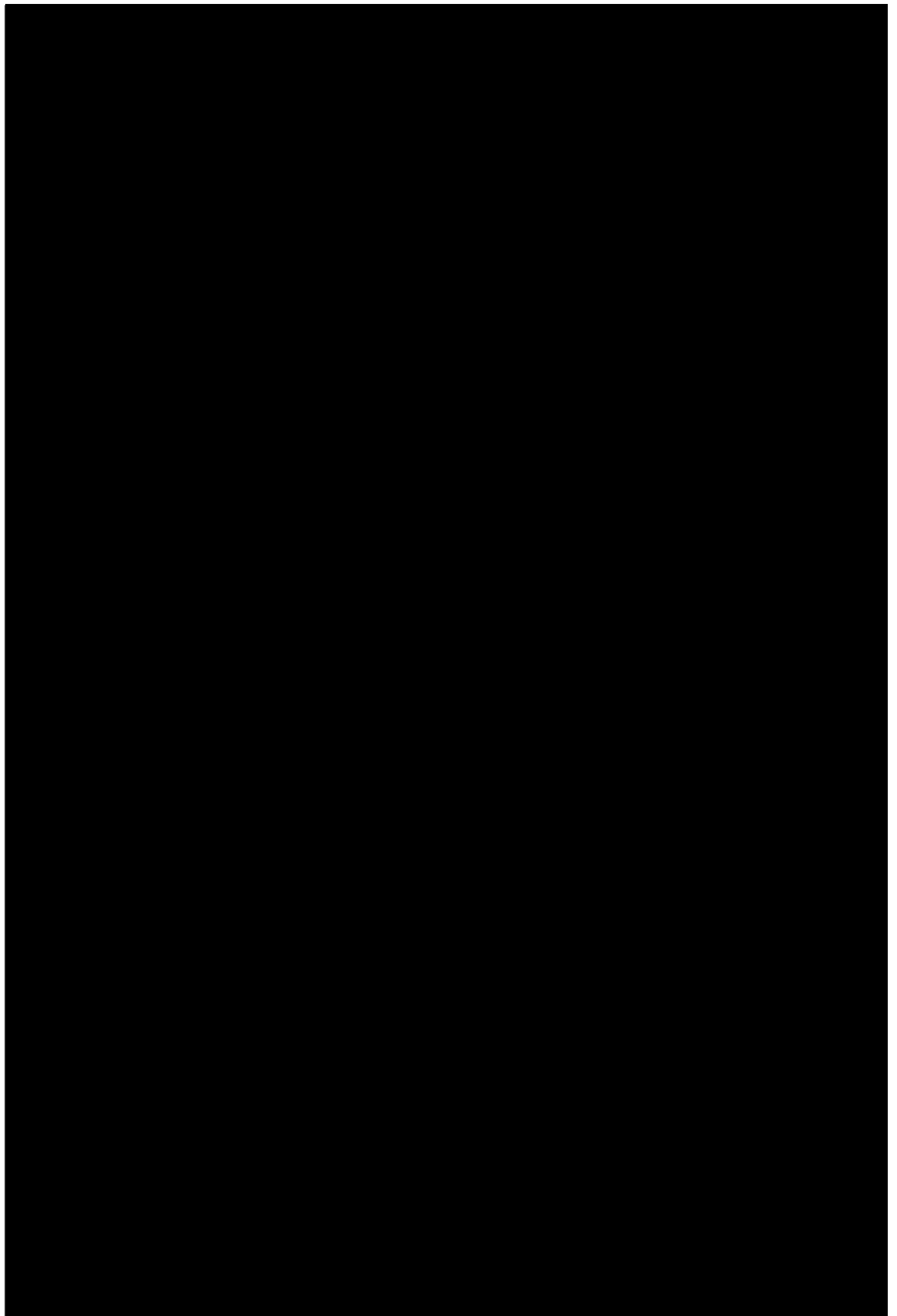
LEVEL 14, [1 WILLIAM STREET](#)
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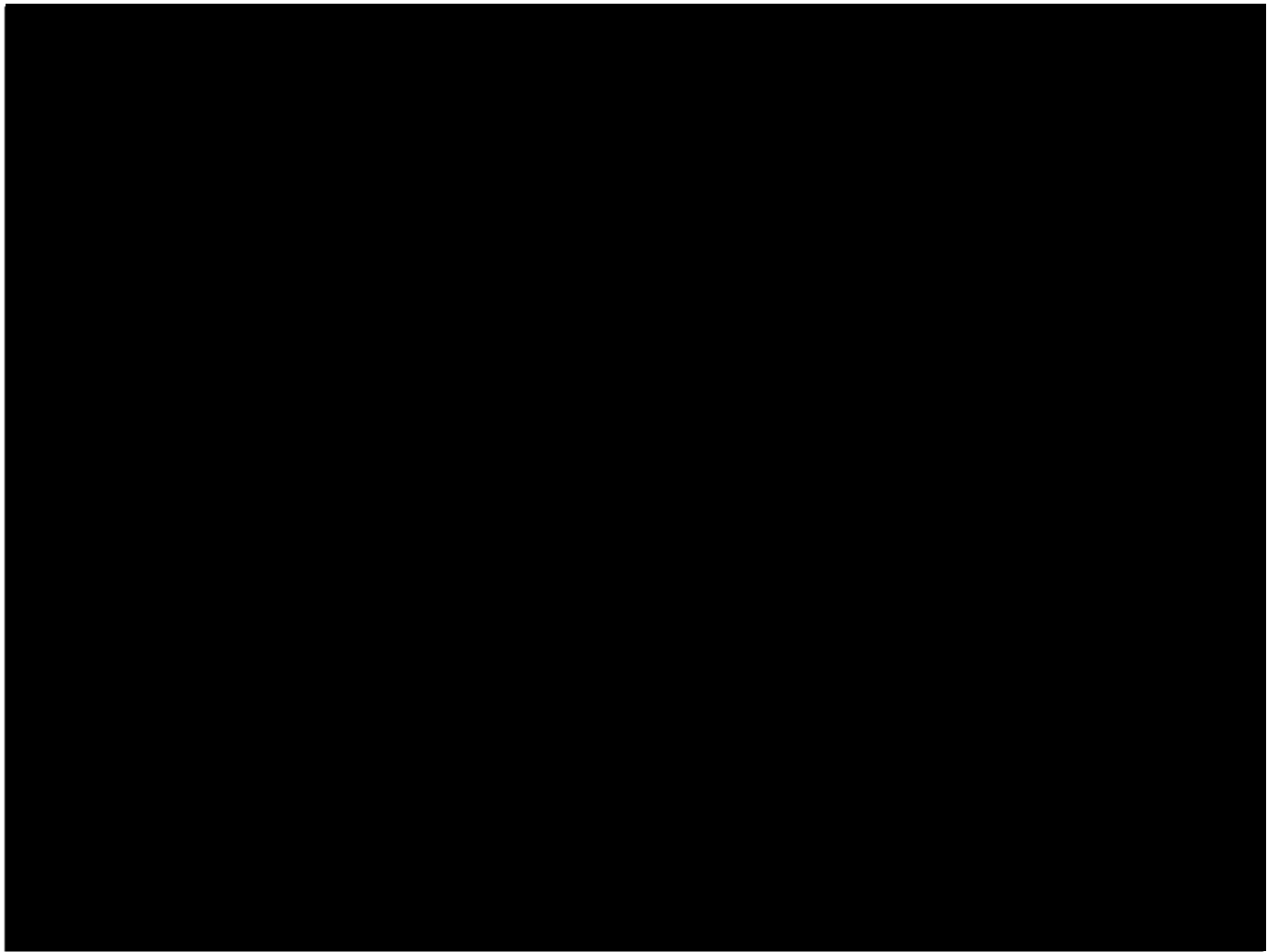
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--
Arika Jalomaki



[The following text is a dense, illegible block of characters and symbols, likely representing a corrupted or redacted document. It contains no discernible words or structure.]



Wade Goldwyer

From: [REDACTED]
Sent: Thursday, 9 March 2023 8:08 AM
To: Wade Goldwyer
Subject: Bariyan Cultural Connections EOI to Register for 345 Appin Road, Appin
Attachments: EOI to Register Appin Rd, Appin.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

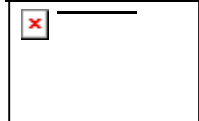
[REDACTED]

[REDACTED]

[REDACTED]

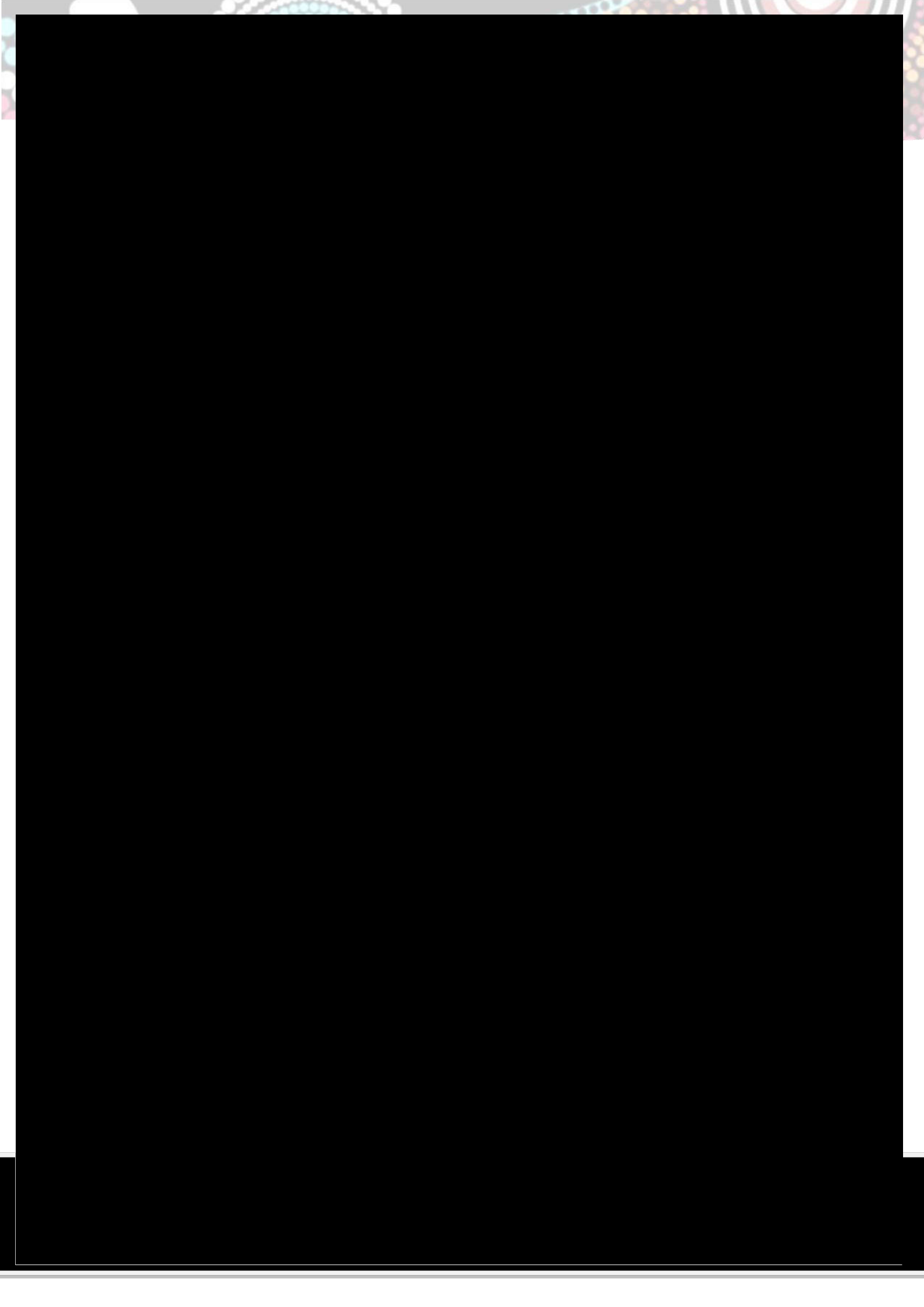
[REDACTED]

[REDACTED]



[REDACTED]





From: [REDACTED]
To: [Wade Goldwyer](#)
Subject: RE: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Tuesday, 14 March 2023 6:16:55 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[Icare cover 31.12.2022 to 31.12.23.pdf](#)
[Public Liability 2023 to 2024.pdf](#)

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
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[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Wade Goldwyer <wgoldwyer@urbis.com.au>

Sent: Wednesday, March 8, 2023 5:06:18 PM

Cc: Meggan Walker <mwalker@urbis.com.au>; Sam Richards <sam.richards@urbis.com.au>

Subject: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

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E wgoldwyer@urbis.com.au

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Learn more about our [Reconciliation Action Plan](#).

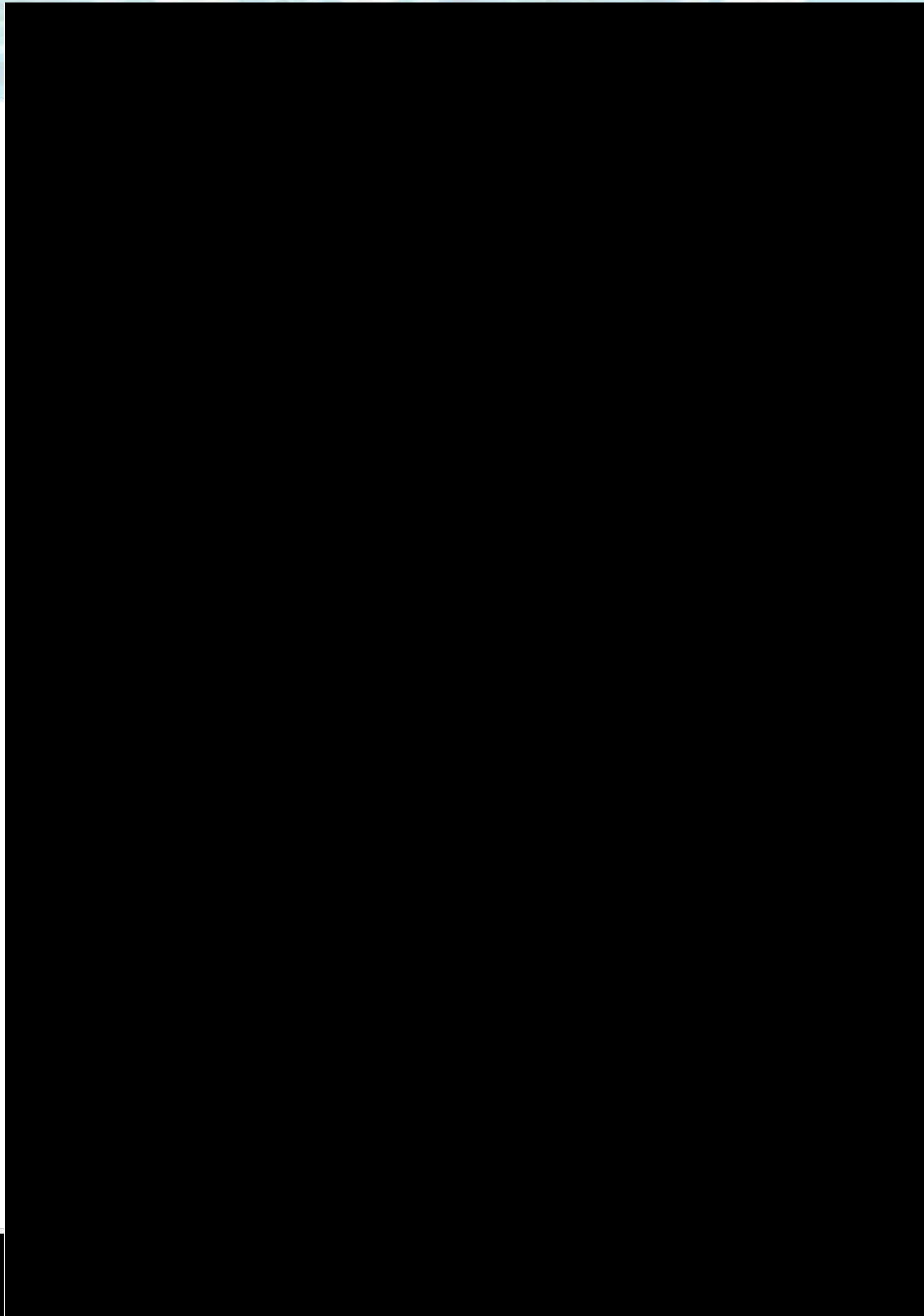
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██████████

[REDACTED]

Age Group	Percentage of Respondents
18-24	15%
25-34	25%
35-44	35%
45-54	45%
55-64	55%
65-74	75%
75+	85%

I would like to acknowledge the traditional custodians of the land where we live and work. I would like to pay my respects to our Elders past and present and to our future generation and extend our respect to all people on our land that we may meet on our journey.



From: [REDACTED]
To: [Wade Goldwyer](#)
Cc: [Meggan Walker](#); [Sam Richards](#)
Subject: Re: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Friday, 10 March 2023 8:08:48 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[EOI 345 Appin Road^J Appin.pdf](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Wade Goldwyer <wgoldwyer@urbis.com.au>
Sent: Wednesday, 8 March 2023 5:06 PM
Cc: Meggan Walker <mwalker@urbis.com.au>; Sam Richards <sam.richards@urbis.com.au>
Subject: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670. In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **22 March 2023**.

Please send responses to the following:

Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506
E wgoldwyer@urbis.com.au

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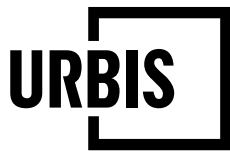
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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

3 April 2023

Aboriginal Cultural Heritage Regulation Branch
Heritage NSW
Department of Premier and Cabinet
By email: heritagemailbox@environment.nsw.gov.au

To whom it may concern,

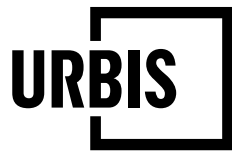
STAGE 1.6 - ABORIGINAL CULTURAL HERITAGE ASSESSMENT – 345 APPIN RD, APPIN – LIST OF REGISTERED ABORIGINAL PARTIES AND NOTIFICATION LETTER

In accordance with Section 4.1.6 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010) please find below the compiled list of Registered Aboriginal Parties (RAPs) and notification letter under Section 4.1.3 for the abovementioned project.

Table 1 – List of Registered Aboriginal Parties

Name	Contact
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

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**ANGEL PLACE
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SYDNEY NSW 2000**

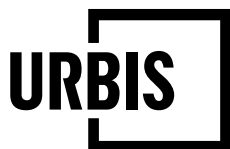
URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "M Walker", with a stylized flourish at the end.

Meggan Walker
Consultant
+61 2 8233 7626
mwalker@urbis.com.au



ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

3 April 2023

Tharawal Local Aboriginal Land Council
By email: reception@tharawal.com.au

To whom it may concern,

STAGE 1.6 - ABORIGINAL CULTURAL HERITAGE ASSESSMENT – 345 APPIN RD, APPIN – LIST OF REGISTERED ABORIGINAL PARTIES AND NOTIFICATION LETTER

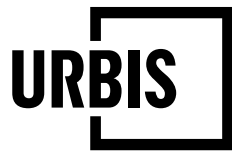
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Table 1 – List of Registered Aboriginal Parties

Name	Contact
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
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Name	Contact
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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Urbis Pty Ltd
ABN 50 105 256 228

Please do not hesitate to contact us should you have any queries in relation to the provided information

Yours sincerely,

A handwritten signature in blue ink, appearing to read "M Walker".

Meggan Walker
Consultant
+61 2 8233 7626
mwalker@urbis.com.au

Government	Percentage
Current government	55%
Previous government	45%

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find attached a letter which provides information on the project and the methodology proposed to be implemented for the ACHA.

Please provide a response in writing, preferably by email, to myself (details below) by **26 April 2023**.

Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

In addition, please note that we have included a request for specific information in the form of a questionnaire (Appendix B). We would appreciate your response to that questionnaire as soon as possible.

If you have any questions, please do not hesitate to get in contact.

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506
E wgoldwyer@urbis.com.au

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From: [Wade Goldwyer](#)
To: [REDACTED]
Cc: [Meggan Walker](#)
Subject: RE: Stage 1.3 RAP Notice - 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment (Urbis Ref# P0043207)
Date: Monday, 3 April 2023 10:55:00 AM
Attachments: P0043207_345AppinRdAppin_ACHA_Stage2-3.pdf
image012.png
image013.png
image014.png
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image002.png
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image011.png

H [REDACTED]

Thank you for your email and interest to register for the Aboriginal Cultural Heritage Assessment (ACHA) at 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find attached a letter which provides information on the project and the methodology proposed to be implemented for the ACHA.

Please provide a response in writing, preferably by email, to myself (details below) by **26 April 2023**.

Wade Goldwyer

Consultant Urbis

Level 8, 123 Pitt Street

Sydney, NSW, 2000

E: wgoldwyer@urbis.com.au

In addition, please note that we have included a request for specific information in the form of a questionnaire (Appendix B). We would appreciate your response to that questionnaire as soon as possible.

If you have any questions, please do not hesitate to get in contact.

Kind regards,

WADE GOLDWYER

CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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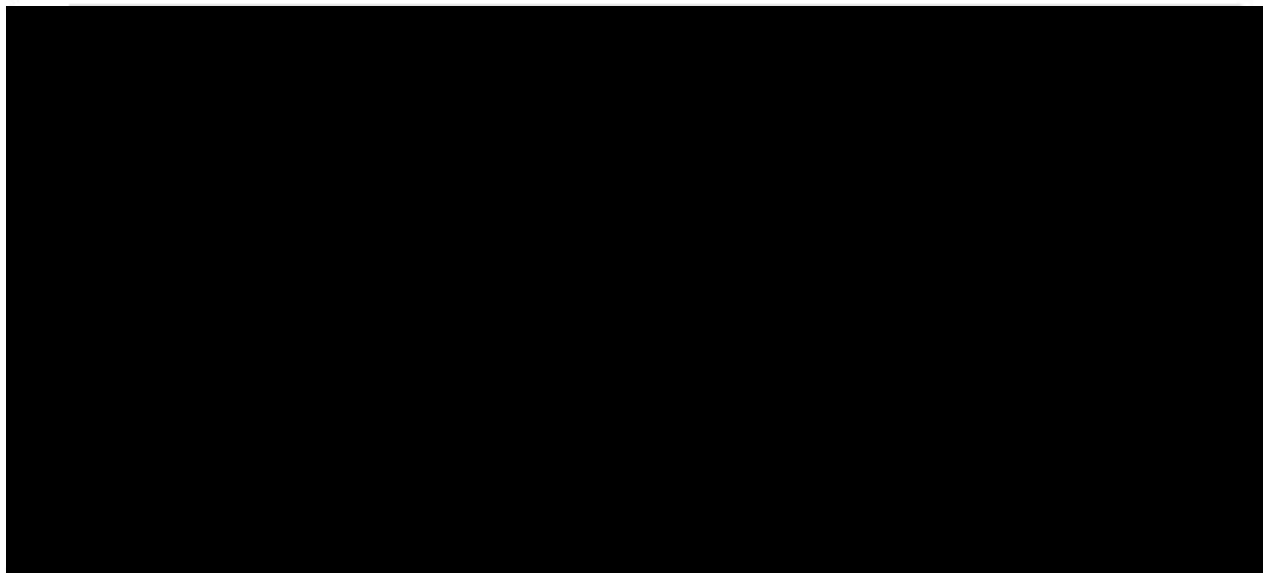


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On Wed, 8 Mar 2023 at 5:06 pm, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **22 March 2023**.

Please send responses to the following:

Wade Goldwyer
Consultant Urbis
Level 8, [123 Pitt Street](#)
[Sydney, NSW, 2000](#)
E: wgoldwyer@urbis.com.au

Kind regards,

WADE GOLDWYER

CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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--

Arika Jalomaki

29 March 2023

To whom it may concern,

345 APPIN ROAD, APPIN, NSW – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGES 2 & 3 – PRESENTING & GATHERING INFORMATION

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) at 345 Appin Road, Appin, NSW, legally described as Lot 105 in Deposited Plan (DP) 1188670 ('the subject area') (Figure 1 and Figure 2).

Urbis has been commissioned by Inghams Property Group ('the Proponent') to conduct the ACHA to support a Planning Proposal for the rezoning and future development of the subject area as part of the North Appin Precinct. The subject area is proposed to be redeveloped for residential purposes.

The Proponent can be contacted via:

Ash Bowman
Development Manager
Inghams Property Group
Email: northappin@inghamproperty.com.au

In accordance with Regulations 60(5)-(6) of the *National Parks and Wildlife Regulation 2019* ('NPW Reg') and Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (Department of Environment, Climate Change and Water NSW) ('the Consultation Requirements') this present communication aims to provide all Registered Aboriginal Parties (RAPs) with the proposed project information and a process to facilitate the following:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places on the proposed project area to be determined.
- Have input into the development of any cultural heritage management options.

1. SUBJECT AREA

The subject area is located at 345 Appin Road, Appin, NSW on Tharawal Land ('the subject area'). Legally, the subject area is defined as Lot 105 Deposited Plan (DP) 1188670. The subject area is located within the Greater Macarthur Growth Area, approximately 35 km north of Wollongong and 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within Campbelltown LGA. The entire site is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC).

The subject area is an irregular-shaped lot that measures approximately 303 ha in area. Currently, the area is occupied as pastoral land with significant natural assets and corridors. The topography is variable across the holding, ranging from a large level area along the eastern edge and then sloping down towards the Nepean River as the site extends west.

The subject area is located adjacent to the existing Appin township and forms a natural extension of the town to the north. The subject area is bounded by:

- Appin Road to the east: main road connector that follows the ridge line used over millennia by Aboriginal people as a main path of travel.
- Mallaty Creek to the north-west and rural lands to the north: tributary of the Nepean River and the site of Cumberland plain woodlands that support native fauna including koala habitat areas.
- Ousedale Creek to the south: tributary of the Nepean River and the site of Cumberland plain woodlands that support native fauna including koala habitat areas.
- Heritage Canal to the west: heritage listed water supply infrastructure that is one of the earliest examples of major infrastructure built in the formative years of the Australian colony.

The periphery of the subject area is heavily vegetated with the exception of rural lands to the north, with the west of the site particularly dense. The subject area is bordered by numerous streams and creeks that converge with the Nepean River.

2. PROPOSED WORKS

As the majority landowner within the North Appin precinct, the Proponent seeks a planning pathway to establish a new community of circa 9,000 people within the Greater Macarthur Growth Area. Through a cultural landscape-led approach, the proposed rezoning seeks to deliver high-quality housing with a genuine connection to the region's cultural history, natural assets and the existing Appin township. Altogether, the draft structure plan for the site proposes the following:

- Delivery of approximately 3,000 new dwellings by 2045.
- Accommodate a new community of circa. 9,000 people.
- Delivery of key community infrastructure that provides learnings through the traditional custodians to existing and future community members about country.
- Development that will foster the connection to country through initiatives that strengthen the connection between people and the land, flora and fauna.
- Development that reinforces and compliments the character of Appin as a rural village that is a unique and desirable place to live.

The current proposal is in Planning Proposal stage and, as such, no direct impacts are understood to exist as a result of this. However, future development works under a Development Application would involve impacts to the ground surface and any associated Aboriginal objects.

3. ARCHAEOLOGICAL & ENVIRONMENTAL CONTEXT

The archaeological and environmental contexts of the subject area summarised below:

- A search of the Aboriginal Heritage Information Management System (AHIMS) identified 30 registered Aboriginal sites within a 1 km x 1 km area around the subject area (Appendix A).
- The AHIMS search identified no Aboriginal Objects registered within the subject area.
- The AHIMS search identified four (4) Aboriginal Objects on the boundary of the subject area.
- The subject area is situated approximately 470m west of the Georges River and 580m east of the Nepean River – two major and significant waterways. The subject area is also immediately to the east of a converging point between Mallaty Creek, which partially runs alongside the north-western boundary of the area, with Ousdale Creek, which demarcates its western and southern bounds. Lily Ponds Gully is also located within the subject area's south-west (Figure 3).
- The subject area is located entirely within the Blacktown, Luddenham and Hawkesbury soil landscapes (Figure 3).
- The subject area is located on a vast expanse of land perforated by numerous creek line flats and associated spurs (Figure 3).

The relevance of the archaeological context and environmental context to the archaeological potential of the subject area will be considered during the ACHA process.

4. METHODOLOGY

The proposed impact assessment process for the ACHA, including the input points into the investigation and assessment activities for RAPs, is outlined below, in accordance with Reg. 60(6) of the NPW Reg and Section 4.2.2(b) of the Consultation Requirements.

The ACHA will be conducted in accordance with Part 6 of the *National Parks and Wildlife Act 1974* ('NPW Act') and Part 5 of the NPW Reg. It will further adhere to the following guidelines:

- *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH, 2011).
- *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013*.

The ACHA will follow the general methodology described in Table 1 below.

Table 1 – Aboriginal cultural heritage assessment methodology

Process Method	Description
Desktop assessment	Collection and evaluation of background information, including archaeological and historical resources and environmental conditions, to develop a predictive model for archaeological potential.
Consultation with RAPs	Providing information on the project to RAPs and gathering information about the proposed methodology and the Aboriginal cultural heritage values and significance of the subject area.
Site survey with RAPs	On-site meeting including site survey of the subject area with the RAPs to allow further opportunity for cultural information to be provided and for the RAPs to familiarise themselves with the subject area and discuss the archaeological approach.
Archaeological test excavation	Archaeological test excavation will be undertaken at the subject site under the Code of Practice as part of the current planning proposal. This will be intended to sample landforms across the site to identify and record any Aboriginal objects which may be present.
Preparation of draft ACHA report	Synthesis of all information collected during the ACHA process to prepare a draft assessment report and provision of the draft report to the Proponent and the RAPs for comments. The report will include an assessment of significance of any Aboriginal objects or Aboriginal cultural heritage values that may exist within the subject area, an impact assessment and provide management and mitigation measures. The draft will be provided to all RAPs for comments.
Finalisation of ACHA report	Incorporation of all comments from the Proponent and RAPs into ACHA report and finalisation.
Potential Aboriginal Heritage Impact Permit (AHIP) Application	As part of future scope of works and dependent on the results of the current investigation, an AHIP may be required. This would be undertaken as part of a future Development Application.

Urbis welcomes input and information from the RAPs at any stage throughout the entire process of the ACHA. Consistent with the Consultation Requirements, the formal input points for the consultation are the following:

- During Stage 2 and 3 – Following review of the current communication, which presents information about the proposed project and ACHA methodology.
- During Stage 2 and 3 – During or following the site visit and meeting.
- During Stage 4 – Following review of the draft ACHA.

5. CRITICAL TIMELINES

The critical timelines and milestones for the completion of the ACHA and delivery of reports are presented in Table 3 below, in accordance with Section 4.2.2(c) of the Consultation Requirements. Please note that the presented timeframes are estimates only and are intended as a guided to allow forward planning of personnel and resources.

Table 3 – Critical timelines

Project Stage	Anticipated Timeframe
Stage 2 and 3: Provision of comments on the provided project information and proposed methodology (this document)	Within 28 days of the date of document (i.e., by 24 April 2023)
After Stage 3: Archaeological survey and meeting	Within one week of completion of Stage 2 and 3. Survey anticipated to run from 1 May - 5 May 2023 .
After Stage 3: Archaeological test excavation under the Code of Practice.	Anticipated to run 8 May – 2 June 2023 . Archaeological post-excavation report to be prepared within two weeks of completion of the test excavation.
Stage 4: Provision of the draft ACHA report to the RAPs	Within one week of completion of the archaeological post-excavation report
Stage 4: Provision of comments on draft ACHA report	Within 28 days of delivery of the draft ACHA report to the RAPs
Stage 4: Finalisation of the ACHA report including the consideration of all comments and feedback	Within one week of the closing of the comment period for the draft ACHA report
Potential AHIP application	Should it be required, an AHIP application is to be submitted to HNSW following the submission of the DA to Wollondilly Shire Council and Campbelltown Council, as part of a future and separate scope of works.

6. ROLES, FUNCTIONS AND RESPONSIBILITIES

The roles, functions and responsibilities of the proponent and RAPs are defined below, in accordance with Section 4.2.2(d) of the Consultation Requirements.

The roles, functions and responsibilities of the Proponent, Urbis (acting on behalf of the Proponent), RAPs and any other parties involved in the consultation process are those defined in Section 5 of the Consultation Requirements.

Please note that, in accordance with Section 3.4 of the Consultation Requirements, consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Furthermore, there is no obligation on the Proponent to employ Aboriginal people registered for consultation. Aboriginal people may provide services to the Proponent through a contractual arrangement separate to the consultation process. Consultation will continue irrespective of potential or actual employment opportunities for Aboriginal people.

GATHERING CULTURAL INFORMATION

Urbis is providing the opportunity for RAPs to identify, raise and discuss their cultural concerns, perspectives and assessment requirements (if any), in accordance with Section 4.2.2(e) of the Consultation Requirements.

Urbis is actively seeking information on the cultural heritage and cultural significance of the subject area. Such information includes the existence of any Aboriginal objects of cultural value to Aboriginal people in or near the subject area (whether declared under s.84 of the NPW Act or not), including places of social, spiritual and cultural value, historic places with cultural significance and potential places/areas of historic, social, spiritual and/or cultural significance.

Please also consider the following when providing information:

- Do you have information on any Aboriginal objects within or near the subject area?
- Do you or somebody you know have information of cultural values, stories in relation to the subject area and if that information can be shared?

If you or your organisation has sensitive or restricted public access information for determining or managing the heritage values of the subject area, it is proposed that the proponent will manage this information (if provided by the Aboriginal community) in accordance with a sensitive cultural information management protocol. It is anticipated that the protocol will include making note of and managing the material in accordance with the following key limitations as advised by Aboriginal people at the time of the information being provided:

- Any restrictions on access of the material.
- Any restrictions on communication of the material (confidentiality).
- Any restrictions on the location/storage of the material.
- Any cultural recommendations on handling the material.
- Any names and contact details of persons authorised within the relevant Aboriginal group to make decisions concerning the Aboriginal material and degree of authorisation.
- Any details of any consent given in accordance with customary law.

- Any access and use by the RAPs of the cultural information.

Please consider the above list when providing your recommendations regarding any culturally sensitive information.

QUESTIONNAIRE

To streamline information gathering during Stage 2 and 3, and to inform the proponent for any field inspection component, Urbis requests the following information from you:

1. **Cultural connection:** Please describe the nature of your cultural connection to the country on which the subject area is situated. Please include any relevant cultural knowledge or knowledge of Aboriginal objects or places within the subject area. Have you ever lived in or near the subject area? If you are a Traditional Owner, please state this clearly.
1. **Representing your community members:** Please state who you or your organisation represents. Do you or your organisation represent other members of the Aboriginal community? If so, please describe how information is provided to the other members, and how their information and knowledge may be provided back to the proponent and Urbis.
2. **Previous experience:** Please list your relevant (for example, in the area of the proposed project) previous experience in providing cultural heritage advice and survey participation.
3. **Schedule of Rates:** Please provide your Certificate of Currency including Product and Public Liability Insurance and Worker's Compensation. Please also include a schedule of rates (hourly/half day/day) for fieldwork participation, and include any expenses you may expect to incur, and these will be sought to be reimbursed.

Please note that it is for the discretion for the proponent to decide if they invite RAPs for site works and the consultation process does not guarantee paid employment.

The above questions are provided as a questionnaire in Appendix B, for your convenience. Please complete the questionnaire and return it to:

Wade Goldwyer
Consultant
Urbis Pty Ltd
Level 8, 123 Pitt Street, Sydney, 2000
E: wgoldwyer@urbis.com.au

Please provide the requested information by **26 April 2023**. Comments received after this date might be excluded from the draft ACHA.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Megan Walker".

Meggan Walker
Senior Consultant
+61 2 8233 7626
mwalker@urbis.com.au

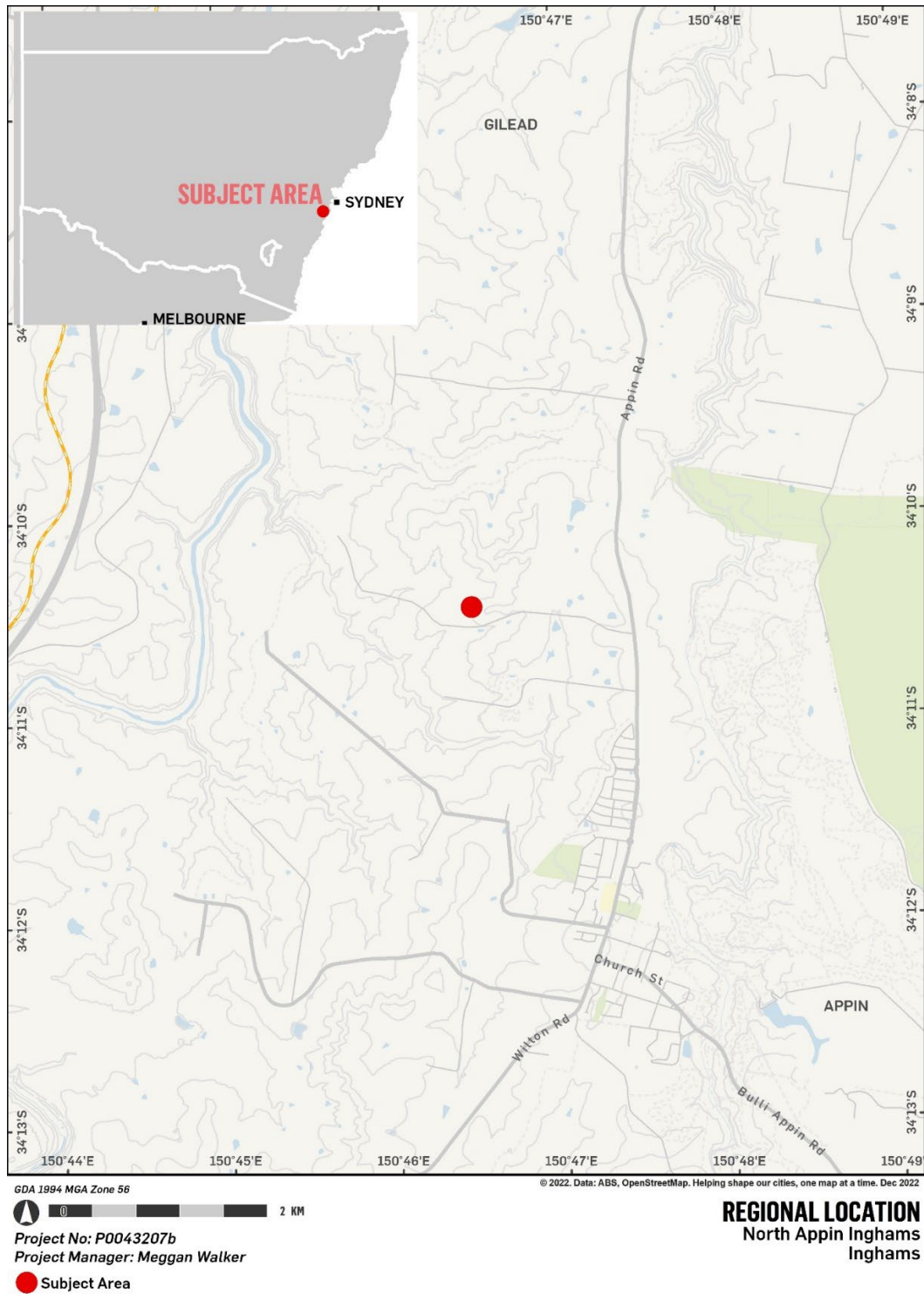
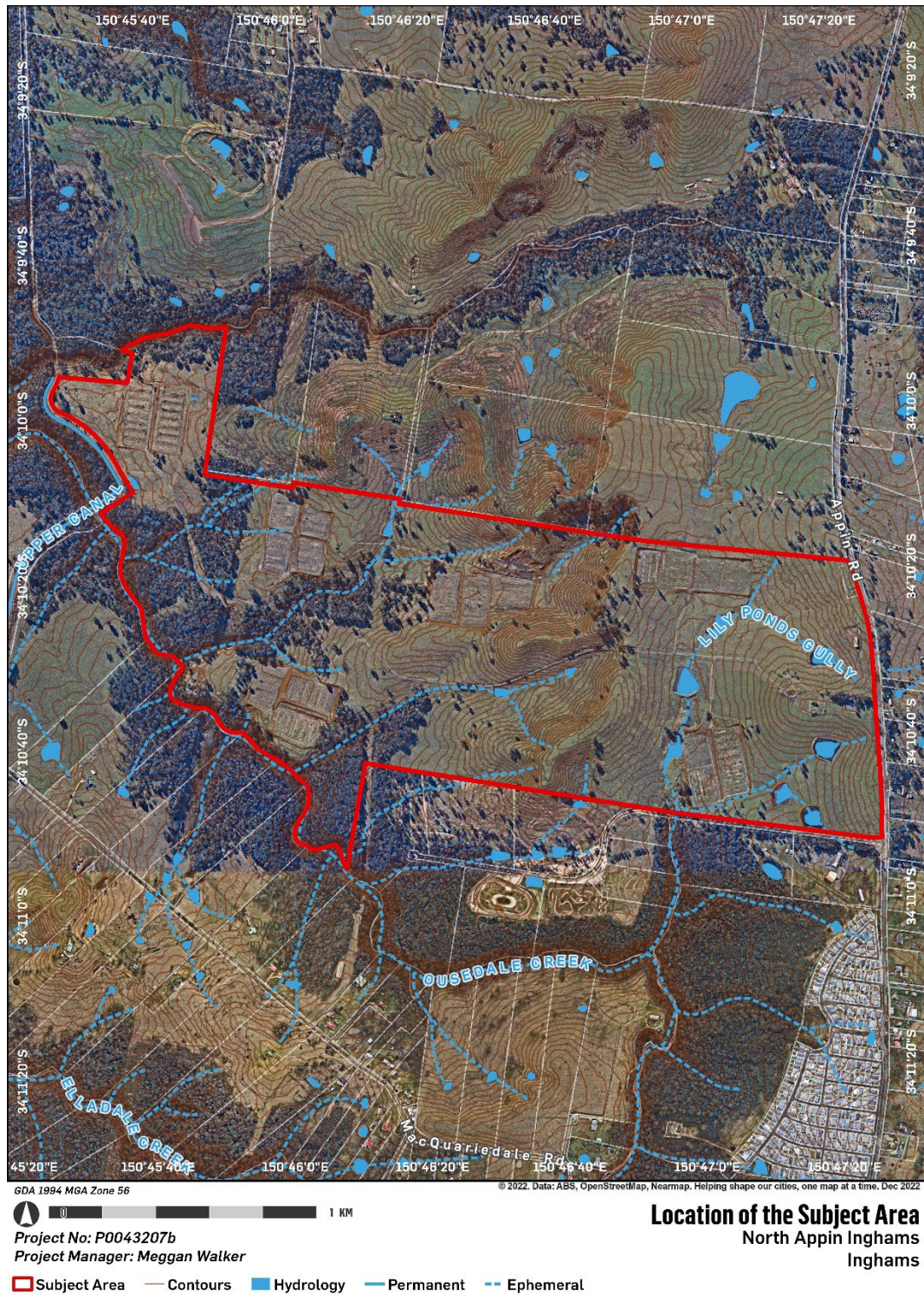


Figure 1 – Regional Location of the Subject Area



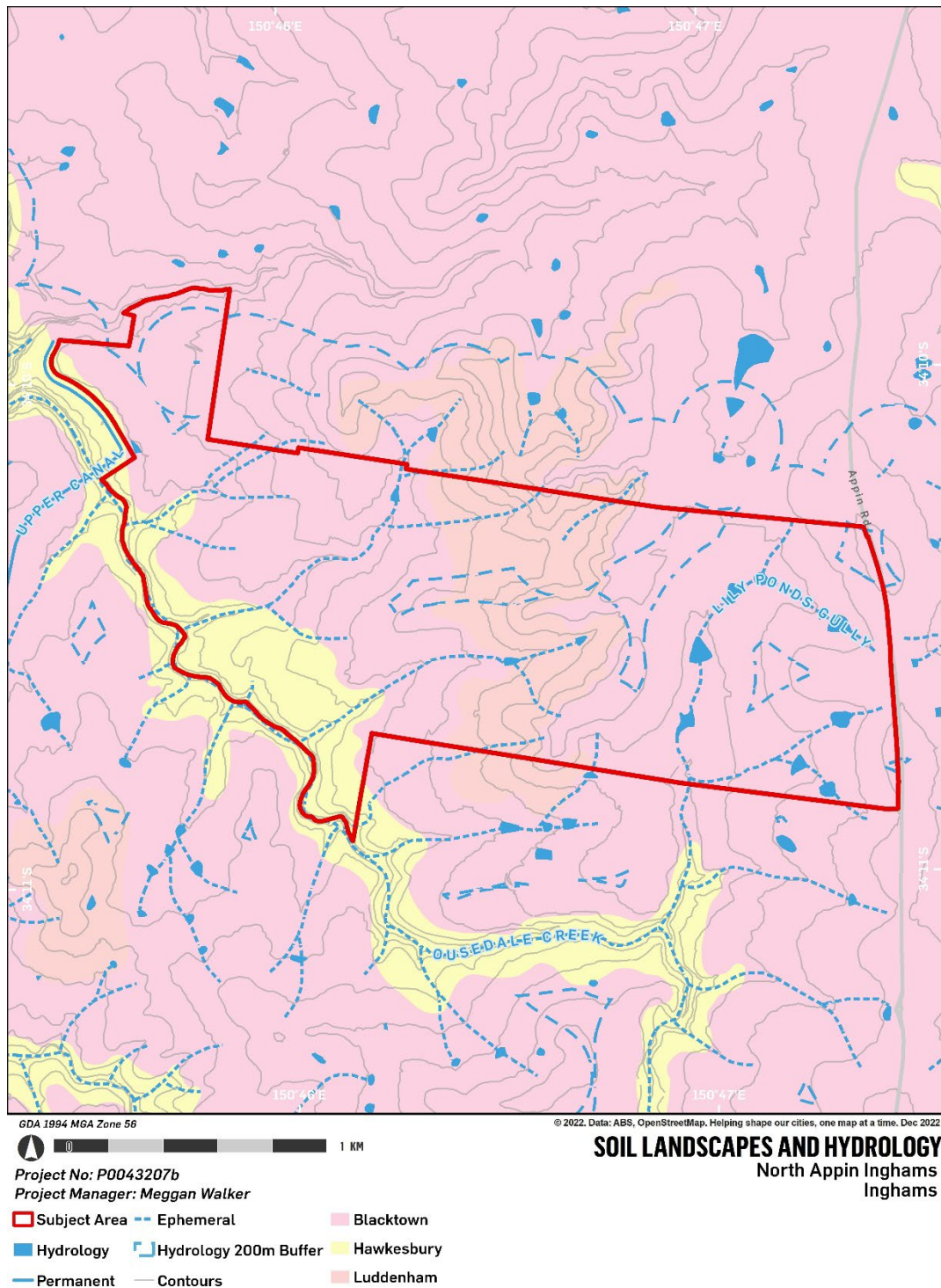


Figure 3 - Soil Landscapes and Hydrology



APPENDIX A – AHIMS BASIC SEARCH RESULTS

Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 17 May 2022

Level 8 123 Angel Street
Sydney New South Wales 2000

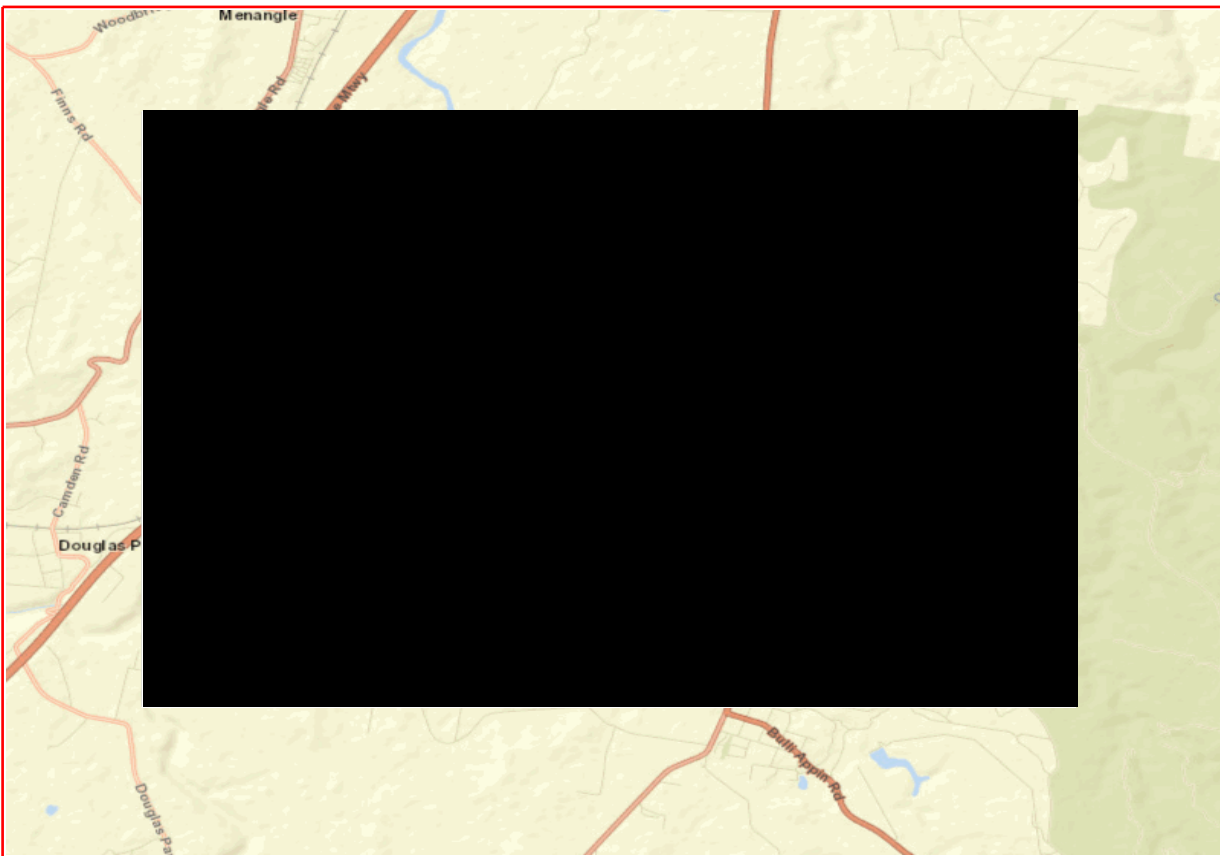
Attention: Meggan Walker

Email: mwalker@urbis.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 105, DP:DP1188670, Section : - with a Buffer of 1000 meters, conducted by Meggan Walker on 17 May 2022.

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



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

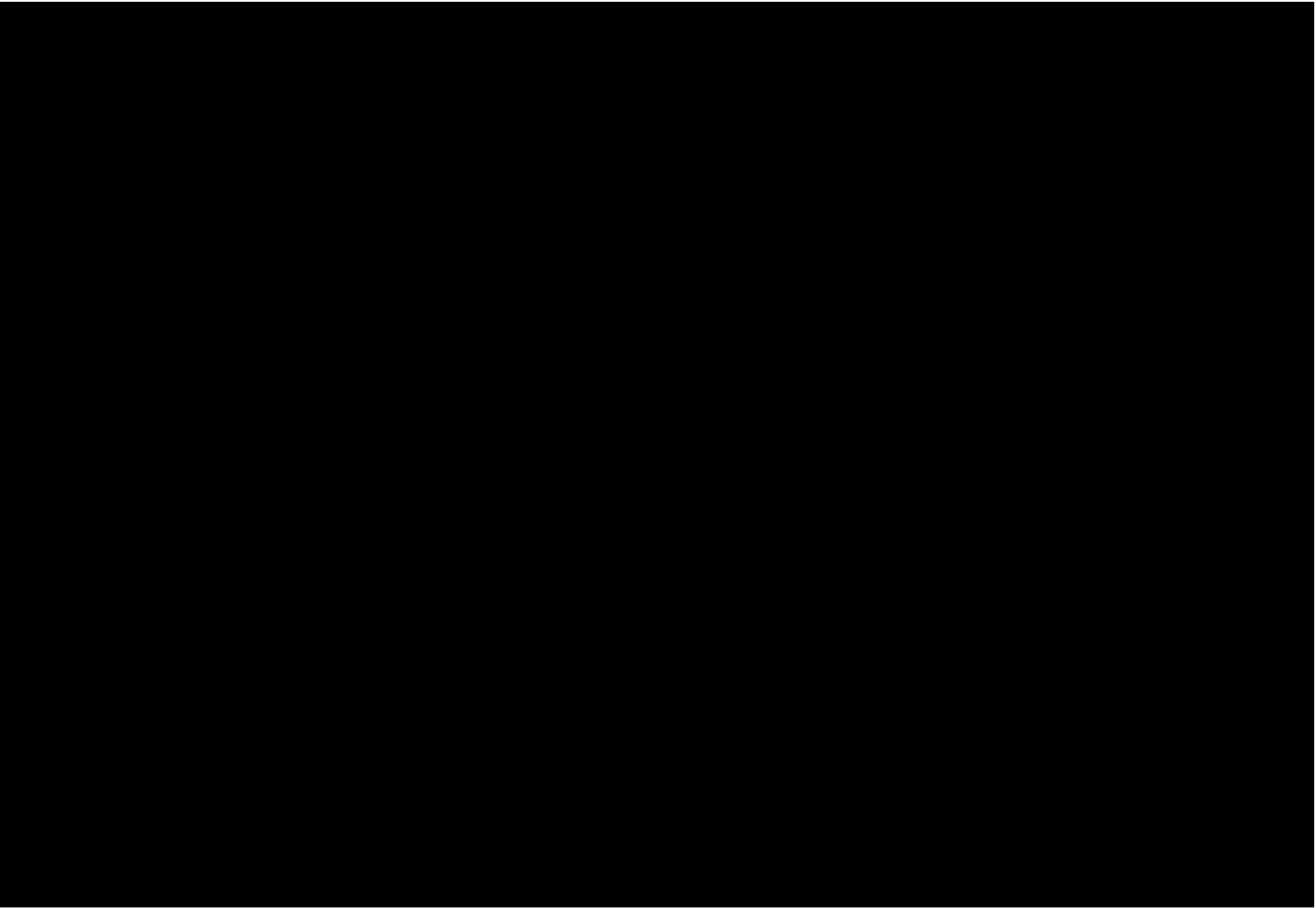
36	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

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

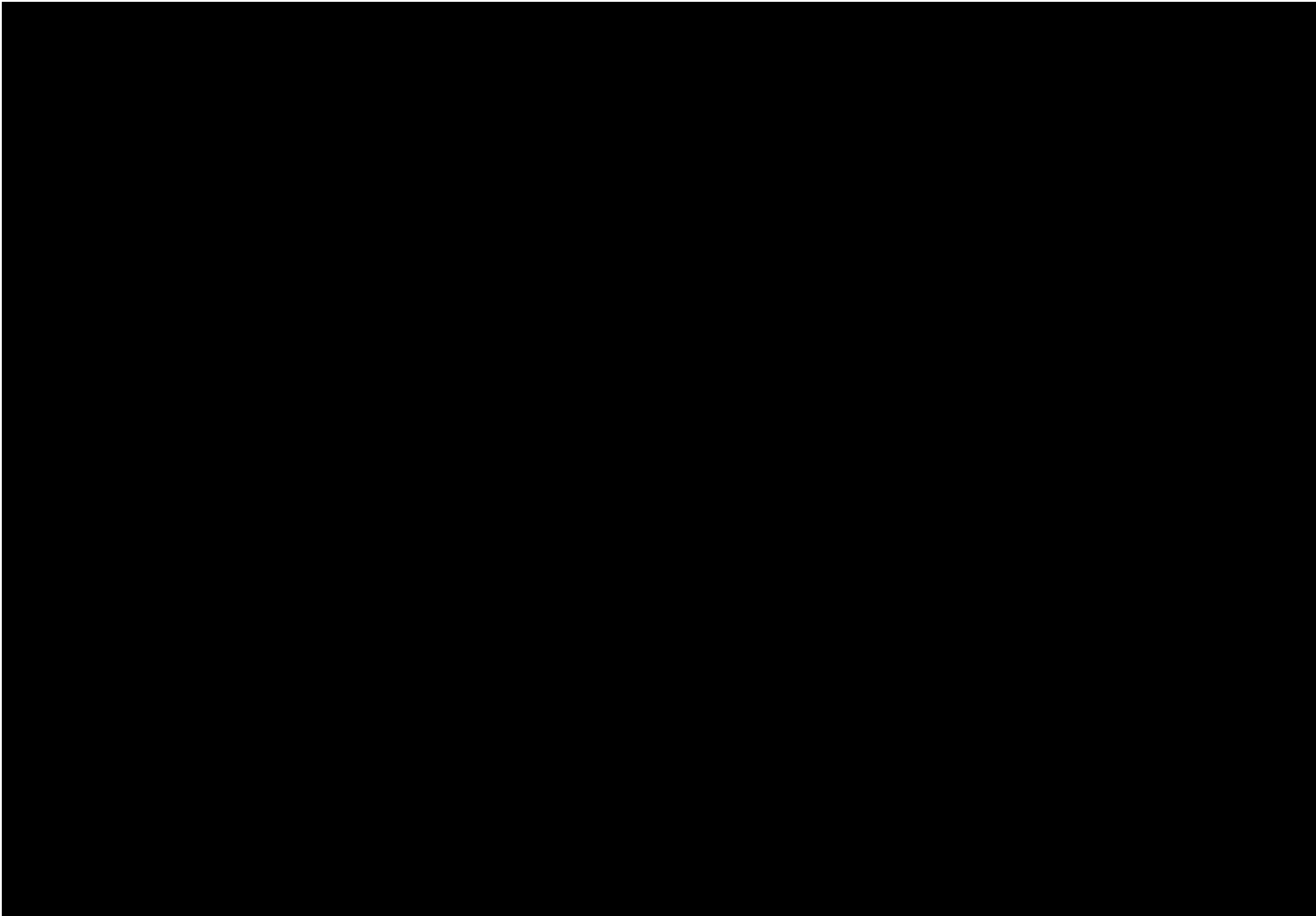
- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places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

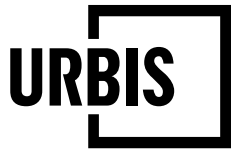
Important information about your AHIMS search

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







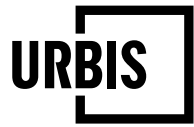


**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

APPENDIX B – ACHA QUESTIONNAIRE

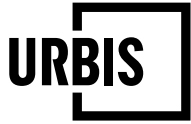
1. **Cultural connection: Please describe the nature of your cultural connection to the country on which the subject area is situated. Please include any relevant cultural knowledge or knowledge of Aboriginal objects or places within the subject area. Have you ever lived in or near the subject area? If you are a Traditional Owner, please state this clearly.**



2. **Representing your community members: Please state who you or your organisation represents. Do you or your organisation represent other members of the Aboriginal community? If so, please describe how information is provided to the other members, and how their information and knowledge may be provided back to the Proponent and Urbis.**



3. **Previous experience:** Please list your relevant (for example, in the area of the proposed project) previous experience in providing cultural heritage advice and survey participation.



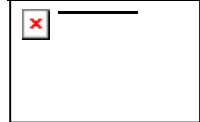
4. **Schedule of Rates:** Please provide your Certificate of Currency including Product and Public Liability Insurance and Worker's Compensation. Please also schedule of rates (hourly/half day/day) for fieldwork participation, and include any expenses you may expect to incur, and these will be sought to be reimbursed. Please note that it is for the discretion for the Proponent to decide if they invite RAPs for site works and the consultation process does not guarantee paid employment.

Wade Goldwyer

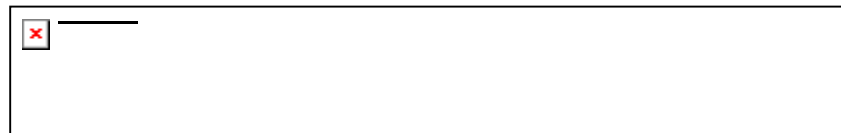
From: [REDACTED]
Sent: Wednesday, 19 April 2023 8:51 AM
To: Wade Goldwyer
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information
Attachments: image005.png
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]



[REDACTED]



[REDACTED] Wed, 29 Mar 2023, 6:48 pm Wade Goldwyer, <wgoldwyer@urbis.com.au> wrote:

Good evening,

Thank you for your involvement with the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed redevelopment of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find attached a letter which provides information on the project and the methodology proposed to be implemented for the ACHA.

Please provide a response in writing, preferably by email, to myself (details below) by **26 April 2023**.

Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

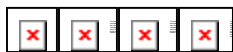
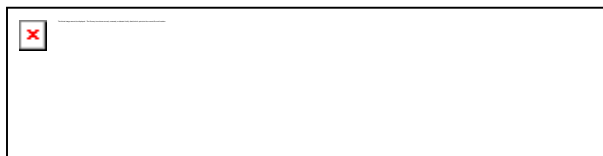
In addition, please note that we have included a request for specific information in the form of a questionnaire (Appendix B). We would appreciate your response to that questionnaire as soon as possible.

If you have any questions, please do not hesitate to get in contact.

Kind regards,

WADE GOLDWYER
CONSULTANT

•
D +61 8 9346 0506
E wgoldwyer@urbis.com.au



LEVEL 14, 1 WILLIAM STREET
PERTH, WA 6000, AUSTRALIA
T +61 8 9346 0500



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Wade Goldwyer

From: [REDACTED]
Sent: Friday, 14 April 2023 7:28 AM
To: Wade Goldwyer
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Virus-free www.avg.com

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Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

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D +61 8 9346 0506
E wgoldwyer@urbis.com.au

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Wade Goldwyer

From: [REDACTED]
Sent: Wednesday, 12 April 2023 9:41 AM
To: Wade Goldwyer
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

Good evening,

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Wade Goldwyer
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Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

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If you have any questions, please do not hesitate to get in contact.

Kind regards,

WADE GOLDWYER

CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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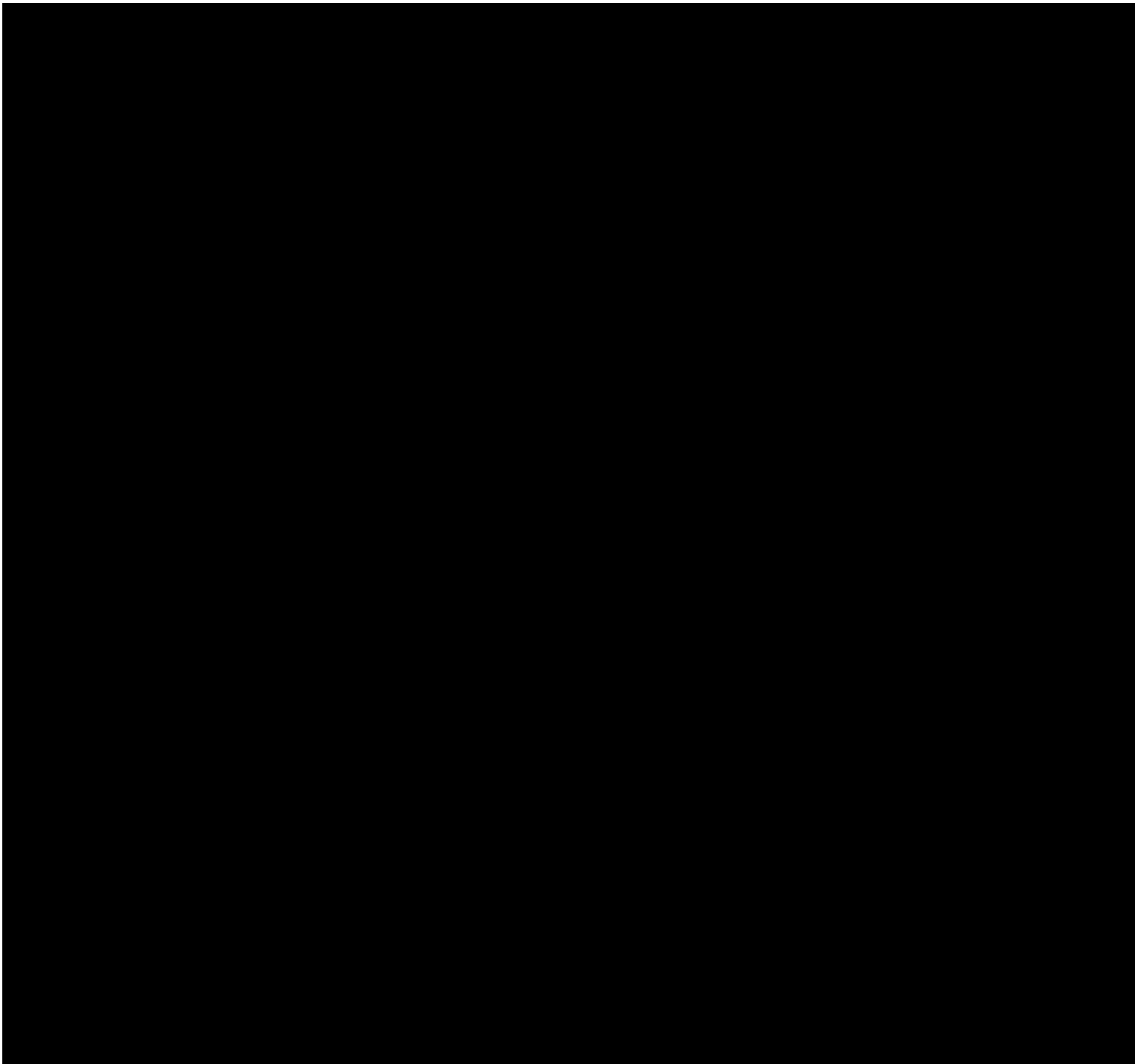


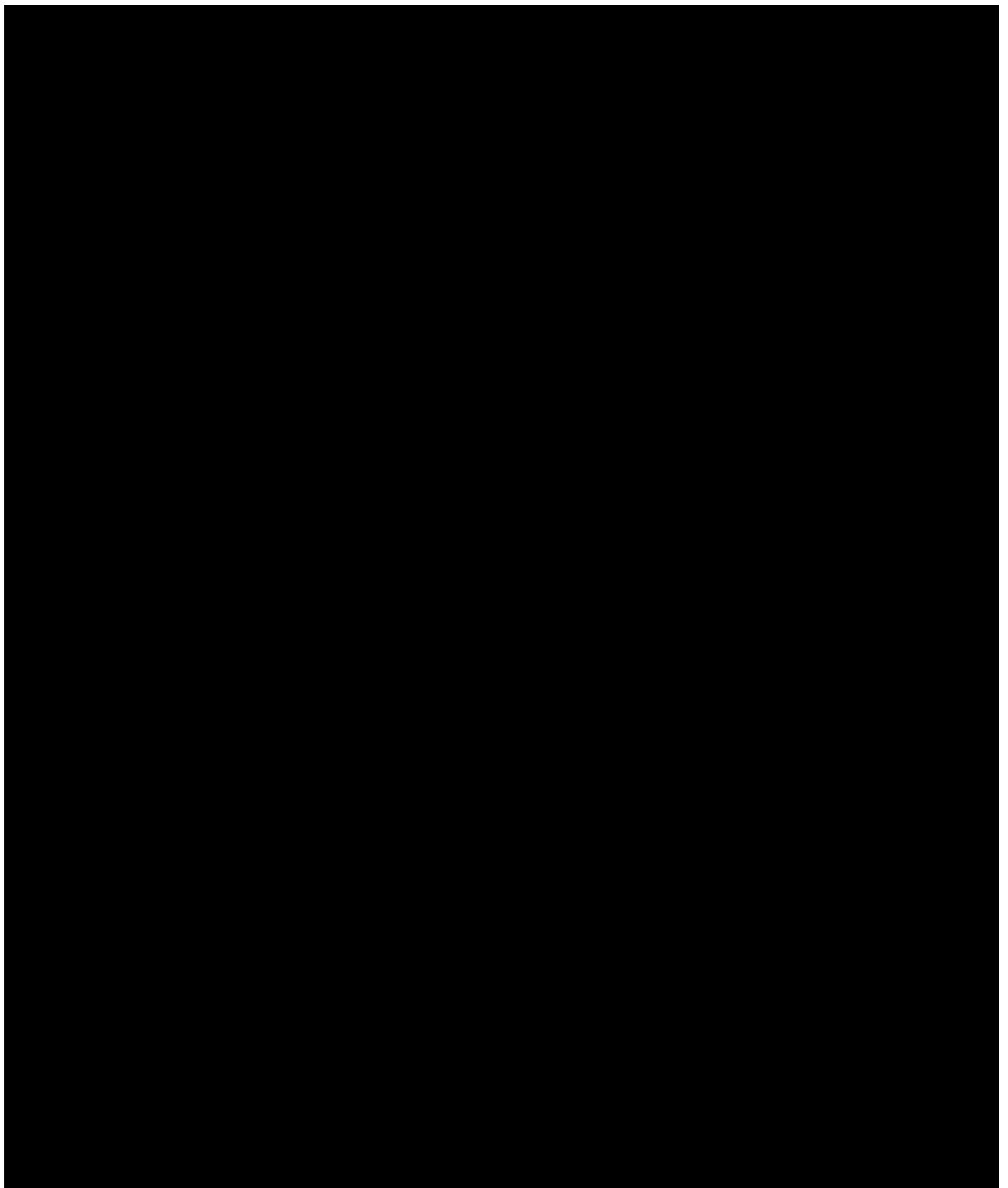
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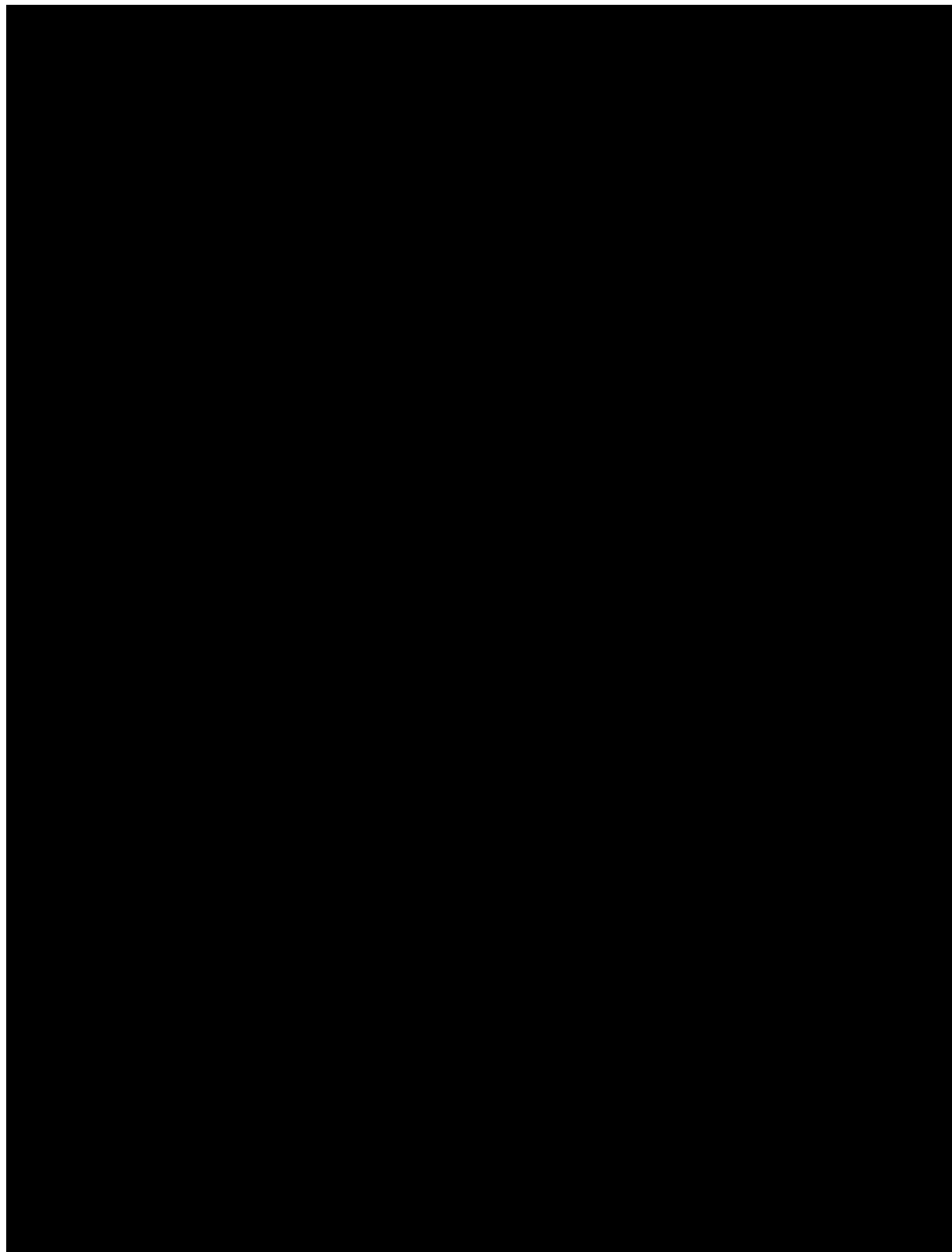


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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 10 April 2023 1:47 PM
To: Wade Goldwyer
Subject: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information
Attachments: workers insurance.pdf; GIO Mobile Business Protect Certificate of Currency GPM005789792.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Wade Goldwyer

From: [REDACTED]
Sent: Thursday, 13 April 2023 9:33 AM
To: Wade Goldwyer
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information
Attachments: 753AAC9E-0E37-4B8E-B0F3-F63B00285C8F.png; 798BD8D8-4930-4E91-ADA6-6E52FB60137E.png
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On Wednesday, 29 March 2023, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

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Level 8, [123 Pitt Street](#)
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

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D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 24 April 2023 8:14 AM
To: Wade Goldwyer
Cc: Meggan Walker
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information
Attachments: CONFIDENTIAL - MHC - Information.pdf; CONFIDENTIAL - MHC - COC - WORKERS INSURANCE.pdf; CONFIDENTIAL - MHC Liability Insurance CERTIFICATE 22-23.PDF
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On Wed, 29 Mar 2023 at 18:48, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good evening,

Thank you for your involvement with the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed redevelopment of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

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Consultant Urbis
Level 8, 123 Pitt Street
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E: wgoldwyer@urbis.com.au

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[The following text is a dense, continuous block of characters and symbols, likely representing a corrupted or redacted document. It contains no legible words or phrases.]

the 1990s, the number of people in the world who are under 15 years of age has increased by 1.2 billion, from 1.1 billion in 1980 to 2.3 billion in 1999. The number of children under 15 years of age in the world is projected to increase to 3.1 billion by 2015, with the largest increases occurring in Africa and Asia (United Nations, 1999).

There is a growing awareness of the need to address the needs of children in the world, and the United Nations has established the Convention on the Rights of the Child (CRC) to protect the rights of children. The CRC is a legally binding treaty that sets out the rights of children, and it has been ratified by 113 countries. The CRC is a landmark document in the history of children's rights, and it has led to the development of many national laws and policies to protect the rights of children.

The CRC is a comprehensive document that covers a wide range of issues, including the right to life, the right to health, the right to education, the right to play, and the right to be heard. The CRC is a landmark document in the history of children's rights, and it has led to the development of many national laws and policies to protect the rights of children.

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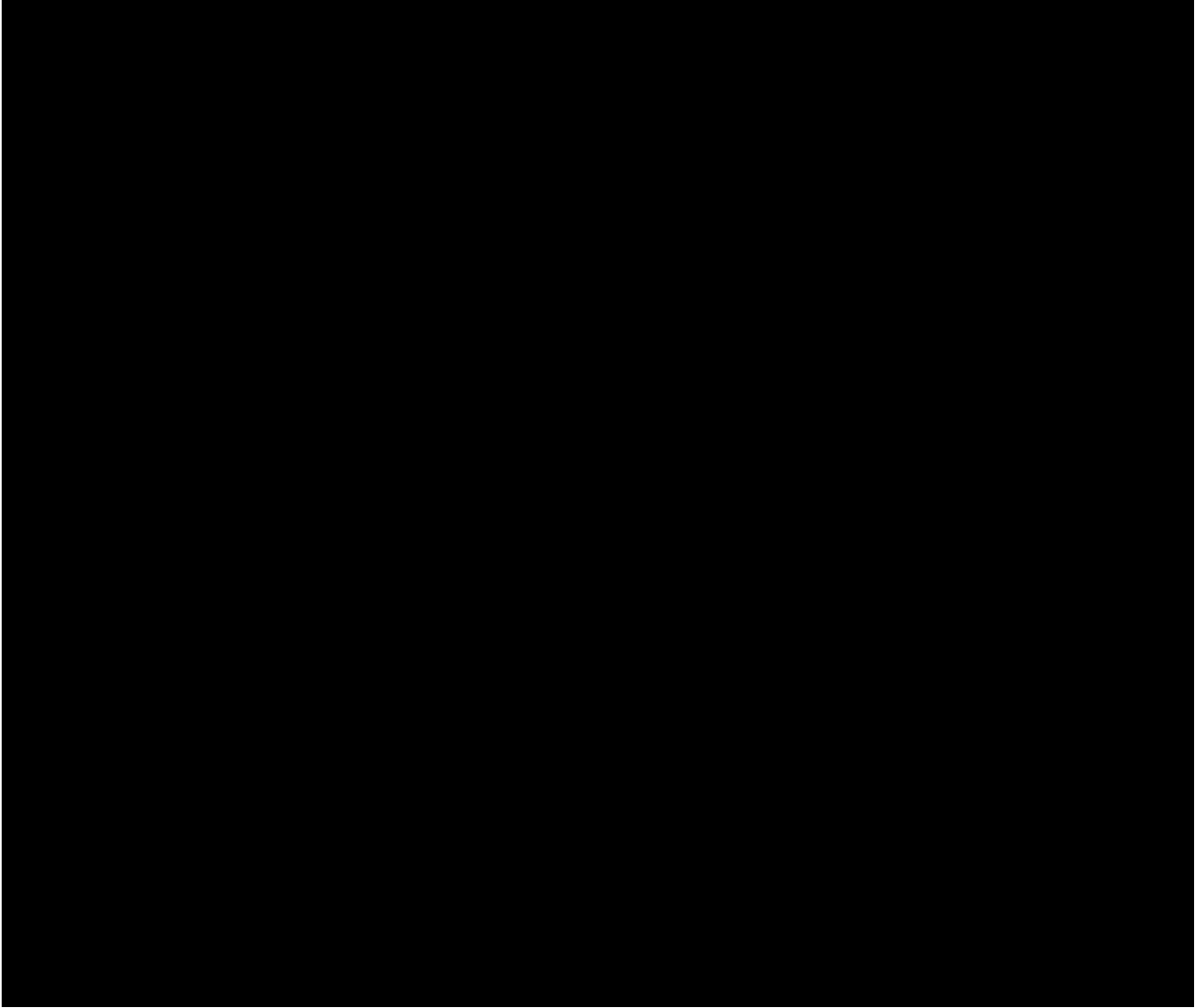
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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 10 April 2023 1:38 PM
To: Wade Goldwyer
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information
Attachments: murrabidgee Workers comp 2023 (1).pdf; murrabidgee public liability 2023 (1).pdf
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

On Wednesday, 29 March 2023 at 06:48:07 pm AEDT, Wade Goldwyer <wgoldwyer@urbis.com.au> wrote:

Good evening,

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Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

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If you have any questions, please do not hesitate to get in contact.

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506

E wgoldwyer@urbis.com.au

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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 10 April 2023 1:40 PM
To: Wade Goldwyer
Subject: Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

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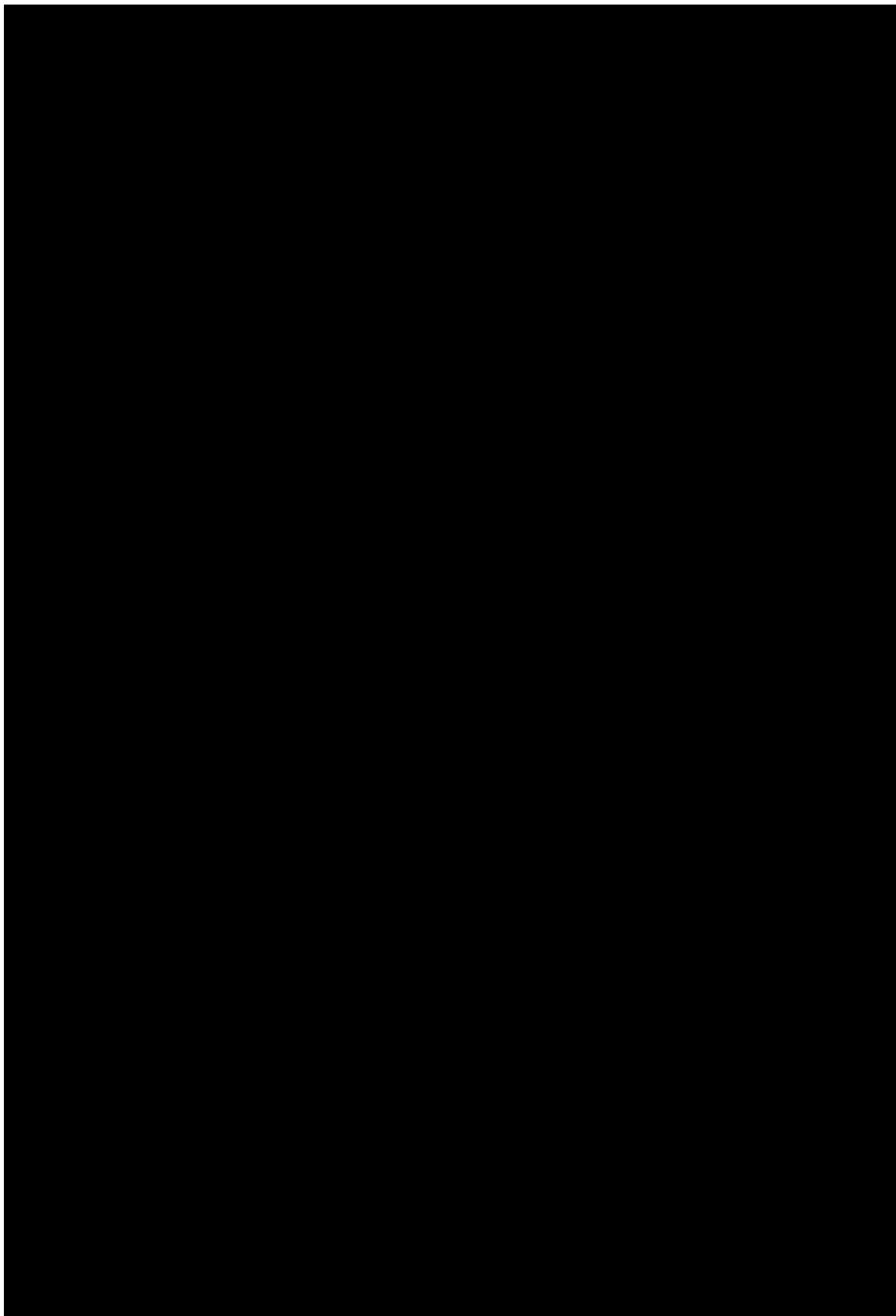


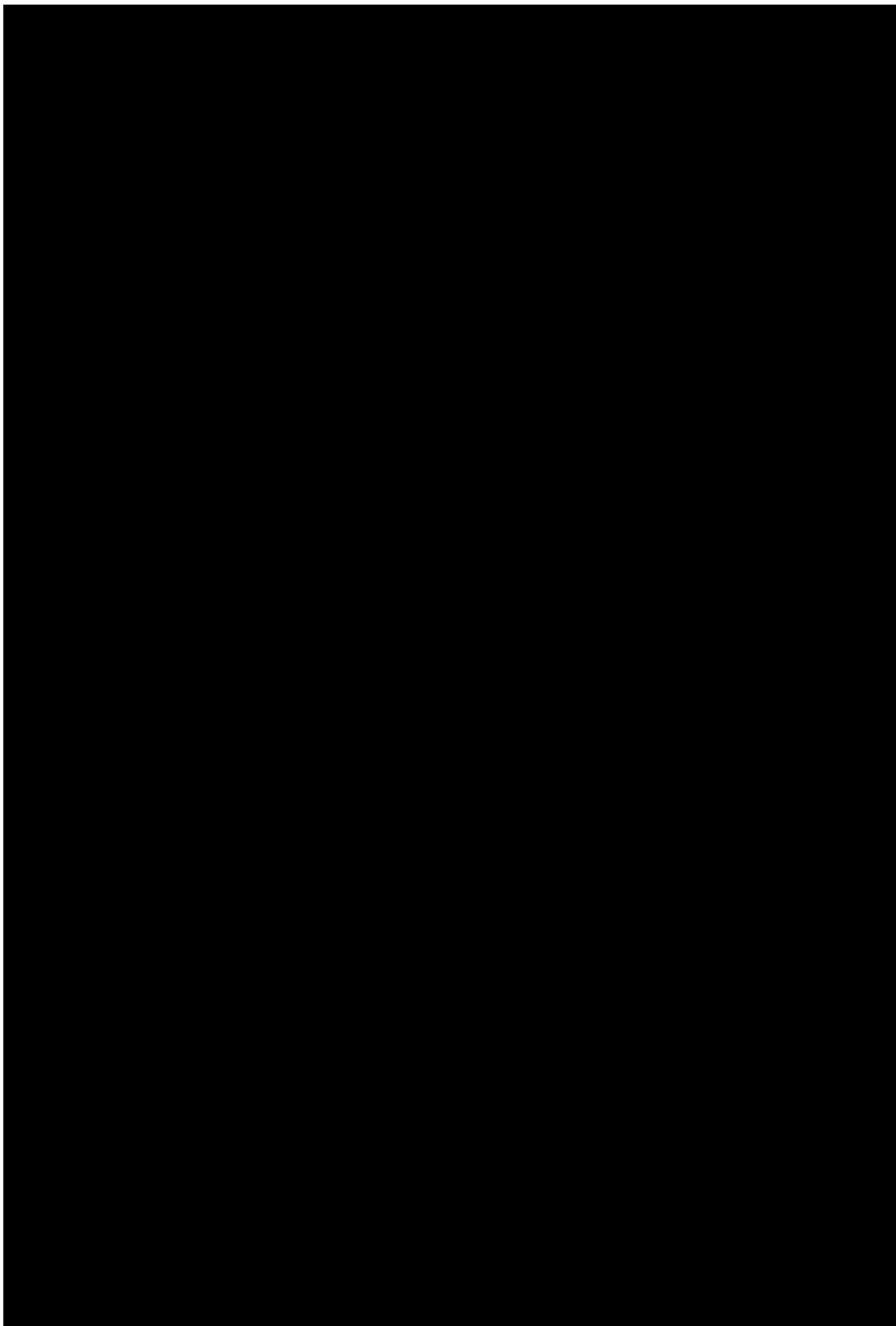
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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 24 April 2023 10:42 AM
To: Wade Goldwyer
Subject: Questionnaire 345 Appin Rd, Appin
Attachments: Work Bio.pdf; James Davis Public Liability 2022-23.pdf; James Davis Workers Compensation 2022-23.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]



the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million, from 2.5 million in 1980 to 4 million in 1995. The public sector has become a major employer in the UK, and its growth has been a major factor in the overall growth of the economy.

The public sector has also become a major provider of social services, and its growth has been a major factor in the overall growth of the economy. The public sector has become a major provider of social services, and its growth has been a major factor in the overall growth of the economy.

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Wade Goldwyer

From:



Monday, 24 April 2023 11:47 AM

To:

Wade Goldwyer

Cc:

Meggan Walker

Subject:

Re: 345 Appin Rd, Appin - Aboriginal Cultural Heritage Assessment - Stage 2 & 3 - Presenting & Gathering Information

Follow Up Flag:

Follow up

Flag Status:

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[Redacted]

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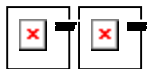
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Good evening,

Thank you for your involvement with the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed redevelopment of 345 Appin Road, Appin, NSW, legally referred to as Lot 105 in Deposited Plan (DP) 1188670.

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find attached a letter which provides information on the project and the methodology proposed to be implemented for the ACHA.

Please provide a response in writing, preferably by email, to myself (details below) by **26 April 2023**.

Wade Goldwyer
Consultant Urbis
Level 8, 123 Pitt Street
Sydney, NSW, 2000
E: wgoldwyer@urbis.com.au

In addition, please note that we have included a request for specific information in the form of a questionnaire (Appendix B). We would appreciate your response to that questionnaire as soon as possible.

If you have any questions, please do not hesitate to get in contact.

Kind regards,

WADE GOLDWYER
CONSULTANT

D +61 8 9346 0506
E wgoldwyer@urbis.com.au



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PERTH, WA 6000, AUSTRALIA
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Learn more about our **Reconciliation Action Plan**.

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Wade Goldwyer

From: [REDACTED]
Sent: Monday, 24 April 2023 12:07 PM
To: Wade Goldwyer
Subject: Questionnaire Appin
Attachments: QUESTIONNAIRE WOKA - 345 Appin Road^J Appin^J NSW.docx

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

[REDACTED]

[REDACTED]

From: [Hayley Campbell](#)

Cc:

Subject: 345 Appin Road, Appin, NSW -Stage 4 Draft ACHA for Review

Date: Friday, 3 May 2024 2:17:00 PM

Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good afternoon,

Urbis was engaged by Ingham Property Group ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, Tharawal Country ('the subject area').

In accordance with Section 4.4 (Stage 4 – Review of draft cultural heritage assessment report) of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find the draft report in the following link for your review and comment.

[Draft Aboriginal Cultural Heritage Assessment and Archaeological Technical Report](#)

If you wish to provide any comments for inclusion into the reports, please so do in writing, preferably by email by **Close of Business, 31 May 2024** to:

Hayley Campbell
Archaeology Assistant
Urbis Ltd
Level 8, 123 Pitt Street
Sydney NSW 2000
E: hcampbell@urbis.com.au

Kindest regards,

HAYLEY CAMPBELL

ARCHAEOLOGY ASSISTANT

D +61 2 8424 5126

E hcampbell@urbis.com.au



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SYDNEY, NSW 2000, AUSTRALIA
GADIGAL COUNTRY
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The logo for URBIS, featuring the word "URBIS" in a bold, white, sans-serif font. The letters are contained within a white square frame that is partially open on the right side. The background of the entire page is a gradient from purple at the top to yellow at the bottom, with a white L-shaped line intersecting the logo.

URBIS

DRAFT
ABORIGINAL
CULTURAL
HERITAGE
ASSESSMENT

345 Appin Road, Appin, NSW
Tharawal Country

Prepared for
INGHAM PROPERTY GROUP
3 May 2024

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Balazs Hansel, MA Archaeology, MA History, M. ICOMOS
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Project Code	P00043207
Report Number	D01 – WIP Draft, Issued 26/06/23. D02 – Issued to client for review 12/01/24 D03 – Issued for Stage 4 RAP review 03/05/24

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.

We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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You must read the important disclaimer appearing within the body of this report.

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DRAFT

EXECUTIVE SUMMARY

The current report presents the results of an Aboriginal Cultural Heritage Assessment (ACHA) at 345 Appin Road, Appin, NSW, legally referred to as Lot 105 Deposited Plan (DP) 1188670.

The subject area is located within the Greater Macarthur Growth Area, approximately 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within Campbelltown LGA. The entire subject area is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC).

The ACHA will support a Planning Proposal which is being undertaken as a State-led Planning Proposal and, as such, no physical works are proposed.

The ACHA concluded the following:

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area.
- Three previously registered AHIMS sites of Grinding Grooves (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) were located in close proximity to the subject area outside of the western boundary.
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape is generally considered sensitive for Isolated Artefacts, Artefact Scatters, Grinding Grooves, Rock Engravings, and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape is considered archaeologically sensitive for sandstone Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape is considered sensitive for Isolated Finds.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.
- The subject area contains multiple landscape features that indicate past Aboriginal land use. These landscape features include a convergence of waterways, presence of sandstone geology, and shallow to moderately deep soils across the subject area. Due to the presence of such landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.

- Two Aboriginal sites were recorded during the archaeological survey consisting of a rock shelter with an artefact and Potential Archaeological Deposit (PAD) a further rock shelter with PAD. These were registered on the Aboriginal Heritage Information System (AHIMS) as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD.
- Three Aboriginal sites were observed during the test excavation consisting of a medium density artefact scatter and two low density artefacts scatters. These were registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- The subject area is considered to be highly significant as it relates to the social, cultural, historic, and aesthetic values of Aboriginal cultural heritage. It is considered to have moderate value relating to scientific (archaeological) due to the prevalence of similar sites in the surrounding area. The significance of the subject area cannot be fully assessed until the report has been reviewed by the RAPs.
- Currently, there is no impact or no harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusion, Urbis recommends the following:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Conditions of Consent. Archaeological management should be undertaken post-approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.

- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

DRAFT

1. INTRODUCTION

Urbis has been engaged by Ingham Property Group ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for the North Appin Precinct, at 345 Appin Road, Appin, NSW on Tharawal Land ('the subject area') (Figure 1 and Figure 2). Legally, the subject area is defined as Lot 105 Deposited Plan (DP) 1188670.

This report is prepared in response to the recommendations of the previous Aboriginal Objects Due Diligence Assessment (ADD) (Urbis, 2022), and in support for the rezoning of the subject area as part of the North Appin Precinct.

The ACHA has been undertaken to support a Planning Proposal and aims to determine whether the subject area presents any Aboriginal archaeological constraints.

1.1. LOCATION OF THE SUBJECT AREA

The subject area is located at 345 Appin Road, Appin, NSW on Tharawal Land, legally referred to as Lot 105 Deposited Plan (DP) 1188670. The subject area is located within the Greater Macarthur Growth Area, approximately 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within Campbelltown LGA. The entire site is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC).

The subject area is an irregular-shaped lot that measures approximately 301 hectares in area. Currently, the area is occupied as pastoral land with significant natural assets and corridors. The topography is variable across the holding, ranging from a large level area along the eastern edge and then sloping down towards the Nepean River as the site extends west.

The subject area is located adjacent to the existing Appin township and forms a natural extension of the town to the north. The subject area is bounded by:

- Appin Road to the east: main road connector that follows the ridge line used over millennia by Aboriginal people as a main path of travel.
- Mallaty Creek to the north-west and rural lands to the north: tributary of the Nepean River and the site of Cumberland plain woodlands that support native fauna including koala habitat areas.
- Ousedale Creek to the south: tributary of the Nepean River and the site of Cumberland plain woodlands that support native fauna including koala habitat areas.
- Heritage Canal to the west: heritage listed water supply infrastructure that is one of the earliest examples of major infrastructure built in the formative years of the Australian colony.

The periphery of the subject area is heavily vegetated with the exception of rural lands to the north, with the west of the site particularly dense. The subject area is bordered by numerous streams and creeks that converge with the Nepean River.

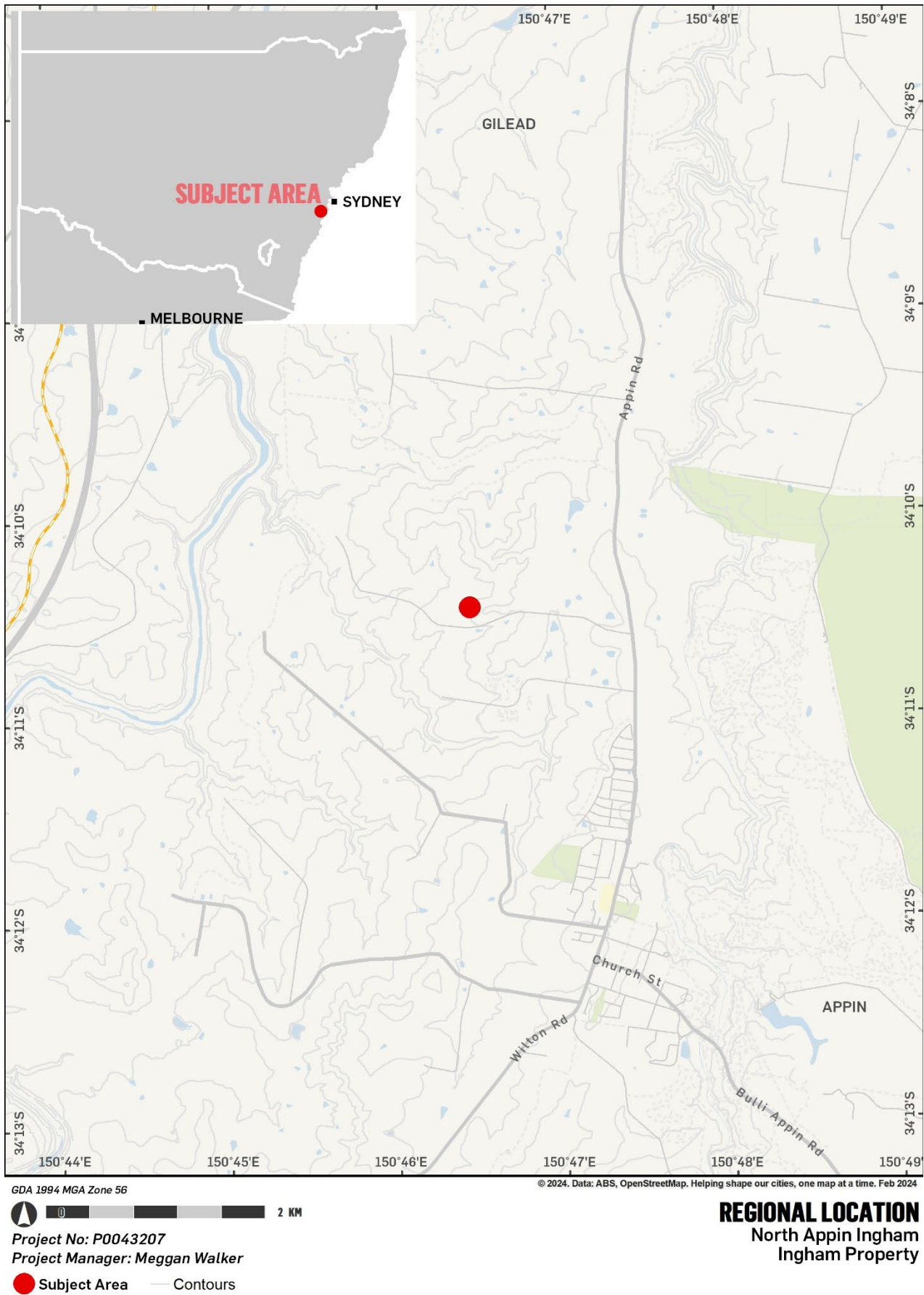
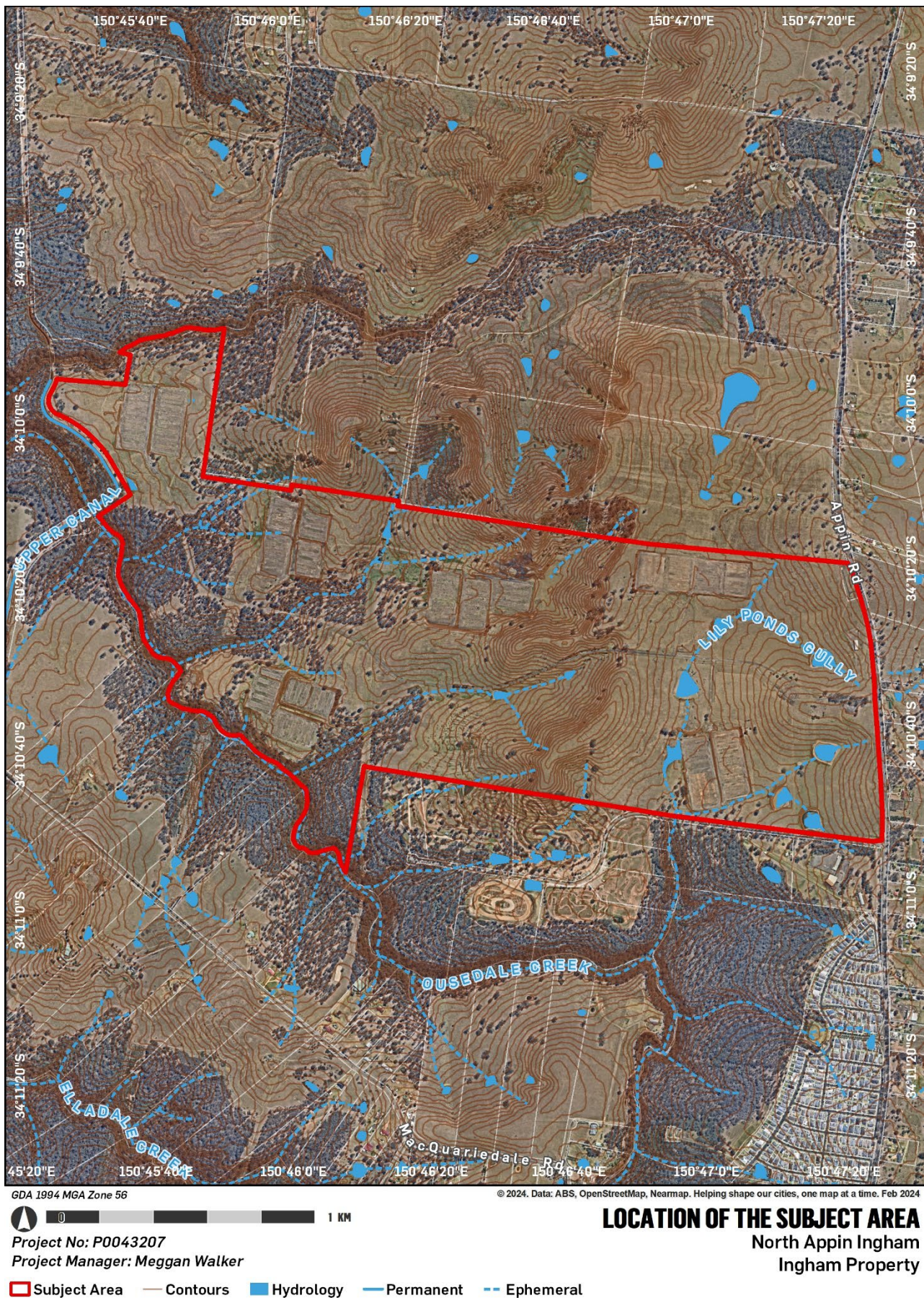


Figure 1 – Regional location



LOCATION OF THE SUBJECT AREA

North Appin Ingham
 Ingham Property

Figure 2 – Location of the subject area

1.2. PROPOSED WORKS

As the majority landowner within the North Appin precinct, the Proponent seeks a planning pathway to establish a new community of circa 9,000 people within the Greater Macarthur Growth Area. Through a cultural landscape-led approach, the proposed rezoning seeks to deliver high-quality housing with a genuine connection to the region's cultural history, natural assets and the existing Appin township. Altogether, the draft structure plan for the site proposes the following:

- Delivery of approximately 3,000 new dwellings by 2045.
- Accommodate a new community of circa. 9,000 people.
- Delivery of key community infrastructure that provides learnings through the traditional custodians to existing and future community members about country.
- Development that will foster the connection to country through initiatives that strengthen the connection between people and the land, flora and fauna.
- Development that reinforces and compliments the character of Appin as a rural village that is a unique and desirable place to live.

The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are proposed.

DRAFT STRUCTURE PLAN

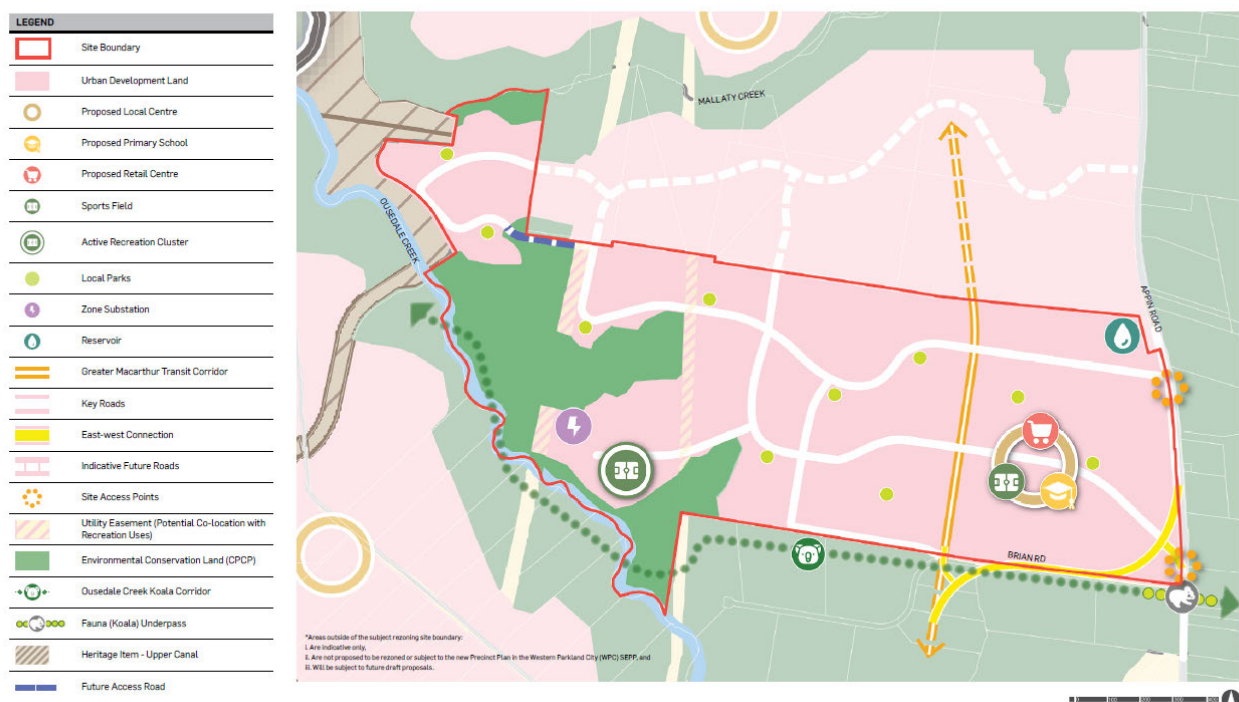


Figure 3 – Draft structure plan

Source: Ingham Property Group, 2024

1.3. METHODOLOGY

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW, 2010c) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The objectives of the ACHA are to:

- Investigate the presence, or absence, of Aboriginal objects and/or places within and in close proximity to the subject area, and whether those objects and/or places would be impacted by the proposed development.
- Investigate the presence, or absence, of any landscape features that may have the potential to contain Aboriginal objects and/or sites and whether those objects and/or sites would be impacted by the proposed development.
- Document the nature, extent and significance of any Aboriginal objects and/or places and sites that may be located within the subject area.
- Document the results of technical investigations including the Site Survey and Test Excavation.
- Document consultation with the Registered Aboriginal Parties (RAPs) with the aim to identify any spiritual, traditional, historical or contemporary associations or attachments to the subject area and any Aboriginal objects and/or places that might be identified within the subject area.
- Provide management strategies for any identified Aboriginal objects and/or places or cultural heritage values.
- Provide recommendations for the implementation of the identified management strategies.
- Prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to be included with an application for an Aboriginal Heritage Impact Permit for the proposed development, if required.

Section 3.1 of the Assessment Guidelines specifies the content requirements of an ACHAR, which includes the requirements of Regulation 61 of the NPW Reg. The requirements are listed in Table 1 below, together with the sections of the present ACHAR in which they are addressed.

Table 1 – ACHAR Requirements

Requirement	Section of Report
A description of the Aboriginal objects and declared Aboriginal Places located within the area of the proposed activity	Section 4
A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal Places, that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the land	Section 8
How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation)	Section 3

Requirement	Section of Report
The views of those Aboriginal people regarding the likely impact of the proposed activity on their cultural heritage (if any submissions have been received as a part of the consultation requirements, the report must include a copy of each submission and your response)	Section 3 & Appendix D
Actual or likely harm posed to the Aboriginal objects or declared Aboriginal Places from the proposed activity, with reference to the cultural heritage values identified	Section 9
Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal Places	Section 9
Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.	Section 9

1.4. AUTHORSHIP

The present report has been prepared by Wade Goldwyer (Urbis Consultant Archaeologist), and Kirsten Downey (Urbis Consultant Archaeologist) with review and quality control undertaken by Meggan Walker (Urbis Senior Consultant Archaeologist) and Sam Richards (Urbis, Associate Director).

Wade Goldwyer holds a Bachelor of Arts (Honours - Archaeology) from the University of Western Australia. Kirsten Downey holds a Bachelor of Arts (Honours – Archaeology) from the University of New England. Owen Barrett holds a Bachelor of Arts (Archaeology and Paleoanthropology) from the University of New England. Meggan Walker holds a Bachelor of Arts (Honours - First Class in Archaeology) and Ancient History from the University of Sydney. Sam Richards holds a Bachelor of Arts (Honours – Archaeology) from the University of Liverpool, United Kingdom.

1.5. LIMITATIONS

The ACHA was limited to an assessment of the archaeological remains of Aboriginal cultural heritage and does not consider historical archaeological remains or built heritage items. A separate Heritage Impact Statement (HIS) has been prepared by Urbis (2021) to accompany the Planning Proposal.

2. STATUTORY CONTEXT

2.1. HERITAGE CONTROLS

The protection and management of Aboriginal cultural heritage items, places and archaeological sites within New South Wales is governed by the relevant Commonwealth, State or local government legislation. These are discussed below in relation to the present subject area.

2.1.1. Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) protects any items listed in the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The National Heritage List (NHL) is a list of natural, historic and Indigenous places of outstanding significance to the nation. It was established to protect places that have outstanding value to the nation. The Commonwealth Heritage List (CHL) was established to protect items and places owned or managed by Commonwealth agencies. The Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the NHL or CHL.

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

Consideration is given to whether any heritage items listed on the NHL or CHL are likely to be harmed by the proposed development in Section 2.3.2 below.

2.1.2. The National Parks and Wildlife Act 1974

The protection of Aboriginal heritage in NSW falls under the statutory control of the *National Parks and Wildlife Act 1974* ("NPW Act") as applied in accordance with the *National Parks and Wildlife Regulation 2019* ("NPW Reg").

The NPW Act defines Aboriginal heritage in terms of 'Aboriginal objects' and 'Aboriginal places' as follows:

- **Aboriginal object** means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.
- **Aboriginal place** means any place, which may or may not contain Aboriginal objects, that is declared to be an Aboriginal place under section 84 of the NPW Act because it is or was of special significance with respect to Aboriginal culture.

Section 86 of the NPW Act identifies rules and penalties surrounding harming or desecrating Aboriginal objects and Aboriginal places. These are identified as follows:

- (1) *A person must not harm or desecrate an object that the person knows is an Aboriginal object*

Maximum penalty:

- (a) *in the case of an individual—2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or*

- (b) *in the case of a corporation—10,000 penalty units.*

- (2) *A person must not harm an Aboriginal object.*

Maximum penalty:

(a) in the case of an individual—500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or

(b) in the case of a corporation—2,000 penalty units.

(4) A person must not harm or desecrate an Aboriginal place.

Maximum penalty:

(a) in the case of an individual—5,000 penalty units or imprisonment for 2 years, or both, or

(b) in the case of a corporation—10,000 penalty units.

Section 87 of the NPW Act establishes defences against prosecution under s.86. For activities not considered to be low impact, the defences are as follows:

- The harm was authorised by an Aboriginal Heritage Impact Permit ('AHIP') (s.87(1))
- Due diligence was exercised to and reasonably determined that no Aboriginal object would be harmed (s.87(2))

In accordance with s.87(3) of the NPW Act and reg. 57 of the NPW Reg, due diligence may be exercised by compliance with requirements set out in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (Department of Environment, Climate Change and Water 2010) ("Due Diligence Code"). If a due diligence assessment determines that Aboriginal objects are likely to be harmed by a proposed development, then further investigation in the form of an Aboriginal Cultural Heritage Assessment ("ACHA") is required.

The present ACHA was undertaken, in part, to determine whether or not any 'Aboriginal objects' or 'Aboriginal places' subject to the controls of Section 86 of the NPW Act are present within the subject area.

2.1.3. Wollondilly Local Environment Plan 2011

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires each LGA to produce a Local Environment Plan (LEP). The LEP identifies items and areas of local heritage significance and outlines development consent requirements.

The majority of the subject area falls within the Wollondilly Shire LGA and is subject to the Wollondilly Local Environment Plan 2011 ('Wollondilly LEP'). Under Section 5.10(2) of the LEP, development consent is required for:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

(i) a heritage item,

(ii) an Aboriginal object,

(iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land—

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

The ACHA was undertaken to determine whether or not any Aboriginal objects or places are present within the subject area, which would be subject to Section 5.10(2) of the Wollondilly LEP.

2.1.4. Campbelltown Local Environment Plan 2015

The north-western section of the subject area falls within the Campbelltown LGA and is subject to the Campbelltown Local Environmental Plan 2015 ('Campbelltown LEP'). Under Section 5.10(2) of the LEP, development consent is required for:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

- (i) a heritage item,*
- (ii) an Aboriginal object,*
- (iii) a building, work, relic or tree within a heritage conservation area,*

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

(f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

The ACHAR was undertaken to determine whether or not any Aboriginal objects or places are present within the subject area, which would be subject to Section 5.10(2) of the Campbelltown LEP.

2.2. NON-STATUTORY IMPLEMENTS

2.2.1. Wollondilly Development Control Plan 2016

The EP&A Act requires each LGA to produce a Development Control Plan (DCP). The subject area is subject to the *Wollondilly Development Control Plan 2016* ('Wollondilly DCP'). Section 7 of the Wollondilly DCP pertains to Aboriginal heritage. Under Section 7.2 Aboriginal Heritage Controls, it states that:

An indigenous heritage and archaeological report must be prepared for any development application on land which contains a known Aboriginal object or Aboriginal place of heritage significance. The report must be prepared by a suitably qualified archaeologist. The report must be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal objects in NSW. A report may also be required at the discretion of the assessing officer where:

- 1. There is impact or disturbance to the content, or within the immediate vicinity (100 metres) of a known Aboriginal object or Aboriginal place of heritage significance;*

2. *There is impact or disturbance to, or within the immediate vicinity (100 metres) of a previously recorded or known Aboriginal object or Aboriginal place of heritage significance and can include a cultural landscape, an existing or former ceremonial ground, a burial ground or cemetery, a story place or mythological site, a former Aboriginal reserve or historic encampment, or an archaeological site of high significance;*
3. *A proposal (including subdivision) which affects primarily undeveloped land (irrespective of land size) and has the following site features: river frontage creek line; sandstone exposures at ground level larger than 5m²; sandstone cliff line or isolated boulder higher than 2m; disturbance to the roots, trunk, branches, of old growth trees, which are native to the Wollondilly Shire and greater than 150 years of age.*
4. *Ensure that all works cease in the vicinity of any previously unidentified Aboriginal objects or places identified during excavation and construction and that the following be notified: The Office of Environment and Heritage NSW (OEH), A qualified archaeologist, and Aboriginal stakeholders.*
5. *Ensure that should human skeletal remains be discovered that the following process will be undertaken:*
 - a. *The remains will be reported to the police and the state coroner.*
 - b. *Wollondilly Shire Council and the land owner will be notified of the find.*
 - c. *Aboriginal stakeholders will be notified of the find.*
 - d. *OEH NSW will be notified.*
6. *If the skeletal remains are of Aboriginal ancestral origin an appropriate management strategy will be developed in consultation with the Aboriginal stakeholders.*
7. *The find will be recorded in accordance with the National Parks and Wildlife Act 1974 (NSW) and the NSW NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit.*
8. *The findings will be incorporated into any proposed Aboriginal Heritage Plan's management regime.*

The ACHA was undertaken to determine whether or not Aboriginal archaeological sites and places of Aboriginal heritage significance are present within the subject area, which would be subject to Section 7.2 of the Wollondilly DCP. Notably, the subject area requires assessment under point 3, being a proposal, which affects primarily undeveloped land with sandstone exposures and contains creek lines.

2.2.2. Campbelltown Sustainable Cities Development Control Plan 2015

The north-western section of the subject area falls within the Campbelltown LGA and is subject to the *Campbelltown Sustainable Cities Development Control Plan 2015* (Campbelltown DCP). Section 2.11 of Volume 1 of the Campbelltown DCP pertains to Heritage Conservation. Under Section 2.11.1 Aboriginal Heritage, Design Requirements, it states:

- (a) All developments that have the potential to impact upon Aboriginal cultural heritage must provide an assessment in accordance with the "Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW", published by the Office of Environment and Heritage (OEH). This requires an initial investigation of the potential impact of a development on Aboriginal Cultural Heritage in circumstances where the proposed development involves disturbance to cultural sites (e.g. Aboriginal culturally modified trees), or the ground surface. This initial investigation is to be undertaken by the applicant and requires an assessment of whether there are:
 - i) any known Aboriginal sites within the development site (determined by undertaking a search of the Aboriginal Heritage Information Management System (AHIMS) database (which is maintained by the Office of Environment and Heritage); and/or
 - ii) any other sources of relevant information of which a person is already aware; and/or

- iii) Whether the development is on a site that is not disturbed land and
 - within 200m of waters, or
 - located on a ridge top, ridge line or headland, or
 - located within 200m below or above a cliff face, or
 - within 20m of/or in a cave, rock shelter, or a cave mouth.
- (b) Where the initial investigation confirms the presence or likely presence of Aboriginal objects or the above landscape features, further assessment and visual inspection must be conducted in accordance with the “Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW” by a person with expertise in Aboriginal cultural heritage management.
- (c) If this assessment indicates that there are, or are likely to be, Aboriginal objects, and/or an Aboriginal Place in the area of the proposed activity, more detailed investigation and an impact assessment shall be required and must be prepared by a person with expertise in Aboriginal cultural heritage management. Where it is determined that harm could occur to Aboriginal objects then an Aboriginal Heritage Impact Permit application must be made to the OEH (and be approved prior to works occurring).
- (d) The assessment shall be prepared in accordance with the following documents:
 - i) Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010);
 - ii) Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010); and
 - iii) Aboriginal cultural heritage consultation requirements for proponents 2010. Part 6 National Parks and Wildlife Act 1974 (2010).
- (e) The assessment shall take into account the following documents:
 - i) Operational Policy: Protecting Aboriginal Cultural Heritage (February 2009);
 - ii) OEH Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011).

The ACHA was undertaken to determine whether or not Aboriginal archaeological sites and places of Aboriginal heritage significance are present within the subject area, which would be subject to Section 2.11.1 of the Campbelltown DCP.

2.2.3. Greater Macarthur 2040 Structure Plan and Accompanying Guide, 2022.

The Guide to the Greater Macarthur Growth Area (GGMGA), while a strategic planning document, does provide information regarding cultural significance. This includes mapping of culturally sensitive values within the Greater Macarthur region. Mallaty Creek is identified as an area of cultural sensitivity on this map, however this is mapped as to the north-east of the subject area, where Mallaty Creek meets Appin Road (see Figure 4). The map does, however, identify a culturally sensitive movement corridor to the east of the subject area, which follows the approximate alignment of Appin Road. This is noted as culturally significant within the current assessment.

This document also provides principles for the engagement with community throughout the planning proposal and master planning process, including consideration of favourable design outcomes from a cultural heritage perspective.

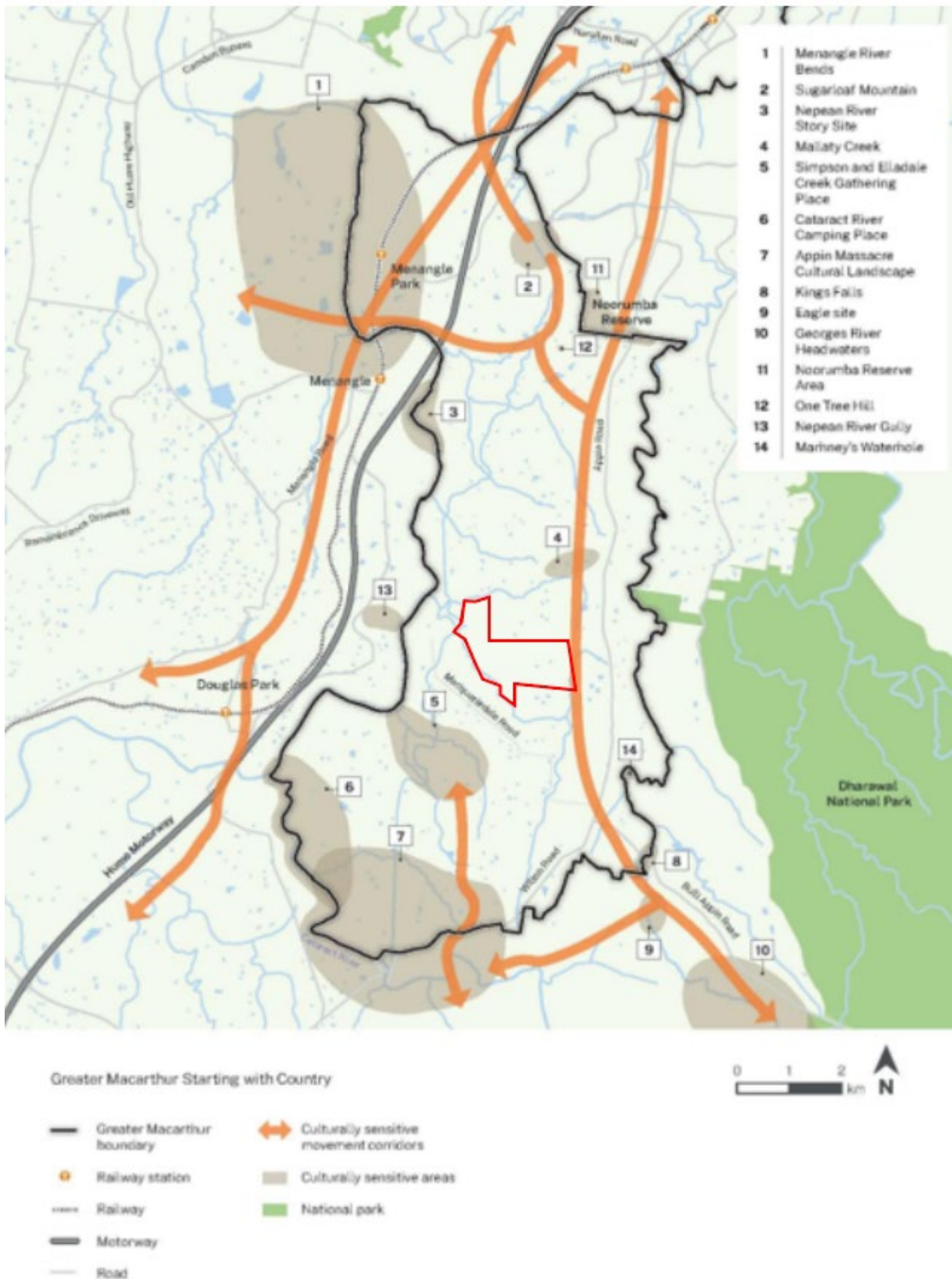


Figure 4 – Guide to the Greater Macarthur Growth Area, cultural sensitivity map, approximate location of the subject area in red.

Source: *Starting With Country, Guide to the Greater Macarthur Growth Area, 2022*

2.2.4. Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area 2018

The subject area is encompassed by *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area 2018* (the 'Greater Macarthur Plan'). The Greater Macarthur Plan is a land use and infrastructure implementation plan for the Growth Area that seeks to enhance its liveability, productivity and sustainability. It is supported by a strategy for major items of State and local infrastructure, including public transport, roads, schools, green infrastructure and open space and medical and community facilities.

One of the planning priorities set by the Greater Macarthur Plan is the identification, conservation and enhancement of the District's heritage. In general, the following provisions are recommended for planning authorities:

- (a) *Engage with the community early in the planning process to understand heritage values and how they contribute to the significance of the place.*
- (b) *Apply adaptive re-use and interpreting of heritage to foster distinctive local places.*
- (c) *Manage and monitor the cumulative impact of development on the heritage values and character of places.¹*

With regards to Aboriginal heritage and archaeology, the Greater Macarthur Plan acknowledges that the growth area is situated at the interface between land originally inhabited by the Darug, Dharawal and Gandangara people. It notes presence of Aboriginal objects/sites of significance and areas of cultural value along the Nepean River and its tributaries. These sites include important places for subsistence activities, particularly along the lagoons and creeks, a traditional story place, and a massacre and burial site. These sites, it concludes, are unsuitable for development.²

Archaeological research is identified as a precursor to any development that holds heritage implications. The following is said with regards to the role of archaeology in the emergence of this new Growth Area:

To better inform future planning, rezoning and development processes in the Growth Area, the Department prepared archaeological studies to:

- (a) *Provide a framework for the research, assessment and management of heritage items and archaeological sites that require further investigation to support detailed precinct planning.*
- (b) *Identify areas of high, medium and low heritage sensitivity based on predictive modelling ° ensure consistency in Aboriginal and non-Aboriginal assessments.*
- (c) *Facilitate the development of a regional archaeological zoning plan.*
- (d) *Identify, in accordance with the Office of Environment and Heritage guidelines, the appropriate Aboriginal representatives to be involved in further studies.*

Areas set aside for long-term protection from development will need to preclude any activities and require active management within the protection curtilage. Mechanisms to ensure this will be determined at precinct planning stage and will include:

- (a) *Public or trustee ownership and funding for conservation of significant sites.*

¹ NSW Department of Planning and Environment, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 20.

² NSW Department of Planning and Environment, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 21.

- (b) *Agreements for the adaptive re-use and management of sites by the private sector including commitments to funding for ongoing conservation.*³

The following provisions are, therefore, recommended for future developments with heritage significance in the Greater Macarthur precinct:

- (a) *Be informed by Aboriginal Cultural Heritage Assessments, including consultation with the Aboriginal community.*
- (b) *Include further investigation to define appropriate design of precincts to protect heritage significance.*
- (c) *Address sympathetic adaptive re-use of heritage items consistent with their significance opportunities for using heritage item curtilages for open space or environmental conservation and where appropriate, to preserve the character of the area and identified cultural values.*
- (d) *Protect all heritage items from development.*⁴

The ACHA was undertaken to determine whether or not Aboriginal archaeological sites and places of Aboriginal heritage significance are present within the subject area, which would be subject to this section of the Greater Macarthur Plan.

2.3. HERITAGE LISTS & REGISTERS

A review of relevant heritage lists and registers was undertaken to determine whether any Aboriginal cultural heritage items are located within the curtilage of, or in proximity to, the subject area. Identified heritage items are mapped in Figure 5 below.

2.3.1. Australian Heritage Database

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

A search of the Australian Heritage Database was undertaken on 15 February 2023. Several items of heritage significance were identified within the proximity of the subject area. These are identified in Table 2 below.

Table 2 – Heritage items located within proximity of the subject area. Taken from the Australian Heritage Database.

Item Name	Place ID	Location
Westcliff Colliery Area 5, Appin Rd, Appin, NSW, Australia	105906	About 315ha, 2km north of Appin, comprising Westcliff Colliery Area 5 both above and below ground (longwall mining blocks 31, 32 and 33), plus a 1km buffer.
Upper Nepean Water Catchment, Mount Keira Rd, Mount Keira, NSW, Australia	14746	Approximately 90,000ha, located 2km east of Mittagong. Extending from opposite Clifton on the north-east to Robertson on the south-eastern corner, thence across to Mittagong at the south-western Corner to near Appin on the north-west and comprising the Metropolitan Water supply Catchment.

³ NSW Department of Planning and Environment, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 23.

⁴ NSW Department of Planning and Environment, 2018. *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area*, page 23.

Item Name	Place ID	Location
Cataract Dam & Reservoir, Appin Rd, Appin, NSW, Australia	101629	About 850ha, comprising dam wall and reservoir, 7km south-south-east of Appin.
Indigenous Place, Appin, NSW, Australia	13673	Appin, NSW
Indigenous Place, Appin, NSW, Australia	13674	Appin, NSW
Indigenous Place, Appin, NSW, Australia	13675	Appin, NSW

2.3.2. NSW State Heritage Inventory

The State Heritage Inventory (SHI) is a database of heritage items in NSW which includes declared Aboriginal Places, items listed on the SHR, listed Interim Heritage Orders (IHOs) and items listed of local heritage significance on a local council's LEP.

A search of the SHI was undertaken on 15 February 2023. The search did not identify any items of Aboriginal heritage within the curtilage of the subject area. The subject area is located in close proximity to the below heritage items (Figure 5).

Table 3 – State Heritage Items located within proximity to the subject area.

Listing Title	Listing Number	Gazette Date	Gazette No.	Location
Appin Massacre Cultural Landscape	SHR#02067	25/1/2022	553	Appin, NSW. Located approximately 4.6 km south of the subject area in 5 key locations.
Windmill Hill Group, including Ruins	SHR #01931	27/06/2014	58	Wilton Road, Appin, NSW
Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)	SHR#01373	18/11/1999	-	Prospect, NSW

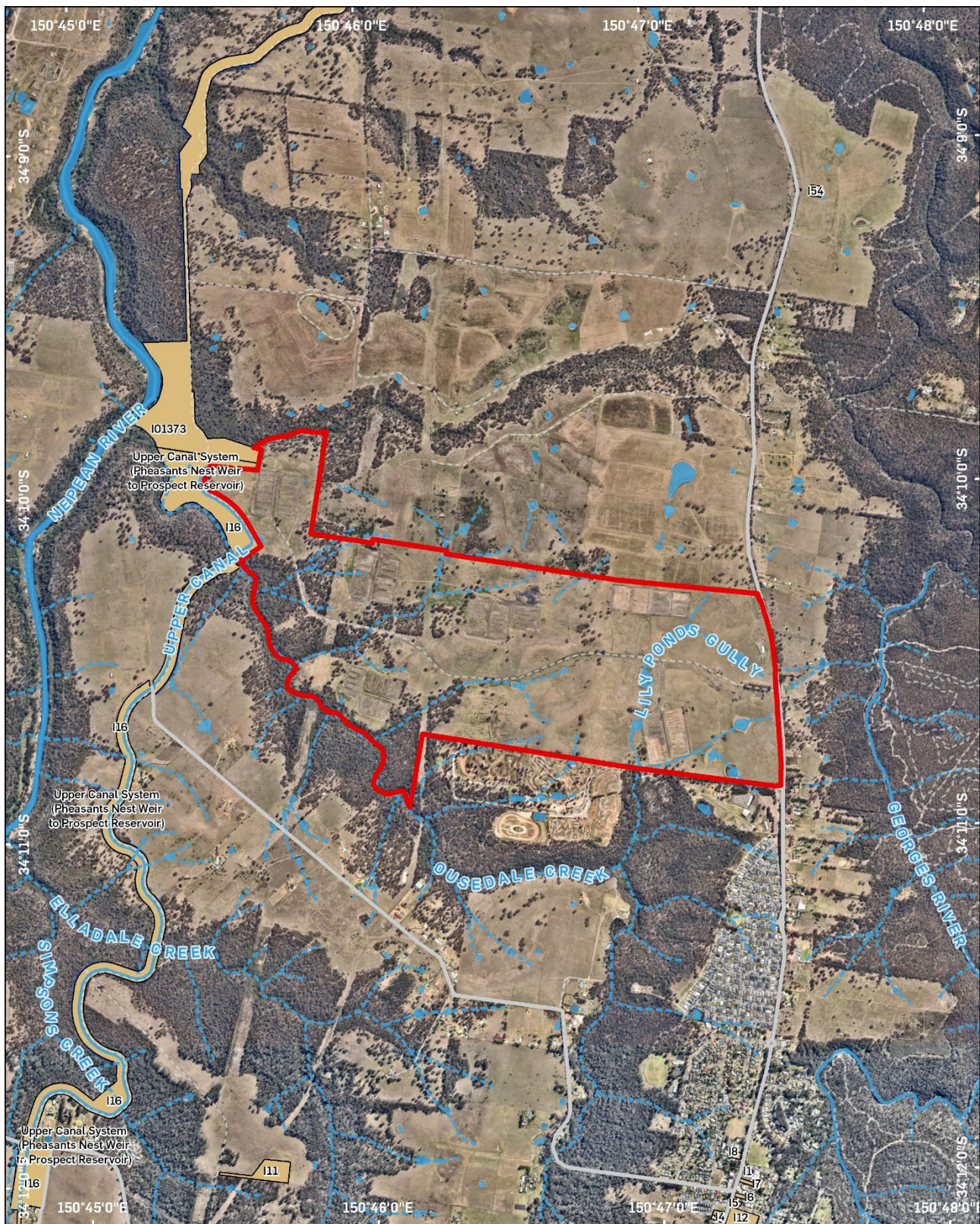
2.4. SUMMARY

The statutory context of the subject area is summarised as follows:

- Searches of the State Heritage Inventory and Australian Heritage Database did not identify any archaeological heritage items within the curtilage of the subject area. However, several items which are listed on the SHI were identified within the proximity of the site. These included:
 - the Appin Massacre Cultural Landscape (SHR#02067).
 - Windmill Group, including Ruins (SHR#01931).
 - Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) (SHR#01373).

- The ACHA aims to establish whether any Aboriginal objects are likely to be present within the curtilage of the subject area, which would be subject to Section 87(2) of the NPW Act, Section 5.10(2) of the Wollondilly and Campbelltown LEPs and Section 3.9.3 of the Wollondilly DCP.
- This report complies with the provisions outlined in the *Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area 2018* by engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place, provides an interpretation of the heritage, and manages and monitors the cumulative impact of development on the heritage values and character of the subject area.

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GDA 1994 MGA Zone 56

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Project No: P0043207

Project Manager: Meggan Walker

- Subject Area
- Hydrology
- Item - Archaeological
- State Heritage Register
- Item - General

HISTORICAL HERITAGE ITEMS
North Appin Ingham
Ingham Property

Figure 5 – Heritage Items in proximity to subject area

3. ABORIGINAL COMMUNITY CONSULTATION

In administering its statutory functions under Part 6 of the *NSW National Parks and Wildlife Act 1974*, the Department of Planning and Environment (DPE) requires that Proponent consult with Aboriginal people about the Aboriginal cultural heritage values (cultural significance) of Aboriginal objects and/or places within any given development area in accordance with Clause 80c of the *NSW National Parks and Wildlife Regulation 2019*.

The DPE maintains that the objective of consultation with Aboriginal communities about the cultural heritage values of Aboriginal objects and places is to ensure that Aboriginal people have the opportunity to improve ACHA outcomes by (DECCW 2010a):

- Providing relevant information about the cultural significance and values of Aboriginal objects and/or places.
- Influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places.
- Actively contributing to the development of cultural heritage management options and recommendations for any Aboriginal objects and/or places within the proposed subject area.
- Commenting on draft assessment reports before they are submitted by the Proponent to the DPE.

Consultation in line with the Consultation Requirements (DECCW 2010) is a formal requirement where a Proponent is aware that their development activity has the potential to harm Aboriginal objects or places. The DPE also recommends that these requirements be used when the certainty of harm is not yet established but a proponent has, through some formal development mechanism, been required to undertake a cultural heritage assessment to establish the potential harm their proposal may have on Aboriginal objects and places.

The Consultation Requirements outline a four-stage consultation process that includes the following:

- Stage 1 – Notification of project proposal and registration of interest.
- Stage 2 – Presentation of information about the proposed project.
- Stage 3 – Gathering information about the cultural significance.
- Stage 4 – Review of draft cultural heritage assessment report.

The document also outlines the roles and responsibilities of the DPE, Registered Aboriginal Parties (RAPs) including Local and State Aboriginal Land Councils, and proponents throughout the consultation process.

To meet the requirements of consultation it is expected that proponents will:

- Bring the RAPs, or their nominated representatives, together and be responsible for ensuring appropriate administration and management of the consultation process.
- Consider the cultural perspectives, views, knowledge and advice of the RAPs involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal object(s) and/or place(s).
- Provide evidence to the DPE of consultation by including information relevant to the cultural perspectives, views, knowledge and advice provided by the RAPs.
- Accurately record and clearly articulate all consultation findings in the final cultural heritage assessment report.
- Provide copies of the cultural heritage assessment report to the RAPs who have been consulted.

The consultation process undertaken to seek active involvement from relevant Aboriginal representatives for the project followed the current NSW statutory guideline, namely, the Consultation Requirements. Section 1.3 of the Consultation Requirements describes the guiding principles of the document. The principles have been derived directly from the principles section of the *Australian Heritage Commission's Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002).

The following outlines the process and results of the consultation conducted during this assessment to ascertain and reflect the Aboriginal cultural heritage values of the subject area.

3.1. STAGE 1: NOTIFICATION OF PROJECT AND REGISTRATION OF INTEREST

The aim of Stage 1 of the community consultation process is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the subject area.

3.1.1. Stage 1.1: Native Title

A search of the National Native Title Tribunal (NNTT) registers and databases was undertaken on 28th February 2023. The search of the online databases identified no Native Title claims or registrations for the subject area. The NNTT was also contacted by email on 28th of February 2023 to request a formal search of the NNTT Register. A reply was received on 1 March 2023 indicating that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area.

3.1.2. Stage 1.2: Identification of Cultural Knowledge Holders

To identify Aboriginal people who may be interested in registering as Aboriginal parties for the project, the organisations stipulated in Section 4.1.2 of the Consultation Guidelines were contacted on 28th of February 2023 (Table 4). The template for the emails sent to the above-mentioned organisations is included in Appendix D. A total of 89 Aboriginal groups and individuals with a potential interest in the subject area were identified during this stage.

Table 4 – Contacted organisations

Organisation	Date Notification Sent	Date Response Received
Greater Sydney Local Land Services	28/02/2023	1/03/2023
Tharawal Local Aboriginal Land Council	28/02/2023	N/A
Wollondilly Shire Council	28/02/2023	1/03/2023
Campbelltown City Council	28/02/2023	N/A
Native Title Services Corporation Limited	28/02/2023	1/03/2023
Heritage NSW	28/02/2023	8/03/2023
Office of the Registrar. Aboriginal Land Rights Act.	28/02/2023	3/03/2023

3.1.3. Stage 1.3: Registration of Interest

In accordance with Section 4.1.3 of the Consultation Guidelines, letters were sent to the 89 identified Aboriginal groups and individuals by either email or post on 8th of March 2023, to notify them of the proposed project. The letters included a brief introduction to the project and the project location and set a deadline for response of, providing more than the minimum 14 days to register an interest required by the Consultation Requirements. A copy of the letter template is included in Appendix D.

Further in accordance with Section 4.1.3 of the Consultation Guidelines, an advertisement was placed in one local newspaper, the Koori Mail on 8th of March 2023. This advertisement was published in the edition and registration was open until 22nd of March 2023, providing 14 days to register an interest required by the Consultation Requirements. A copy of the advertisement is included in Appendix D.

A total of 29 groups registered interest in the project as a result of this phase (Table 5). Acknowledgement emails were made by Urbis to all respondents to confirm registration had been received.

In accordance with Section 4.1.6 of the Consultation Guidelines, the list of Registered Aboriginal Parties (RAPs) was provided to Heritage NSW and Tharawal Local Aboriginal Land Council on 23rd of March 2023 (see Appendix D).

Table 5 – Registered Aboriginal Parties

[illegible]

3.2. STAGE 2: PRESENTATION OF PROJECT INFORMATION

The aim of Stage 2 of the community consultation process is to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.

3.2.1. Information Pack

A Stage 2/3 information pack was sent to registered Aboriginal parties via email on 29th of March 2023. The information pack was prepared as a combination of Stage 2 and 3 of the Consultation Guidelines, and included the following information:

- Project overview, location and purpose.

- Proposed works.
- Project history.
- Brief archaeological and environmental background.
- Protocol of gathering information on cultural heritage significance.
- Request for comment on methodology and recommendations for site investigation, and request for any cultural information the respondent wished to share.

A response to the Stage 2 information pack was requested by 26th of April 2023, providing the 28 days to respond required by the Consultation Requirements. A copy of the Stage 2/3 information pack is included in Appendix D of this report.

STAGE 3: GATHERING CULTURAL INFORMATION

Stage 3 of the community consultation process is concerned with gathering feedback on a project, proposed methodologies, and obtaining any cultural information that registered Aboriginal parties wish to share. This may include ethno-historical information, or identification of significant sites or places in the local area.

Responses to Information Pack

Twelve responses were received as part of Stage 3 in response to the Stage 2/3 questionnaire. The responses are included in Appendix D.

Table 6 – RAP responses to the Stage 2/3 Information Pack

[illegible]

RAP	Response	Urbis Response

RAP	Response	Urbis Response
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
[REDACTED] [REDACTED]	[REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED] [REDACTED] [REDACTED]

[illegible]

[illegible]

[illegible]

RAP	Response	Urbis Response
	[REDACTED]	[REDACTED]

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3.3. STAGE 4: REVIEW OF DRAFT ACHAR

The aim of Stage 4 of the community consultation process is to prepare and finalise an ACHAR with input from Registered Aboriginal Parties.

A draft of the present ACHAR was sent to RAPs via email on the [DATE] with one (1) comment on the draft ACHAR requested by [DATE], providing 6 weeks to respond (more than the 28 days required by the Consultation Requirements). It is noted that the time allowed for comment should reflect the size and complexity of the project.

[#] response/s was/were received in relation to the Stage 4 draft ACHAR. The responses are included in Appendix D and addressed in Table 7 below.

Table 7 – RAP responses to the Stage 4 Draft ACHAR

RAP	Response	Urbis Response

4. ARCHAEOLOGICAL CONTEXT

A summary of background research for Aboriginal cultural heritage resources within and around the subject area is provided below, including search results from the Aboriginal Heritage Information Management System (AHIMS) and consideration of previous archaeological investigations pertinent to the subject area.

4.1. ETHNOGRAPHIC CONTEXT

Due to the absence of written records prior to the arrival of Europeans, much of our understanding of Aboriginal life is informed by the histories documented in the late 18th and early 19th century by European observers. These histories provide an inherently biased interpretation of Aboriginal life both from the perspective of the observer but also through the act of observation. The social functions, activities and rituals recorded by Europeans may have been impacted by the Observer Effect (or Hawthorne Effect), which predicts that individuals will modify their behaviour in response to their awareness of being observed. With this in mind, by comparing/contrasting these early observations with archaeological evidence, it is possible to establish a general understanding of the customs, social structure, languages and beliefs of Aboriginal people (Attenbrow 2010).

The archaeological record provides evidence of the long occupation of Aboriginal people in Australia. Current archaeological record establishes occupation of the Australian mainland by as early as 65,000 years before present (BP) (Clarkson et al. 2017). The oldest date for a site in the Sydney region is at Pitt Town on the Hawkesbury River, approximately 83 km north of the subject area, which is dated to around 36,000 BP (Williams et al. 2014).

The subject area is situated on the traditional lands of the Tharawal people and is located within the administrative catchment of the Tharawal Local Aboriginal Land Council. The Tharawal people occupied the coastal land between La Perouse and Jervis Bay, bordered, on the east, by the coastline and, on the west, by the Nepean River. Neighbouring groups included the Gandangara and Dharug people. The Tharawal people was also divided between two groups: the 'Salt Water People', who inhabited coastline, and the "Sweet (or Fresh) Water People", who lived inland towards Camden. Contemporary colonial accounts identify that Gandangara and Dharug groups could converse with relative ease due to similarities in the language, with the Tharawal language similar in structure although different in vocabulary (Attenbrow, 2010).

Although the subject area is partially situated within the Campbelltown LGA, the majority of the site is considered part of the Wollondilly LGA. Following European settlement, the area was described as dense vine forests and scrub in places, forming impenetrable corridors along creeks and rivers (SMH, 1865:5). In fact, the word 'Wollondilly' is attributed several different definitions, including "A place where spirits dwell" and "Water trickling over rocks". It is also connected to a story about the burning black coal carried in the skull of a bunyip (Wollondilly Shire Council, accessed 2020). In reflection, the subject area includes a mixture of forested and grazing lands, perforated by several waterways. These include the Georges and Nepean Rivers and a number of their tributaries – namely, the Maltay Creek, Ousedale Creek and Lily Pond Gully.

The subject area would have been abundant in resources, providing past Aboriginal people with water, food and shelter. European observations from 1791 identified groups in the region:

"They depend but little on fish, as the river yields only mullets [sic], and that their principle support is derived from small animals which they kill, and some roots (a species of wild yams chiefly) which they dig out of the earth". (Tench, 1791; cited in Attenbrow, 2010).

The streams and swamplands would have provided a variety of subsistence – such as roots, berries and seeds to gather. This is also true for the forested portions of the site, which would have sheltered lizards, kangaroos, birds and wallabies. The sandstone outcrops associated with the creek lines and river banks – especially, throughout the west of the subject area – could have formed rock overhangs that may have been used for shelter and/or rock art (Campbelltown City Council 2020:3). There are several known Aboriginal sites located to the west and south of the subject area, which are each indicative of Aboriginal habitation around Ousedale Creek.

The Appin region is notoriously significant for Aboriginal people, with the Appin Massacre occurring in 1816 at a location on the Nepean River. This event was arguably the most significant massacre event in the history of colonial Sydney and a turning point in the Cumberland Plain's occupation. Forming part of a military campaign ordered by Governor Macquarie, it is also the most documented massacre in Sydney's history, resulting in the death of 14 Aboriginal people (Campbelltown City Council 2020:6). In recent history, the Winda Myamly Reconciliation Group and local Aboriginal community have gathered every April to

remember the Appin Massacre (Campbelltown City Council 2020:6). The site of the Appin Massacre has recently been recommended for listing on the State Heritage Register for its exceptional social and cultural value, being the Appin Massacre Cultural Landscape.

Further research was conducted into whether the subject area was a part of the Appin Massacre Cultural Landscape. Information from Gapps 'The Sydney Wars: Conflict in the Early Conflict 1877-1817' states that an incident occurred on a Robert Myles (or Miles) at Mallaty Creek near Appin in 1814. The incident is described in the following account:

On 7 May 1814, Isaac Eustace and two other ex-NSW Corps soldiers in the Veteran Corps were working on the farm of Robert Myles (or Miles) at Mallaty Creek, near Gilead just north of Appin. The men saw 'a large body of the natives who were plundering the corn fields of a settler'. When the raiders 'refused to desist' and made 'use of every term of provocation and defiance', menacing their spears 'in token of a determined spirit' the three men fired and 'a native boy was unfortunately killed'. Eustace and his two comrades were then 'immediately attacked'. While his comrades managed to evade their pursuers, Eustace 'was killed on the spot'. His stripped and mangled body was later found with one hand cut off.

The warriors then attacked the nearby farm of John Butcher. An armed party of 14 soldiers, constables and settlers was gathered and defence quickly spiralled into reprisal. That night the party 'fell in with' a 'group of natives' and fired on them, apparently 'in the most treacherous manner'. As Governor Macquarie later described it, 'a Native Woman and two Children were in the dead Hour of Night, and whilst sleeping, inhumanly put to death'. A 73rd Regiment soldier and 'Henry McKudding' [McCudden] a constable at Liverpool, were implicated. They had shot a woman and some children, and then set about mutilating them, possibly in a frenzy of revenge for the mutilation of Eustace.

The very next day the warriors who had killed Eustace retaliated. According to John Macarthur's nephew Hannibal, they then 'inhumanly murdered' one of John's 'old favourites', shepherd William Baker as well as a shepherd's wife Elizabeth Durant at the Macarthur's Upper Camden Yards (Gapps 2018)

The information above states that this conflict occurred on Robert Myles farm in 1814. As shown in the historical mapping from 1822, the subject area is located to the south of Mallaty Creek within the land grants of Alexander Riley and John Oxley. One of the allotments is shown as that property of Robert Myles (Figure 6). From the location of the farm to the subject area, it is clear the incident that Gapps relates to is unlikely to have occurred on within the subject area.

While European settlement did considerably impact the Traditional Owners of the Wollondilly region, it did not decimate populations as popular narrative would suggest. Aboriginal people continued to live in the area, adapting to the changes brought by settlement. The fight for recognition was a political one. On 26th January 1938, a "Day of Mourning" protest was held, following campaigns by Aboriginal individuals including Jack Patten, William Cooper and Pearl Gibbs who fought for civil rights including the right to vote and representation in Parliament. This struggle was long fought, and Aboriginal and Torres Strait Islanders were granted the right to vote Australia wide by 1965. Aboriginal people were recognised in the census and subject to Commonwealth laws following the referendum for Indigenous Rights in 1967. Aboriginal people across Australia continue to fight for recognition. In February 2008, then Prime Minister Kevin Rudd delivered an address apologising for the mistreatment of Aboriginal people throughout history and committing to closing the gap, recognising Aboriginal cultures as "the oldest continuing cultures in human history" (Rudd, 2008). In contemporary times, respect for Aboriginal people and connection to Country continues to grow. Despite attempts to eradicate Aboriginal people throughout the 19th and 20th centuries, Aboriginal communities continue to thrive across Australia, and Aboriginal individuals play a vital role in all levels of society.

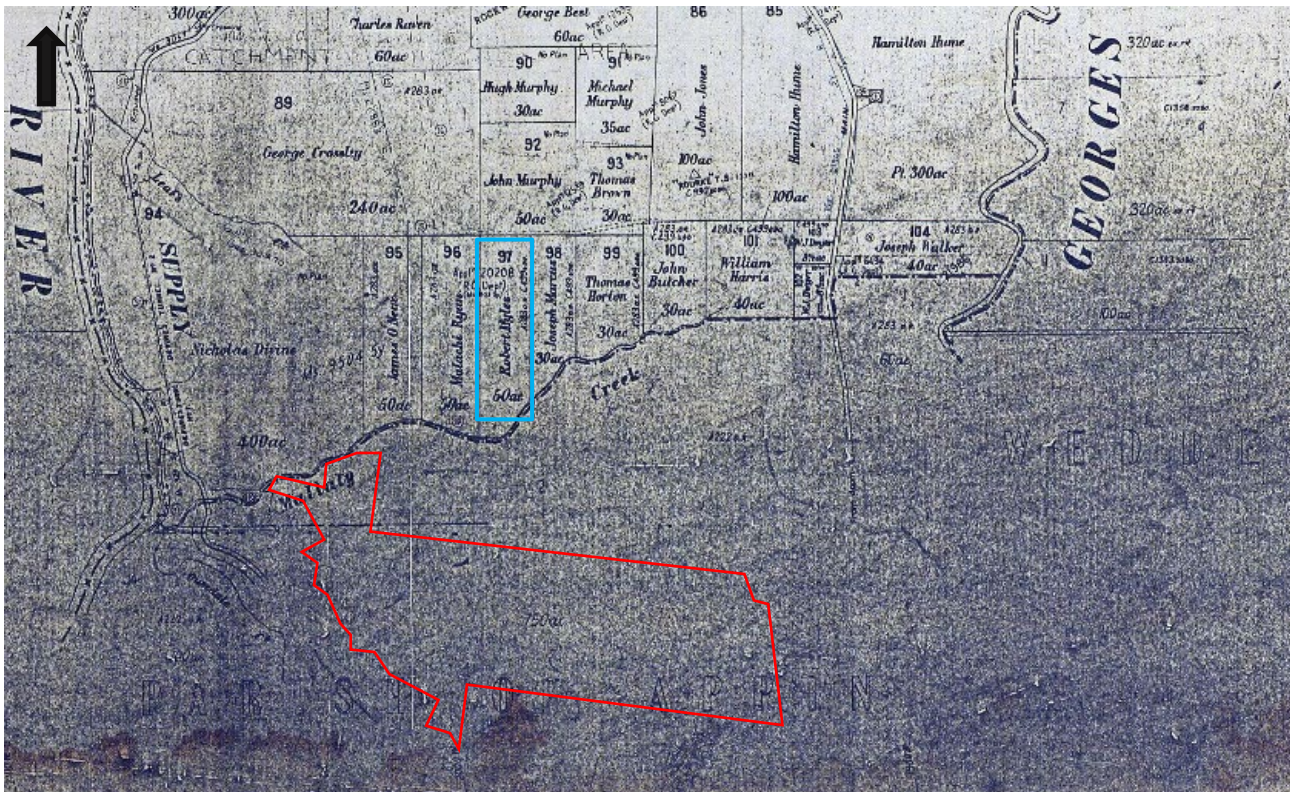


Figure 6 – Undated map of the Appin area showing the subject area indicated in red outline located to the south of Mallaty Creek and Robert Myles farm where the incident occurred in blue outline to the north of the subject area.

Source: HLRV, Parish of Managle, County of Cumberland

4.2. PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

Previous archaeological investigations may provide invaluable information on the spatial distribution, nature and extent of archaeological resources in a given area. Reports from previous investigations of relevance to the present subject area are discussed below.

4.2.1. Archaeological Investigations of the subject area

Archaeological and Heritage Management Solutions (AHMS), 2017. Greater Macarthur Investigation Area (GMIA): Archaeological Research Design and Management Strategy

This assessment included the subject area, which falls within the Greater Macarthur Investigation Area (GMIA), being the 'Urban Capable' area within the Greater Macarthur Priority Area. This assessment was prepared by AHMS to understand and manage the known and unknown archaeological resources across the Greater Macarthur area, including identifying known Aboriginal objects or sites of cultural significance and preparing a predictive model for the region. The report was prepared through literature review and consultation with local Aboriginal Traditional Elders and Knowledge Holders, with targeted survey of listed items across the area.

This study acknowledged the broad cultural significance of Appin associated with the Appin Massacre and the known Aboriginal sites within the broader area which indicate the ongoing use and habitation within the area. No specific comments were made regarding the significance of the subject area within this report. However, the report did provide a broad predictive model for the region which can be surmised as follows:

- Distribution of known sites within the area are biased towards areas which have been subject to greater investigation due to development and resource extraction activities.
- Post-contact use of the GMIA has primarily consisted of agricultural practices which may have impacted resources such as modified trees, stone arrangements, habitation structures, and ceremonial rings.

- Sites of both tangible and intangible value are underrepresented in records due to accessibility for survey and the flaws in recording systems incapable of recording intangible cultural sites, as well as the incomplete and biased historic record.

On mapping of the GMIA, the subject area is within an area mapped as containing Low-Moderate sensitivity (see Figure 7). This Research Design recommended test excavation in areas requiring it follow a standardised system to ensure a comparison between sites could be made. A detailed methodology is provided by AHMS, consideration to which should be given in future assessments of the subject area.

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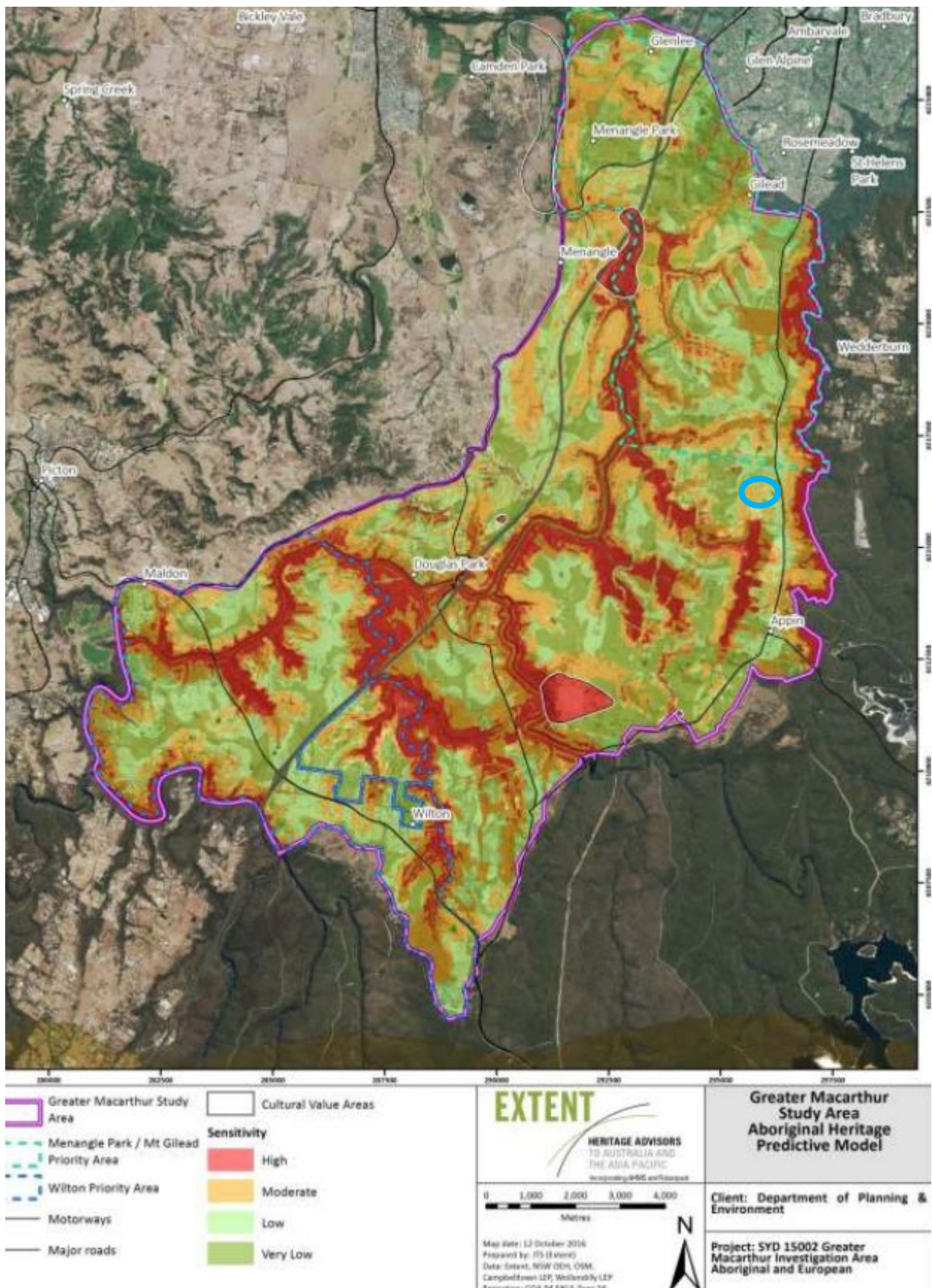


Figure 7 – GMIA Aboriginal Heritage Predictive Model, approximate location of the subject area is indicated in by a blue circle.

Source: AHMS, 2017.

4.2.2. Archaeological Investigation of the Local area

Summaries of the most pertinent reports for the present subject area, which were undertaken in similar environmental contexts, are provided below.

Niche Environment and Heritage Pty Ltd, 2022, Appin (Part) Precinct Plan: Aboriginal Objects Due Diligence Assessment

Niche Environment and Heritage Pty Ltd (Niche) were engaged by Walker Corporation in October 2022 to prepare an Aboriginal Objects Due Diligence Assessment for the Appin (Part) Precinct Plan. The Appin (Part) Precinct Plan concerns a portion of land comprising 1,378ha, approximately 2.5km south of the subject area. It is bounded by the Nepean and Cataract rivers to the west, farmland to the south, Appin Road and Elladale Creek to the east, and Ousedale Creek to the north.

The site was found to be located within 200m of waters, near to ridge lines and associated with outcropping sandstone. This sandstone outcropping was identified within the Hawkesbury colluvial soils along the tributaries of the Nepean River. On this basis, it was considered an archaeologically sensitive landscape feature within the activity area, with some existing AHIMS registered shelter sites. A number of non-perennial order drainage lines were also identified within the study area, which was interpreted as having a high potential to retain Aboriginal objects.

Four physiographic soil landscapes were identified within the study area, including Blacktown residual, Luddenham erosional and Hawkesbury colluvial. Table 8 below notes the archaeological resources identified by Niche as potentially occurring within each soil landscape:

Table 8 – Potential archaeological resources within Blacktown residual, Luddenham erosional and Hawkesbury colluvial soil landscapes

Soil Landscape	Potential Resources
Blacktown Residual	Site types would likely include isolated artefacts, open camp sites and where suitable geology occurs, axe grinding grooves, rock engravings and shelters with art, artefacts and/or deposit.
Luddenham Erosional	This soil landscape is known to preserve Aboriginal objects in association with hill crests, lower slopes and flats associated with good outlook and/or drainage lines. These site types are more likely to comprise isolated stone artefacts rather than more significant concentrations. This landscape is prone to localised erosion, which may impact the integrity of archaeological deposits
Hawkesbury Colluvial	The most common site types associated with the Hawkesbury soil landscape type comprise of sandstone Shelters.

Source: Niche 2022, pages 14-15.

The geology of the wider Wollondilly area was also identified as a potential reservoir for Aboriginal people, providing silcrete, silicified wood, tuff, mudstone, quartz, quartzite and basalt. Silcrete is commonly used for stone tool making and has been recovered from archaeological sites across the Cumberland Plain (Niche 2022: 15).

Numerous disturbances were identified throughout the site. These included widespread vegetation clearances; pastoral and agricultural impacts; road, track and easement construction; and some development including houses and farming infrastructure. Works on the Upper Canal of the Nepean River were also identified likely to cause ground disturbances in adjacent portions of the site. The gorges and gullies were considered to be minimally disturbed, with no infiltration of weeds or evidence of cattle damage.

As the site is located within close proximity to the present subject area, it can provide information as to the site types that have potential to occur. A survey of the site identified seven previously unrecorded sites including one Shelter with Artefacts, two Scarred Trees, and four Isolated Artefacts. These sites were identified on archaeologically sensitive landscape features of terraces above or within drainage lines, and creek gullies.

The sites that were able to be re-identified include five Shelters with Art that showed hand stencils and a large kangaroo motif. The art sites were found to be in the same condition as recorded in the site cards and contained artefacts such as stone tools and Grinding Grooves within the site demonstrating the ability for these sites to be retained in the wider area.

The sites identified on the survey have a high potential to occur in a similar context in the present subject area due to similarities in location and environmental contexts between the sites.

GML Heritage, 2022. Mt Gilead Stage 2: First Nations Cultural Heritage Summary Report

GML Heritage were engaged by Lendlease Communities Pty Ltd in July 2022 to prepare a First Nations heritage and culture interviews report for the Mount Gilead Stage 2 (MGS2) area. The MGS2 area is 495ha in area, encompassing the land from the Nepean River to Appin Road, and is located approximately 2.8km north-west of the subject area.

The site was found to be located between the Nepean and Georges Rivers, with a complex network of high order creeks and springs disbursed throughout the area. Remnant native vegetation was generally constrained to locations along the creek lines – especially along the Menangle Creek, Nepean Creek and Woodhouse Creek and along the Nepean River. The entire area is located across Hawkesbury sandstones with some Wianamatta group shales (GML 2022:14-15).

Three soil landscapes were identified within the study area. The Blacktown soil unit dominates the site, found across 80% of the landforms, away from all the major waterways. A thick colluvial Hawkesbury unit was identified along the lower reaches of Woodhouse, Nepean and Menangle Creek. These locations all were associated with steep open gorges and sandstone bedrock exposures. One fluvial landscape, Theresa Park, was found in parts of Menangle Creek (GML 2022: 14-15).

Through the course of 10 visual inspections of the site, including one archaeological survey, numerous items of significance were identified. These included 7 Shelters with Art, 45 Cultural Trees, 7 Grinding Groove sites, 34 separate Artefact Scatters and Isolated Finds (lithics), 16 unenclosed zones with Potential Archaeological Deposits (PAD), 36 PADs in shelters, 14 Waterholes, 1 Spring, and 3 other Cultural Items/Places (GML 2022, 52-64).

The results of the archaeological work and community engagement indicates a high tangible and intangible cultural heritage exists in the Appin area. Eight identified movement corridors were identified including, the Nepean River, the Georges River, Nepean River, Appin Road and the Ridgeline route, local wayfinding routes, and locations around Woodhouse Creek. These movement corridors have high cultural heritage associations and are associated with the traditions and movement routes of Aboriginal people in the Late Holocene era. Appin Road was found to be associated with archaeologically sensitive landforms of elevated ridgelines that extend to the eastern side of the present subject area. Representatives of the local Aboriginal community identified that the ridgelines were travel routes that linked significant places and traditions through a song line pathway.

The report states that Appin Road leading into the Woodhouse Creek cultural corridor is marked by a series of ring trees which provided navigation to 'family areas'. The report provides evidence that the tangible and intangible cultural heritage present in the Mount Gilead area extends further south along Appin Road into the present subject area. The tangible sites expected to occur in the subject area on the basis of this study include Stone Artefact sites, engraved sandstone Grinding Grooves, smaller Shelters in deep gorges with art, and remnant culturally modified trees. Intangible cultural heritage is also expected to be present within the current subject area on the basis of this study.

4.3. ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM (AHIMS)

4.3.1. The AHIMS Database

The AHIMS database is a collection of registered Aboriginal archaeological objects and places in NSW. Each registered Aboriginal site includes one or more site 'features', which may be an Aboriginal object or place under the NPW Act.

The *Guide to completing the AHIMS Site Recording Form* (OEH 2012) lists 20 different features that may be recorded on AHIMS. The most common site features registered in NSW are artefacts, modified trees, art, grinding grooves and shell deposits (see Glossary for definitions). However, the likelihood of any particular site feature being found will vary according to region and environment. Less common site features that are encountered are burials, ceremonial rings, earth mounds, fish traps, habitation structures, hearths, non-

human bone and organic material, ochre quarries, stone arrangements and stone quarries (see Glossary for definitions).

Other Aboriginal site features that are recorded on AHIMS but are not 'Aboriginal objects' within the meaning of that term as it is defined in the NPW Act (i.e. are not a 'deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation') are potential archaeological deposits (PADs), Aboriginal ceremony and dreaming sites, Aboriginal resource and gathering sites, conflict sites and waterholes (see Glossary for definitions). These features are only considered to be 'Aboriginal objects' for the purpose of the NPW Act if accompanied by at least one of the other site types defined above.

It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or places as it is limited to sites that have been previously identified and registered. Registration is typically the result of previous archaeological investigation, so the number of registered Aboriginal sites in area is dependent on the amount of such research previously undertaken.

4.3.2. AHIMS Search

A search of the Aboriginal Heritage Information Management System (AHIMS) was carried out on 2nd June 2023 (AHIMS Client Service ID: 787784). The parameters of the search followed the area at Lot 105/DP1188670 with a buffer of 3 km from the centre of the subject area. A summary of all previously registered Aboriginal sites within the extensive search area is provided in Table 9 and their spatial distribution is shown in Figure 9. The Basic and Extensive AHIMS search results are included in Appendix B.

The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area. Three previously registered grinding groove sites are located within close proximity to the western boundary of the subject area (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) (Figure 10).

In the broader search area, a total of 87 Aboriginal sites are registered. Five sites were duplicates of already registered sites and one registered site was marked as 'not a site' which brought the total of valid sites to 81. This included 2 restricted sites for which the location data was not available. The locations of the 81 identified Aboriginal sites are shown in Figure 9 and Figure 10 excluding the two restricted sites. The number and types of sites are presented in Table 9 and Figure 8.

Table 9 – Summary of extensive AHIMS search (AHIMS Client Service ID: 787784)

Site Type	Site Context	Number of Registered Sites	Percentage of Registered Sites
Artefact Scatter	Open	19	25%
Isolated Find	Open	9	14%
PAD	Open	9	11%
Shelter with Art	Closed	8	9%
Scarred Tree	Open	7	8%
Grinding Grooves	Open	6	7%
Shelter with Art and Artefacts	Closed	4	5%
Shelter with Art and Deposit	Closed	4	5%
Shelter with Deposit	Closed	4	5%
Restricted	n/a	2	2%
Shelter with PAD	Closed	2	2%
Aboriginal Ceremony and Dreaming	Open	1	1%
PAD with Artefact	Open	1	1%

Site Type	Site Context	Number of Registered Sites	Percentage of Registered Sites
Shelter with Art and Grinding Grooves	Closed	1	1%
Shelter with Art and PAD	Closed	1	1%
Shelter with Midden	Closed	1	1%
Stone Arrangement	Open	1	1%
Waterhole	Open	1	1%
Total		81	100%

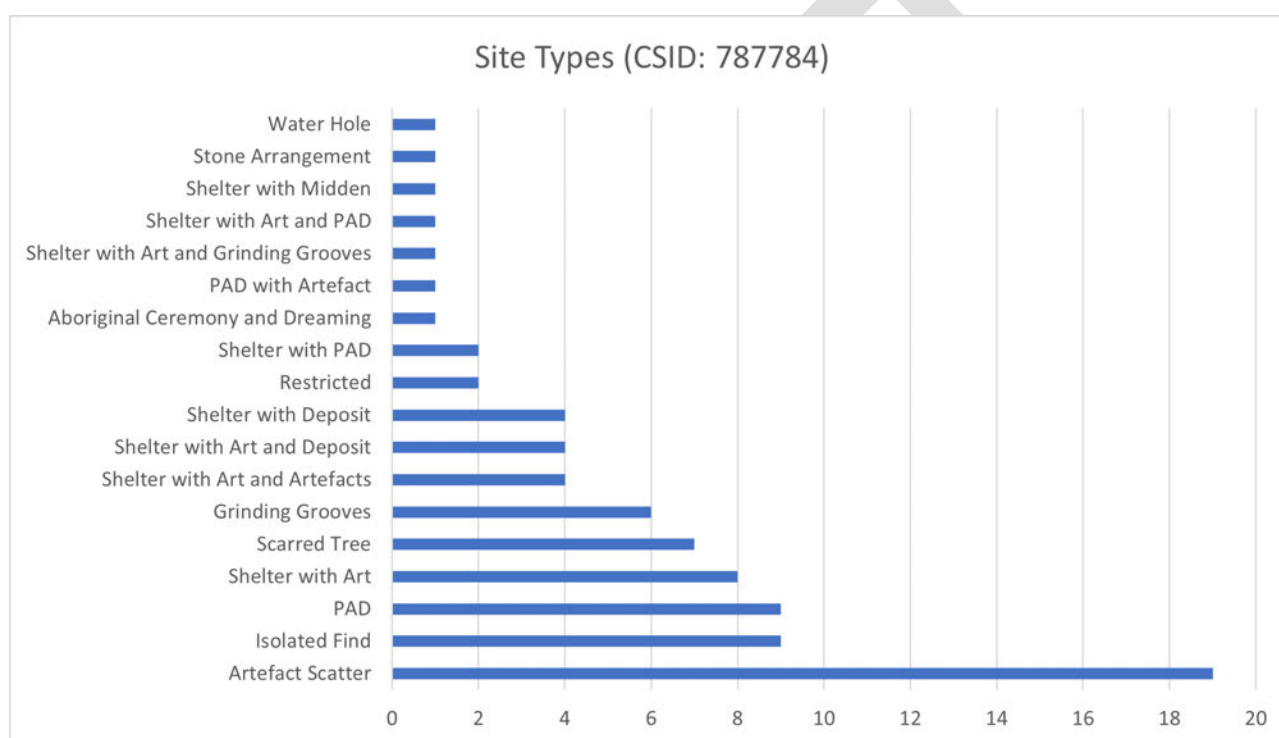


Figure 8 – Site types within the extensive search area

The distribution of sites in a landscape may be representative of the interaction between Aboriginal people and their environment. The majority of registered Aboriginal sites within the search area are focused along riverbanks and creek lines. This scatter of sites may reflect a reliance of local Aboriginal people on marine and terrestrial resources. The streams and swamplands would have provided a variety of subsistence – such as roots, berries and seeds to gather, whereas the forested land adjacent to these waterways would have sheltered lizards, kangaroos, birds and wallabies.

It is equally likely that this distribution of sites throughout the broader AHIMS search area is informed by the underlying geology of the region. A large number of the sites identified within the search area, 47% (n=41) are associated with sandstone geology. Relevant site types include grinding grooves, shelters with associated sites of art and deposits and Potential Archaeological Deposits (PADs). Within the broader search radius and within the subject area, sandstone typically occurs alongside waterways. The Nepean River is associated with large sandstone outcrops that extend throughout the Appin region (including the subject area). Due to sandstone's high erosion hazard, there is a high likelihood of shelters occurring along these creek lines.

The majority of the sites identified within the extensive search area were Artefact Scatters at 25% (n=19) and the next highest site type was Isolated Finds at 14% (n=9). These sites represent past Aboriginal subsistence and stone knapping activities. This site type usually appears as surface scatters of stone

artefacts in areas where vegetation is limited, and ground surface visibility increases. They can also be found in a sub-surface capacity during archaeological excavation. The high prevalence of such sites in the extensive search area reveals the high likelihood of similar sites to be located within the subject area.

On the basis of the Extensive search results, Artefact Scatters, Isolated Finds, PAD's, Shelters with Art, Scarred Trees, and Grinding Grooves have the potential to occur within the subject area.

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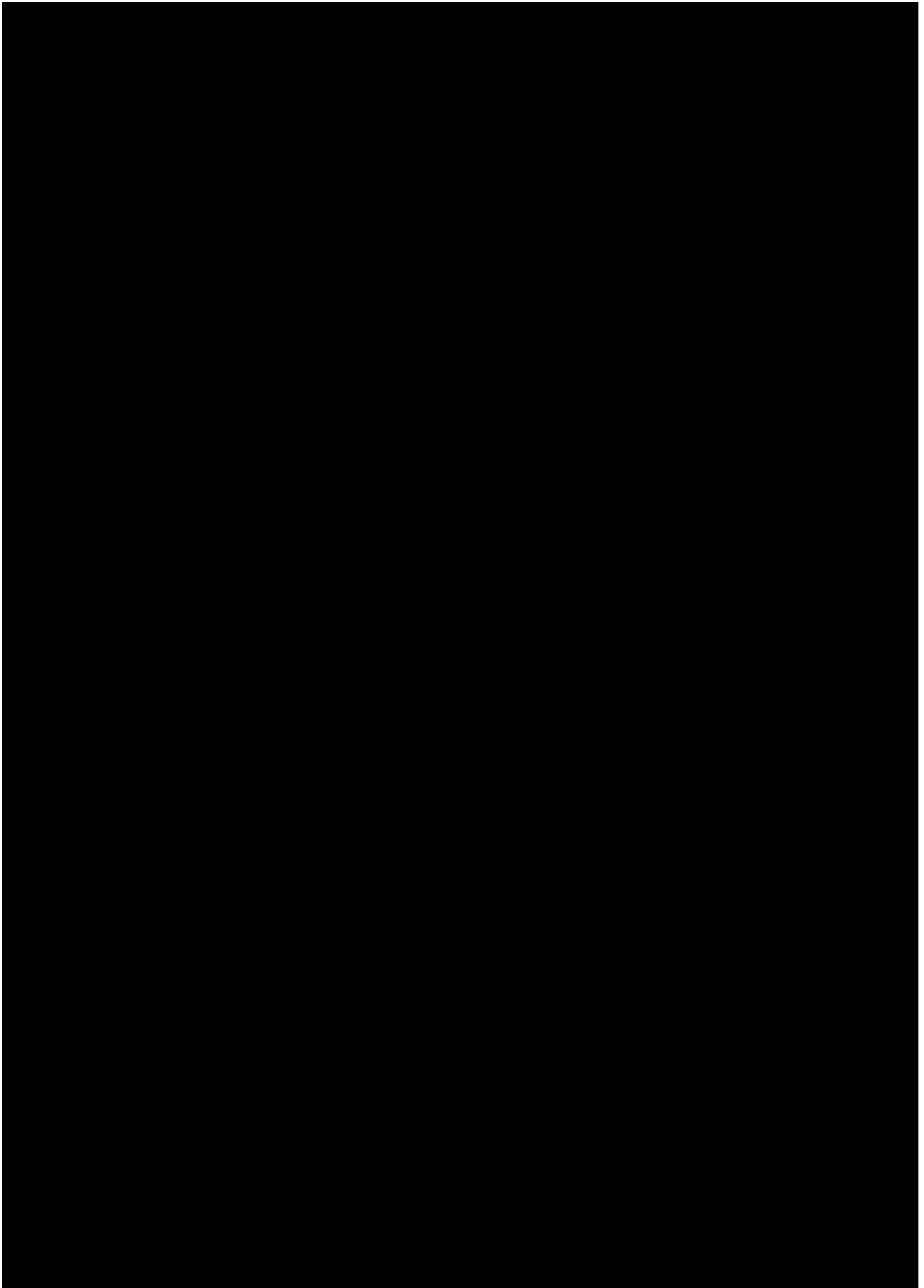


Figure 9 – Map of AHIMS sites in extensive search area

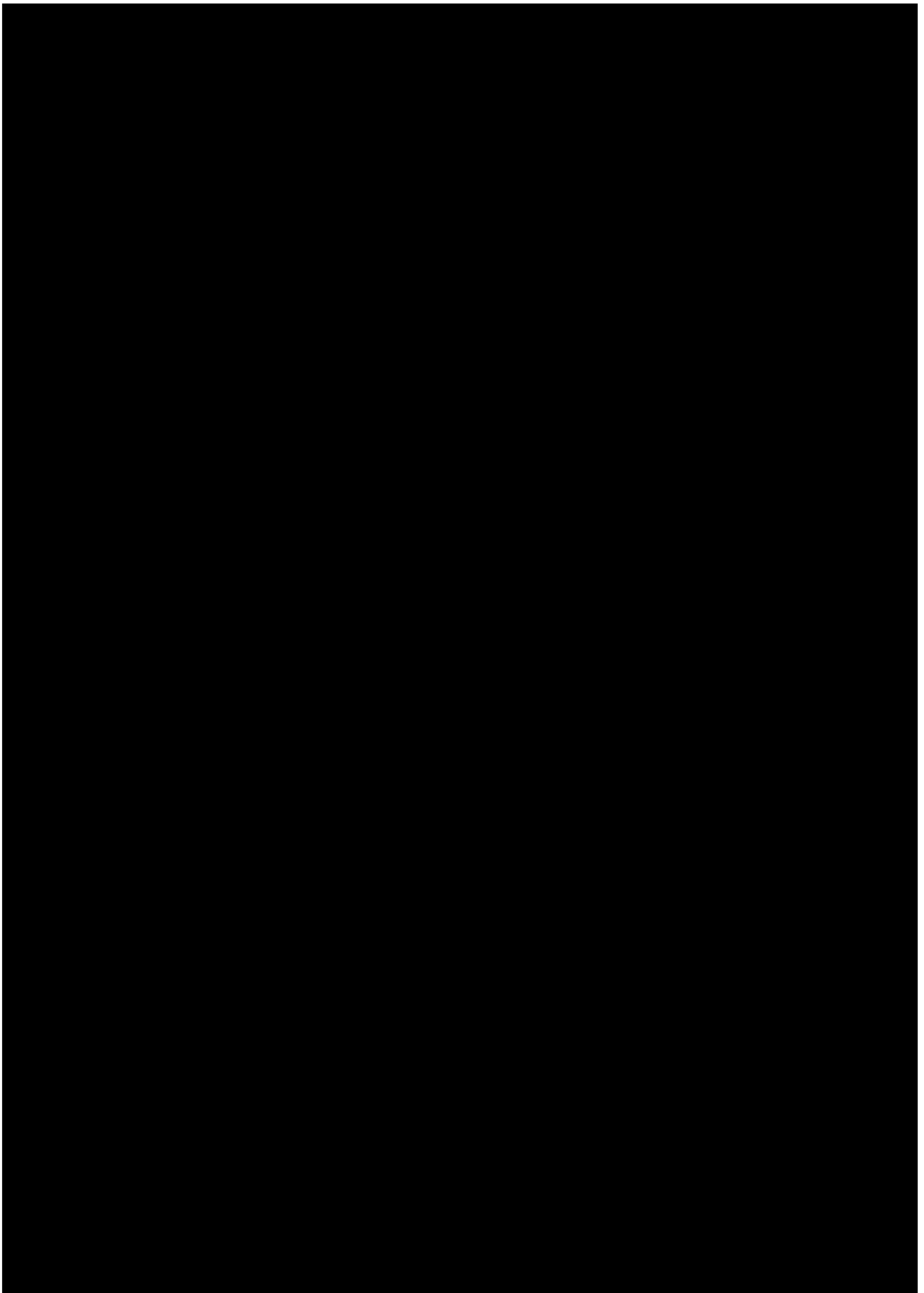


Figure 10 – Map of AHIMS sites within proximity to the subject area

4.4. SUMMARY OF ARCHAEOLOGICAL CONTEXT

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area. Three previously registered Grinding Groove sites are located within close proximity to the western boundary of the subject area (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583)
- On the basis of the Extensive search results, Artefact Scatters, Isolated Finds, PAD's, Shelters with Art, Scarred Trees, and Grinding Grooves have the potential to occur in the subject area.
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Locations of the Appin Massacre Cultural Landscape are located within close proximity to the subject area, though did not occur within the bounds of the subject area.
- The Greater Macarthur Investigation Area study provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and post-contact agricultural use of the land may have disturbed Aboriginal sites located in the area.
- The assessment by Niche 2022 concluded that Aboriginal objects occur within the activity area with high potential for further Aboriginal objects to be present on the surface and subsurface. The study indicates there is also a high likelihood to find similar Aboriginal sites such as Shelter with Artefacts, Scarred Trees, and Isolated Finds are likely to occur on archaeologically sensitive landscape features of terraces above or within drainage lines, and creek gullies within the present subject area.
- The results of the assessment by GML in 2022 indicates a high tangible and intangible cultural heritage exists in the Appin area through the identification of movement corridors, one of which is located at Appin Road in close proximity to the subject area.

5. ENVIRONMENTAL CONTEXT

The environmental context of a subject area is relevant to its potential for Aboriginal objects and places. Aboriginal objects may be associated with certain landscape features that played a part in the everyday lives and traditional cultural activities of Aboriginal people. Landscape features that are considered indicative of archaeological potential include rock shelters, sand dunes, waterways, waterholes and wetlands. Conversely, disturbance to the landscape after Aboriginal use may reduce the potential for Aboriginal objects and places. An analysis of the landscape within and near to the subject area is provided below.

5.1.1. Topography

Certain landform elements are associated with greater archaeological potential for Aboriginal objects and places. Areas that are located on a ridge top, ridge line or headland, located within 200m below or above a cliff face or within 20m of or in a cave, rock shelter or cave mouth are considered sensitive areas for Aboriginal objects and places.

The subject area is a vast expanse of land perforated by numerous creek line flats and associated spurs. Generally, the site is occupied by expansive floodplains associated with the Nepean River as well as with the Maltby Creek, Ousedale Creek and Lily Ponds Gully. Due to this complex system of waterways, the areas surrounding the floodplains include a series of slopes with peaks, interspersed with deep drainage lines with steep embankments. There is sandstone outcropping towards the west and south-west of the site, along the Nepean Riverbed and Ousedale Creek line.

This varied landscape would have likely provided past Aboriginal people with a diverse range of land use opportunities. The streams and swamplands would have provided a variety of subsistence – such as roots, berries and seeds to gather. This is also true for the forested portions of the site, which would have sheltered lizards, kangaroos, birds and wallabies. The sandstone outcrops associated with the creek lines and incised riverbanks would have formed rock overhangs that may have been used for shelter and/or rock art (Campbelltown City Council 2020).

5.1.2. Hydrology

Proximity to a body of water is a factor in determining archaeological potential. Areas within 200m of the whole or any part of a river, stream, lake, lagoon, swamp, wetlands, natural watercourse or the high-tide mark of shorelines (including the sea) are considered sensitive areas for Aboriginal objects and places.

The subject area is situated approximately 470m west of the Georges River and 580m east of the Nepean River – two major and significant waterways. The subject area is also immediately to the east of a converging point between Maltby Creek, which partially runs alongside the north-western boundary of the area, with Ousedale Creek, which demarcates its western and southern bounds. Lily Ponds Gully is also located within the subject area's south-west.

This proximity to waterways (and associated resources) was likely a contributing factor in the subject area's occupation by the Tharawal people. The subject area is also in close proximity to a number of Aboriginal sites known to be associated with waterways – for example, the Minerva Pools are located approximately 3.24km north-east of the site.

5.1.3. Soil Landscape and Geology

Certain soil landscapes and geological features are associated with greater archaeological potential for Aboriginal objects and places. For example, sand dune systems are associated with the potential presence of burials and sandstone outcrops are associated with the potential presence of grinding grooves and rock art. The depth of natural soils is also relevant to the potential for archaeological materials to be present, especially in areas where disturbance is high. In general, as disturbance level increases, the integrity of any potential archaeological resource decreases. However, disturbance might not remove the archaeological potential even if it decreases integrity of the resources substantially.

The NSW Soil and Land Information System (SALIS) provides information on expected soil landscapes within NSW. The SALIS identifies three shallow-moderately deep soil landscapes across the subject area. These include the Blacktown, Luddenham and Hawkesbury soil landscapes – each of which retain potential for archaeology.

The Blacktown soil landscape occupies the majority of the study area. It is described as occurring in two locations: (1) on crests, upper slopes and well-drained areas; and (2) on lower slopes and in drainage depressions and localised areas of poor drainage. Blacktown soils vary considerably between these two locations. In the first place, soils are shallow to moderately deep (<150 cm) Red Podzolic Soils and Brown Podzolic Soils, whereas, in the second, they are deep (150–300 cm) Yellow Podzolic Soils and Soloths. Dominant soil materials include friable greyish brown loam; hard setting brown clay loam; strongly pedal, mottled brown, light clay; and light grey plastic mottled clay. All soil types within the Blacktown soil landscape are moderately susceptible to sheet erosion following vegetation clearance. Sheet erosion is likely to impact the retention of Aboriginal objects within natural soil deposits. The higher the sheet erosion the less likely there is to be Aboriginal objects *in situ*.

The Hawkesbury soil landscape occurs along the Ousedale Creekline, throughout the south-western extent of the site. Typically, Hawkesbury soils are located on the slopes and ridges of the Woronora Plateau – particularly, along narrow crests and ridges, narrow incised valleys, steep side slopes with narrow rocky benches, broken scarps and boulders. The soil differs considerably, depending on its location; for instance, shale lenses are associated with localised Yellow Podzolic Soils and Red Podzolic Soils. Dominant soil materials include loose coarse quartz sand; earthy, yellowish brown sandy clay loam; and pale, strongly pedal light clay. The Hawkesbury soil landscape spans much of area within the south-west portion of the site. Its erosion hazard is generally very high and ranges from moderate to extreme. Nonetheless, the outcrops of sandstone associated with Ousedale Creek are likely to be archaeologically sensitive, with potential for shelters, engravings and art.

The Luddenham soil landscape occupies a portion of the site to the north-east. It is described as occurring on the Cumberland Plain of the Campbelltown area in three locations: narrow ridges, hillcrests and valleys. The soil differs considerably, based on the local topography. This includes shallow Brown Podzolic Soils (<100 cm) and massive earthy clays on crests, moderately deep Red Podzolic Soils (70–150 cm) on upper slopes, and moderately deep Yellow Podzolic Soils and Prairie Soils (<150 cm) on lower slopes and near drainage lines. Dominant soil materials include loose dark brown loam; hard setting brown clay loam; whole-coloured, strongly pedal clay; mottled bright brown plastic clay; and apedal brown sandy clay. All soil types within the Luddenham soil landscape are moderately erodible. Aboriginal objects retained in natural soil deposits within this landscape are likely to be impacted.

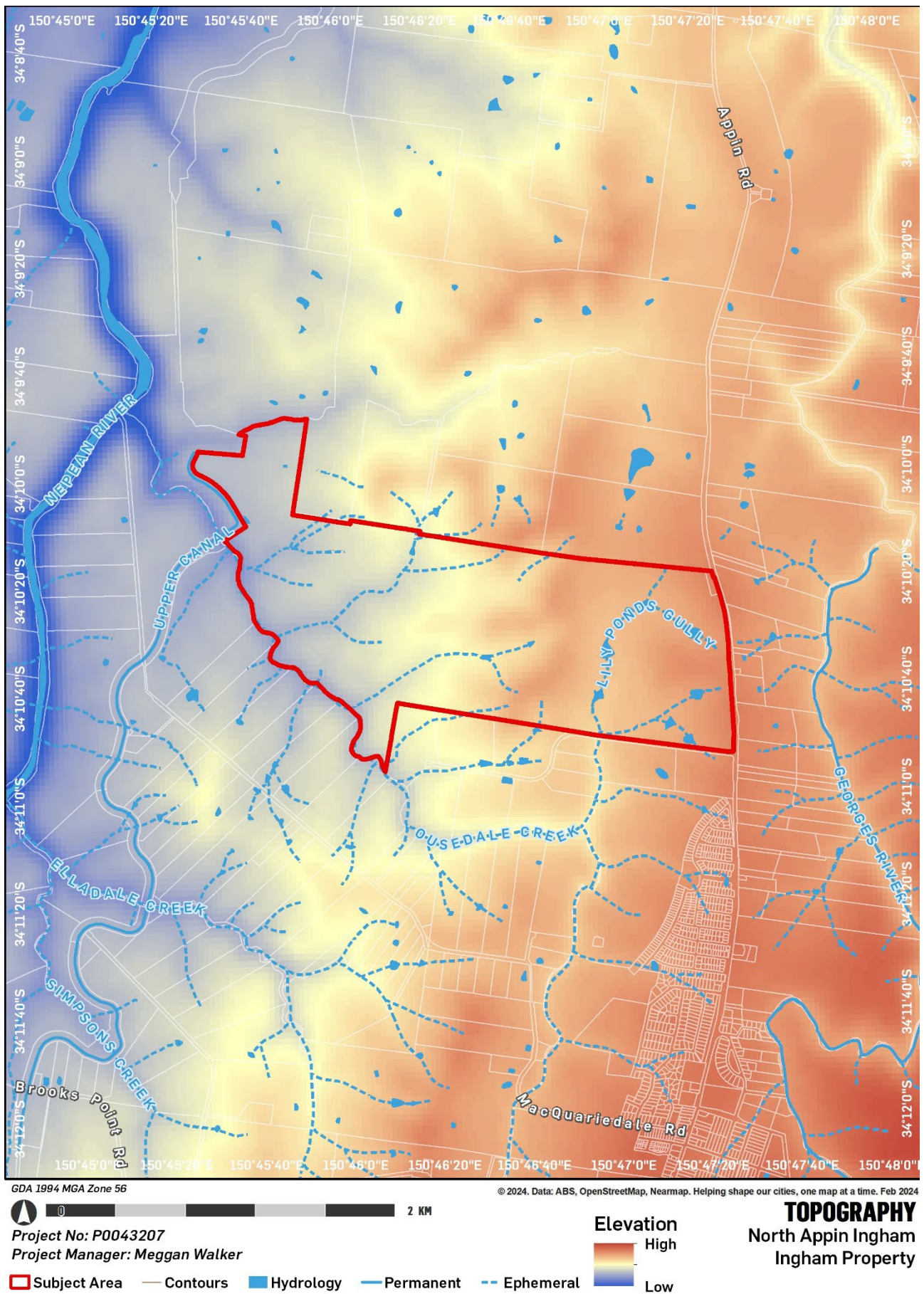


Figure 11 – Topography

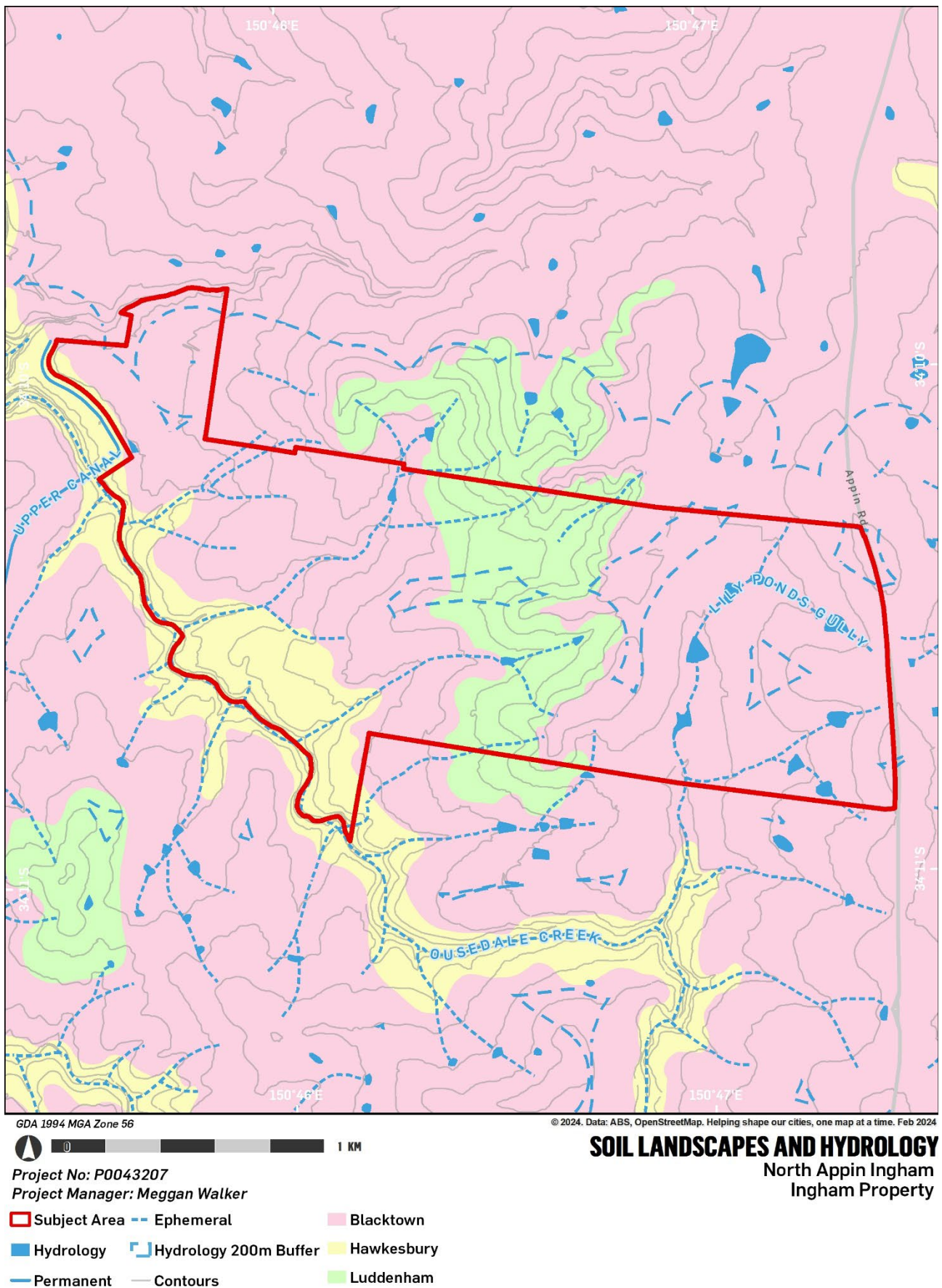


Figure 12 – Soil Landscapes and Hydrology

5.1.4. Vegetation

The presence of certain types of vegetation within an area may be indicative of archaeological potential for certain site types, such as modified trees, or more generally of the habitability of an area for Aboriginal people.

Remnant vegetation is present throughout the subject area, however, most likely consists of secondary regrowth. The occurrence of different plant species may be predicted, based on the soil landscapes which constitute the site.

Soils within the Blacktown soil landscape is generally moderately fertile. They are relatively deep and well-structured, which is a hospitable environment for moderate volumes for root penetration. The original vegetation of the Blacktown soil landscape includes cleared tall open-forest (wet sclerophyll forest) and open-forest/woodland (dry sclerophyll forest). The former often includes remnant Sydney blue gum and blackbutt, which grow in higher rainfall areas. The latter often includes forest red gum, narrow-leaved ironbark and grey box, which grow in more arid environments.

Soils within the Hawkesbury soil landscape is not very fertile, except where fractures allow deep root penetration and debris dams to form, which allow pockets of organic material to collect. They are highly acidic with a low nutrient status and are generally shallow with low available water holding capacities. The original vegetation of the Hawkesbury soil landscape is typified by uncleared woodlands and open-forests (dry sclerophyll forest), tall open forests (wet sclerophyll forest) and closed-forests (rainforest) in sheltered gullies. Common species within exposed areas include red bloodwood, narrow-leaved stringybark, snappy gum, hard-leaved scribbly gum, blue mountains mallee ash and old man banksia. Whereas silvertop ash, Sydney peppermint, smooth-barked apple and black she-oak predominates in sheltered side slopes. Emergent trees include blackbutt and Sydney blue gum, with water gum, coachwood, black wattle, native myrtle and bracken often constituting understorey vegetation.

Soils within the Luddenham soil landscape are somewhat fertile. They are fairly deep and well-structured, which allows for deep root penetration and low-moderate soil fertility. The original vegetation of the Luddenham soil landscape is typically extensively cleared open forest (dry sclerophyll forest). Common species include spotted gum, forest red gum and grey box. Although less common, this soil landscape often also includes broad-leaved ironbark, narrow-leaved ironbark, woollybutt, and forest oak. Understorey vegetation typically includes blackthorn, coffee bush, hickory and hairy clerodendrum, with grasses such as wire grass, bordered panic grass, paddock lovegrass and kangaroo grass.

The variety of floral species in the subject area could have been utilised by Aboriginal people for medicinal, ceremonial, subsistence purposes as well as for cultural modification. There is potential for Aboriginal modified and scarred trees to be present within the subject area.

5.1.5. Historical Ground Disturbance

The archaeological potential of a subject area may be reduced through ground disturbance that occurred after deposition of archaeological remains. Ground disturbance, either through human activity (e.g., clearing of vegetation, ploughing and construction of buildings) or natural processes (e.g., erosion), can reduce the spatial and vertical integrity of archaeological resources or result in their complete removal or destruction.

The subject area has sustained moderate localised historic ground disturbance associated with specific areas of the site, service installation, dams, and minor construction. Events associated with ground disturbance include:

- The subject area comprises two historical land grants. The first was granted to Alexander Riley, a merchant and pastoralist, in 1817. His parcel spanned 750 acres of land (partially including the subject area) (HLRV, 1817. Book 6, No. 126). The second was granted in 1844 to John Oxley, a surveyor and explorer, receiving 630 acres (partially including the subject area) (HLRV, 1844. Book 6, No. 125). Historical ground disturbance during this time would have been low and consisted of clearing the land of original vegetation and utilising the land for grazing livestock.
- The subject area has been historically utilised for agricultural purposes through to the present day, with landscaping and earthworks to support the agricultural uses, including creating levelled areas for animal containment. These areas are in 6 specific locations within the subject area and consists of heavily terraced ground that has been significantly disturbed. Disturbance also included by the construction of tin sheds for livestock use and then the subsequent disturbance from the demolition of the sheds, with demolition debris scattered into nearby creeklines. Rough roads have also been constructed throughout

the property for private farming use along with fence lines separating each field. The main road runs east to west across the subject area.

- Further use of the site exhibits the modification of natural waterways to manmade dam structures in five locations across the eastern portion of the subject area. The construction of the dams included moving sandstone boulders to build the dam walls and caused significant modification to the original environment.

5.2. SUMMARY OF ENVIRONMENTAL CONTEXT

- The subject area includes floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, interspersed with deep drainage lines with steep embankments. There is significant sandstone outcropping towards the west and south-west of the site. This varied landscape would have likely provided past Aboriginal people with a diverse range of land use opportunities, rendering it generally sensitive for Aboriginal objects and places.
- The subject area is situated between the Georges and Nepean Rivers – two major and significant waterways. The subject area also includes a converging point between Mallaty Creek and Ousedale Creek, with other tributaries disbursed throughout the site. Lily Ponds Gully is also located within the subject area's south-west. This proximity to numerous waterways likely increases the sensitivity of the subject area for Aboriginal objects and places.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape occupies the majority of the study area. All soil types within the Blacktown soil landscape are moderately susceptible to sheet erosion following vegetation clearance. This soil landscape is generally considered sensitive for Isolated Finds, Artefact Scatters, Grinding Grooves, Rock Engravings and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape occurs along the Ousedale Creekline, throughout the south-western extent of the site. Its erosion hazard is generally very high and ranges from moderate to extreme. The outcrops of sandstone associated this soil landscape are considered archaeologically sensitive for Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape occupies a portion of the site to the northeast. All soil types within the Luddenham soil landscape are moderately erodible. Aboriginal objects retained in natural soil deposits are, therefore, likely to be impacted. This soil landscape is considered sensitive for Isolated Finds.
- Native remnant vegetation is present throughout the subject area. There is potential for Aboriginal scarred or modified trees to be present within the subject area.
- As the subject area has been used for agricultural purposes throughout its history, it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.

6. ASSESSMENT OF ABORIGINAL ARCHAEOLOGICAL POTENTIAL

Aboriginal archaeological potential is assessed with regard to the environmental context, archaeological context and historic disturbance. This assessment is formed on the basis of a model which combines the theory of Environmental Determinism with information regarding the spatial distribution of archaeological resources in the region and an assessment of the historical use of the place to understand the following:

- (f) The likelihood that the subject site would have supported Aboriginal habitation and occupation in the past, which may have resulted in the deposition of archaeological resources, and;
- (g) The likelihood that subsequent activity within the subject site would have removed evidence of habitation or occupation, should it have occurred, due to high levels of disturbance.

For the purposes of archaeological assessment in New South Wales, the following definition of 'Environmental Determinism' is applied:

Environmental determinism asserts that physical geographic features such as climate and terrain exert a strong and unmediated influence upon human affairs, although it need not be, and usually is not, deterministic in the strict sense of the word.

While criticisms of the application Environmental Determinism in archaeological assessment are valid in asserting that it may place too much value on the environmental characteristics of a place, and therefore preclude detailed investigation of areas which do not fit a proscriptive model, thereby becoming a self-fulfilling prophecy for the identification of evidence of habitation, this model is appropriate in considering the likelihood for a site to be utilised for habitation and thus the potential for evidence of this habitation to be deposited, as it applies sound logical reasoning and is largely supported by the archaeological record in New South Wales.

Environmental characteristics or landscape features which are understood to hold potential include:

- Within 200m of waters,
- Located within a sand dune system,
- Located on a ridge top, ridge line or headland,
- Located within 200m below or above a cliff face, or
- Within 20m of or in a cave, rock shelter or cave mouth.

Where sites meet any of the above characteristics and have experienced little disturbance, there may be potential for archaeological remains, in accordance with the Due Diligence Code of Practice.

6.1. PREDICTIVE MODEL

A predictive model may be used to estimate the nature and distribution of evidence of Aboriginal land use in a subject area. A predictive model should consider variables that may influence the location, distribution and density of sites, features or artefacts within a subject area. Variables typically relate to the environment and topography, such as soils, landscape features, slope, landform and cultural resources.

The general process archaeologists employ to determine the likelihood of any particular site type (artefact scatter, shelter, midden etc) occurring within a given subject area requires the synthesis of information for general distribution of archaeological sites within the wider area including:

- Detailed analysis of previous archaeological investigations within the same region.
- Presence or absence of landscape features that present potential for archaeological resources (human occupation, use) such as raised terraces adjacent to permeant water.
- Analysis of the geology and soil landscape within the subject area which allows for a determination to be made of the type of raw material that would have been available for artefact production (silcrete, tuff, quartz etc) and the potential for the accumulation of archaeological resource within the subject area.

- Investigation of and determination of the level of disturbance/historical land use within the subject area which may impact on or remove entirely any potential archaeological material.

An indicative process of determining the likelihood of a given site occurring within a subject area is provided in Table 10 below.

Table 10 – Indicative process for determining the potential presence of a site.

Likelihood	Indicative subject area context	Indicative action
High	Low level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area.	Detailed archaeological investigation including but not limited to survey, test excavation and potentially (depending on density and/or significance of archaeological deposit) salvage excavation.
Moderate	Moderate level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area.	Detailed archaeological investigation including but not limited to survey, test excavation and potentially (depending on density and/or significance of archaeological deposit) salvage excavation.
Low	High level of ground disturbance in combination with at least one archaeologically sensitive landscape feature (either registered or newly identified) within the subject area.	Employ chance finds procedure and works can continue without further archaeological investigation.
Nil	Complete ground disturbance (i.e. complete removal of natural soil landscape); or no archaeologically sensitive landscape features and no archaeological sites within subject area.	Employ chance finds procedure and works can continue without further archaeological investigation.

6.2. TYPICAL SITE TYPES

A range of Aboriginal site types are known to occur within New South Wales. Site types that are typically encountered in the Cumberland Plain are described below.

Art sites can occur in the form of rock engravings or pigment on sandstone outcrops or within shelters. An engraving is some form of image which has been pecked or carved into a rock surface. Engravings typically vary in size and nature, with small abstract geometric forms as well as anthropomorphic figures and animals also depicted. In the Sydney region engravings tend to be located on the tops of Hawkesbury Sandstone ridges where vistas occur. Pigment art is the result of the application of material to a stone to leave a distinct impression. Pigment types include ochre, charcoal and pipeclay. Pigment art within the Sydney region is usually located in areas associated with habitation and sustenance.

Artefact Scatters/Camp Sites represent past Aboriginal subsistence and stone knapping activities and include archaeological remains such as stone artefacts and hearths. This site type usually appears as surface scatters of stone artefacts in areas where vegetation is limited, and ground surface visibility increases. Such scatters of artefacts are also often exposed by erosion, agricultural events such as ploughing, and the creation of informal, unsealed vehicle access tracks and walking paths. These types of sites are often located on dry, relatively flat land along or adjacent to rivers and creeks. Camp sites containing surface or subsurface deposit from repeated or continued occupation are more likely to occur on

elevated ground near the most permanent, reliable water sources. Flat, open areas associated with creeks and their resource-rich surrounds would have offered ideal camping areas to the Aboriginal inhabitants of the local area.

Bora / Ceremonial Sites are locations that have spiritual or ceremonial values to Aboriginal people. Aboriginal ceremonial sites may comprise natural landforms and, in some cases, will also have archaeological material. Bora grounds are a ceremonial site type, usually consisting of a cleared area around one or more raised earth circles, and often comprised of two circles of different sizes, connected by a pathway, and accompanied by ground drawings or mouldings of people, animals or deities, and geometrically carved designs on the surrounding trees.

Burials of the dead often took place relatively close to camp site locations. This is due to the fact that most people tended to die in or close to camp (unless killed in warfare or hunting accidents), and it is difficult to move a body long distance. Soft, sandy soils on, or close to, rivers and creeks allowed for easier movement of earth for burial; and burials may also occur within rock shelters or middens. Aboriginal burial sites may be marked by stone cairns, carved trees or a natural landmark. Burial sites may also be identified through historic records or oral histories.

Contact Sites are most likely to occur in locations of Aboriginal and settler interaction, such as on the edge of pastoral properties or towns. Artefacts located at such sites may involve the use of introduced materials such as glass or ceramics by Aboriginal people or be sites of Aboriginal occupation in the historical period.

Grinding Grooves are the physical evidence of tool making or food processing activities undertaken by Aboriginal people. The manual rubbing of stones against other stones creates grooves in the rock; these are usually found on flat areas of abrasive rock such as sandstone. They may be associated with creek beds, or water sources such as rock pools in creek beds and on platforms, as water enables wet grinding to occur.

Isolated Finds represent artefactual material in singular, one-off occurrences. Isolated finds are generally indicative of stone tool production, although can also include contact sites. Isolated finds may represent a single item discard event or be the result of limited stone knapping activity. The presence of such isolated artefacts may indicate the presence of a more extensive, in situ buried archaeological deposit, or a larger deposit obscured by low ground visibility. Isolated artefacts are likely to be located on landforms associated with past Aboriginal activities, such as ridgelines that would have provided ease of movement through the area, and level areas with access to water, particularly creeks and rivers.

Middens are indicative of Aboriginal habitation, subsistence and resource extraction. Midden sites are expressed through the occurrence of shell deposits of edible shell species often associated with dark, ashy soil and charcoal. Middens often occur in shelters, or in eroded or collapsed sand dunes. Middens occur along the coast or in proximity to waterways, where edible resources were extracted. Midden may represent a single meal or an accumulation over a long period of time involving many different activities. They are also often associated with other artefact types.

Modified Trees are evidence of the utilisation of trees by Aboriginal people for various purposes, including the construction of shelters (huts), canoes, paddles, shields, baskets and bowls, fishing lines, cloaks, torches and bedding, as well as being beaten into fibre for string bags or ornaments. The removal of bark exposes the heart wood of the tree, resulting in a scar. Trees may also have been scarred in order to gain access to food resources (e.g. cutting toeholds so as to climb the tree and catch possums or birds), or to mark locations such as tribal territories. Such scars, when they occur, are typically described as scarred trees. These sites most often occur in areas with mature, remnant native vegetation. The locations of scarred trees often reflect an absence of historical clearance of vegetation rather than the actual pattern of scarred trees. Carved trees are different from scarred trees, and the carved designs may indicate totemic affiliation; they may also have been carved for ceremonial purposes or as grave markers.

Potential Archaeological Deposits (PADs) are areas where there is no surface expression of stone artefacts, but due to a landscape feature there is a strong likelihood that the area will contain buried deposits of stone artefacts. Landscape features which may feature in PADs include proximity to waterways, particularly terraces and flats near third order streams and above; ridge lines, ridge tops and sand dune systems.

Shelters are places of Aboriginal habitation. They take the form of rock overhangs which provided shelter and safety to Aboriginal people. Suitable overhangs must be large and wide enough to have accommodated people with low flooding risk. Due to the nature of these sites, with generic rock overhangs common particularly in areas with an abundance of sandstone, their use by Aboriginal people is generally confirmed through the correlation of other site types including middens, art, PAD and/or artefactual deposits.

6.3. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The likelihood of the site types described in Section 6.2 above occurring within the present subject area is assessed in Table 11 below.

Table 11 – Predictive Model

Site Type	Assessment	Potential
Art	The subject area contains a large amount of sandstone geology and incised creek lines with steep gradients and overhangs in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape (see Section 5.1.1). Due to the presence of such sandstone overhangs and deep incised creek lines with a steep gradient, there is high potential for art sites to be located within the subject area.	High
Artefact Scatters / Campsites	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Artefact Scatters. The three soil landscapes namely the Blacktown, the Hawkesbury, and the Luddenham soil landscape indicate it is likely that Artefact Scatters have been retained due to the depth of natural soils (see Section 5.1.3). The subject area is also located with proximity to a convergence point to multiple waterways which increases the potential of Artefact Scatters to occur (see Section 5.1.2). There is high potential for Artefact Scatters to occur within the subject area.	High
Bora / Ceremonial	The subject area underwent historical disturbance through clearance of original vegetation for agricultural use of the land which would have decreased the likelihood for Bora Ceremonial sites to be retained with a high degree of integrity. However, the subject area is located within in the Greater Macarthur area which contains identified Movement Corridors associated with past Aboriginal land use as discussed in Section 4.2.1. While there has been mention of the Appin area as a significant area, no specific sites have been identified as bora / ceremonial by the RAPs during the consultation process. There is low potential for bora / ceremonial sites to occur within the subject area.	Low
Burial	The subject area is identified as being located within close proximity to the Appin Massacre Cultural Landscape sites. However, no conflict is recorded as occurring within the subject area. No other information from the consultation process or previously registered sites indicates that burial sites are likely. The shallow nature of the soil profile which has been subject to disturbance and erosion also indicates there is low potential for burial sites to occur within the subject area.	Low
Contact site	The subject area was occupied early in colonial times from the early to mid-19 th Century as evidenced by land grants to	Low

Site Type	Assessment	Potential
	Alexander Riley and John Oxley (see Section 4.1). Incidents related to the Appin Massacre occurred close to the bounds of the subject area though not within the subject area. There is low potential for contact sites to occur.	
Grinding Grooves	The subject area contains a large amount of sandstone geology near to the deeply incised creek lines and steep slope gradient in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape (see Section 5.1.3). Due to the presence of flat sandstone exposure within proximity to creek lines, as well as the prevalence of grinding grooves in the previously registered sites in the extensive search area (see Section 4.3), there is high potential for grinding grooves to occur within the subject area.	High
Isolated Finds	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Isolated Finds. The three soil landscapes namely the Blacktown, the Hawkesbury, and the Luddenham indicate the likelihood of retaining Isolated Finds due to the depth of natural soils (see Section 5.1.3). The subject area is also located with proximity to a convergence point to multiple waterways which increases the potential of Isolated Finds to occur (see Section 5.1.2). There is high potential for Isolated Finds to occur within the subject area.	High
Midden	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways and prevalence of sandstone geology and deeply incised creek lines on a steep slope gradient in the southern and western portions of the subject area (see Section 5.1.1 and 5.1.2). On the basis of previously registered sites in the Extensive search area, there is a low potential for middens to occur within the subject area.	Low
Modified Trees	The subject area is currently undeveloped and has been disturbed only in six main localised areas. However, the area was likely to have been cleared for agricultural use early in the 19 th Century and may not retain primary growth vegetation. As discussed in Section 4.2.2, the Greater Macarthur area contains identified Movement Corridors such as Appin Road. These corridors are associated with intangible Aboriginal cultural heritage and as a result may also be associated with modified trees. There is a high potential for modified trees to occur within the subject area.	High

Site Type	Assessment	Potential
PAD	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, a prevalence of sandstone geology and deeply incised creek lines with steep slope gradients and overhangs in the southern and western portions of the subject area, and shallow to moderately deep soils across the subject area (see Sections 5.1.1, 5.1.2, 5.1.3). Due to the presence of the sandstone geology and deeply incised creeklines, there is high potential for Shelters with PAD to occur within the subject area. Due to the presence of landscape features, natural soils, and mostly undeveloped nature of the subject area, there is high potential for a PAD to occur within the subject area.	High
Shelters	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, and a prevalence of sandstone geology and deeply incised creeklines with steep slope gradients and overhangs in the southern and western portions of the subject area (see Sections 5.1.1, 5.1.2, 5.1.3). The sandstone geology and deep incised creek lines with a steep gradient indicates a high potential for shelters to be located in these areas.	High

6.4. SUMMARY OF ARCHAEOLOGICAL POTENTIAL

The archaeological potential is summarised as follows:

- The subject area contains multiple landscape features that indicate past Aboriginal land use. These landscape features include a convergence of waterways, presence of sandstone geology, and shallow to moderately deep soils across the subject area. Due to the presence of such landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- There is a low potential for Middens, Bora / Ceremonial sites, Burials, Contact sites to occur due to the ephemeral nature of such sites and not previously recorded historical or cultural documentation of such sites within the subject area.

7. TECHNICAL INVESTIGATIONS

To inform the current ACHA, technical investigations have been undertaken at the subject area in accordance with the requirements of the Code of Practice. These included archaeological survey to test the validity of the desktop assessment of archaeological potential, and a test excavation, undertaken to inform an understanding of the nature, extent and spatial distribution of Aboriginal archaeological objects within the subject area.

The site survey and test excavation were undertaken consecutively, with the attendance and inclusion of representatives from the RAPs for the project. Full details of these investigations can be found in the accompanying Archaeological Technical Report (ATR) attached at Appendix A. Results are summarised in the following sections.

7.1. ARCHAEOLOGICAL SURVEY

The Department of Planning and Environment state that the 'purpose of an archaeological field survey is to record all (or a representative sample of all) the material traces and evidence of Aboriginal land use that are visible at or on the ground surface, or exposed in sections or visible as features' (OEH 2010a: 12). The subject area was surveyed in accordance with the requirements as set out in OEH statutory guidelines *the Code of Practice and the Assessment Guidelines* (Code of Practice).

An archaeological survey of the subject area was undertaken from 27th April 2023 - 1st May 2023. The purpose of the survey was to adequately record the material traces and evidence of Aboriginal land use within the subject area. The archaeological survey was conducted by Urbis representatives including Senior Archaeologist Meggan Walker and Consultant Archaeologist Kirsten Downey with assistance from Consultant Archaeologist Owen Barrett, with a total of 5 RAP site officers in attending on different days over the three-day period. Representatives and dates attended are listed in Table 12.

Table 12 – RAP survey attendees

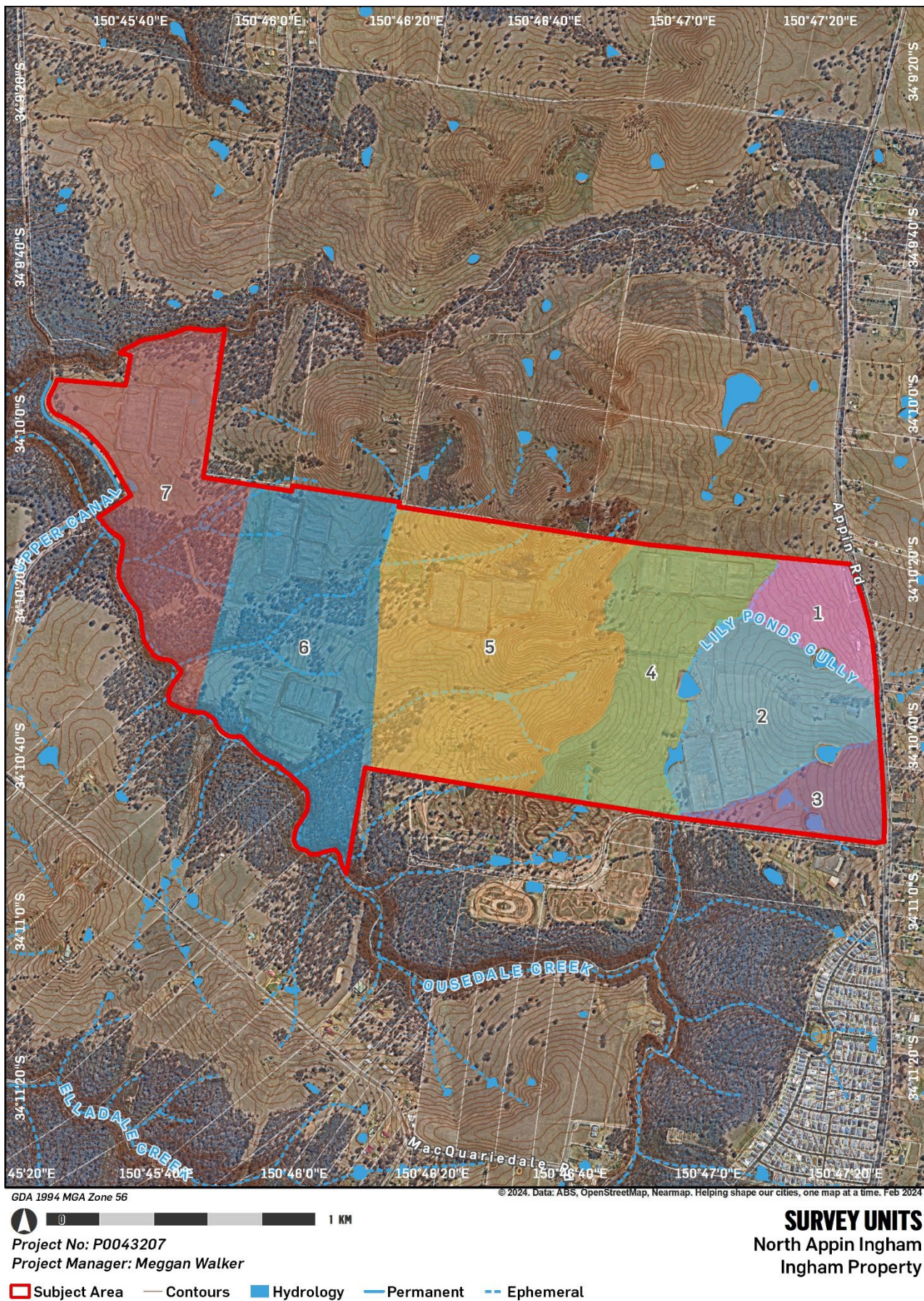
Date	RAP Group	Representative
27 th April 2023	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
28 th April 2023	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
1 st May 2023	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]

The purpose of the survey was to inspect the site including visible ground surfaces, soil exposures and visible soil profiles, in order to identify whether surface Aboriginal artefacts are present, to further determine the potential for Aboriginal archaeological deposits within the subject area, and for the project RAPs to identify any additional cultural sites present or identifiable features, including culturally sensitive trees, within the landscape. The survey also aimed to allow for discussion of the project with the RAPs, encouraging questions and comment on the proposed cultural heritage methodology, and input into the proposed process of Aboriginal archaeological management going forward.

As per Heritage NSW recording requirements, the subject area was surveyed according to survey units, landforms and landscapes. The survey was conducted on foot, and aimed to achieve 100% coverage of the subject area divided into seven Survey Units (SU's) broadly defined by paddock boundaries and creek lines. The division of the site was further defined as separate Survey Units to cover at least one archaeologically sensitive landscape feature for each area. Emphasis was placed on the areas of higher potential such as the crests, ridgelines and near the creek lines. Visibility and exposure were recorded for each survey unit. Survey Units are depicted in Figure 13 below.

The survey team traversed the subject area utilising GPS navigation, with reference to aerial photographs. Spacing between survey team members was 5m – 10m with archaeologists with GPS trackers at each end of the group. Spacing was increased when deemed necessary due to constraints such as dense vegetation and standing water, hazards such as steep eroding creek banks, and any other site-specific variables. In instances where closer examination was warranted such as exposures or potentially culturally significant trees spacing was not adhered to allow for adequate assessment.

Survey units were recorded through a combination of digital photography and field notes including observations of exposure and visibility, levels of disturbance, erosion, vegetation, and the presence of Aboriginal sites or PADs, and other relevant observations or features. GPS waypoints were recorded for exposures, sites and features. GPS tracking was utilised to record effective coverage.



The findings of the archaeological survey are detailed in full in the appended ATR and summarised below:

- The eastern portion of the subject area contained Lily Ponds Gully, an ephemeral first order creek, now dammed and with no flowing water. The western portion of the subject area contained similar first order creeks, however flowing water was observed at the time of the survey in a tributary to Ousedale Creek transversing SU6 and SU7.
- The deeply incised Ousedale and Mallaty Creeks which form the western boundaries of the subject area also contained flowing water.
- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- Evidence from the site survey also shows the installation of gas pipelines throughout portions of the subject area to the west, and further potential colliery activities, with signposts indicating areas as likely to contain noxious gas due to subsurface activities associated with Appin colliery. Other services including overhead transmission line were also observed to the west of the site.
- Visibility was low within the subject area, being limited to disturbed areas and concurrent erosion. Visibility in rock overhangs, however, was generally good, depending on variable amounts of rock fall.
- Two previously unrecorded sites were identified during the survey. An Aboriginal object was observed within a rock shelter within a tributary of Ousedale Creek. The rock shelter has been registered on AHIMS as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. A further rock shelter was observed further south in Ousedale Creek. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD. The locations of the newly identified sites are shown in Figure 14 below. AHIMS site cards are appended to the ATR.

The archaeological survey confirmed the predictions of the desktop assessment that the subject area has high potential for rock shelters, isolated finds and PAD. While no Art or Grinding Grooves were observed it is possible that these site types are extant within the subject area but were not observed during the survey due to lack of visibility and/or the complexity of the incised creek banks within the subject area.

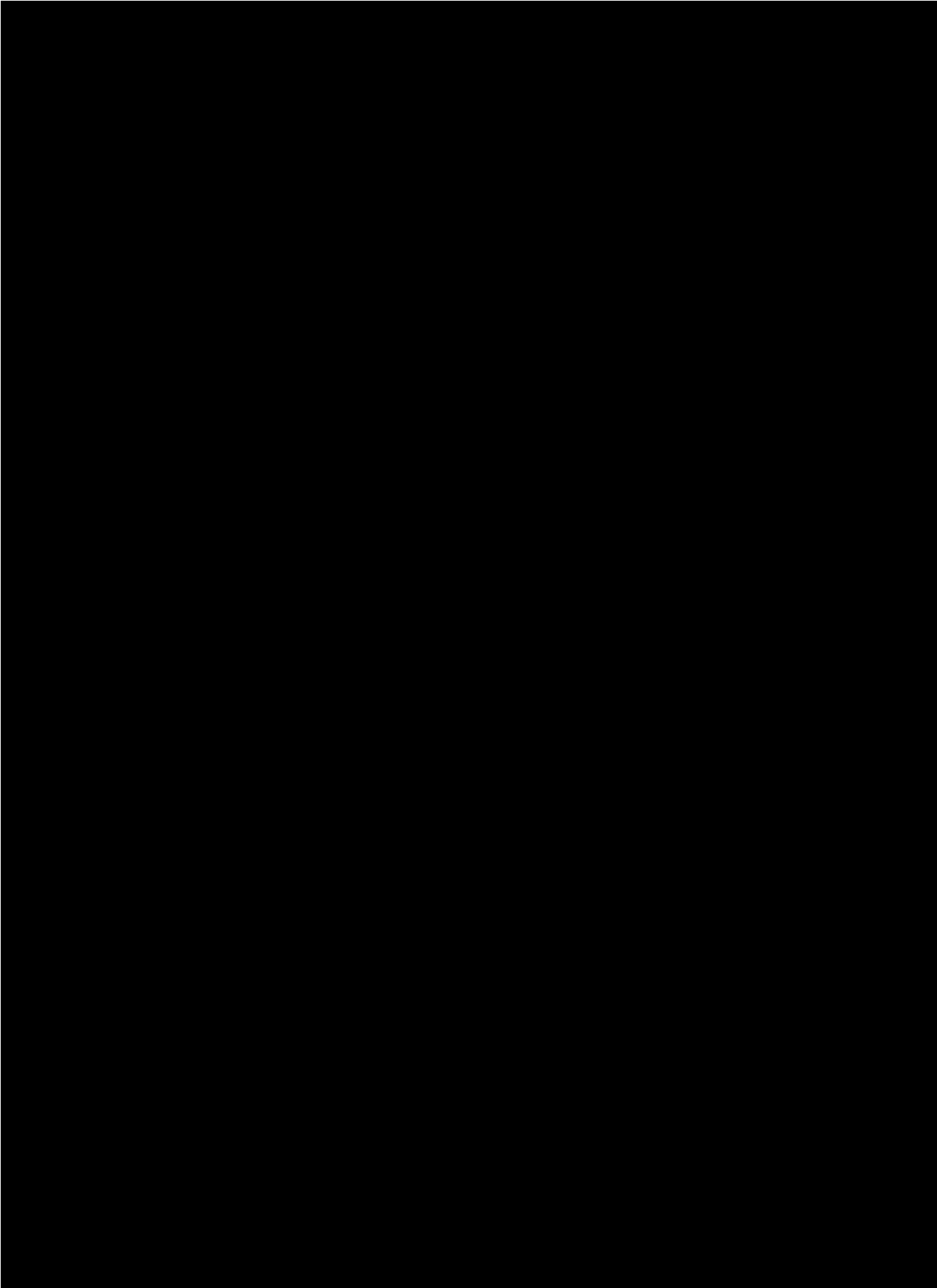


Figure 14 – Newly identified sites

7.2. ARCHAEOLOGICAL TEST EXCAVATION

A test excavation program was undertaken at the subject area from 2nd May 2023 - 25th May 2023 in line with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) (the Code of Practice) in order to understand the nature and extent, integrity and research significance of the Aboriginal archaeological resource. The excavation was conducted by representatives from Urbis and RAPs.

The archaeological research design and excavation methodology (ARD & EM) for the test excavation and full results are detailed in the ATR attached at Appendix A and are summarised as follows.

The test excavation program was conducted in accordance with the EM provided to Heritage NSW on 13th April 2023 in accordance with Requirement 15c of the Code of Practice proposed to undertake the archaeological investigations. The excavation consisted of 50cm x 50cm test pits excavated utilising standard archaeological excavation methods informed by the Code of Practice. The test excavation targeted landforms across the subject area to form a representative sample of the site conditions and develop a site-specific predictive model. The location of the test pits was informed by the predictive model of the ACHAR, determined in the field based on the identified indicative locations and in conversation with RAPs. A total of 143 test pits were excavated. Final test pit locations are shown in Figure 15 below.

Test excavation ceased following the determination that sufficient information had been received to adequately characterise the archaeological potential of the subject area.

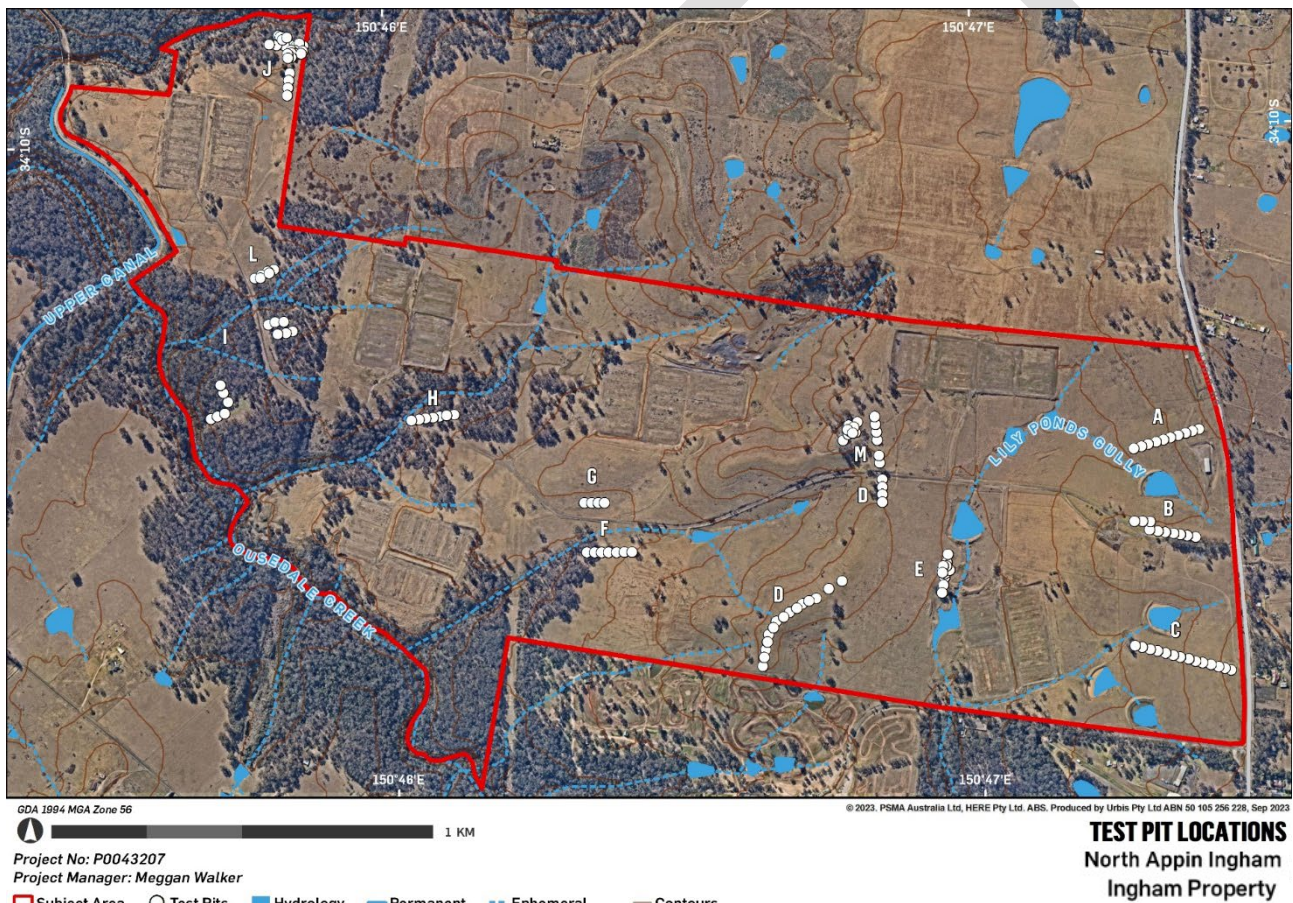


Figure 15 – Transect and test pit locations.

The results of the archaeological test excavation confirm the presence of Aboriginal objects within the subject area. On this basis three new AHIMS sites have been registered. Details regarding the newly identified sites are summarised below in Table 13. The locations of newly identified sites are shown in Figure 16 – Sites identified during the test excavation.

Table 13 – Newly identified sites

AHIMS Site ID	Name	Feature(s)	Landform
52-2-4945	345 Appin Road AFT 1	Artefact	Lower slopes
52-2-4946	345 Appin Road AFT 2	Artefact	Ridgeline
52-2-4943	Mallaty Creek AFT1	Artefact	Creek Terrace

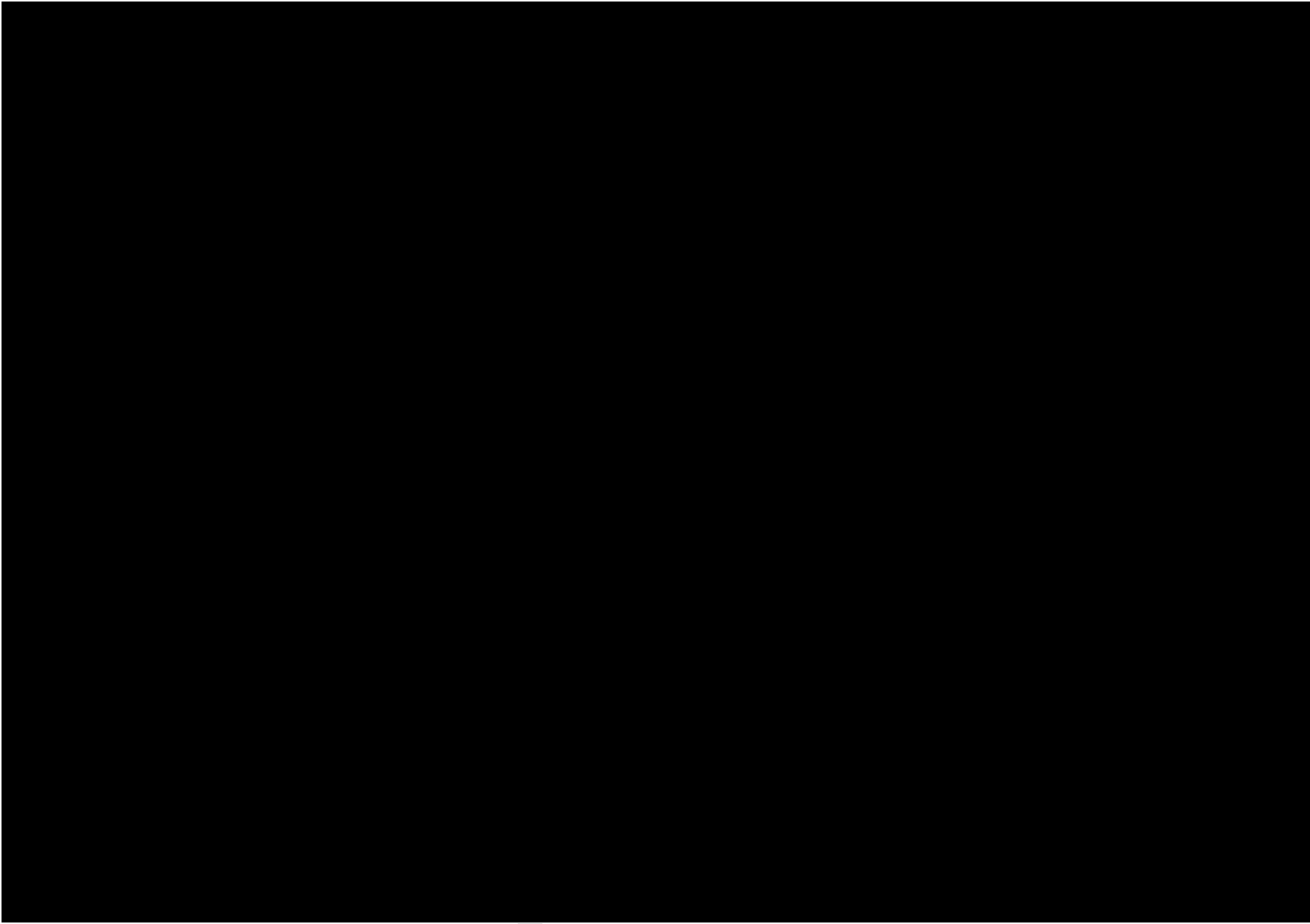
- AHIMS ID# 52-2-4945: 345 Appin Road AFT1, a low-density artefact scatter (N=2) recovered from two test pits in the eastern portion of the subject area. Located on flats adjacent to Lily Ponds Gully this site indicates low intensity transient use of ephemeral waterways within the subject area. Lily Ponds Gully has been heavily modified for dam construction however the area tested was relatively intact.
- AHIMS ID# 52-2-4946: 345 Appin Road AFT 2, a low-density artefact scatter (N=2) recovered from two test pits on a spur below the highest point within the subject area. This area and the nearby crest provide a good vantage point over a large area and would have been a focus of activity for Aboriginal people. The test excavation however revealed a truncated and disturbed soil profile.
- AHIMS ID# 52-2-4943 Mallaty Creek AFT1, a moderate density artefact scatter (N=47) recovered from 14 test pits out of a total of 28 excavated on a creek terrace above the deeply incised Mallaty Creek. This site confirms the importance of access to water for Aboriginal people and the associated increase in archaeological potential. This location also showed signs of truncation and erosion.

The remaining 129 test pits excavated during the excavation program returned zero artefacts.

These results indicate that the subject area has been utilised by Aboriginal people prior to European occupation. However, test excavations revealed that occupation was likely transient and intermittent, especially in locations of ephemeral water. Further test excavation locations at Lily Ponds Gully and first order creeks in the western portion of the subject area recovered no artefacts. Limited material traces of such low intensity activity are especially susceptible to erosion and disturbance.

Locations of permanent water such as Mallaty Creek and Ousedale Creek on the western boundaries of the subject area have higher archaeological potential as evidenced by Transect J at AHIMS ID# 52-2-4943: Mallaty Creek AFT1. This is further confirmed by the Rock shelter containing an Aboriginal artefact observed during the archaeological survey (AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, Section 7.1). Thin sandy soils overlying sandstone bedrock is, however, highly susceptible to erosion. While these locations currently contain eucalypt regrowth, historical land clearing is likely to have caused significant disturbance in the past.

Disturbance varied across the subject area, most were intact, with some showing truncation and gravel inclusions, often when lying in or adjacent to vehicle tracks. The transect with the highest density of artefacts, Transect J was bordered to the west by disturbed ground which was distinctly undulating with deep furrows and included pits of unknown origin and areas of dumped soil and rubbish, to the south was a previous location of chicken sheds showing extreme disturbance. Transect M also saw significant disturbance, the crest within the area had been levelled and underground services were evident.



8. SIGNIFICANCE ASSESSMENT

The following is an assessment and discussion of the cultural significance of the subject area, made in consultation with the RAPs. The assessment follows principles and procedures outlined in the Burra Charter the Assessment Guidelines.

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

Heritage significance is assessed by considering each cultural or archaeological site against the significance criteria set out in the Assessment Guidelines. The Assessment Guidelines require that the assessment and justification in a statement of significance includes a discussion of whether any value meets the following criteria:

- Does the subject area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons? – social value.
- Is the subject area important to the cultural or natural history of the local area and/or region and/or state? – historic value.
- Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state? – scientific (archaeological) value.
- Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state? – aesthetic value.

Assessment of each value should be graded in terms that allow the significance to be described and compared (e.g. high, moderate, or low). In applying these criteria, consideration should be given to:

- Research potential: does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?
- Representativeness: how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?
- Rarity: is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential: does the subject area contain teaching sites or sites that might have teaching potential?

8.1. ASSESSMENT OF HERITAGE VALUES

The following assessment of the social or cultural, historic, scientific and aesthetic values of the subject area has been prepared in accordance with the Assessment Guidelines.

In acknowledgment that the Aboriginal community themselves are in the best position to identify heritage values, the assessment is informed by consultation with the Aboriginal community. Consultation with Aboriginal people should provide insight into past events. The RAPs were invited to provide comment and input into this ACHAR and to the assessment of cultural heritage values for the subject area, as documented in this report. Any culturally sensitive values identified have not been explicitly included in the report or made publicly available. Any such values would be documented and lodged with the knowledge holder providing the information.

8.1.1. Social or Cultural Value

Social or cultural value encompasses the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them. Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods, or events. Communities can experience a sense of loss should a

place of social or cultural value be damaged or destroyed. Social or cultural values can therefore only be identified through consultation with Aboriginal people.

Comments received during Stage 3 from RAPs are of relevance to assessing the social and cultural value of the subject area and are as follows:

[REDACTED]

[REDACTED] provides

valuable insights into the spiritual and cultural beliefs of the Indigenous people who created it."

The significance of the subject area cannot be fully assessed until the report has been reviewed by the RAPs. **TBC FOLLOWING CLOSE OF STAGE 4.**

8.1.2. Historic Value

Historic value encompasses the history of aesthetics, science and society. A place may have historic value because it is associated with a historic figure, event, phase or activity in an Aboriginal community. The significance of a place will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. Places may also have 'shared' historic values with other (non-Aboriginal) communities.

Places of post-contact Aboriginal history have generally been poorly recognised in investigations of Aboriginal heritage. Consequently, the Aboriginal involvement and contribution to important regional historical themes is often missing from accepted historical narratives. For this reason, it is often necessary to collect oral histories along with archival or documentary research to gain a sufficient understanding of historic values.

The subject area is located in close proximity to known locations of the Appin Massacre Cultural Landscape, though none of these known sites are located within the boundary of the site. The wider Appin area has high historic value to Aboriginal people for this reason, and the subject area may also hold this value due to the close proximity of such sites.

8.1.3. Scientific (Archaeological) Value

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information. Information about scientific value will be gathered through any archaeological investigation undertaken. Archaeological investigations must be carried out according to the Code of Practice.

Five Aboriginal sites were identified as being located within the subject area, including three Artefact Scatters and two Rock Shelters. These are considered to have scientific (archaeological) value for their ability to provide information about the Aboriginal cultural practices of the Appin area as connected to the wider archaeological site distribution in southwest Sydney. These sites however do not exhibit any uniqueness or rarity compared with previously recorded Aboriginal sites.

The excavated artefact assemblage recovered during the test excavation consisted of 51 stone artefacts. Such artefacts are common in the region around the subject area and in the Cumberland Plain and Sydney basin more generally. The assemblage is relatively small, precluding robust statistical analysis or comparison with other assemblages. Furthermore, the soil profiles within the subject area displayed a level of

disturbance from prior land use which precludes drawing accurate assumptions or conclusions in regard to the subject area.

Based on the above the subject area is assessed as having low scientific value.

8.1.4. Aesthetic Value

Aesthetic value of a place relates to the sensory, scenic, architectural and creative aspects of a place. It may include visual aspects, such as form, scale, colour, texture and material of the fabric, and the smells and sounds associated with the place and its use.

The subject area has been partially cleared of original vegetation and used for agricultural purposes. However, the subject area still retains high aesthetic value relating to Aboriginal cultural Heritage as it remains largely undeveloped and the natural resources of the creek lines and mature trees are still present. Comments from RAPs have identified that aesthetic value is held in the natural landscape present at the site.

8.2. STATEMENT OF SIGNIFICANCE

The subject area is considered to be highly significant as it relates to the social, cultural, historic, and aesthetic values of Aboriginal cultural heritage. It is considered to have moderate value relating to scientific (archaeological) due to the prevalence of similar sites in the surrounding area.

TBC FOLLOWING ATR/STAGE 4 REVIEW.

9. IMPACT ASSESSMENT

The following is an assessment of the potential impact of the proposed development on any Aboriginal objects and/or Aboriginal Places within the subject area and the possible strategies for avoiding or minimising harm to those Aboriginal objects and/or Aboriginal Places.

The potential harm to Aboriginal objects and Aboriginal Places that is likely to be caused by a proposed activity is the effect of that activity on the Aboriginal heritage values identified above. According to the NPW Act, "harm" to an object or place includes any act or omission that:

- Destroys, defaces, or damages the object or place.
- Moves the object from the land on which it had been situated.
- Causes or permits the object or place to be harmed.

Harm does not include something that is trivial or negligible, such as picking up and replacing a small stone artefact, breaking a small Aboriginal object below the surface when you are gardening, crushing a small Aboriginal object when you walk on or off a track, picnicking, camping or other similar recreational activities.

The Assessment Guidelines define harm to Aboriginal objects and Aboriginal Places as being either direct or indirect:

- **Direct harm** may occur as the result of any activity which disturbs the ground including, but not limited to, site preparation activities, installation of services and infrastructure, roadworks, excavation, flood mitigation measures.
- **Indirect harm** may affect sites or features located immediately beyond or within the area of the proposed activity. Examples include, but are not limited to, increased impact on art in a shelter from increased visitation, destruction from increased erosion and changes in access to wild food resources.

The present assessment of potential harm follows the principles of ecologically sustainable development (ESD), in particular the precautionary principle and the principle of inter-generational equity:

- The **precautionary principle** states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.
- The **principle of inter-generational equity** holds that the present generation should make every effort to ensure the health, diversity and productivity of the environment, which includes cultural heritage, is available for the benefit of future generations. If a site type that was once common in an area becomes rare, the loss of that site (and site type) will result in an incomplete archaeological record and will negatively affect intergenerational equity.

Consideration of potential harm to Aboriginal objects and Aboriginal Places according to ecologically sustainable development (ESD) principles allows for an understanding of the cumulative impact of the proposed activity and an understanding of how harm can be avoided or minimised, if possible.

9.1. ASSESSMENT OF POTENTIAL HARM

The desktop assessment undertaken as part of the present ACHA determined that there are no previously identified Aboriginal objects within the subject area. However, during field investigations including site survey and test excavation, five Aboriginal sites were identified, confirming the presence of Aboriginal objects and cultural sites within the curtilage of the subject area.

No physical works are presently proposed for the subject area. A comprehensive assessment of the potential harm to the Aboriginal object and any as yet unknown Aboriginal objects should be undertaken prior to undertaking any physical works within the subject area.

9.2. AVOIDANCE & MINIMISATION OF HARM

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal Places, along with their cultural heritage values. If harm to Aboriginal objects and/or Aboriginal Places is unavoidable, management strategies must be considered to minimise the harm. The type of management strategies proposed must be appropriate to the significance of Aboriginal heritage values,

Aboriginal objects and/or Aboriginal Places. Harm avoidance and minimisation measures must be feasible and within the financial viability of the proposed activity.

There are no proposed works assessed as part of the current proposal, which relates to a Planning Proposal to re-zone the subject area for the purpose of the establishment of a residential community. Works associated with the construction of dwellings and other facilities will be undertaken under a subsequent DA following the approval of the Planning Proposal. There is potential that, at this phase, works could impact known or unknown tangible cultural heritage values within the subject area. As such, the following mitigation measures as proposed:

- **Avoidance through design.** The first preference would be that known sites and areas of high potential be avoided through detailed design input, to ensure cultural heritage values are retained *in-situ* where practical.
- **Ongoing consultation.** The current consultation process will be carried through the project to ensure Aboriginal community members are kept informed regarding the works and development of design.
- **Update the ACHAR for Detailed Design.** The ACHAR will require an update at the Detailed Design phase of the project.
- **Aboriginal Cultural Heritage Management Plan (ACHMP).** It is recommended that an ACHMP be prepared which provides ongoing management strategies for known sites within the subject area, including identified shelters. This would include strategies to prevent intentional or incidental impact to these sites during construction and use of the residential subdivision.
- **Aboriginal Heritage Impact Permit (AHIP).** Should the final design result in proposed activity within areas of known or potential archaeological sensitivity, mitigate measure will be formulated to minimise harm to Aboriginal objects that will be impacted. This should be undertaken under an Approved AHIP, with ongoing management of objects subject to consultation with RAPs.

10. CONCLUSIONS & RECOMMENDATIONS

The current report presents the results of an Aboriginal Cultural Heritage Assessment (ACHA) at 345 Appin Road, Appin, NSW, legally referred to as Lot 105 Deposited Plan (DP) 1188670.

The ACHA will support a Planning Proposal which is being undertaken as a State-led Planning Proposal and, as such, no physical works are proposed.

The ACHA concluded the following:

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area.
- Three previously registered AHIMS sites of Grinding Grooves (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) were located in close proximity to the subject area outside of the western boundary.
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape is generally considered sensitive for Isolated Artefacts, Artefact Scatters, Grinding Grooves, Rock Engravings, and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape is considered archaeologically sensitive for sandstone Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape is considered sensitive for Isolated Finds.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.
- The subject area contains multiple landscape features that indicate past Aboriginal land use. These landscape features include a convergence of waterways, presence of sandstone geology, and shallow to moderately deep soils across the subject area. Due to the presence of such landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- Two Aboriginal sites were recorded during the archaeological survey consisting of a rock shelter with an artefact and Potential Archaeological Deposit (PAD) a further rock shelter with PAD. These were registered on the Aboriginal Heritage Information System (AHIMS) as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD.

- Three Aboriginal sites were observed during the test excavation consisting of a medium density artefact scatter and two low density artefacts scatters. These were registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- The subject area is considered to be highly significant as it relates to the social, cultural, historic, and aesthetic values of Aboriginal cultural heritage. It is considered to have moderate value relating to scientific (archaeological) due to the prevalence of similar sites in the surrounding area. The significance of the subject area cannot be fully assessed until the report has been reviewed by the RAPs.
- Currently, there is no impact or no harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusion, Urbis recommends the following:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Conditions of Consent. Archaeological management should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.

- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

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APPENDIX A

ARCHAEOLOGICAL TECHNICAL REPORT

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DRAFT ABORIGINAL ARCHAEOLOGICAL TECHNICAL REPORT

345 Appin Road, Appin, NSW
Tharawal Country

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Project Code	P0043207
Report Number	Draft 01 issued to client for review 12/01/24 Draft 02 issued to client for review 01/05/24

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Aboriginal and Torres Strait Islander people make in
creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices, the Traditional
Owners on whose land we stand.**

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EXECUTIVE SUMMARY

Urbis Pty Ltd (Urbis) undertook an archaeological survey and test excavation program on behalf of Ingham Property Group ('the proponent') for 345 Appin Road, Appin, NSW, legally described as Lot 105 in Deposited Plan (DP) 1188670 in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a).

The archaeological survey and test excavation were conducted in line with the recommendations of the Aboriginal Cultural Heritage Assessment Report (ACHAR) for the subject area (Urbis 2023). The ACHA was undertaken to support a Planning Proposal which is being undertaken as a State-led Planning Proposal and, as such, no physical works are proposed. This Archaeological Technical Report (ATR) has been prepared to accompany the ACHAR.

The conclusions of the ACHAR are summarised as follows:

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area.
- Three previously registered AHIMS sites of Grinding Grooves (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) were located in close proximity to the subject area outside of the western boundary.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas.
- Due to the presence of sensitive landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- Currently, there is no impact or harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusions an archaeological survey and test excavation program were conducted to inform the understanding of the nature, extent, integrity and research significance of the Aboriginal archaeological resources within the subject area.

Following the results of the survey and test excavation program the following conclusions were made:

- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- One Aboriginal object was observed during the archaeological survey found within a rock shelter within a deeply incised creek gully transversing SU6 and SU7. The rock shelter has been registered as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD.

- A further rock shelter was observed in Ousedale Creek with potential to have been utilised by aboriginal people. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD.
- The test excavation undertaken in the subject area recovered 51 Aboriginal objects, all stone artefacts, from a total of 143 excavated test pits.
- A low-density artefact scatter (AHIMS ID# 52-2-4945: 345 Appin Road AFT 1) was observed in area E consisting of two stone artefacts. No other artefacts were recovered at this location.
- A low-density artefact scatter (AHIMS ID# 52-2-4946: 345 Appin Road AFT 2) was observed in area M consisting of two stone artefacts. No other artefacts were recovered at this location.
- The highest concentration of artefacts was located on an elevated creek terrace in the north-western portion of the subject area in a partially disturbed context consisting of 47 artefacts recovered from 14 out of a total of 28 test pits. This area was registered as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1.
- Test excavation confirmed the predictions of the desktop assessment that the subject area had high potential for Artefact Scatters / Campsites, Isolated Finds and PADs. Test excavation results, however, indicate that the archaeological potential is predominantly confined to areas in proximity to the major creeks in the western portion of the subject area. The ephemeral waterways in the eastern portion of the subject area have low potential, further reinforced by high levels of disturbance due to dams and livestock activity. Due to landforms with low archaeological sensitivity confirmed during the archaeological test excavation program, and due to areas of moderate to extreme levels of disturbance, potential in the remainder of the subject area is nil to low for all archaeological site types.
- The subject area is assessed as having high Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and low scientific (archaeological) value as a common example of a low-density stone artefact-bearing site within the Cumberland plain. UPDATE FOLLOWING STAGE 4.
- The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are yet proposed. The Environmental Conservation Land in the draft structure plan corresponds with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas are the least disturbed portions of the subject area with the highest archaeological potential due to proximity to water ways. AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD are located within these areas designated as Environmental Conservation Land.

In view of the above conclusions, the following recommendations are made:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Condition of Consent. archaeological remains should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA.

Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

1. INTRODUCTION AND PROJECT BACKGROUND

1.1. PROJECT BACKGROUND

Urbis Pty Ltd (Urbis) has been engaged by Ingham Property Group ('the proponent') to undertake an archaeological survey and test excavation program in support of the Planning Proposal for the rezoning of for the North Appin Precinct at 345 Appin Road, Appin, NSW legally described as Lot 105 in Deposited Plan (DP) 1188670 ('the subject area') (Figure 1 and Figure 2). The subject area is located within the Greater Macarthur Growth Area, approximately 35 km north of Wollongong and 15 km south of Campbelltown. The southern portion of the site is located within the Wollondilly Shire Local Government Area (LGA), and the north-western corner of the site is located within the Campbelltown LGA. The entire site is located within the administrative catchment of the Tharawal Local Aboriginal Land Council (LALC). The archaeological investigations inform an Aboriginal Cultural Heritage Assessment (ACHA) of the subject area (Urbis in prep.) The subject area is predominantly undeveloped semi-rural agricultural land, with highly modified portions in the previous locations of large-scale chicken sheds and access roads.

The archaeological survey and test excavation program was undertaken to investigate whether any surface or subsurface Aboriginal archaeological deposits or features are present within the subject area and, if so, to determine the nature, spatial and stratigraphical extent, condition and integrity of those deposits. The present Archaeological Technical Report (ATR) details the methodology and findings of the archaeological survey and test excavation program.

The ATR has been prepared in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW), 2010) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

1.2. PROPOSED WORKS

As the majority landowner within the North Appin precinct, the Proponent seeks a planning pathway to establish a new community within the Greater Macarthur Growth Area. Through a cultural landscape-led approach, the proposed rezoning seeks to deliver high-quality housing with a genuine connection to the region's cultural history, natural assets and the existing Appin township. Altogether, the draft structure plan for the site proposes the following:

- Delivery of approximately 3,000 new dwellings by 2045.
- Accommodate a new community of circa. 9,000 people.
- Delivery of key community infrastructure that provides learnings through the traditional custodians to existing and future community members about country.
- Development that will foster the connection to country through initiatives that strengthen the connection between people and the land, flora and fauna.
- Development that reinforces and complements the character of Appin as a rural village that is a unique and desirable place to live.

The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are yet proposed. Figure 3 below shows a draft structure plan for the subject area. It should be noted that the Environmental Conservation Land, shaded green, corresponds with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas, as discussed below, are the least disturbed portions of the subject area with the highest archaeological potential.

1.3. OBJECTIVES

The objectives of the archaeological survey and test excavation presented in this Aboriginal Archaeological Technical Report are to:

- Present background research (environmental and archaeological) in order to identify any Aboriginal site location and distribution trends and potential influence of landscape and environmental form on potential sites.
- To investigate the levels of disturbance and impact that previous historical activities may have had within the study area that may have removed archaeological signatures in the landscape.
- Present an archaeological predictive model for the study area, based on background research and assessment.
- Present results of the field survey and test excavation within the study area in order to locate and investigate the Aboriginal archaeological resource and its nature and extent.
- Identify the archaeological potential within the study area.
- Assess the significance of identified sites within the study area, through archaeological field work, and detailed consultation with project RAPs.
- Identify impacts the proposed activity may have to identified Aboriginal sites, values and significance.
- Identify opportunities for conservation management (i.e. avoidance of sites) where possible.
- Recommend management and mitigation strategies for management of the Aboriginal archaeological resource within the study area.

This report complies with the requirements of the Code of Practice. Please refer to Table 1 for details on where each requirement is met. Please note, the below table refers to sections of the accompanying ACHAR for some requirements. Where this is the case, the ACHAR provides a more detailed overview of the requirement, which will be summarised within this ATR. The relevant sections of both the ACHAR and the present ATR are indicated.

Table 1 – Code of Practice Requirements

Requirement	Response
1 – Review previous archaeological work	ACHAR Section 4.2 ATR Section 2
2 – Review the Landscape Context	ACHAR Section 5 ATR Section 3
3 – Summarise and discuss the local and regional character of Aboriginal land use and its material traces.	ACHAR Section 4 ATR Section 5
4 – Predict the nature and distribution of evidence	ACHAR Section 6 ATR Section 4
5 – Archaeological Survey	ATR Section 4
6 – Site definition	ATR Sections 4.4 & 5.5 and Appendix C

Requirement	Response
7 – Site recording	ATR Sections 4.4 & 5.5 and Appendix C
8 – Location information and geographic reporting	ATR Sections 4.4 & 5.5 and Appendix C
9 – Record survey coverage data	ATR Section 4
10 – Analyse survey coverage	ATR Section 4
11 – Archaeological Report content and format	The ACHAR and ATR have been formatted in accordance with the requirements of the Code of Practice.
12 – Records	Records have been stored and will be made available upon request.
13 – Notifying DECCW and reporting	This assessment has complied with the Code of Practice. Urbis will provide all information on request.
14 – Test Excavation which is not excluded from the definition of harm	No excavation was undertaken in any of the identified areas or exclusion zones.
15 – Pre-Conditions to carrying out Test excavation.	Urbis has complied with all requirements for notification, strategy and consultation prior to commencing excavation.
16 – Test excavation that can be carried out in accordance with this code.	Test excavation was undertaken in accordance with the requirements of the Code of Practice. Management protocols for objects uncovered are in accordance with the protocols.
17 – When to stop test excavation.	Test excavation was ceased following the testing of an adequate sample of the subject area.
18 – Artefact recording.	Artefact recording complies with the requirements of the Code of Practice.
19 – Attribute recording	Attribute recording complies with the requirements of the Code of Practice.

Requirement	Response
20 – Photography and drawing	Photographs and drawings have been stored and will be available on request.

1.4. INVESTIGATORS AND CONTRIBUTORS

This ATR has been prepared by Owen Barrett and Kirsten Downey (Urbis Consultant Archaeologists). Review and quality control were undertaken by Sam Richards (Urbis Associate Director Archaeology) and Balazs Hansel (Urbis Director Archaeology).

Owen Barrett holds a Bachelor of Arts (Archaeology and Paleoanthropology) and a Diploma (Indigenous Archaeology) from the University of New England. Kirsten Downey holds a Bachelor of Arts (Honours – Archaeology) from the University of New England. Sam Richards holds a Bachelor of Arts (Honours - First Class in Archaeology) from the University of Liverpool, United Kingdom. Balazs Hansel holds a Masters (History) and a Masters (Archaeology and Museum Studies) from the University of Szeged.

The archaeological survey was conducted by Meggan Walker and Kirsten Downey with assistance from Owen Barrett. The Registered Aboriginal Parties (RAPs) in attendance are indicated in Table 2 below. The personnel responsible for undertaking the archaeological test excavation are indicated in Table 3.

Table 2 – RAP survey attendees

Date	RAP Group	Representative
27 th April	[REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
28 th April	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
1 st May	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]
	[REDACTED] [REDACTED]	[REDACTED]

Table 3 – Excavation Personnel

[illegible]

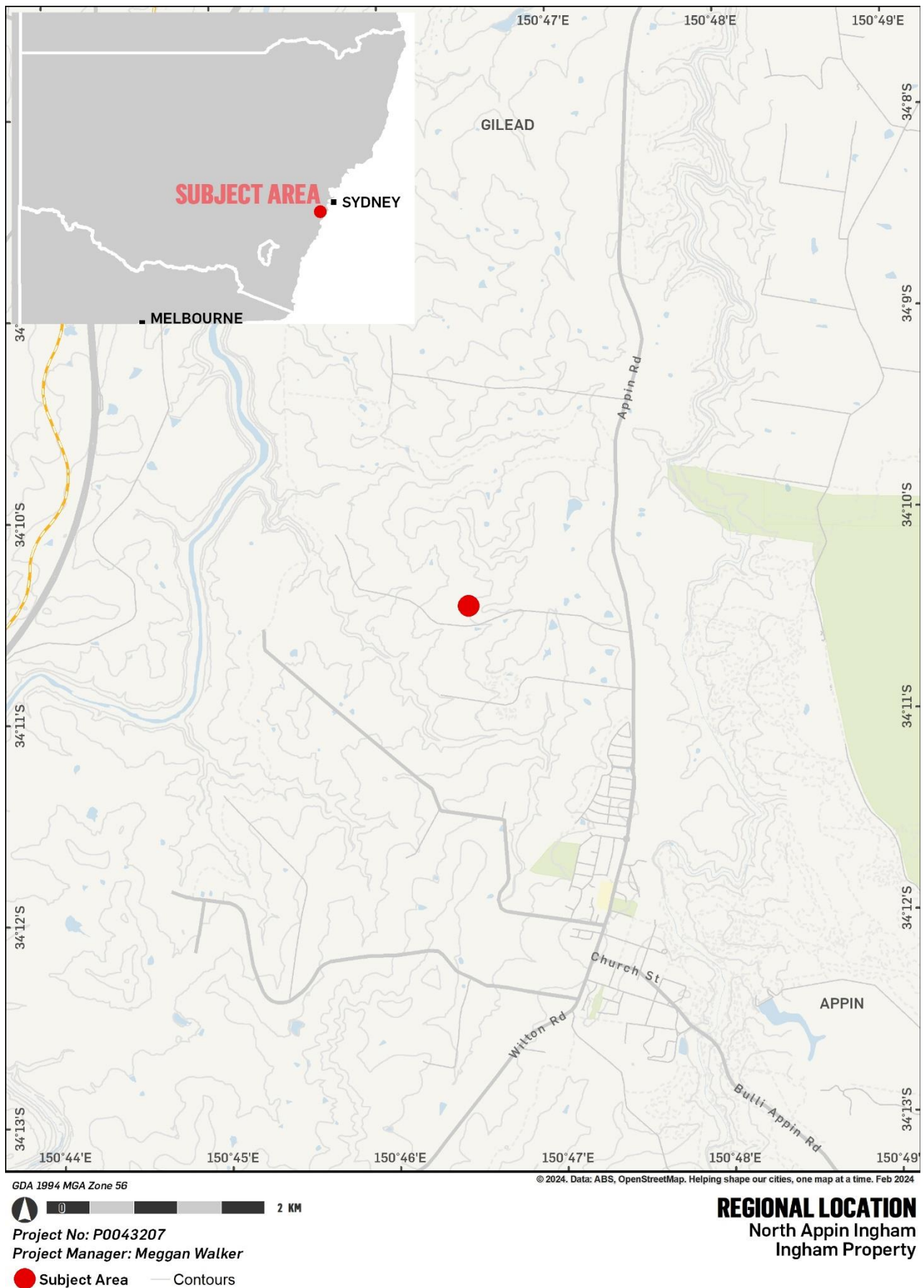


Figure 1 – Regional location

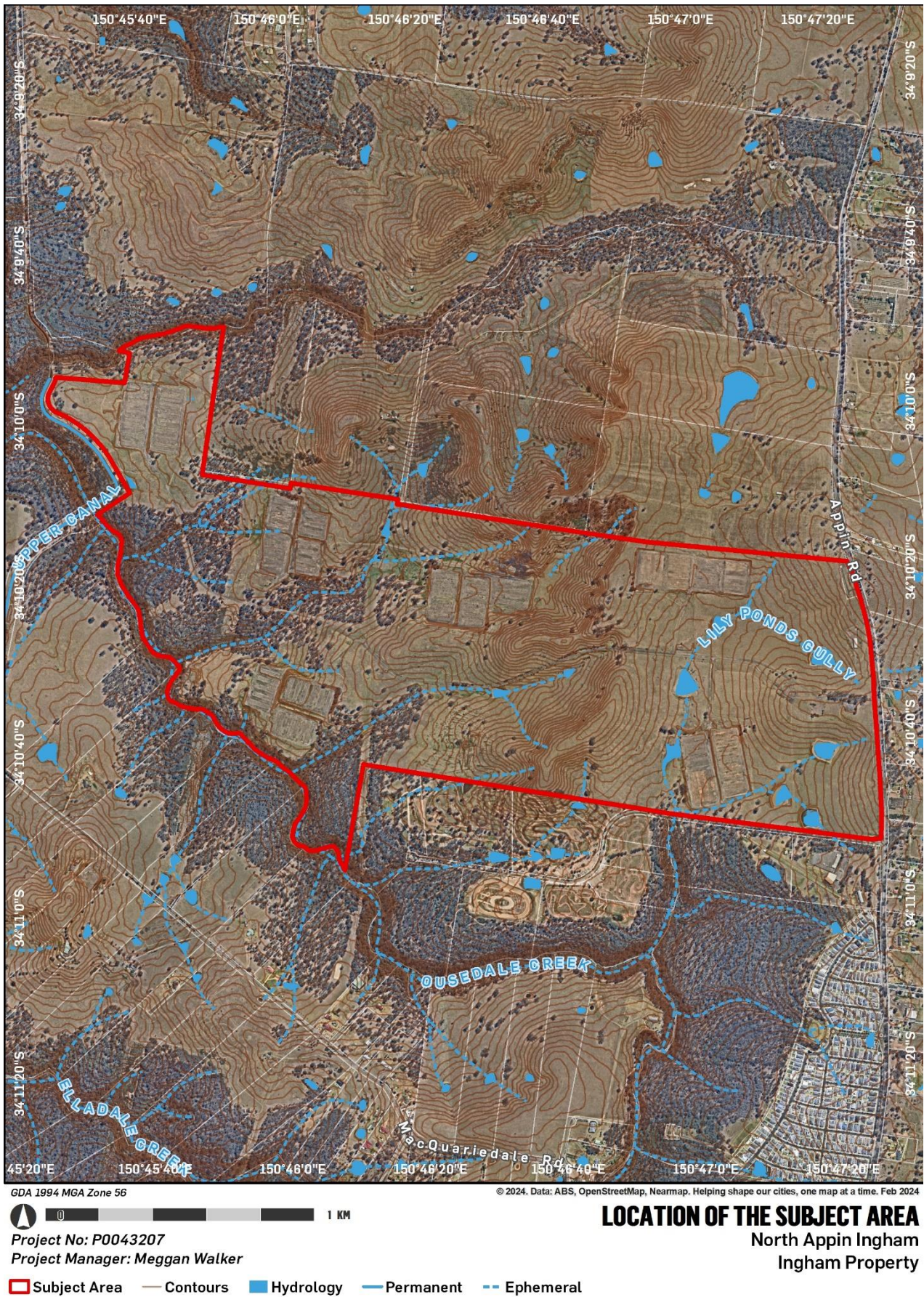


Figure 2 – Subject Area

DRAFT STRUCTURE PLAN

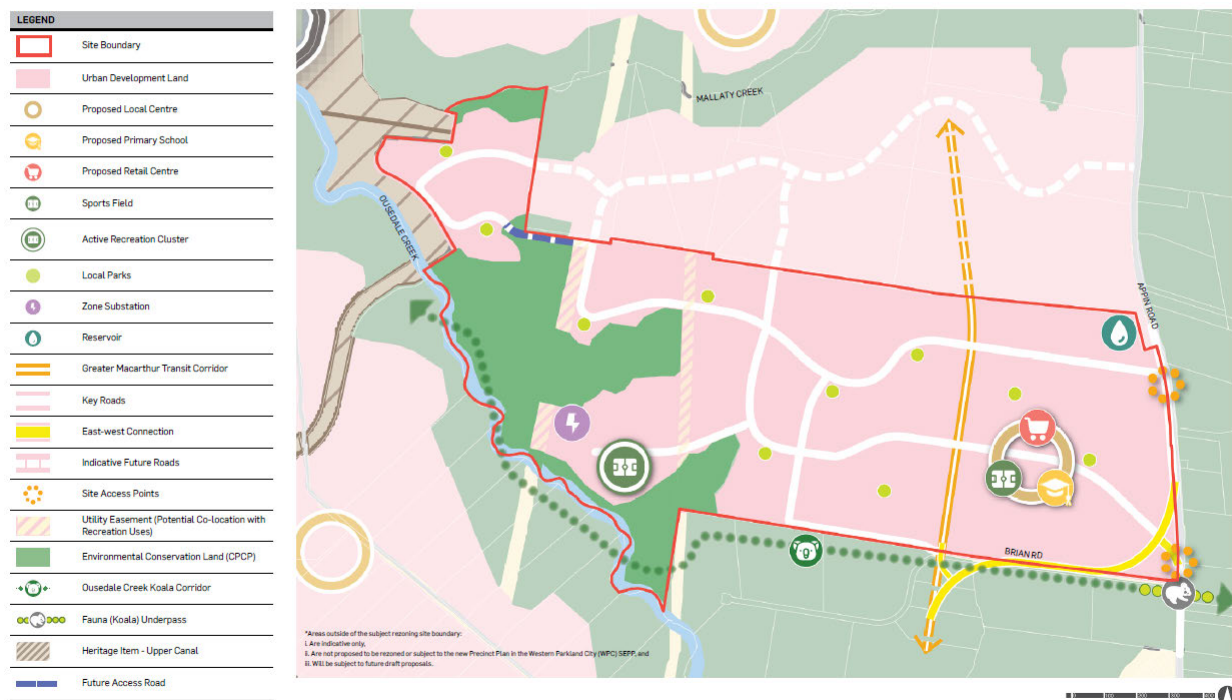


Figure 3 – Draft structure plan
Source: Ingham Property Group, 2024

2. ARCHAEOLOGICAL CONTEXT

A detailed discussion of the archaeological context of the subject area is provided in Section 4 of the accompanying ACHAR. This includes the search of the Aboriginal Heritage Information Management System (AHIMS) and previous archaeological investigations pertinent to the subject area and broader region. Presented here is a summary of the archaeological context of the subject area.

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area. Three previously registered Grinding Groove sites are located within close proximity to the western boundary of the subject area (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583).
- On the basis of the Extensive search results, Artefact Scatters, Isolated Finds, PAD's, Shelters with Art, Scarred Trees, and Grinding Grooves have the potential to occur in the subject area.
- The subject area is located on the traditional lands of the Tharawal people and borders the lands of the Gandangara and Dharug people.
- Locations of the Appin Massacre Cultural Landscape are located within close proximity to the subject area, though did not occur within the bounds of the subject area.
- The Greater Macarthur Investigation Area study provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and post-contact agricultural use of the land may have disturbed Aboriginal sites located in the area.
- An assessment by Niche 2022 concluded that Aboriginal objects occur within the activity area with high potential for further Aboriginal objects to be present on the surface and subsurface. The study indicates there is also a high likelihood to find similar Aboriginal sites such as Shelter with Artefacts, Scarred Trees, and Isolated Finds are likely to occur on archaeologically sensitive landscape features of terraces above or within drainage lines, and creek gullies within the present subject area.
- The results of an assessment by GML in 2022 indicates a high tangible and intangible cultural heritage exists in the Appin area through the identification of movement corridors, one of which is located at Appin Road in close proximity to the subject area.

3. ENVIRONMENTAL CONTEXT

The environmental context for the study area is elaborated in Section 5 of the accompanying ACHAR. Presented here is a summary as identifies through desktop assessment and field survey.

- The subject area includes floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, interspersed with deep drainage lines with steep embankments. There is significant sandstone outcropping towards the west and south-west of the site. This varied landscape would have likely provided past Aboriginal people with a diverse range of land use opportunities, rendering it generally sensitive for Aboriginal objects and places.
- The subject area is situated between the Georges and Nepean Rivers – two major and significant waterways. The subject area also includes a converging point between Mallaty Creek and Ousedale Creek, with other tributaries disbursed throughout the site. Lily Ponds Gully is also located within the subject area's south-west. This proximity to numerous waterways likely increases the sensitivity of the subject area for Aboriginal objects and places.
- Three soil landscapes occur within the subject area, including:
 - The Blacktown soil landscape occupies the majority of the study area. All soil types within the Blacktown soil landscape are moderately susceptible to sheet erosion following vegetation clearance. This soil landscape is generally considered sensitive for Isolated Finds, Artefact Scatters, Grinding Grooves, Rock Engravings and Shelters with Art, Artefacts and/or Deposits.
 - The Hawkesbury soil landscape occurs along the Ousedale Creekline, throughout the south-western extent of the site. Its erosion hazard is generally very high and ranges from moderate to extreme. The outcrops of sandstone associated this soil landscape are considered archaeologically sensitive for Shelters with Art, Artefacts and/or Deposits.
 - The Luddenham soil landscape occupies a portion of the site to the northeast. All soil types within the Luddenham soil landscape are moderately erodible. Aboriginal objects retained in natural soil deposits are, therefore, likely to be impacted. This soil landscape is considered sensitive for Isolated Finds.
- Native vegetation is present in the subject area. This appears to be predominantly regrowth. There is, however, potential for Aboriginal scarred or modified trees to be present within the subject area.
- As the subject area has been used for agricultural purposes throughout its history, it has been subjected to historical ground disturbance in localised areas. This includes disturbance through vegetation clearance, levelling and construction and demolition of animal containment sheds, as well as construction of dams, roads and fence lines.

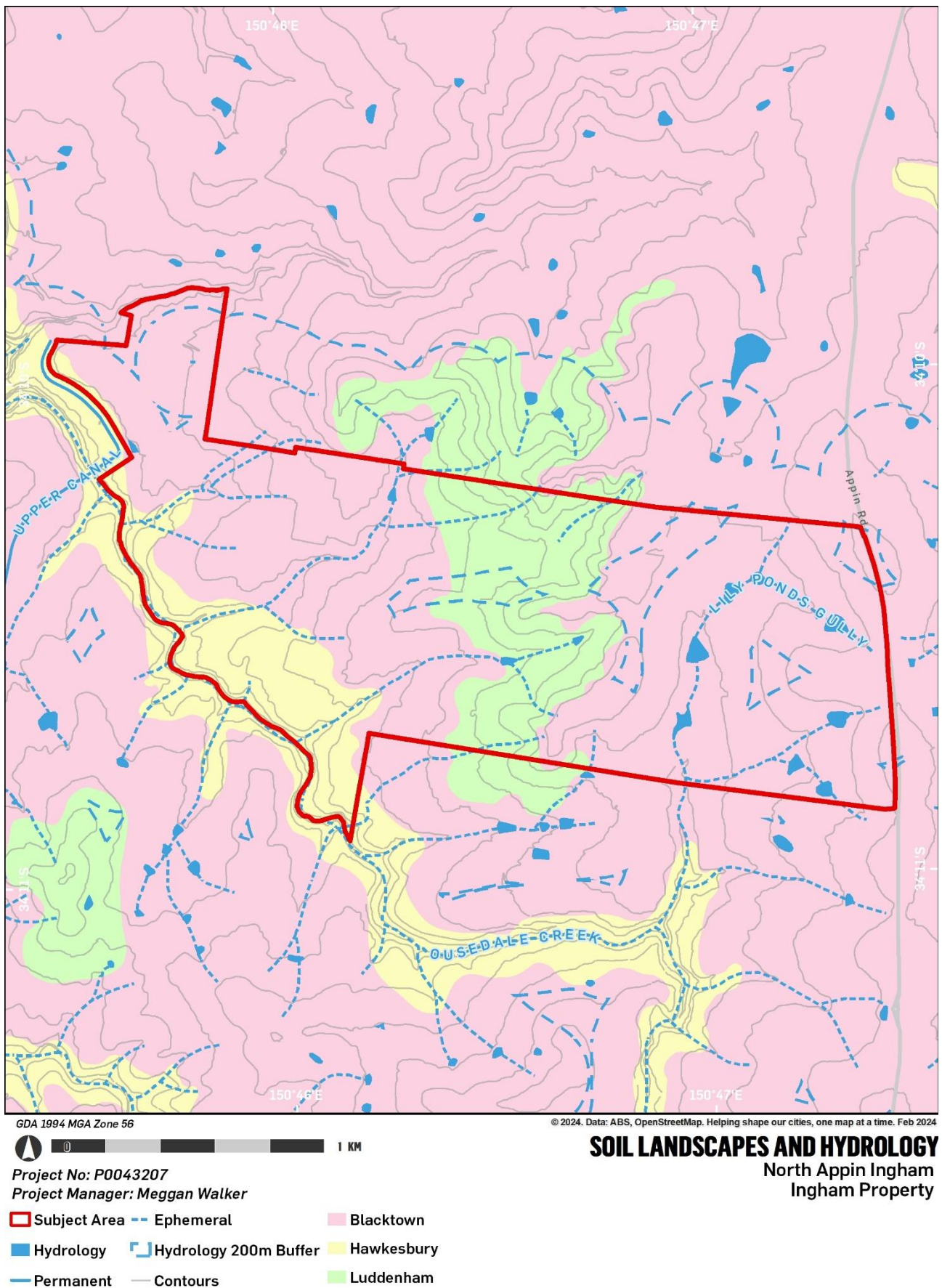


Figure 4 – Soil Landscapes and Hydrology

4. ARCHAEOLOGICAL SURVEY

Heritage New South Wales (formerly the Office of Environment and Heritage) state, 'the purpose of an archaeological field survey is to record all (or a representative sample of all) the material traces and evidence of Aboriginal land use that are:

'...visible at or on the ground surface, or exposed in sections or visible as features' (e.g. rock shelters, rock art, scar trees) and to identify those areas where it can be inferred that, although not visible, material traces or evidence of Aboriginal land use have a likelihood of being present under the ground surface (potential archaeological deposits).' (OEH 2010a:12).

The subject area was surveyed in accordance with the requirements as set out in OEH statutory guidelines 'Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales' (Part 6 National Parks and Wildlife Act 1974).

The archaeological survey of the subject area was undertaken on 27th April, 28th April, and 1st May 2023. The purpose of the survey was to adequately record the material traces and evidence of Aboriginal land use within the subject area. Urbis Senior Archaeologist Meggan Walker and Urbis Consultant Archaeologist Kirsten Downey conducted the archaeological survey, with a total of six RAP site officers in attendance on different days over the three-day period. Representatives and dates attended are listed in Table 2 above.

4.1. SURVEY SAMPLING STRATEGY

The purpose of the survey was to inspect visible ground surfaces, soil exposures and visible soil profiles, in order to identify whether surface Aboriginal artefacts are present to further determine the potential for Aboriginal archaeological deposits within the subject area. The survey also provided the project RAPs the opportunity to identify any additional cultural sites or identifiable features if present, such as culturally sensitive trees and grinding grooves. The survey aimed to allow for discussion of the project with the RAPs, encouraging questions and comment on the proposed cultural heritage methodology, and input into the proposed process of Aboriginal archaeological management going forward for the project.

The current project is being undertaken as a state-led rezoning proposal and, as such, no specific impacts are yet specified. The draft Structure Plan for the subject area includes areas of Environmental Conservation Land corresponding with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas are the least disturbed portions of the subject area with the highest archaeological potential. While the rezoning proposal does not include impact to these areas, they were included in the archaeological survey to allow for detailed design scenarios within future development proposals.

The subject area was, therefore, surveyed with the goal of 100% coverage, where possible. The subject area was divided into seven Survey Units (SUs) loosely defined by natural creek lines, landforms, and arbitrary boundaries. The division into SUs was largely based upon logistical requirements for the large subject area.

Particular emphasis was placed on landforms known for Aboriginal heritage sensitivity such as ridgelines and other elevated areas, and areas within 200m of creek lines. Large, heavily modified areas received less emphasis. Visibility and exposure were recorded for each survey unit.

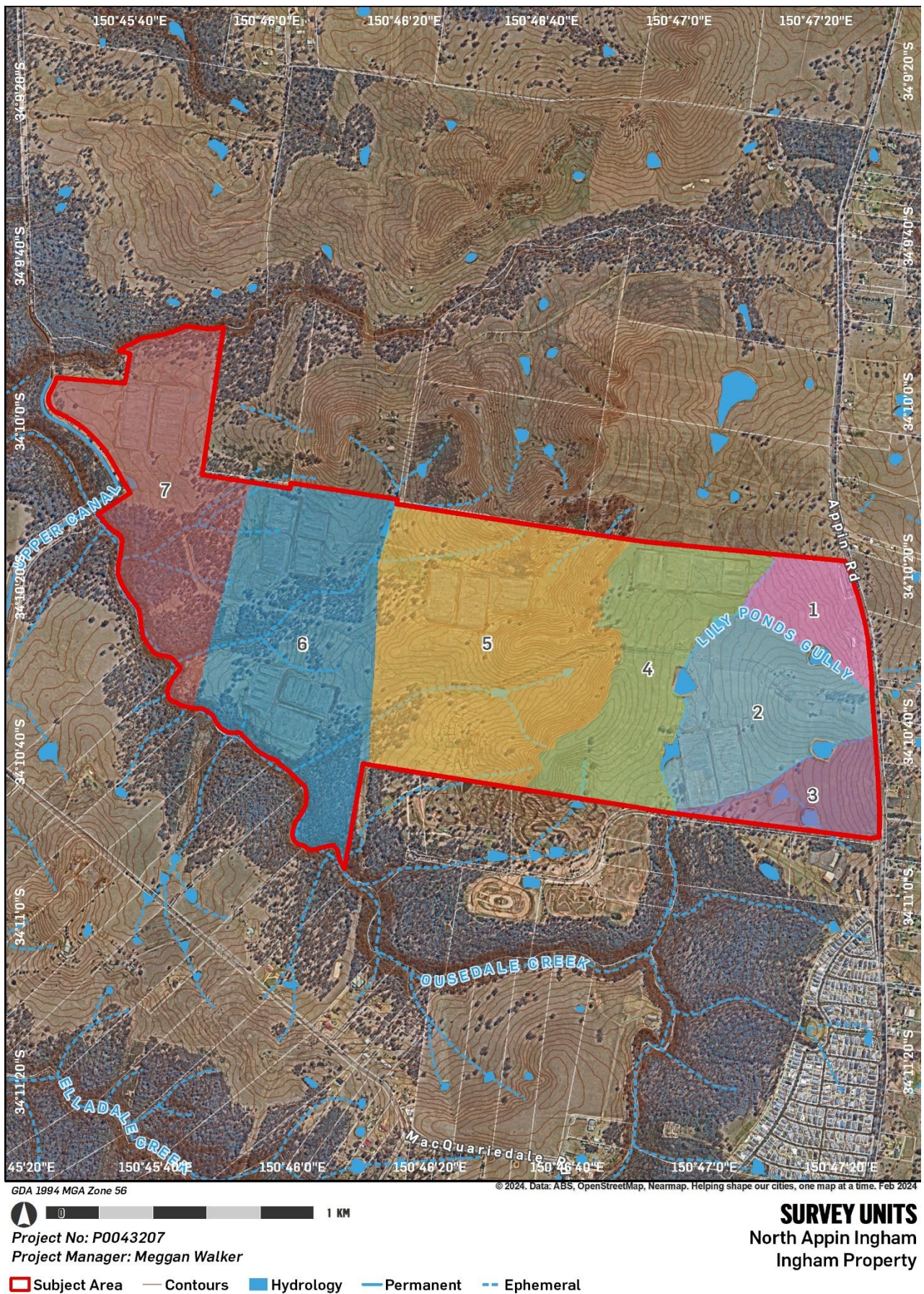


Figure 5 – Survey units dividing the subject area for the purpose of the archaeological survey.

4.2. FIELD METHODS

In accordance with Heritage NSW recording requirements, the subject area was surveyed according to survey units, landforms, and landscapes. The survey was conducted on foot and aimed to achieved 100% coverage of the subject area. RAPs were invited to participate in this survey.

The survey team traversed the subject area utilising GPS navigation, with reference to aerial photographs. Spacing between survey team members was 5m – 10m with Urbis Archaeologists with GPS trackers at each end of the group. Spacing was increased when deemed necessary due to constraints such as dense vegetation, steep or hazardous terrain such as steep eroding creek banks, heavily disturbed areas and any other site-specific variables. In instances where closer examination was warranted such as exposures or potentially culturally significant trees spacing was not adhered to allow for adequate assessment.

Survey units were recorded through a combination of digital photography and field notes including observations of exposure and visibility, levels of disturbance, erosion, vegetation, and the presence of Aboriginal sites or PADs, and other relevant observations or features. GPS waypoints were recorded for exposures, sites and features. GPS tracking was utilised to record effective coverage and can be seen in Figure 6 below. Following the survey it became apparent, however, that one of the GPS units was not recording tracklogs. The blue tracks in Figure 6 are instead derived from waypoints recorded and are indicative only.

The beginning and end points of transects were guided by the logistics of accessing the survey units in an efficient manner, constrained by the location of fences and gates for access.

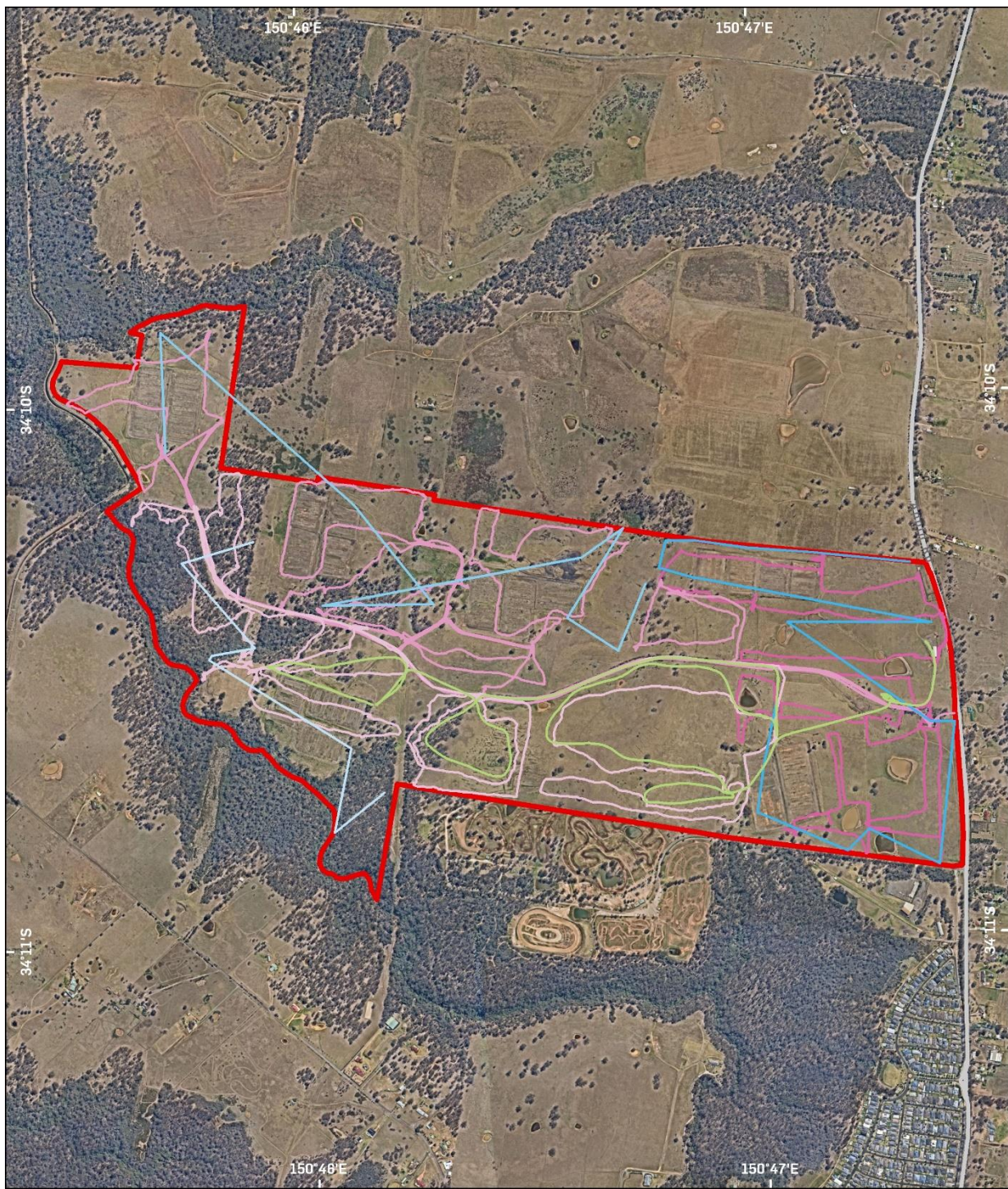


Figure 6 – Survey track logs with GPS trackers depicting the transects walked during the survey.

4.3. RESULTS

The subject area can be broadly described as undulating slopes originating in the eastern portion of the subject area from the ridgeline on which Appin Road is located, and including a ridgeline at the boundary between SU4 and SU5, sloping towards the western portion where the deeply incised Mallaty Creek and Ousedale Creek form the property boundaries.

The eastern portion of the subject area contained Lily Ponds Gully, an ephemeral first order creek, now dammed and with no flowing water. The western portion of the subject area contained similar first order creeks, however the creek transversing the subject area through SU6 and into the southern portion of SU7 had flowing water at the time of the survey.

The subject area consisted of cleared areas currently utilised for grazing purposes, areas heavily vegetated with eucalypt regrowth, and heavily disturbed areas previously used for chicken sheds (demolished). These areas required extensive cut and fill to considerable depths to provide level surfaces.

Generally, visibility was low across the survey units due to the thick vegetation and long grass present. Visibility for surface finds was limited to exposures resulting from disturbance including, paths and tracks, heavily grazed areas, dam embankments, and localised erosion scours (caused by cattle movement/impacts) and within rock shelters.

One Aboriginal object was observed during the archaeological survey consisting of a red silcrete flake found within a rock shelter within deeply incised tributary of Ousedale Creek in SU7. The rock shelter has been registered on AHIMS as AHIMS ID# 52-2-4942 Ousedale Creek AFT and PAD. A further rock shelter was observed further south in Ousedale Creek. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944 Ousedale Creek PAD. These sites are discussed below in Section 4.4.

The Archaeological survey results guided the locations investigated during the archaeological test excavation program outline in Section 5.

4.3.1. Survey Units and Landforms

In accordance with HNSW requirements, the percentage of exposures and ground surface visibility (GSV) was estimated for each survey unit. Survey units and survey coverage are summarised in Table 4, with the location of all survey units presented in Figure 5.

Table 4 – Field survey data – Survey coverage

Survey Unit	Landform	Survey Unit Area (m ²)	Visibility (%)	Exposure (%)	Effective Coverage (m ²)	Effective coverage (%)
SU1	Simple slopes	103,370	<5	<5	258	0.25
SU2	Ridge, Simple slopes	389,420	<5	<5	974	0.25
SU3	Simple slopes	145,840	<5	<5	365	0.25
SU4	Ridge, Simple slopes	388,220	<5	<5	971	0.25
SU5	Ridge, Simple slopes	807,010	<10	<5	4035	0.5

Survey Unit	Landform	Survey Unit Area (m ²)	Visibility (%)	Exposure (%)	Effective Coverage (m ²)	Effective coverage (%)
SU6	Flats, Creek terraces	698,670	<5	<5	1747	0.25
SU7	Flats, Creek terraces	450,420	<5	0	0	0

Survey Unit 1 (SU1)

Survey Unit 1 covered approximately 103,370 m². The south-eastern portion of the SU contained areas of disturbance that included an extant shed and vehicle tracks running north to south.

The remaining area of SU1 consisted of simple slopes. The landform element ran downslope from Appin Road in the east to the disturbed flats to the west and Lily Ponds Gully to the south.

At the time of the survey, SU1 was utilised as cattle pasture, and vegetation consisted of exotic grasses which reduced GSV to less than 5%. Exposures were also less than 5% limited to the vehicle track, eroded areas adjacent to the extant shed, cattle tracks and dam embankments.

No Aboriginal objects were identified within SU1. Images of SU1 are shown in Figure 7 to Figure 10 below.



Figure 7 – Typical terrain of SU1 showing grassy paddock area. View west.



Figure 8 – Typical terrain of SU1. View south from the northeastern point.



Figure 9 – Photo of extant farm shed and uneven terrain from disturbance by cattle grazing. View east.



Figure 10 – Photo of dam in SU1 showing modification to original environment in surrounding area. View south.

Survey Unit 2 (SU2)

SU2 covered approximately 389,420 m². SU2 consisted of a ridgeline and simple slopes from a vehicle track downward to the west toward the two dams on Lily Ponds Gully. Visibility was low at less than 5% and exposures limited to the vehicle track and the exposed area surrounding the dams (<5%).

The access road to the subject area divided SU2 into two areas. In the central portion of SU2, disturbance consisted of the remains of farmhouse structures, roads and associated infrastructure such as fencing. Remnant vegetation was mainly contained to these areas of disturbance.

The southern portion of the SU consisted of lower slopes towards a large, terraced chicken flat in the west. Some remnant vegetation was present in the far south-west corner. The chicken flat area was identified as an area of extreme disturbance due to the previous historical land use of the subject area. Lily Ponds Gully and drainage lines leading into it were also heavily modified with dams and earth embankments.

No Aboriginal objects were identified within SU2. Images of SU2 are included in Figure 11 to Figure 14 below.



Figure 11 – Dam present in SU2 showing disturbance to area surrounding. View south.



Figure 12 – Disturbed bitumen area in central portion of SU2. View north.



Figure 13 – Extreme disturbance in chicken flat area in SU2. View south.



Figure 14 – Extreme disturbance present in SU2 showing vehicle tracks and mounds of imported soils. View north.

Survey Unit 3 (SU3)

SU3 covered approximately 145, 840 m². SU3 consisted of a simple slope leading from Appin Road in the east to Lily Ponds Gully in the western portion of the area.

SU3 contained three dams associated with Lily Ponds Gully and its drainage lines. The SU was heavily grassed with sparse strands of native trees, predominately regrowth. Visibility was low at less than five percent and exposures likewise less than 5% being limited to dam edges.

During the survey, what was thought to be grinding groove sites were identified. However, upon further inspection it was determined not to be a site due to the highly disturbed surrounding context. One potential grinding groove site consisted of a boulder with linear marks on a dam wall. It was assessed that the marks were likely caused by machinery during construction of the dam wall (Figure 18). A further potential grinding groove sites was located in the area to the south of the SU2 chicken flats. It consisted of a rock outcrop with line markings faintly visible. Upon further review, it was concluded these markings were most likely from machinery as the rock outcrop was located within a heavily modified drainage line adjacent to the terraced chicken flat. The striations were very regular and appeared to have been caused by the teeth on an excavator bucket (see Figure 19).

No Aboriginal objects were identified within SU3. Images of SU3 are shown in Figure 15 to Figure 20 below.



Figure 15 – SU3 typical terrain of heavily grassed paddock. View west.



Figure 16 – SU3 showing the two dams present. View west.



Figure 17 – Disturbed boulders on the side of the dam wall. View south.



Figure 18 – Close up of rock with linear striations interpreted to have been caused by machinery. View north.



Figure 19 – Area of exposed rock outcrop directly adjacent to disturbed area of imported soil mounds evident in the background of the photograph. View north.



Figure 20 – Close up of the rock outcrop showing linear markings. Note the regularity of the lines interpreted to have been made by machinery.

Survey Unit 4 (SU4)

SU4 covered approximately 388,220 m². The SU predominately consisted of a ridgeline on its western edge which ran from the subject area's highest point on the northern boundary, continuing to the southern boundary, with a small saddle crossed by the subject area's access road (Figure 22). The SU sloped towards Lily Ponds Gully in the east. Slopes were moderately steep. Remnant vegetation was present along the ridge predominantly in the northern portion of the landform and more sparsely in the south.

The northern portion of SU4 consisted of a disturbed chicken flat area located on lower ground (Figure 21). The original landform had been modified by the historical disturbance though was likely to have been flat ground. Disturbance in SU4 was contained to the chicken flat area, a vehicle track running through the centre of the SU, and the area surrounding the dam.

The southern portion of SU4 consisted of the landforms of a mid-slope and lower slope. The area was heavily grassed and had been used for animal grazing purposes.

Visibility was less than 5% in SU4, limited exposures (<5%) in vehicle tracks and the dam wall. No Aboriginal objects were identified within SU4. Images of SU4 are shown in Figure 21 to Figure 26 below.



Figure 21 – SU4 Disturbed Chicken Flat area in the northern portion of the SU. View west.



Figure 22 – SU4 showing the western slope of the ridgeline present in the northern portion of the SU.



Figure 23 – View from the ridge facing north.



Figure 24 – View of the slope on the ridgeline facing west.



Figure 25 – Example of the slope facing south.



Figure 26 – View of the crest in the southern portion of SU.

Survey Unit 5 (SU5)

SU5 covered approximately 807,010 m². The landforms of SU5 were varied. A mid slope landform was present off the ridge in the eastern boundary.

There was an upper slope present in the northern portion of the SU (Figure 27). This northern portion contained an area of modified terrain (Figure 28) The terrain consisted of disturbed chicken flats in the north of the subject area with large areas of exposed ground. The exposures likely related to the erosion of the ground surface (Figure 29). There were also ridges present in the central portion of the SU (Figure 30).

The terrain contained steep slopes in the northern portion of the SU. In the southern portion of the SU, the terrain consisted of a paddocked area that was mostly cleared (Figure 31). Some patches of remnant vegetation and a creek line were present (Figure 32).

The subject area's access road traversed SU5 adjacent to a dammed drainage line forming a tributary to Ousedale Creek.

Visibility was less than 5% in SU4, limited to eroded vehicle tracks, erosion scars and a cutting for the access road in disturbed areas. No Aboriginal objects were identified during the survey in SU5.



Figure 27 – Photo of SU5 showing the landform of an upper slope in the northern portion with disturbance present. View north.



Figure 28 – Modified terrain and chicken flat area present in SU5. View south.



Figure 29 – Exposures present in northern portion of SU5. View north.



Figure 30 – rolling ridgeline present in SU5. View north.



Figure 31 – Typical terrain of southern portion of SU5 showing cleared area. View north.



Figure 32 – Creek line present in southern portion of SU5. View south.

Survey Unit 6 (SU6)

SU6 covered approximately 698,670 m². The area consisted of two disturbed chicken flat areas and a large area of remnant vegetation. The landform in SU6 consisted of undulating gentle slopes incised by two main creek lines and smaller drainage lines. Two large areas had been developed for chicken flats. The access road divided the SU into two parts which were surveyed on different days.

The central portion of SU6 contained a tributary of Ousedale Creek which contained flowing water at the time of the survey. In the western part of SU6 the creek had incised a deep gully which contained numerous rock shelters and overhangs (Figure 37). The majority of these had no direct evidence of human occupation and their small size precluded intensive use by large groups of people, however the potential remains that small groups or individual Aboriginal persons may have utilised these for shelter in the past. One large overhang was identified, however, which contained a red silcrete flake indicating utilisation by Aboriginal people. The site was registered on the Aboriginal Heritage Information System (AHIMS) as AHIMS ID# 52-2-4942 Ousedale Creek AFT and PAD and is discussed in greater detail below in Section 4.4.1.1.

A further rock overhang was observed in Ousedale Creek at the southern end of SU6 located on the western creek bank. No direct evidence of Aboriginal occupation was observed however its size indicated potential use as a shelter. A sandy deposit in the shelter indicated potential for sub-surface Aboriginal objects. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD and is discussed in greater detail below in Section 4.4.1.1.

An area of rock outcrop was present in close proximity to the creek line. Evenly distributed claw markings were present across the outcrop. Upon further review the marks were deemed to be a result of machinery. There were large piles of aluminium roofing associated with the demolition of the chicken sheds nearby to the rock outcrop which added to the conclusion that machinery had disturbed the area (Figure 38).

No rock art was observed in any of the shelters observed during the archaeological survey.

Visibility was less than 5% in the majority of SU5, limited to vehicle tracks and erosion scars in disturbed areas. Visibility in rock shelters and beneath overhangs was around 20 - 80% depending on the degree of rockfall. No further Aboriginal objects were identified during the survey in SU5.



Figure 33 – Example of exposure in SU6. View north.



Figure 34 – Disturbance associated with chicken flats in northern portion of SU6. View south.



Figure 35 – Young eucalypt trees within SU6; embankment for chicken flats on right.



Figure 36- Disturbed chicken flats in southern portion of SU6. View north.

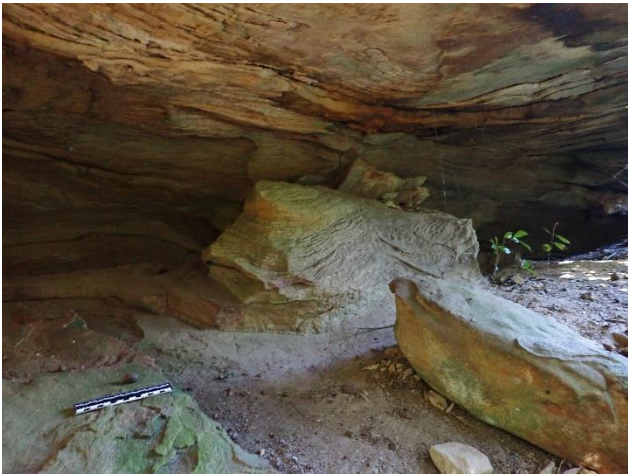


Figure 37 – An example of a small rock overhang next to creek line. View east.



Figure 38 – Rock outcrop located close to the creek gully containing rock overhangs.



Figure 39 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD; view south



Figure 40 – Red silcrete flake identified in AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD.



Figure 41 – AHIMS ID# 52-2-4944: Ousedale Creek PAD view north. Sandy deposit visible in foreground.



Figure 42 – AHIMS ID# 52-2-4944: Ousedale Creek PAD view west.

Survey Unit 7 (SU7)

SU7 covered approximately 450,420 m². SU7 consisted of flats incised by drainage lines. SU7 was divided into two main portions. The northern portion of the SU contained disturbed chicken flat area. There were some exposures present in the area surrounding the disturbance (Figure 43). The locations of chicken flats and cleared areas surrounding them were extremely disturbed through terracing and importation of soils (Figure 44).

The southern portion of SU7 contained dense vegetation, predominantly eucalypt regrowth. The main landforms consisted of steep embankments and upper slopes around the creek lines and drainage lines (Figure 45). There were deeply incised sandstone embankments and small overhangs surrounding the creek lines (Figure 46).

Visibility in SU7 was low at less than 5% due to vegetation. No exposures were observed. No Aboriginal objects were identified within SU5.



Figure 43 – Typical terrain of the northern portion of SU7 consisting of terraces for chicken flats. View east.



Figure 44 – Disturbed area present in SU7.



Figure 45 – Steep embankment at the western boundary of SU7.



Figure 46 – Example of the creek line area with small sandstone overhangs present.

4.3.2. Disturbance

Disturbance was highly varied across the subject area depending on previous utilisation of the landscape. The level of disturbance can be summarised as follows:

- **Low:** In areas utilised primarily for grazing of livestock disturbance was limited.
- **Moderate:** Localised disturbance occurred in areas affected by causes such as ploughing, trenches, cattle tracks and informal vehicle tracks, communications cables, and agriculture infrastructure such as water troughs.
- **High:** Roads, creek crossings, dams and modified drainage lines, locations of current and previous small-scale structures etc. showed a high level of modification of the original landscape. In some locations a high level of erosion appears to have occurred, and in some instances introduced soil and rubbish were deposited.
- **Extreme:** Areas associated with previous industrial scale chicken sheds have been cut and filled to depths of up to approximately five metres. These areas had then been levelled with introduced material. Introduced weeds and grasses in the vicinity of these locations suggest disturbance extended considerably beyond the levelled areas perhaps due to disturbance during construction, utilisation and demolition. Asbestos was observed in several of these locations. An underground gas line corridor transversing the centre of the subject area from south to north is also likely to have resulted in significant ground disturbance.

Vehicle tracks had caused generally high disturbance in localised areas throughout the whole of the subject area as seen in Figure 55.

In Survey Unit 2, the area of high disturbance was contained to the central portion of the survey unit. The area consisted of a flat cleared area that was overlain with a gravel bitumen surface (Figure 47).

Survey Unit 4 contained two areas of extreme disturbance and one area of high disturbance. The extreme disturbance in this survey unit related to the chicken sheds that have since been demolished (Figure 48 to Figure 50). There was also an area of high disturbance in the land surrounding the dam. The land around the dam had been modified from the original environment through the creation of embankment areas (Figure 49).

Further evidence of the extreme disturbance within the footprint of the chicken flat areas was evident in Survey Units 5 and 6. In Survey Unit 5, imported gravel material was present to the north of the chicken flat area showing the disturbance within this location (Figure 52).

Locations within Survey Unit 6 and 7 were also noted to contain these areas of extreme disturbance. The chicken flat locations were identified as containing uneven terrain due to the mounds of imported fill and or waste materials (Figure 53 - Figure 56).

Figure 57 below shows areas of high and extreme disturbance within the subject area. It can be seen that high proportion of the subject area is heavily disturbed by previous industrial scale farming.



Figure 47 – Photo of high disturbance in cleared bitumen area in SU2.



Figure 48 – Photo of extreme disturbance in heavily ploughed chicken flat area in northern portion of SU4.



Figure 49 – Photo of high disturbance in dam embankment area in central portion of SU4.



Figure 50 – Photo of extreme disturbance in chicken flat area in southern portion of SU4.



Figure 51 – Photo of high disturbance showing the vehicle track running in an east to west direction along SU4 and SU5



Figure 52 – Photo of extreme disturbance in northern portion of SU5.



Figure 53 – Photo of extreme disturbance of chicken flat area in northern portion of SU6.



Figure 54 – Photo of high disturbance in clearing of SU6 showing uneven terrain and introduced weeds.



Figure 55 – Photo of extreme disturbance in chicken flat area in SU7 showing mounds of imported soil.



Figure 56 - Typical disturbance within SU7: mounded imported soil and/or waste with infestation of exotic grasses and weeds.

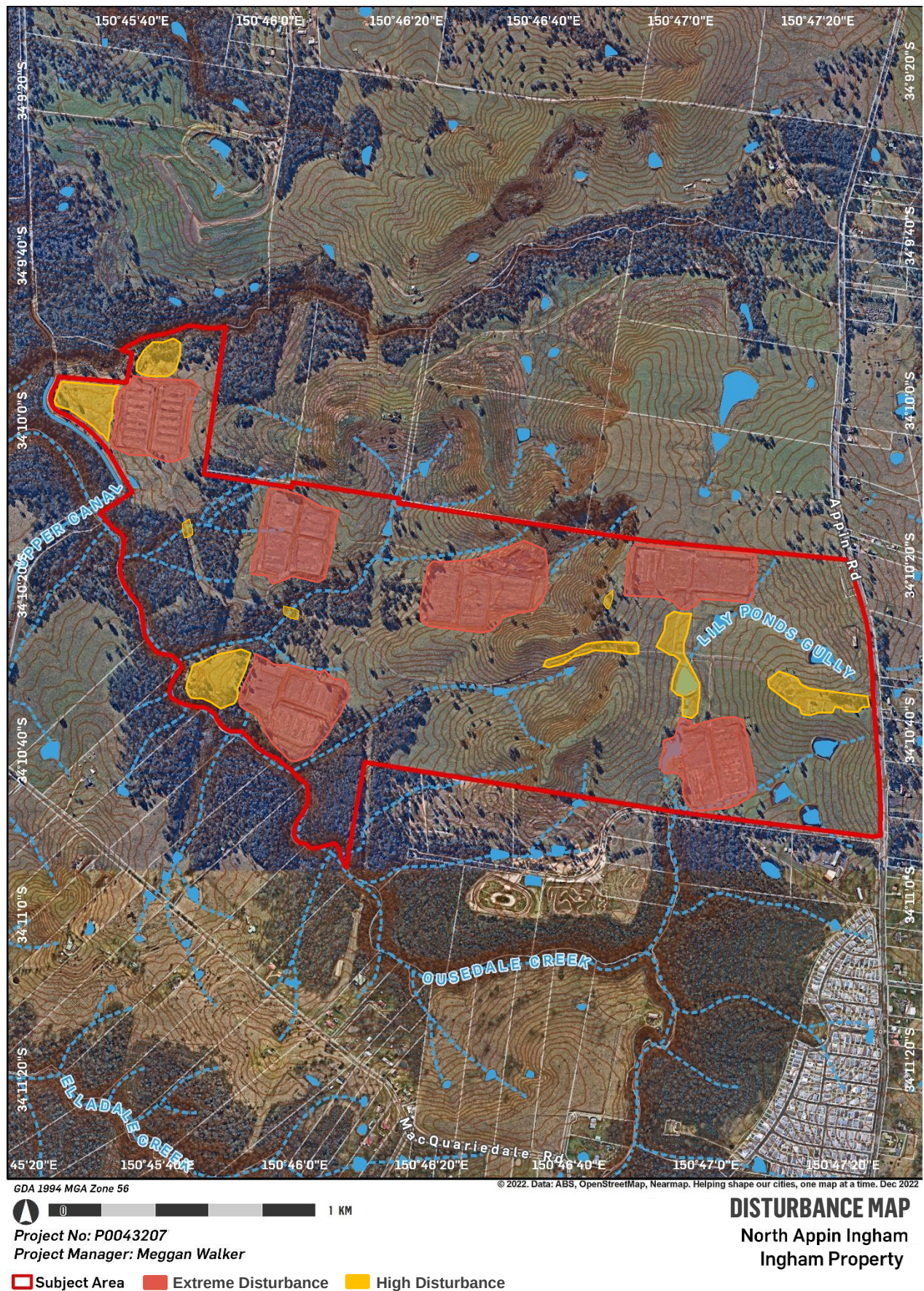


Figure 57 – Disturbance map showing areas of high and extreme disturbance. Other locations appeared either intact or displayed small-scale localised disturbance.

4.4. NEWLY IDENTIFIED SITES

During the archaeological survey two previously unrecorded Aboriginal sites were observed. These consisted of two sandstone rock shelters in deeply incised creek lines. The sites were registered on the Aboriginal Heritage Management System (AHIMS) as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD. AHIMS site cards area attached in Appendix C. The location of the AHIMS registered sites is shown in Figure 66 below.

4.4.1.1. AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD

During the archaeological survey a sandstone rock shelter was identified within SU6 in a gully incised by a tributary of Ousedale Creek. The shelter has been registered on AHIMS as AHIMS ID# 2-2-4942: Ousedale Creek AFT and PAD. The site consisted of one large overhang and a smaller overhang to the west. One red silcrete flake was identified upon a sandy deposit of the main shelter. Another sandy deposit was identified within the smaller shelter. These have the potential to retain further Aboriginal artefacts. Some animal bone was observed on the floor of the shelter however this appeared relatively to be of recent origin. The lithic artefact was not collected in accordance with the Code of Practice and should be subject to a community collection if future development proposals include impacts to AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. It is, however, recommended that in the first instance final detailed design protects this area from impacts.

The larger overhang was approximately 30m long, 5m at its deepest, averaging around 2.5m, and with a height ranging from approximately 1-2m in the rear of the shelter to a maximum of around four metres at the dripline (Figure 58 to Figure 61). Abundant rock fall reduced visibility of the dandy deposit.

AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD is located at [REDACTED].



Figure 58 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. View west.



Figure 59 - AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. Close up. Sandy deposit is evident. View west.



Figure 60 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. View east.

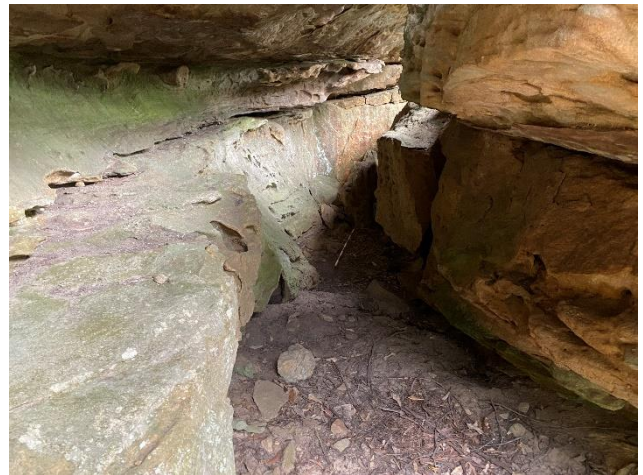


Figure 61 – Smaller overhang to south-west of main shelter with sandy deposit.



Figure 62 – AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD; creek line on right; view north-east.



Figure 63 – Silcrete flake observed within AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD.

4.4.1.2. AHIMS ID# 52-2-4944: Ousedale Creek PAD

A second rock overhang with potential for human habitation was identified in Ousedale Creek further to the south-east of AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. The potential shelter has been registered on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek Shelter PAD. The potential shelter was located on the western bank of Ousedale Creek. The potential shelter was recorded as approximately 13 metres wide, up to 4m depth and 6 metres high at its highest point. It contained a sandy deposit with potential to retain Aboriginal objects, although no Aboriginal artefacts were observed. No art was observed within the rock overhang.

AHIMS ID# 52-2-4944: Ousedale Creek PAD is located at [REDACTED].



Figure 64 – AHIMS ID# 52-2-4944: Ousedale Creek PAD; sandy deposit is evident; view north.



Figure 65 – view from AHIMS ID# 52-2-4944: Ousedale Creek PAD; sandy deposit in foreground; view east.

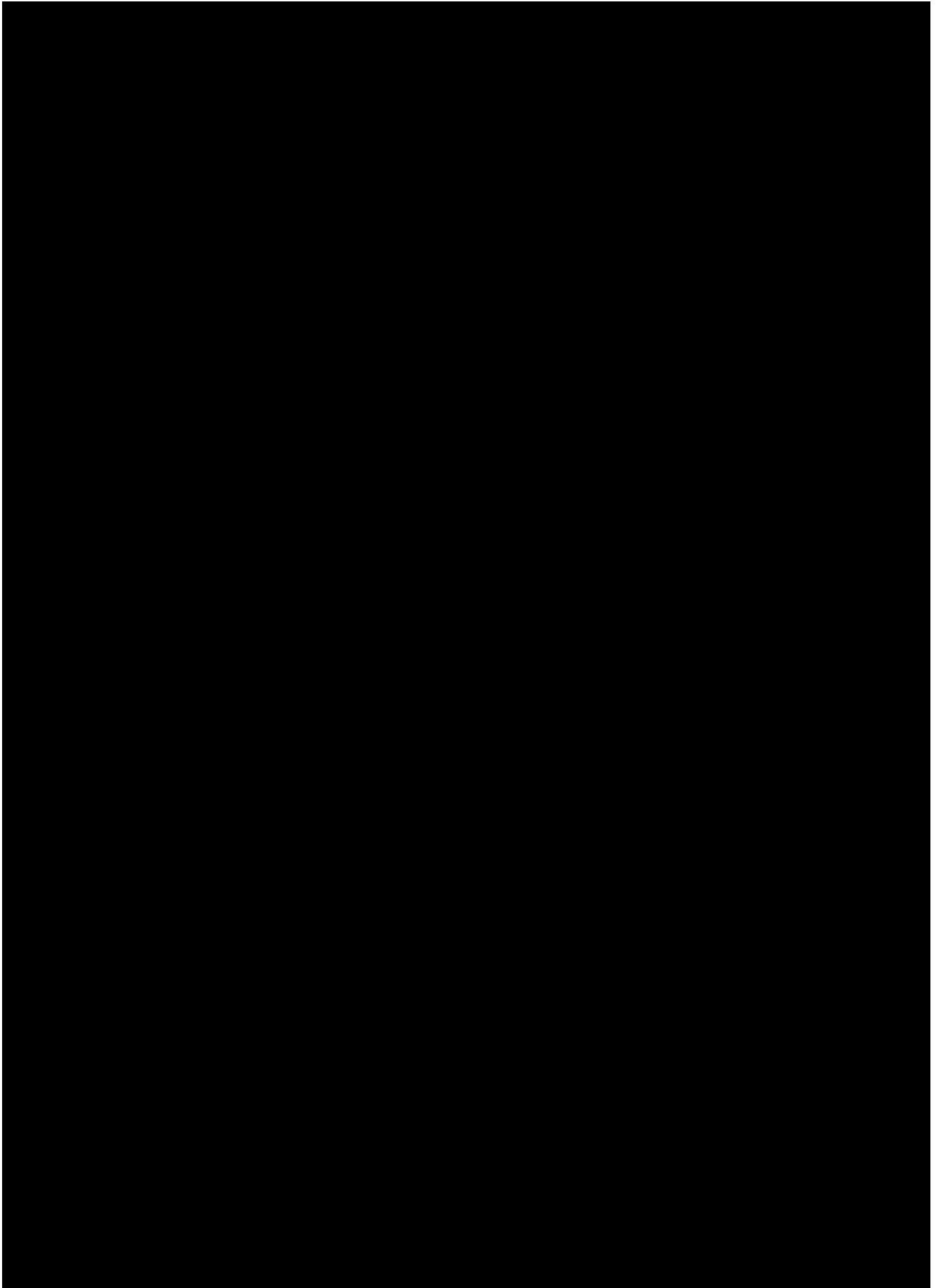


Figure 66 – Newly identified sites within the subject area

4.5. SUMMARY OF SURVEY RESULTS

An archaeological survey was conducted within the subject area in accordance with the requirements as set out in OEH statutory guidelines with the purpose of recording the material traces and evidence of Aboriginal land use within the subject area. The survey also provided the project RAPs the opportunity to identify any additional cultural sites or identifiable features if present. The subject area was surveyed with the goal of 100% coverage and was divided into seven Survey Units (labelled SU1 to SU7) loosely defined by natural creek lines, landforms, and arbitrary boundaries based upon logistical requirements for the large subject area. The results of the survey are summarised as follows:

- The eastern portion of the subject area contained Lily Ponds Gully, an ephemeral first order creek, now dammed and with no flowing water. The western portion of the subject area contained similar first order creeks, however flowing water was observed at the time of the survey in a tributary to Ousedale Creek transversing SU6 and SU7.
- The deeply incised Ousedale and Mallaty Creeks which form the western boundaries of the subject area also contained flowing water.
- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- Evidence from the site survey also shows the installation of gas pipelines throughout portions of the subject area to the west, and further potential colliery activities, with signposts indicating areas as likely to contain noxious gas due to subsurface activities associated with Appin colliery (see Section 4). Other services including overhead transmission line were also observed to the west of the site.
- Visibility was low within the subject area, being limited to disturbed areas and concurrent erosion. Visibility in rock overhangs, however, was generally good, depending on variable amounts of rock fall.
- One Aboriginal object was observed during the archaeological survey found within a rock shelter within a deeply incised creek gully transversing SU6 and SU7. The rock shelter has been registered on AHIMS as AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD. The lithic artefact was not collected in accordance with the Code of Practice and should be subject to a community collection if future development proposals include impacts to this location.
- A further rock shelter was observed in Ousedale Creek with potential to have been utilised by aboriginal people. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944: Ousedale Creek PAD.

The archaeological survey confirmed the predictions of the desktop assessment that the subject area has high potential for rock shelters, isolated finds and PAD. While no Art or Grinding Grooves were observed it is possible that these site types are extant within the subject area but were not observed during the survey due to lack of visibility and/or the complexity of the incised creek banks within the subject area.

5. ARCHAEOLOGICAL TEST EXCAVATION

The following section details the methodology and results of the archaeological test excavation undertaken within the subject area between 1 May and 25 May 2023.

5.1. ARCHAEOLOGICAL RESEARCH DESIGN

The following Archaeological Research Design (ARD) was developed to provide a framework to investigate the nature and origin of the potential archaeological resource within the subject area. The ARD has been designed based on the results of the Aboriginal Cultural Heritage Assessment Report (ACHAR), particularly the results of the archaeological background research and predictive model.

This ARD was prepared to cover the following objectives:

- Investigate the nature, spatial and stratigraphical extent, condition and integrity of any archaeological deposits that may be present.
- If archaeological deposits are identified, apply relevant research questions to interpret the finds and results in context of local and regional archaeological modelling.

To fulfil the objectives of the ARD, the following indicative research questions were formulated:

1. Is there a subsurface archaeological deposit present?
2. If an archaeological deposit present, how can it be interpreted?
 - What is the spatial and vertical extent of the deposit?
 - What is the integrity and condition of the deposit? How has the deposit been impacted by historical land use?
 - What are the physical attributes and compositions of the deposit (e.g., stone artefacts, features, remains of the original environment, contact period artefacts)?
 - What are the characteristics of the stone artefact assemblage? What types of artefacts are present and what specialisation if any can be detected in the assemblage?
 - Does the archaeological deposit have evidence of intra-site patterning or various occupational periods?
 - Should faunal and/or shell material be located, what species present were utilised by Aboriginal people?
3. Can the deposit be dated using standard dating techniques?
4. Can the archaeological deposit be interpreted in a local context?
 - Are there similarities or differences with nearby archaeological sites?
 - Is there evidence of connection to nearby sites in terms of raw material, composition and nature of the assemblage?
5. Can the archaeological deposit be interpreted in the regional context?
 - Where did the raw materials originate from?
 - Is there any indication of trade in connection with raw material procurement?
 - How does the assemblage compare to other archaeological sites within the region?
 - How does the assemblage compare with the proposed Eastern Regional Sequence?
6. Do the results of the archaeological excavation change the scientific and cultural significance of the site?
 - What is the scientific and cultural value of the assemblage?
 - How do the Aboriginal stakeholders view the cultural value of the deposit and assemblage?

7. How does it relate to our understanding of the environment at the time and/or is it consistent with predictive models for the area?
8. Is there any evidence of post 1788 contact between Aboriginal people the archaeological signature of this occupation, and can it be described as 'contact archaeology'?
9. How did post 1788 development impact the Aboriginal archaeological deposit?
10. Are there any Aboriginal objects made from imported material such as glass, porcelain, or flint? If yes, have they been in situ or in secondary or more disturbed context?
11. What are the environmental characteristics associated with the distribution of archaeological deposits within the Appin area?
 - Can the formative processes of the stratigraphic profile provide information on the nature and/or survivability of the archaeological deposits?
 - Are there other key factors relevant to the distribution and extent of archaeological deposits within the Appin area?

5.2. COMPLIANCE WITH THE CODE OF PRACTICE

The archaeological test excavation of the subject area was undertaken in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010).

A notification under Requirement 15C of the Code of Practice was submitted to Heritage NSW on 13 April 2023 detailing the methodology and sampling strategy. The methodology and sampling strategy which were adhered to during the excavation program are described in the following section.

The Code of Practice stipulates conditions in which test excavation is not excluded from the definition of harm as follows:

Acts carried out in the course of sub-surface investigation will not be excluded from harm where they are carried out in the following areas:

1. *in or within 50 m of an area where burial sites are known or are likely to exist*
2. *in or within 50 m of a declared Aboriginal place*
3. *in or within 50 m of a rock shelter, shell midden or earth mound*
4. *in areas known or suspected to be Aboriginal missions or previous Aboriginal reserves or institutes*
5. *in areas known or suspected to be conflict or contact sites.*

The ACHA did not conclude that any of the aforementioned areas are within the subject area, and therefore test excavation is permissible under the conditions of the Code of Practice. Excavation was not conducted within 50m of rock shelters identified during the survey.

According to Requirement 16a of the Code of Practice "test excavations should be sufficiently comprehensive to allow characterisation of the Aboriginal objects present without having a significant impact on the archaeological value of the subject area". In determining what constitutes "sufficiently comprehensive" in the present case, the sampling strategy and excavation methodology outlined below considers the landform elements and levels of disturbance within the subject area.

5.3. ARCHAEOLOGICAL SAMPLING STRATEGY AND EXCAVATION METHODOLOGY

The test excavations were undertaken in line with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) in order to understand the nature, extent, integrity and research significance of the Aboriginal archaeological resource. The proposed methodology was outlined in a letter notifying of intention to undertake a test excavation provided to Heritage NSW under Requirement 15c of the

The Excavation Methodology (EM) proposed to undertake the archaeological investigations in a two-stage process to investigate the deposit for archaeological resources:

- **Stage 1** – Hand excavation of 50cm x 50cm test pits in transects targeting the ridges and slopes and the confluences of waterways, as well as lower slopes within 200m of water, within the subject area utilising standard archaeological excavation methods informed by the Code of Practice.
- **Stage 2** – Should archaeological deposits be recovered excavation pits will be expanded to further refine the understanding of the nature and extent of the deposit.

The test excavation was proposed to target various landforms across the subject area to form a representative sample of the site conditions and develop a site-specific predictive model. Test excavation was largely targeted to sampling landforms to inform an understanding of the spatial distribution of artefactual deposits across the site, as well as disturbance.

Utilising this sampling strategy it was possible to target the following landforms:

- areas of archaeological sensitivity as defined by the Code of Practice including ridge tops and ridge lines, areas within 200m of the cliffs and/or steeply incised creek banks and areas within 200m of waterways and the confluences of streams. These locations were assessed as having a moderate to high archaeological potential for Artefact Scatters/Campsites and Isolated Finds.
- areas with lower archaeological potential such as flats and lower slopes adjacent to ephemeral first order drainage lines, broad mid-slopes and disturbed areas. Testing in these locations served to test the veracity of predictive modelling and to confirm low archaeological potential.

Areas displaying extreme levels of disturbance and/or contamination were considered to have no archaeological potential and were not tested.

5.3.1. Test Excavation Stage 1

The initial Stage 1 of testing consisted of the excavation of 50cm x 50cm test pits (TPs) at locations informed by the predictive model of the ACHAR and based on the sampling strategy outlined above as follows:

- Initial test pits were excavated initially at 20m intervals in 12 transects labelled A - M (transect K was not excavated) across the subject area at locations decided in consultation with the RAPs. Test pits (TPs) were labelled by transect and number, for example TP A1 to A10 in transect A. Transects were not necessarily linear and are therefore also discussed as areas A – M in the following discussion.
- Where Aboriginal objects were identified further test pits were placed at cardinal directions 10m intervals to define the extent of the archaeological deposit. This was repeated until it was assessed that the extent of the deposit had been adequately determined.
- Testing continued until it was determined that a sufficient understanding of the archaeological resources within each location was attained and that a site-specific predictive model was possible for the subject area.
- A total of 143 test pits were excavated.

The results of the excavation program are outlined below in Section 5.4 and locations of excavated test pits shown in Figure 67.

5.3.2. Test Excavation Stage 2

Stage 2 test excavation was to consist of expanding initial test pits to further understand the nature and extent of archaeological resources. Following the completion of Stage 1, the Excavation Director in consultation with RAPs, made the decision that due to relatively low artefact counts in locations that displayed a low-level scatter over an extended area, it was not necessary to expand individual TPs. Time and resources were instead focussed on testing on a larger scale which was considered more appropriate to the size of the subject area.

5.3.3. General Procedures

- The test pits were excavated by hand (inclusive of trowels, shovels and other hand tools).
- The first test pits within each transect and/or landform was excavated in 5cm spits to establish the depth and nature of soil and any stratigraphy present. Subsequent test pits conducted within the same transect and/or landform were then excavated in 10cm spits as no distinct stratigraphy was observed. Test pits were excavated to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay layer (B-horizon).
- All excavated soil was sieved in 5 mm sieves using wet sieving method.
- Artefacts were collected, bagged and tagged with a unique identification number according to test pit location, spit or context number.
- Each test pit was recorded using standard archaeological procedure, including standardised recording forms, coordinates collected using a GPS, photographic recording with scale and stratigraphic / soil profile was recorded in scale drawings for each location as required by Code of Practice recording requirements.
- Test excavation units were excavated to at least the base of the identified Aboriginal object-bearing units, and shall continue to confirm the soils below are culturally sterile, generally clay B horizon soil.
- Test excavation units were backfilled as soon as practicable due to concerns over risk to livestock.
- An AHIMS site card has been prepared and submitted to the AHIMS Registrar for any new sites identified during test excavations.
- In the unlikely event that suspected human remains are identified works were to immediately cease and the NSW Police and DPC will be notified. No human remains were identified.
- Test excavations ceased when enough information* had been recovered to adequately characterise the objects/assemblage(s) present with regard to their nature and significance.

*Enough information is defined by DPC as meaning:

‘that the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not’ (DECCW 2010a).

- The Code of Practice also stipulates that the maximum surface area of all test excavation units must be no greater than 0.5% of the subject area. This limit was not exceeded.

5.4. TEST EXCAVATION RESULTS

This section summarises the results of the test excavation conducted within the subject area. The Test Pit Register is provided at Appendix A. A complete Artefact Catalogue is provided at Appendix B.

A test excavation program was conducted within the subject area over the period between 2 May and 25 May 2023. The test excavation was undertaken in compliance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) and in line with the Sampling Strategy and Excavation Methodology outlined in the previous section.

A total of 143 50cm x 50cm archaeological test pits were excavated during the testing program targeting landforms in the portions of the subject area not heavily disturbed by large scale chicken farms and associated roads and infrastructure. Figure 67 below shows the layout of transects and test pits across the subject area. Detail figures can be seen in the following section along with results of the test excavation summarised by transect/area.

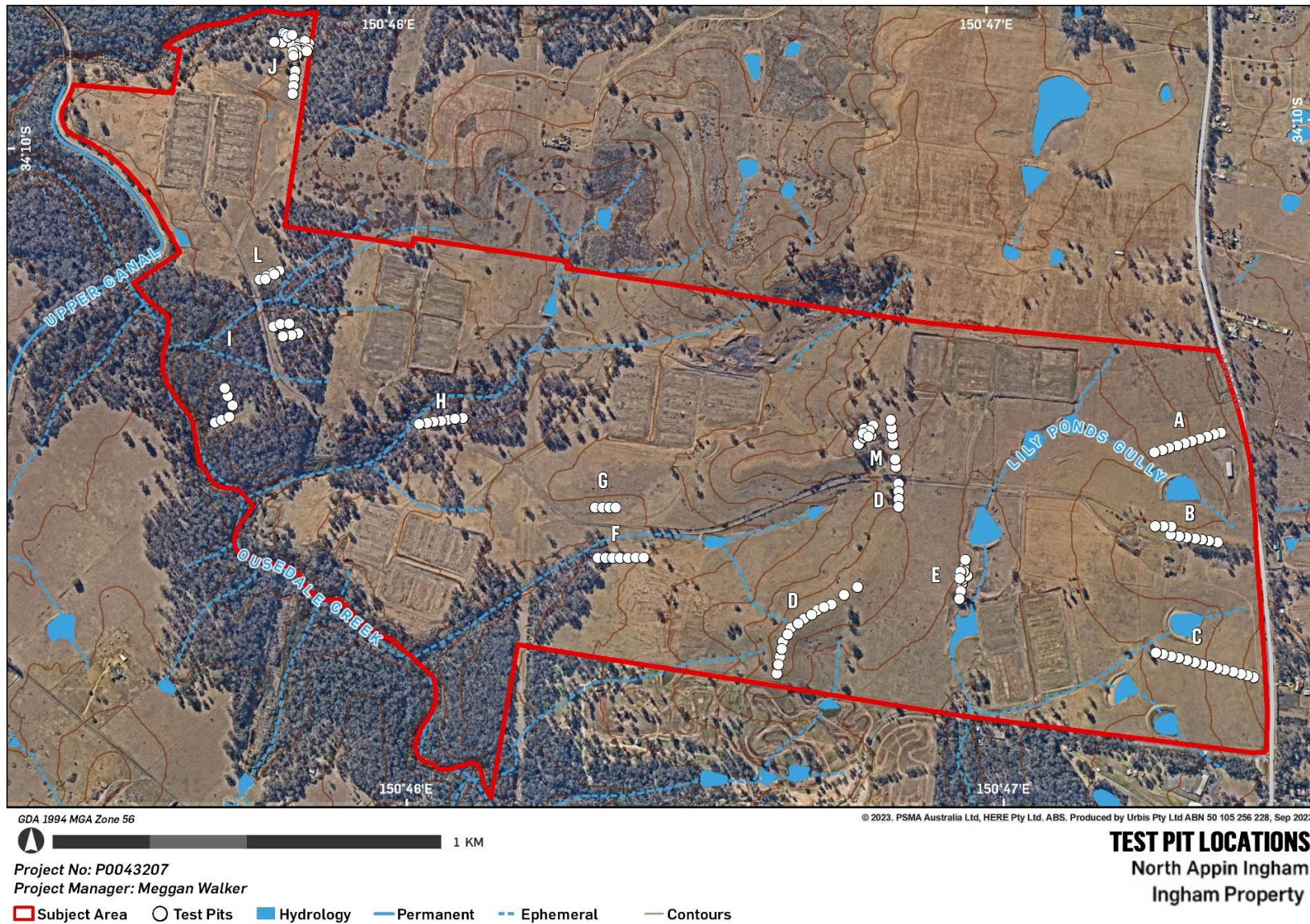


Figure 67 – Transect and test pit locations.

5.4.1. Transects

Transect A

Transect A, located in the northeast of the subject area in Survey Unit 1 (SU1), consisted of broad moderate slopes leading from the ridgeline on which Appin Road is located to the northern section of Lily Ponds Gully, currently modified with dams (Figure 69). Vegetation consisted of exotic grass and weed species.

Ten test pits were excavated at area A labelled A1 – A10. The layout of test pits can be seen in Figure 68 below. The soil profile in Transect A ranged from 27cm to 55cm with an average depth of 38cm. Disturbance included TP A1, which consisted of redeposited soils with gravel inclusions (Figure 70), and TP A3, which lay in a vehicle track and included irregular rock, sand and gravel on burnt clay (Figure 71). The remainder of test pits were undisturbed. A typical soil profile is shown in Figure 72.

Transect A returned zero artefacts.



Figure 68 – Transect A test pit layout



Figure 69 – Landform at Transect A: broad slopes from Appin Road (background left) towards Lily Pond Gully (background right); view south.



Figure 70 – TP A1: redeposited soils with gravel inclusions; north section.



Figure 71 – TP A3, in vehicle track, irregular rock, sand and gravel on burnt clay.



Figure 72 – Undisturbed soil profile in TP A2.

Transect B

Transect B was in the eastern portion of the subject area in SU2, immediately to the south of Transect A and included the access road to the subject area, a carparking area and the site of now demolished structures. Transect B was laid out parallel to the ridge line in the centre of the subject area and targeted what appeared to be an undisturbed portion adjacent to the access road (Figure 74 and Figure 75). Vegetation consisted of eucalypt regrowth within the road corridor and exotic grasses in the location of transect B.

Ten test pits were excavated at area B labelled B1-B10. The layout of test pits can be seen in Figure 73 below. The soil profile in Transect B ranged from 14cm to 30cm with an average depth of 25cm. Disturbance varied between test pits in the area, with test pits B1 to B5 being highly truncated, with the remainder being undisturbed (Figure 76 to Figure 77).

Area B returned zero artefacts.



Figure 73 – Transect B test pit layout



Figure 74 – View east along Transect B.



Figure 75 – Location of TPB1 behind tree line in midground. Modification of the landscape evident view north-east towards Transect A and Appin Road (background).



Figure 76 – North section of TP B2 showing highly truncated soil profile with redeposited topsoils.



Figure 77 – Intact soil profile at TP B10.

Transect C

Transect C was in the southeastern portion of the subject area in SU3, immediately to the south of Transect B and consisted of moderate slopes leading from the ridgeline on which Appin Road is located towards drainage lines feeding Lily Ponds Gully. Vegetation consisted of exotic grasses.

Fourteen test pits were excavated at area C labelled C1 – C14. The layout of test pits can be seen in Figure 78 below. The soil profile in Transect C ranged from 18cm to 33cm with an average depth of 25cm. Disturbance varied across the area, with test pits 1-4 upslope showing disturbance (Figure 79 and Figure 80) and the remainder of the test pits intact (Figure 81).

Area C returned zero artefacts.



Figure 78 – Transect C test pit layout



Figure 79 – Section of TP C1 showing high level of disturbance with concrete, rock and gravel inclusions.



Figure 80 – Section of disturbed TP C3; truncated soil profile with introduced gravel layer in upper layer.



Figure 81 – Intact soil profile of TP C6.



Figure 82 – Transect C view west downslope; TP C4 in foreground.

Transect D

Transect D was in the southern portion of the subject area on the boundary between SU4 and SU5 on a ridgeline and in a small saddle (Figure 86 & Figure 87). Vegetation consisted of sparse mature eucalypts, and exotic grasses and weeds.

Seventeen test pits were excavated at Transect D labelled D1 – D17. The layout of test pits can be seen in Figure 83 below. The soil profile in Transect D ranged from 18cm to 40cm with an average depth of 27cm. Soil profiles in this location were generally intact, with disturbance limited to bioturbation from roots and insects. TP D& to TP D9 were offset to avoid deep ditches on the crest of the ridge evident in Figure 83 below.

Zero artefacts were recovered from Transect D.

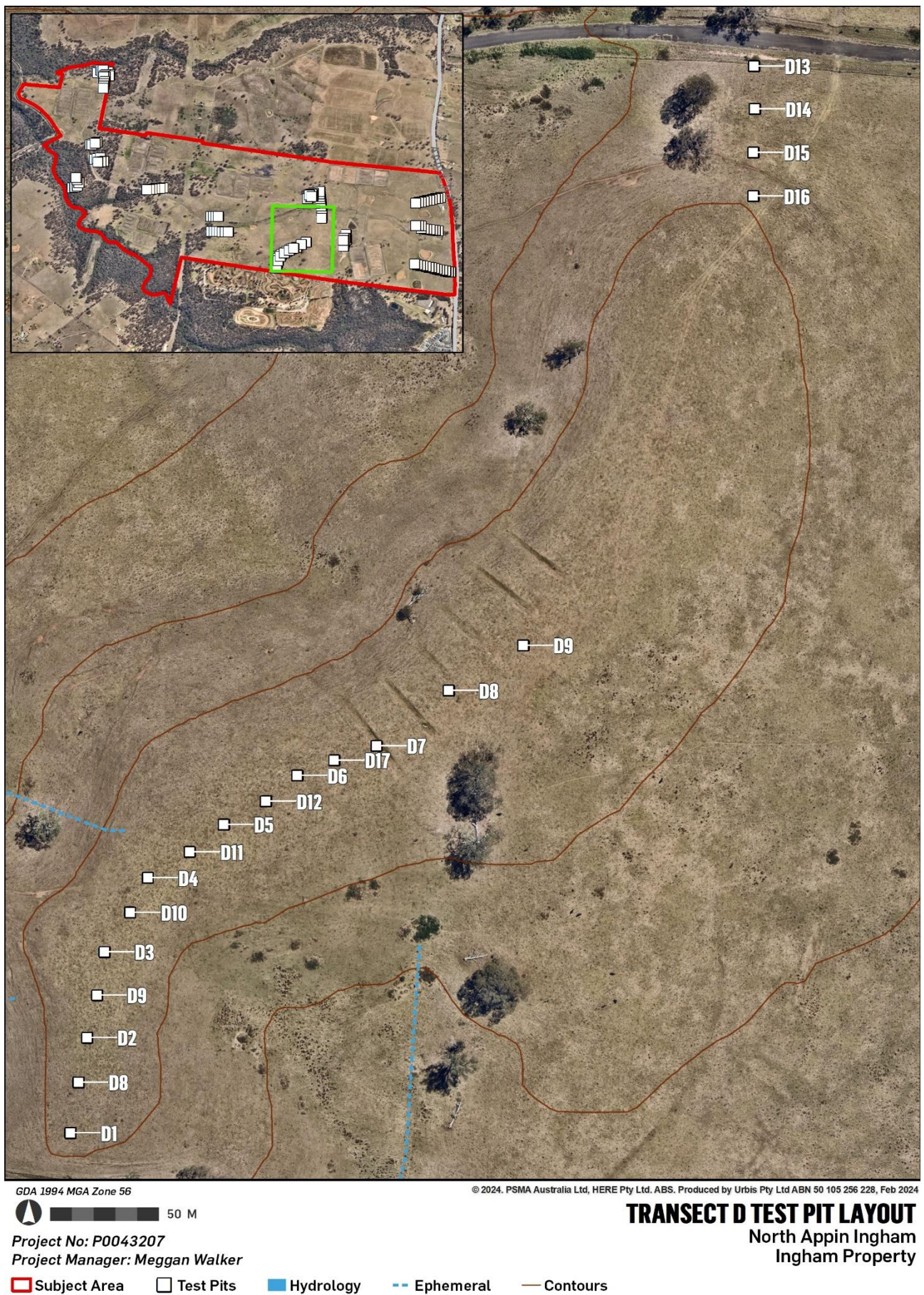


Figure 83 – Transect D test pit layout



Figure 84 – Transect D; view north-east along ridgeline; TP D6 location in foreground.



Figure 85 – Transect D, northern portion in saddle; view west downslope towards modified drainage line.



Figure 86 – Intact loamy soil profile of TP D15.



Figure 87 – Section of TP D11, showing topsoil over degraded shale and silty clay.

Transect E

Transect E was located in the central eastern portion of SU4 downslope from the ridge upon which Transect D was located. The test pits were excavated in lower slopes/ creek flats immediately west of Lily Pond Gully. Vegetation consisted of sparse mature eucalypts and exotic grasses and weeds. Lily Ponds Gully was heavily modified for dams at this location. Transect E targeted an area which appeared to remain intact (Figure 89 & Figure 90).

Twelve test pits were excavated at Transect E labelled E1 – E12. The layout of test pits can be seen in Figure 88 below. The soil profile in Transect E ranged from 21cm to 28cm with an average depth of 24cm. Disturbance in the test pits was minimal, with the majority being intact, though displaying some truncation (Figure 91 & Figure 92).

A low-density artefact scatter was identified in two test pits in transect E. One Aboriginal object was recovered from TP E1 consisting of a small core in spit 1. Additional radial pits were positioned at 10m intervals around TP E1 and a further artefact was recovered from TP E8 consisting of a small flake also in spit 1. TP E8 was on the edge of intact ground with disturbed ground and weedy growth further downslope. The remaining ten test pits in area E contained no artefacts.

No artefacts were recovered from the further ten test pits excavated in the area. TPs A10 and C14, also located on lower slopes adjacent to Lily Pond Gully to the north-east and south-east of transect E respectively, likewise recovered no artefacts suggesting that this ephemeral water way was not utilised extensively.

Test pit layout can be seen below in Figure 88. Test pits with artefacts are shaded blue.

Area E has been registered on AHIMS as AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and is discussed further below in Section 5.5.1.

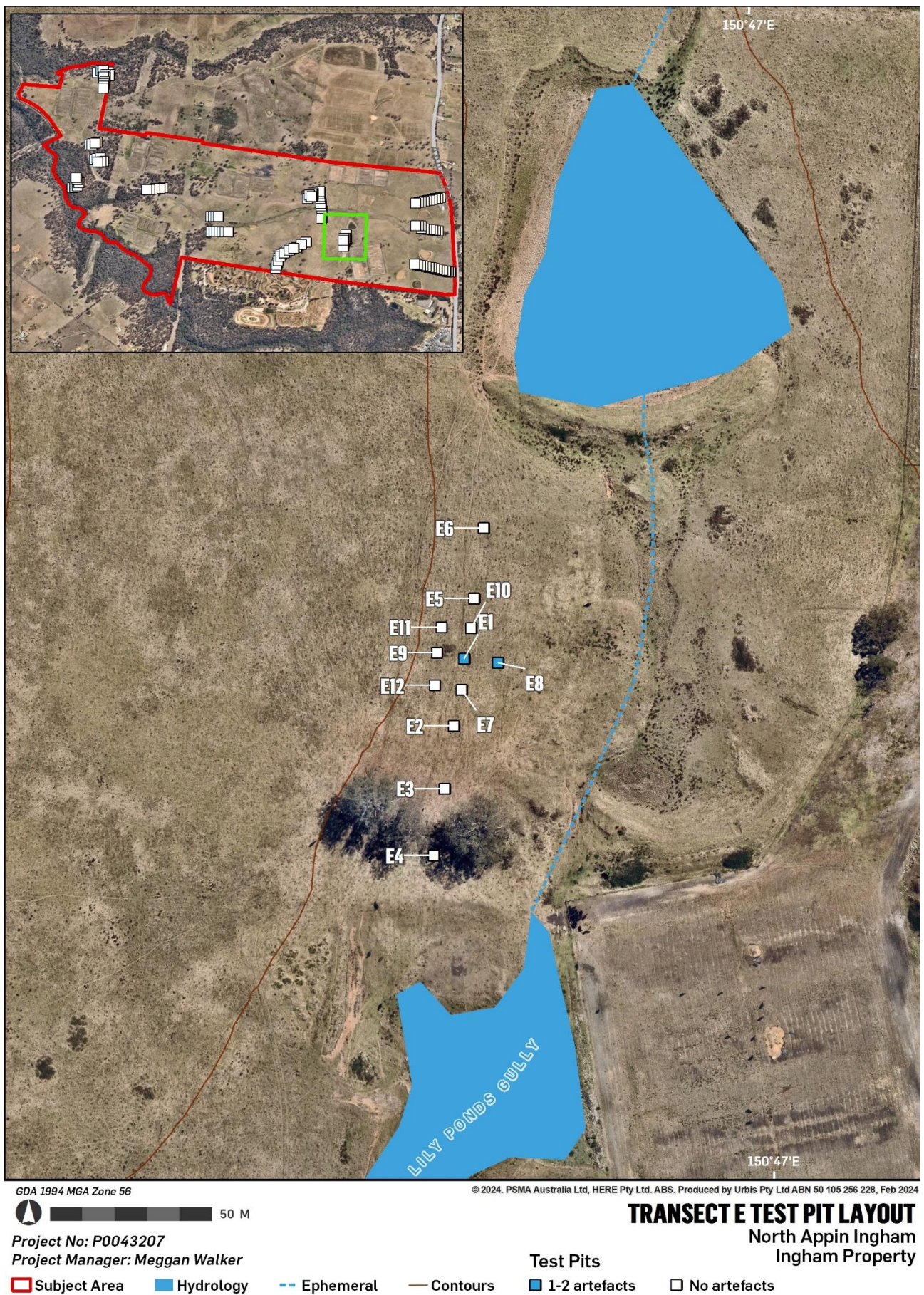


Figure 88 – Transect E test pit layout

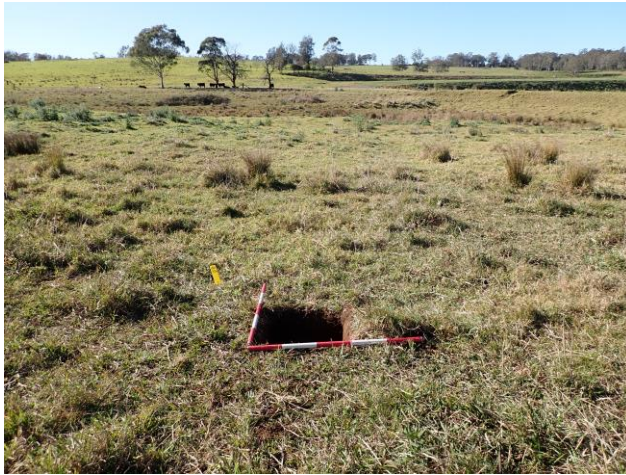


Figure 89 – Location of TP E8 with modified Lily Ponds Gully in background: mounded earth, dams and weedy vegetation; view east towards Appin Road on ridgeline in background.



Figure 90 –TP E4 and Lily Ponds Gully, now dammed, in background; view south.



Figure 91 – Intact soil profile in TP E1, which contained one lithic artefact; north section.



Figure 92 – Truncated soil profile in TP E4; north section. Redeposited topsoil over truncated silty clay.



Figure 93 – Small core recovered from TP E1.



Figure 94 – Small flake recovered from TP E8.

Transect F

Transect F was in the centre of the subject area in SU5 downslope to the west of Transect D and immediately south of the access road transversing the subject area. Transect F was positioned on lower slopes adjacent to an ephemeral drainage line and first order creek currently supporting two dams. Vegetation consisted of sparse mature eucalypts and exotic grasses and weeds, and dense eucalypt and casuarina regrowth in the creek line to the west.

Seven test pits were excavated at area F labelled F1 – F7. The layout of test pits can be seen in Figure 95 below. The soil profile in Transect F ranged from 24cm to 50cm with an average depth of 32cm. Disturbance in the area was minimal, with only TP F5 located near a vehicle track containing gravel (Figure 98). The remaining six test pits were intact. A typical soil profile can be seen in Figure 99.

Area F returned zero artefacts.



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Project Manager: Meggan Walker

■ Subject Area
 Test Pits
 - - - Ephemeral
 — Contours

TRANSECT F TEST PIT LAYOUT North Appin Ingham Ingham Property

Figure 95 – Transect F test pit layout



Figure 96 – Location of Transect F; view north-east towards drainage line; P F5 in foreground.



Figure 97 – Transect F; view east; drainage line on left, ridgeline on which Transect D was located in background; location of TP F3 in foreground.



Figure 98 – Section of TP F5, showing regular gravel in the upper layer. This is the only test pit with disturbance in Transect F.



Figure 99 – Section showing an example of an intact TP F3.

Transect G

Transect G was in the centre of the subject area in SU 5 north of Transect F on the opposite side of the access road and drainage line/first order creek. Vegetation consisted of exotic grasses and weeds.

Four test pits were excavated at area G labelled G1 – G4. The layout of test pits can be seen in Figure 100 below. The soil profile in Transect G ranged from 31cm to 35cm with an average depth of 34cm. Test pits displayed intact soil profiles. Typical soil profiles can be seen in Figure 103 & Figure 104.

Transect G returned zero artefacts.



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 Test Pits
 --- Ephemeral
 --- Contours

TRANSECT G TEST PIT LAYOUT North Appin Ingham Ingham Property

Figure 100 – Transect G test pit layout



Figure 101 – Location of TP G1; view south towards drainage line and first order creek, and location of Transect F.



Figure 102 – Location of TP G2, view east towards high point in the subject area



Figure 103 – Typical soil profile in Transect G; TP G4, west section.



Figure 104 – Typical soil profile in Transect G; TP G3, west section.

Transect H

Transect H was located the west of centre within the subject area in SU 6. The transect was located on a high creek terrace with sandstone outcrops in the confluence between two creeks/drainage lines (Figure 106 & Figure 107). The creek in this location had flowing water which appeared to be fed from a spring or ground water up stream. Vegetation consisted of eucalypt regrowth and exotic grasses and weeds.

Seven test pits were excavated at area H labelled H1 – H7. The layout of test pits can be seen in Figure 105 below. The soil profile in Transect H ranged from 7cm to 61cm with an average depth of 41cm. Some test pits contained natural charcoal and gravel or sandstone inclusions (Figure 106) and TP H7 was disturbed by modern electrical wire, imported soil and roots. This test pit was located next to a creek crossing which had evidently been built up with imported fill (Figure 108 & Figure 109). TPH1, the shallowest in Transect H, consisted of thin topsoil directly over sandstone bedrock (Figure 107).

Area H returned zero artefacts.



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■ Subject Area
 Test Pits
 - - - Ephemeral
 — Contours

TRANSECT H TEST PIT LAYOUT

North Appin Ingham
Ingham Property

Figure 105 – Transect H test pit layout



Figure 106 – Location of Transect H on a high creek terrace; incised creek midground; TP H4 in foreground.



Figure 107 – Context shot of the shallow (intact) TPH1, showing surrounding vegetation and incised creek in midground.



Figure 108 – Context shot of TPH7, showing adjacent road and creek crossing built up with fill.



Figure 109 – Soil profile of TPH7 showing introduced fill and heavy root disturbance.

Transect I

Transect I was within the western portion of the subject area in SU7 at two discreet locations targeting creek terraces/ lower slopes in the confluence between creeks/drainage lines. Vegetation consisted of Eucalypt regrowth.

Twelve test pits were excavated at area I labelled I1 – I12. The layout of test pits can be seen in Figure 110 below. TP I1 – TP I6 were located on a creek terrace adjacent to an ephemeral creek, TP I7 – TP I12 were located on a terrace above Ousedale Creek on the western boundary of the subject area. The soil profile in Transect I ranged from 10cm to 48cm with an average depth of 27cm. Disturbance across the test pits was minimal (Figure 113 to Figure 114).

Area I returned one potential bipolar pebble flake. However this was not inconclusive. In the absence of any confirmed Aboriginal objects this piece was not counted as an artefact.



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Project No: P0043207

Project Manager: Meggan Walker

■ Subject Area
 Test Pits
 - - - Ephemeral
 — Contours

TRANSECT I TEST PIT LAYOUT

North Appin Ingham
Ingham Property

Figure 110 – Transect I test pit layout



Figure 111 – Location of TP I2; drop off to creek line on left.

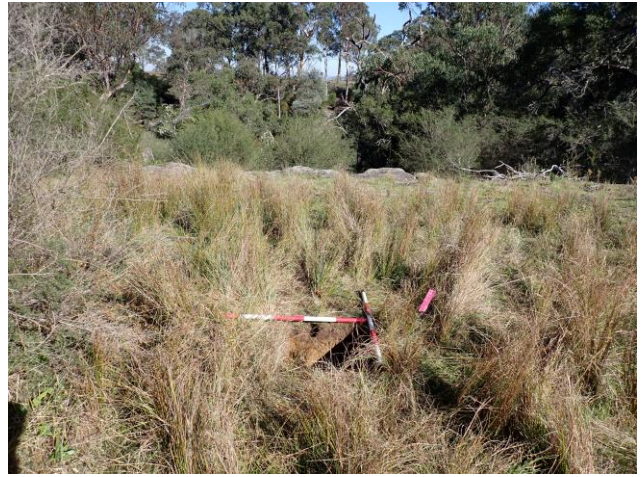


Figure 112 – Context shot of TP I7, view south; steep drop to Ousedale Creek in midground.



Figure 113 – Soil profile showing intact TP I3.



Figure 114 – Shallow soil profile showing intact TP I1

Transect J

Transect J was in the northwest of the subject area in SU7 on an old terrace adjacent to the deeply incised Mallaty Creek. The test pits were excavated on a mix of a creek terrace and lower slopes in an area which allowed easy access to the creek below. Vegetation consisted of Eucalypt regrowth and exotic grasses. The areas surrounding Transect J and SU7 in general, were highly disturbed with modification for chicken sheds and displaying evidence of dumped rubbish and redeposited soils.

Twenty-eight test pits were excavated at area J labelled J1 – J28 in an area that appeared to be the least disturbed within SU7. The layout of test pits can be seen in Figure 115 below. The soil profile in Transect J ranged from 15cm to 51cm with an average depth of 29cm. Soil profiles were varied in this area but appeared generally truncated to B horizon soils or with disturbed and/or redeposited A horizon soils.

An initial transect of 6 test pits returned one flake from TP J1 in spit 2 and five angular fragments from TP J6 in spit 5. Additional radial pits were positioned at 10m intervals around these two test pits and further artefacts were recovered. Further test pits were excavated until the extent of the deposit was established. Area J returned a total of 47 artefacts from 14 test pits constituting a moderate density artefact scatter and the highest density recovered during the test excavation program.

The highest number of artefacts was 11 from TP J21. The next highest number of artefacts was six from TP J6. The average density within artefact bearing test pits was 3.6 artefacts per 50m x 50cm test pit. Artefacts included Flakes and flake fragments and one small core. The majority however were non-diagnostic angular fragments (53%, N=25). The majority of artefacts (55%, N=26) were recovered from spit two. Silcrete was the most common material type (40%, N=19) followed by Quartz (32%, N=15). Examples of recovered artefacts can be seen in Figure 121 to Figure 123 below.

Area J was bounded to the east by the subject area boundary and to the north by the steeply descending creek bank. To the west was disturbed ground which was distinctly undulating with deep furrows and included pits of unknown origin and areas of dumped soil and rubbish. One location was barricaded off as an asbestos contaminated area. No test pits were positioned within this disturbed area. To the south the landform raised by gentle slope to a slightly elevated crest. The transect was extended in this location to assess whether the site extended up-slope. One artefact only was located on the far side of the crest in TP J28. Beyond this landform was a heavily modified landscape and the previous location of chicken sheds showing extreme disturbance.

Test pit layout can be seen below in Figure 115. Test pits with artefacts are shaded according to artefact density.

Area J has been registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1and is discussed in further in Section 5.5.3.

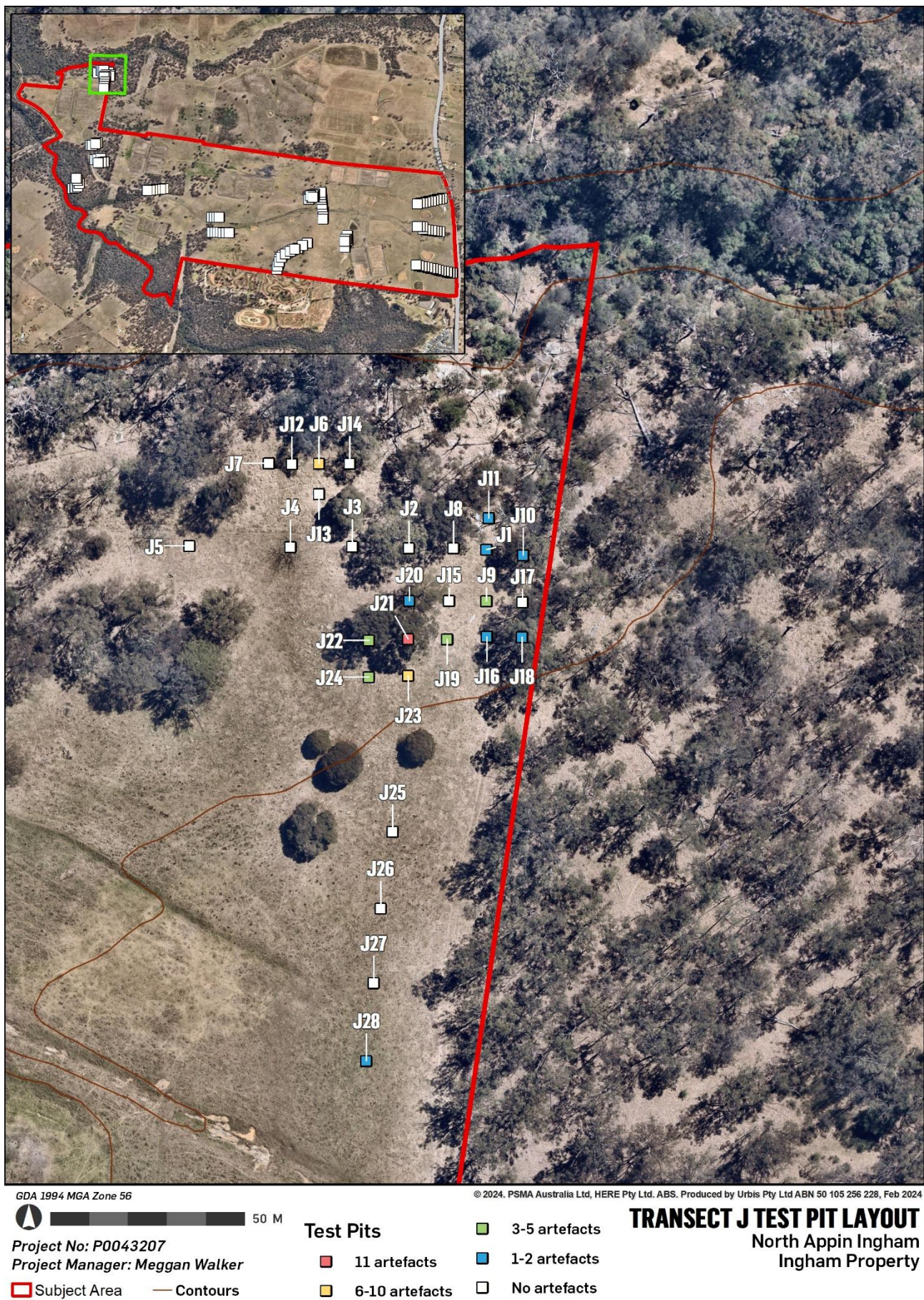


Figure 115 – Transect J test pit layout



Figure 116 – View north towards Transect J from location of chicken sheds; Transect J located within tree line in background.



Figure 117 – Context shot of intact TPJ20, showing surrounding vegetation; view north towards drop off to Mallaty Creek.



Figure 118 – Soil profile of TP J18; little topsoil is evident; one artefact was recovered from TP J18 from spit 3.



Figure 119 – Context shot of intact TP J23; appears to be friable redeposited topsoil over a truncated B horizon soil profile; six artefacts were recovered from TP J23 from spits 2 and 3.



Figure 120 – Soil profile of TP J21; little topsoil is evident; TP J21 had the highest artefact count (N=11) from spits 1 and 2.



Figure 121 – Sample of artefacts from TP J21 including worked quartz and bipolar reduced pebbles; examples shown are from spit 2.



Figure 122 – Flake and small core recovered from TP J24, spit 2.



Figure 123 – Silcrete flake from TP J23, spit 3.

Transect L

Transect L was in the west of the subject area in SU7 and targeted a terrace located near the confluence of several drainage lines. Vegetation consisted of Eucalypt regrowth and exotic grasses.

Six test pits were excavated at area L labelled L1-L6. The layout of test pits can be seen in Figure 124 below. The soil profile in Transect L ranged from 9cm to 49cm with an average depth of 31cm. Disturbance was largely not present across the area, and variation in soil depth could be attributed to variations in the sandstone substrate.

Transect L returned zero artefacts.



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Project No: P0043207

Project Manager: Meggan Walker

■ Subject Area
 Test Pits
 --- Ephemeral
 --- Contours

TRANSECT L TEST PIT LAYOUT North Appin Ingham Ingham Property

Figure 124 – Transect L test pit layout



Figure 125 – Transect L location on slopes above creek (right) below area intensively modified for roads and chicken sheds.



Figure 126 – Location of Transect L: thin soils with rock outcrops.



Figure 127 – Example of shallow soil on bedrock.



Figure 128 – Typical of deeper soil profile in Transect L; north section.

Transect M

Transect M was situated in the central northern portion of the subject area on a mix of a ridgeline, spur and upper slopes adjacent to the highest point within the subject area, and part of a saddle which continued into area D. Vegetation consisted of mature eucalypts and exotic grasses.

Sixteen test pits were excavated at area M labelled M1-M16. The layout of test pits can be seen in Figure 129 below. The soil profile in Transect M ranged from 11cm to 32cm with an average depth of 20cm. Disturbance varied across the area, however the higher points had been truncated and disturbed and displayed redeposited soils with modern gravel inclusions. The crest had been levelled and evidence of underground services and recent demolition of a structure was evident which included asbestos. This area was not excavated. Figure 130 and Figure 132 show the truncated and disturbed soil profiles in artefact bearing TP M9 and TP M11.

A low-density artefact scatter was identified in two test pits in transect M located on a ridge line/spur adjacent to the highest crest within the subject area. One Aboriginal object, an angular fragment, was recovered from TP M9, spit 1, in the initial transect. Additional radial pits were positioned at 10m intervals around TP M9 and a further artefact was recovered from TP M11 consisting of a flake in spit 2.

The layout of test pits in transect M can be seen below in Figure 129. Test pits with artefacts are shaded blue.

Area M has been registered on AHIMS as AHIMS ID# 52-2-4946: 345 Appin Road AFT 2 and is discussed in further below in Section 5.5.2.



Figure 129 – Transect M test pit layout



Figure 130 – Shallow soil profile of TPM9, which contained a lithic artefact in spit 1.



Figure 131 – Context shot of TPM9, which contained a lithic artefact; view south-east.



Figure 132 – Truncated and disturbed soil profile of TPM11, which contained a lithic artefact in spit 2.



Figure 133 – Context shot of TPM11, which contained a lithic artefact; view west.



Figure 134 – Angular Fragment recovered from TP M 9, spit 1.



Figure 135 – Dorsal surface of flake recovered from TPM11, spit 2.

5.5. NEWLY IDENTIFIED SITES

On the basis of the results of the test excavation described above three sites were registered on the Aboriginal Heritage Management System (AHIMS). The location and approximate extent of the AHIMS registered sites can be seen in Figure 154 below. A discussion on the recovered artefact assemblage can be found at Section 5.7 and the Artefact Catalogue is attached at Appendix B. AHIMS Site cards are attached at Appendix C. The newly identified sites are discussed in greater detail above in Section 5.4.1 under their respective transects and are summarised below.

5.5.1. AHIMS ID# 52-2-4945: 345 Appin Road AFT 1

A low-density artefact scatter was identified in two test pits in transect E in an area adjacent to Lily Ponds Gully, the first order creek in the eastern portion of the subject area. The recovered artefacts consisted of a small mudstone core recovered from spit 1 of TP E1 and a mudstone Flake recovered from spot 1 of TP E8. The site has been registered on AHIMS as AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and is located at GDA 94 zone 56 295613E, 6215990N.

The majority of the flats adjacent to the ephemeral water way were highly modified for dams and disturbed from cattle activity. The southern portion of the gully within the subject area was heavily modified due to proximity to a site for chicken sheds. The area selected for transect E was generally intact though displayed some evidence of truncation.

Results suggests transient low intensity utilisation of the area by Aboriginal people. It is also like that further archaeological evidence has been removed or displaced by modern disturbance.



Figure 136 – Transect E; disturbance associated with dammed drainage line and chicken flats in rear-ground; location of TP E3 in foreground.



Figure 137 – TP E1, north section. Appears to retain an intact soil profile.



Figure 138 – Context shot of TP E11, showing slope and vegetation



Figure 139 – Overview of TP E4, showing modified Lily Pond Gully in background.



Figure 140 – Small core recovered from TP E1.



Figure 141 – Small flake recovered form TP E8.

5.5.2. AHIMS ID# 52-2-4946: 345 Appin Road AFT 2

A low-density artefact scatter was identified in two test pits in transect M located on a ridge line adjacent to the highest crest within the subject area consisting of a non-diagnostic angular fragment from spit 1 of TP M9 and a Flake for spit 2 of TP M11. The site has been registered on AHIMS as AHIMS ID# 52-2-4946: 345 Appin Road AFT 2 and is located at GDA 94 Zone 56 295370E, 6216360N.

No artefacts were recovered from the further 14 test pits excavated in the area which included a further 8 upon the ridge line, four on mid-slopes and two in a saddle below the ridge.

The crest and ridge line in area M displayed a high level of truncation and disturbance. The crest had been levelled and underground services were evident. Demolition rubble including concrete and asbestos was observed on the ground surface. This area was not tested. Soil profiles in test pits located on the ridge line appeared truncated and some displayed introduction/redeposition of soils and gravels (Figure 144 and Figure 145).

Test pits downslope displayed more intact soil profiles however no artefacts were recovered from these locations. It is likely that had the site had been more extensive in the past archaeological evidence has been largely removed or displaced due to modern disturbance.



Figure 142 – AHIMS ID# 52-2-4946: 345 Appin Road AFT 2, view down ridge line towards the south-western portion of the subject area; TP M11 in foreground which contained one artefact.



Figure 143 – Context shot of TP M9, containing one lithic artefact; view east towards Appin Road.



Figure 144 – TP M9, north section; appears relatively intact though possibly truncated and eroded. Contained one lithic artefact.



Figure 145 – TP M11, north section; truncated and with redeposited/introduced soil and gravel. Contained one lithic artefact.



Figure 146 – Angular Fragment recovered from TP M 9, spit 1.



Figure 147 – Dorsal surface of flake recovered from TP M11, spit 2.

5.5.3. AHIMS ID# 52-2-4943: Mallaty Creek AFT 1

A moderate density artefact scatter was identified at the location of transect J in the north-western portion of the subject area on an old terrace adjacent to the deeply incised Mallaty Creek. The Creek banks were steep in this location but allowed access to the creek below. Small rock shelters and overhangs were present in this area, however, no direct evidence of human occupation was observed and the small size precludes intensive use by groups of people (Figure 148 and Figure 149).

A total of 28 test pits were excavated at area J returning a total of 47 artefacts from 14 test pits constituting a moderate density artefact scatter and the highest density recovered during the test excavation program. The highest number of artefacts was 11 from TP J21. The average density within artefact bearing test pits was 3.6 artefacts per 50m x 50cm test pit.

The site has been registered on AHIMS as AHIMS ID# 52-2-4943: Mallaty Creek AFT 1 and is located at GDA 94 Zone 56 293898E, 6217338N.



Figure 148 – Small overhang on creek bank north of Area J, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1.



Figure 149 – Small overhang on creek bank north of Area J, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1.



Figure 150 – Context shot of TPJ22, which contained three artefacts; view south, upslope.



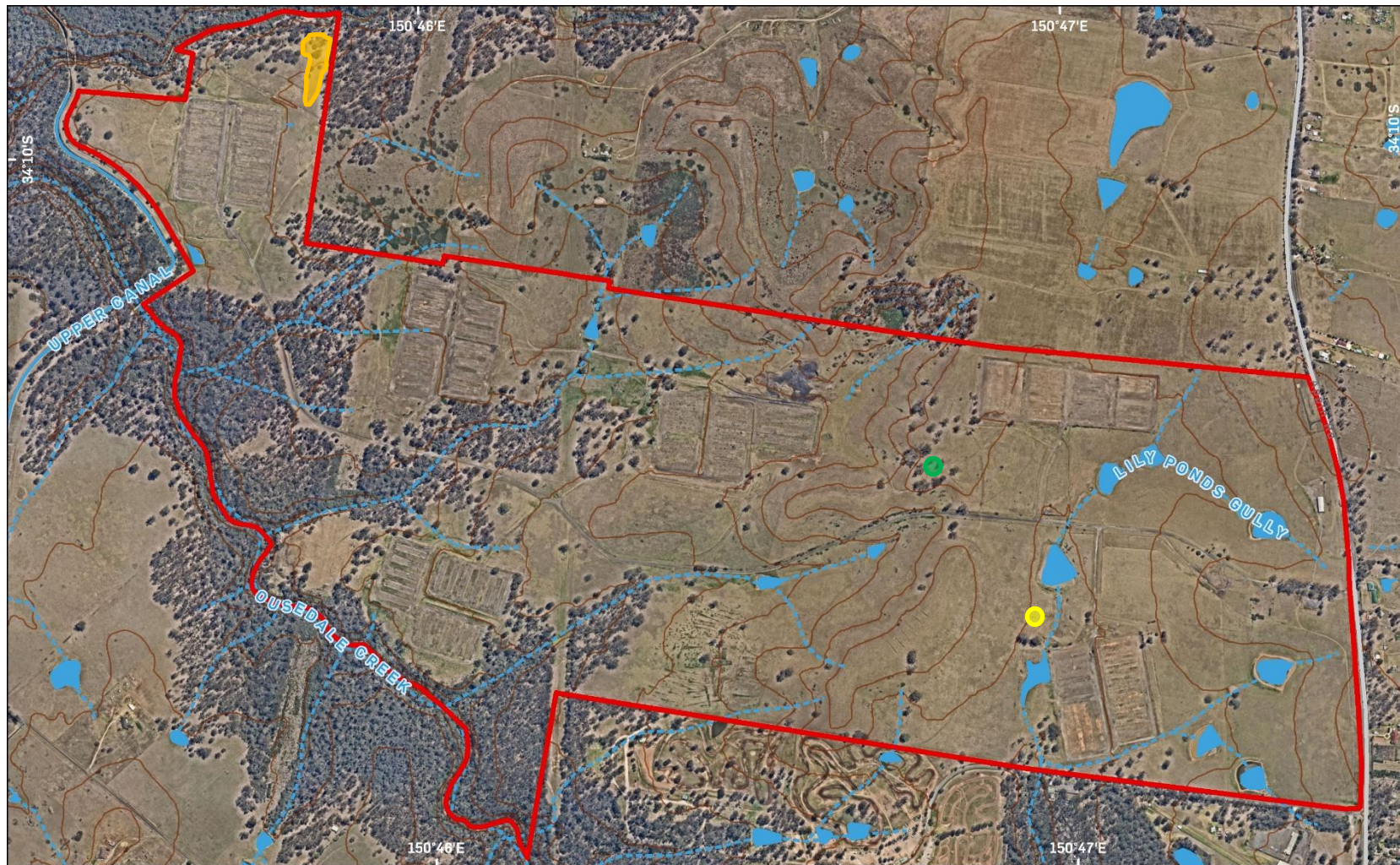
Figure 151 – Soil profile of TPJ22, which contained three artefacts



Figure 152 – Silcrete distal flakes recovered from TP J23 spit 2.



Figure 153 – Angular fragments recovered from TP J19 spit 2.



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Project No: P0043207
Project Manager: Meggan Walker

Subject Area Permanent Ephemeral Contours

- AHIMS ID# 52-2-4945: 345 Appin Road AFT 1
- AHIMS ID# 52-2-4946: 345 Appin Road AFT 2
- AHIMS ID# 52-2-4943: Mallaty Creek AFT 1

LOCATION OF NEWLY IDENTIFIED SITES

North Appin Ingham
Ingham Property

Figure 154 – Sites identified during the test excavation.

5.6. ANALYSIS AND DISCUSSION

The results of the archaeological test excavation confirm the presence of Aboriginal objects within the subject area. On this basis three new AHIMS sites have been registered:

- AHIMS ID# 52-2-4945345: Appin Road AFT1, a low-density artefact scatter (N=2) recovered from two test pits in the eastern portion of the subject area. Located on flats adjacent to Lily Ponds Gully this site indicates low intensity transient use of ephemeral waterways within the subject area. Lily Ponds Gully has been heavily modified for dam construction however the area tested was relatively intact.
- AHIMS ID# 52-2-4946 345: Appin Road AFT 2, a low-density artefact scatter (N=2) recovered from two test pits on a spur below the highest point within the subject area. This area and the nearby crest provide a good vantage point over a large area and would have been a focus of activity for Aboriginal people. The test excavation however revealed a truncated and disturbed soil profile.
- AHIMS ID# 52-2-4943: Mallaty Creek AFT1, a moderate density artefact scatter (N=47) recovered from 14 test pits out of a total of 28 excavated on a creek terrace above the deeply incised Mallaty Creek. This site confirms the importance of access to water for Aboriginal people and the associated increase in archaeological potential. This location also showed signs of truncation and erosion.

The remaining 129 test pits excavated during the excavation program returned zero artefacts.

These results indicate that the subject area has been utilised by Aboriginal people prior to European occupation. However, test excavations revealed that occupation was likely transient and intermittent, especially in locations of ephemeral water. Further test excavation locations at Lily Ponds Gully and first order creeks in the western portion of the subject area recovered no artefacts. Limited material traces of such low intensity activity are especially susceptible to erosion and disturbance.

Locations of permanent water such as Mallaty Creek and Ousedale Creek on the western boundaries of the subject area have higher archaeological potential as evidenced by Transect J at AHIMS ID# 52-2-4943: Mallaty Creek AFT1 and the rock shelter containing an Aboriginal artefact observed during the archaeological survey (AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, Section 4.4.1.1). Thin sandy soils overlying sandstone bedrock is, however, highly susceptible to erosion. While these locations currently contain eucalypt regrowth, historical land clearing is likely to have caused significant disturbance in the past.

5.7. ARTEFACT ANALYSIS

The artefact assemblage recovered from the test excavation program consisted of a small sample size. This imposes limits on inferences or conclusions that can be made in regard to the results of test excavation program. The following represents a summary of the excavated assemblage, primarily recovered from transect J.

A total of 51 artefacts were identified across the subject area during test excavation. The complete artefact catalogue is provided in Appendix B and a summary of artefact types and materials is provided in Figure 155 and Figure 156 below and their vertical distribution by spit in Figure 157.

The artefacts consisted primarily of Angular Fragments (51%, N=26). These are pieces which due to material type and morphology can be categorised as artefacts, however they lack diagnostic features by which they can be ascribed to a certain category. Seventeen complete objects were recovered consisting of 2 Cores (4% of the assemblage) and 15 complete Flakes (29%). Broken Flakes consisted of 16% of the assemblage (N=8). Of these, Distal Flakes were the most common (10%, N=5). Silcrete was the most common material type (37%, N=19) which is typical for the Cumberland Plain. Quartz was the next most frequent at 29% (N=15). The remainder were mudstone or chert.

The majority of artefacts were recovered from spit 2 (N=26) (Figure 157), however this is somewhat skewed by TP J21 which had 9 artefacts in spit 2, higher than any other test pit's total artefact count. Discounting this imbalance artefacts were distributed between all spits. Likewise, no pattern of material distribution is clear between spits. These observations combined suggest that the soil profile from which the assemblage was recovered does not represent an intact stratified deposit. It is likely that modern disturbance has impacted the soil profile or that the deposit is in a secondary location through natural erosion and soil movement.

Overall, the excavated assemblage is typical of those found in the Cumberland Plain. Exceptions to this could be the relatively high amount of quartz within the assemblage. The majority of these were classified as Angular Fragments as Quartz rarely retains distinctive diagnostic features.

As previously noted, it is not possible to draw broad conclusions from a small dataset such as that recovered during the test excavation program. Further to this, as the assemblage is primarily from one location within the subject area therefore comparison across the subject area is not possible. The most notable conclusion to be drawn is from the location of artefacts in relation to waterways. Ephemeral water ways in the eastern and central portions of the subject area returned no artefacts except for the two artefacts recovered from area E as outlined in previous sections. Area J which contained the majority of artefacts indicates the importance of the larger creek systems which form the western boundary of the subject area.

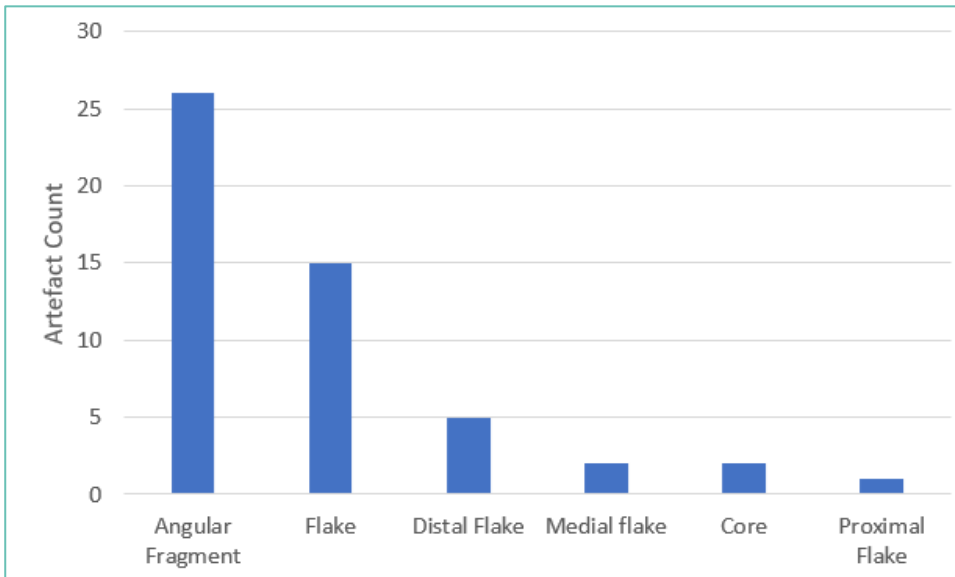


Figure 155 – Artefact types

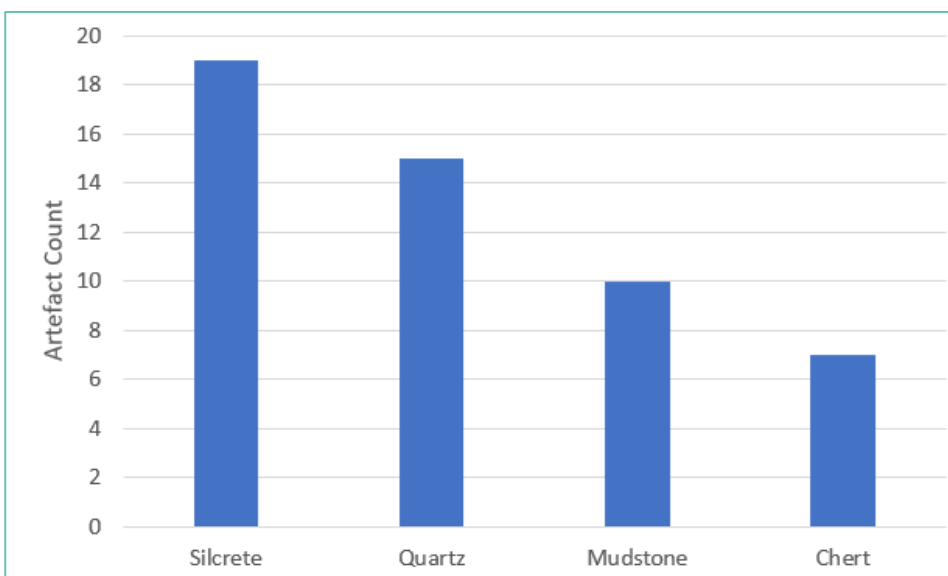


Figure 156 – Artefact raw materials

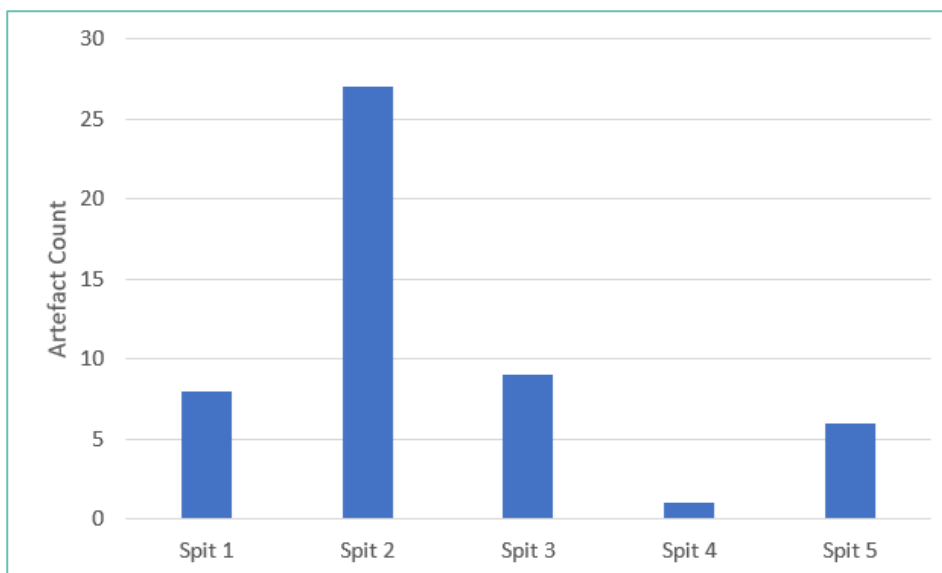


Figure 157 – Artefact vertical distribution by spit.

5.8. OBJECTIVES AND RESEARCH QUESTIONS

This ARD was prepared to cover the objectives of investigating the nature, spatial and stratigraphical extent, condition and integrity of any archaeological deposits that may be present. The research questions outlined in Section 4.1 above are addressed below.

To fulfil the objectives of the ARD, the research questions have been formulated:

1. What is the spatial and vertical extent of the deposit?
 - Artefacts were found throughout the soil profile with a notable concentration in spit 2. Small sample size and varying levels of truncation and erosion of the natural soil profile however mitigate the conclusions that can be drawn from this data. The spatial extent of Aboriginal objects indicate a strong focus of activity in proximity to the main creeks in the western portion of the subject area.
2. What is the integrity and condition of the deposit? How has the deposit been impacted by historical land use?
 - The subject area has been subjected to varying levels of impact in historic times. Large portions display extreme disturbance at the previous locations of industrial scale chicken production sheds. Elsewhere soils were generally intact apart from localised disturbance. Incised creek banks however were often eroded to sandstone bedrock.
3. Can the deposit be dated using standard dating techniques? Can the deposit be attributed to the Holocene based on the aforementioned dating techniques?
 - The deposit was too disturbed to allow for reliable dating.
4. What are the physical attributes and compositions of the deposit (e.g. stone artefacts, features, remains of the original environment)?
 - A low to moderate level stone artefact scatter was recovered from three locations within the subject area.
5. What are the characteristics of the stone artefact assemblage? What types of artefacts are present and what specialisation if any can be detected in the assemblage?
 - The artefact assemblage included Angular Fragments, Flakes, Distal Flakes, Medial flakes, Proximal Flakes and Cores. The most common material was silcrete. While the types of artefacts do not point to a particular specialisation the dominance of red silcrete is indicative

of a specialised reliance on that material. This material is common in Cumberland Plain assemblages.

6. Does the archaeological deposit have evidence of intra-site patterning or various occupational periods?
 - The recovered artefact assemblage consisted of a small sample size recovered from a disturbed context. No detailed analysis or comparisons can be drawn from such an assemblage.
7. How does it relate to our understanding of the environment at the time and/or is it consistent with predictive models for the area.
 - Predictive models for the Cumberland Plain state that proximity to water is an indicator of archaeological potential. The spatial extent of the artefacts recovered appear to confirm this, as they are largely limited to the larger creeks in the western portion of the subject area.
8. Can the archaeological deposit be interpreted in a local context?
 - The lithic materials and artefact types recovered are typical of those found in other sites in Western Sydney. The recovered artefact assemblage, however, consisted of a small sample size recovered from soils displaying various degrees of disturbance. No detailed analysis or comparisons can be drawn from such an assemblage.
9. Can the archaeological deposit be interpreted in the regional context?
 - The lithic materials and artefact types recovered are typical of those found in other sites in the Cumberland Plain. The recovered artefact assemblage, however, consisted of a small sample size recovered from a disturbed context. No detailed analysis or comparisons can be drawn from such an assemblage.
10. Do the results of the archaeological excavation change the scientific and cultural significance of the site?
 - The test excavation revealed that Aboriginal objects remain within the subject area. This allows for an assessment of scientific significance not possible prior to test excavation.
 - The presence of Aboriginal objects confirms the cultural significance of the subject area for Aboriginal people.
 - Significance will be discussed further in Section 5 below.
11. What is the scientific and cultural value of the assemblage?
 - The value of the subject area as explicated by the test excavation results will be discussed in Section 5 below.
12. How do the Aboriginal stakeholders view the cultural value of the deposit and assemblage?
 - UPDATE FOLLOWING RAP REVIEW

5.9. SUMMARY AND CONCLUSIONS

The ACHA concluded that due to the presence of sensitive landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.

The field survey confirmed that large portions of the subject area were heavily disturbed resulting from previous industrial scale chicken production. The remainder of the subject area currently utilised for grazing or within riparian corridors appeared relatively undisturbed.

Two previously unrecorded Aboriginal sites were observed were recorded during the archaeological survey. These consisted of two sandstone rock overhangs in deeply incised creek lines. The sites were registered on the Aboriginal Heritage Management System (AHIMS) as:

- AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD
- AHIMS ID# 52-2-4944: Ousedale Creek PAD.

A test excavation program was conducted within the subject area over seven days in the period between 2 May and 25 May 2023. The test excavation was undertaken in compliance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) and in line with the Sampling Strategy and Excavation Methodology developed by Urbis (Section 4.3 above).

A total of 143 50cm x 50cm archaeological test pits were excavated during the testing program targeting landforms at 12 separate locations within the subject area not previously impacted by modern development.

The results of the archaeological test excavation confirm the presence of Aboriginal objects within the subject area. On this basis three new AHIMS sites have been registered:

- AHIMS ID# 52-2-4945: 345 Appin Road AFT 1, a low-density artefact scatter (N=2) recovered from two test pits in the eastern portion of the subject area.
- AHIMS ID# 2-2-4946: 345 Appin Road AFT 2, a low-density artefact scatter (N=2) recovered from two test pits on a spur below the highest point within the subject area.
- AHIMS ID# 52-2-4943: Mallaty Creek AFT1, a moderate density artefact scatter (N=47) recovered from 14 test pits on a creek terrace above the deeply incised Mallaty Creek.

Test excavation confirmed the predictions of the desktop assessment that the subject area has high potential for Artefact Scatters / Campsites, Isolated Finds and PADs due to sensitive landscape features and proximity to water. Test excavation results, however, indicate that the archaeological potential is predominantly confined to the western portion of the subject area in locations in proximity to Ousedale Creek and Mallaty Creek. Ephemeral waterways in the remainder of the subject area have potential for sparse Aboriginal objects however these are likely to have been impacted by modern disturbance. The recovered artefact assemblage consisted of a small sample size predominantly from one location at AHIMS ID# 52-2-4943: Mallaty Creek AFT1. No detailed analysis or comparisons can be made from such an assemblage.

The test pits revealed varying levels of disturbance across the subject area including the erosion of topsoil and the introduction of fill. Subsurface soil profiles in areas utilised for grazing however were generally intact.

6. ARCHAEOLOGICAL POTENTIAL

The following predictive model reproduced in Table 5 was developed to inform the accompanying ACHAR. For a detailed description on the development of the predictive model, refer to Section 6 of the accompanying ACHAR.

The predictive model took accounts for the results of the desktop study and archaeological survey and test excavation including:

- Detailed analysis of previous archaeological investigations within the same Region.
- Presence or absence of landscape features that present potential for archaeological resources (human occupation, use) such as raised terraces adjacent to a water source.
- Analysis of the geology and soil landscape within the subject area which allows for a determination to be made of the type of raw material that would have been available for artefact production (silcrete, tuff, quartz etc) and the potential for the accumulation of archaeological resource within the subject area.
- Investigation of and determination of the level of disturbance/historical land use within the subject area which may impact on or remove entirely any potential archaeological material. The archaeological survey and test excavation further assessed levels of ground disturbance.
- Test excavation allowed a predictive model for the density and spatial extent of archaeological resources within the subject area.

Based upon the environmental and archaeological context of the subject area and the results of the archaeological survey and test excavation outlined in the following sections the archaeological potential of the subject area can be summarised as follows:

- There is high potential for Artefact Scatters / Campsites, Isolated Finds, PAD and Shelters. These site types were recorded during the archaeological survey and test excavation.
- There is a low potential for Art, Bora / Ceremonial sites, Burials, Contact sites, Grinding Grooves, Middens or Modified Trees to occur. These were not observed during the archaeological survey, however, there remains a small possibility that they are retained in areas which were not clearly visible at the time of survey.

Table 5 – Predictive Model

Site Type	Assessment	Potential
Art	The subject area contains a large amount of sandstone geology and incised creek lines with steep gradients and overhangs in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape. Due to the presence of such sandstone overhangs and deep incised creek lines with a steep gradient, there is high potential for art sites to be located within the subject area. Although no art was observed during the archaeological survey there remains a small possibility that art is retained which was not clearly visible at the time of survey.	Low
Artefact Scatters / Campsites	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Artefact Scatters. Three artefact Scatters were identified during the archaeological test excavation program (Section 5.5). These indicate archaeological potential, particularly in association with the main Creek lines in the western portion of the subject area.	Ephemeral creek lines: Low Ousedale and Mallaty Creek terraces: High

Site Type	Assessment	Potential
Bora / Ceremonial	The subject area underwent historical disturbance through clearance of original vegetation for agricultural use of the land which would have decreased the likelihood for Bora Ceremonial sites to be retained with a high degree of integrity. However, the subject area is located within in the Greater Macarthur area which contains identified Movement Corridors associated with past Aboriginal land use as discussed in Section. While there has been mention of the Appin area as a significant area, no specific sites have been identified as bora / ceremonial by the RAPs during the consultation process. The archaeological survey did not identify any areas with the potential for Bora / Ceremonial grounds. There is low potential for bora / ceremonial sites to occur within the subject area.	Low
Burial	The subject area is identified as being located within close proximity to the Appin Massacre Cultural Landscape sites. However, no conflict is recorded as occurring within the subject area. No other information from the consultation process or previously registered sites indicates that burial sites are likely. The shallow nature of the soil profile which has been subject to disturbance and erosion also indicates there is low potential for burial sites to occur within the subject area.	Low
Contact site	The subject area was occupied early in colonial times from the early to mid-19th Century as evidenced by land grants to Alexander Riley and John Oxley. Incidents related to the Appin Massacre occurred close to the bounds of the subject area though not within the subject area. There is low potential for contact sites to occur.	Low
Grinding Grooves	The subject area contains a large amount of sandstone geology near to the deeply incised creek lines and steep slope gradient in the southern and western areas of the site due to the partial location within the Hawkesbury soil landscape (see Section Observations during the archaeological survey, however, indicate that potential Grinding Grooves observed were in fact caused by modern machinery during site modification. Although no Grinding Grooves were observed during the archaeological survey there remains a small possibility that they are retained in areas which were not clearly visible at the time of survey.	Low
Isolated Finds	The subject area contains multiple landscape features that indicate Aboriginal sensitivity and potential for Aboriginal sites such as Isolated Finds. The three soil landscapes namely the Blacktown, the Hawkesbury, and the Luddenham indicate the likelihood of retaining Isolated Finds due to the depth of natural soils.	Ephemeral creek lines: Low Ousedale and Mallaty Creek terraces: High

Site Type	Assessment	Potential
	The subject area is also located with proximity to a convergence point to multiple waterways which increases the potential of Isolated Finds to occur. There is high potential for Isolated Finds to occur within the subject area. The archaeological test excavation identified low density stone artefacts in association with prominent landscape features and ephemeral water ways. A higher potential was identified in association with the major creeks in the western portion of the subject area.	
Midden	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways and prevalence of sandstone geology and deeply incised creek lines on a steep slope gradient in the southern and western portions of the subject area. On the basis of previously registered sites in the Extensive search area, there is a low potential for middens to occur within the subject area.	Low
Modified Trees	The subject area is currently undeveloped and has been disturbed only in six main localised areas. However, the area was likely to have been cleared for agricultural use early in the 19th Century and may not retain primary growth vegetation. The Greater Macarthur area contains identified Movement Corridors such as Appin Road. These corridors are associated with intangible Aboriginal cultural heritage and as a result may also be associated with modified trees. The archaeological survey, however, noted eucalypt regrowth. None of the trees observed were of an age which indicated archaeological potential.	Low
PAD	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, a prevalence of sandstone geology and deeply incised creek lines with steep slope gradients and overhangs in the southern and western portions of the subject area, and shallow to moderately deep soils across the subject area (see Section 3). Due to the presence of the sandstone geology and deeply incised creek lines, there is high potential for Shelters with PAD to occur within the subject area. Due to the presence of landscape features, natural soils, and mostly undeveloped nature of the subject area, there is high potential for a PAD to occur within the subject area. This is primarily limited to the western portion of the subject area which survey and test excavation revealed rock shelters and Artefact Scatters	Ephemeral creek lines: Low Ousedale and Mallaty Creek terraces: High
Shelters	The subject area contains multiple landscape features which indicate past Aboriginal land use. These landscape features include a convergence of waterways, and a prevalence of	High

Site Type	Assessment	Potential
	sandstone geology and deeply incised creeklines with steep slope gradients and overhangs in the southern and western portions of the subject area (see Section 3). The sandstone geology and deep incised creek lines with a steep gradient indicates a high potential for shelters to be located in these areas. The archaeological survey confirmed the presence of Shelters, particularly at AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD. While many smaller shelters were observed with no direct evidence of human occupation, it is likely that the overhangs within the incised creeklines in the western portion of the subject area have been utilised by Aboriginal people.	

7. SIGNIFICANCE ASSESSMENT

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

While the Burra Charter does not include 'archaeological value' specifically it is noted that it can be considered as a sub-set of scientific or other values (Australia ICOMOS Practice Note The-Burra-Charter-and-Archaeological-Practice).

This section is a summary of scientific of archaeological values for the project area. The assessment for social, historical, and aesthetic value is presented in Section 8 of the ACHAR.

7.1.1. Scientific (Archaeological) Value

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.

Five sites were identified as being located within the subject area, including three Artefact Scatters and two Rock Shelters. These are considered to have scientific (archaeological) value for their ability to provide information about the Aboriginal cultural practices of the Appin area as connected to the wider archaeological site distribution in southwest Sydney. These sites however do not exhibit any uniqueness or rarity compared with previously recorded Aboriginal sites.

The excavated artefact assemblage recovered during the test excavation consisted of 51 stone artefacts. Such artefacts are common in common in the region around the subject area and in the Cumberland Plain and Sydney basin more generally. The assemblage is relatively small, precluding robust statistical analysis or comparison with other assemblages. Furthermore, the soil profiles within the subject area displayed a level of disturbance from prior land use which precludes drawing accurate assumptions or conclusions in regard to the subject area.

Based on the above the subject area is assessed as having low scientific value.

8. IMPACT ASSESSMENT

The desktop assessment undertaken as part of the ACHA determined that there are no previously identified Aboriginal objects within the subject area. However, during field investigations including site survey and test excavation, five Aboriginal sites were identified, confirming the presence of Aboriginal objects and cultural sites within the curtilage of the subject area. The following is a summary impact assessment. A more detailed discussion can be found in Section 9 of the ACHAR.

No physical works are presently proposed for the subject area. The draft structure plan for the subject area has the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area designated as Environmental Conservation Land. Three of the five identified Aboriginal sites are located within these areas. The remaining two are in previously disturbed locations.

A comprehensive assessment of the potential harm to these sites and any as yet unknown Aboriginal objects should be undertaken at detailed design stage prior to undertaking any physical works within the subject area.

9. MANAGEMENT & MITIGATION MEASURES

9.1. AVOIDING AND MINIMISING HARM

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal places, along with their cultural heritage values. Avoidance and conservation measures must be feasible and within the financial viability of the proposed activity.

As described in Section 6.1 above, no physical works are presently proposed for the subject area. Management and Mitigation measures will require assessment prior to undertaking any physical works outlined in the Detailed Design.

As a first preference known Aboriginal sites within the currently drafted Environmental Conservation Land should be protected *in situ*.

9.2. ABORIGINAL HERITAGE IMPACT PERMIT

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA).

9.3. ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management of Aboriginal sites or impact to subsurface Aboriginal archaeological remains should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites including identified shelters and Artefact Scatters that may be impacted by the proposal. This would include strategies to prevent intentional or incidental impact to these sites during construction and use of the residential subdivision. The ACHMP should include:

- An Archaeological Research Design and salvage Excavation Methodology (if required) (ARD & EM)
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources including artefacts recovered during the test excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program (if required).

Recommendations for mitigating harm to the identified Aboriginal sites will to be implemented post approval.

9.4. ARCHAEOLOGICAL SALVAGE EXCAVATION

Should the final design result in proposed activity within areas of known or potential archaeological sensitivity, salvage excavation may be required to be undertaken to mitigate harm to Aboriginal objects that will be impacted. This should be undertaken at DA stage under an Approved AHIP, or following SSDA approval, with ongoing management of objects subject to consultation with RAPs.

9.5. ARCHAEOLOGICAL CHANCE FINDS PROCEDURE

Although considered highly unlikely, should any archaeological deposits be uncovered during any site works, a procedure must be implemented. The following steps must be carried out:

- All works stop in the vicinity of the find. The find must not be moved 'out of the way' without assessment.
- Site supervisor, or another nominated site representative must contact either the project archaeologist (if relevant) or DPC to contact a suitably qualified archaeologist.
- The nominated archaeologist examines the find, provides a preliminary assessment of significance, records the item and decides on appropriate management, in conjunction with the RAPs for the project.

Such management may require further consultation with DPC, preparation of a research design and archaeological investigation/salvage methodology and preparation of AHIMS Site Card.

- Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required, and further archaeological investigation undertaken.
- Reporting may need to be prepared regarding the find and approved management strategies. Any such documentation should be appended to this ACHAR and revised accordingly.
- Works in the vicinity of the find can only recommence upon relevant approvals from DPC.

9.6. HUMAN REMAINS PROCEDURE

In the unlikely event that human remains are uncovered during any site works, the following protocols must be undertaken:

- All works within the vicinity of the find must immediately stop. The find must be cordoned-off and signage installed to avoid accidental impact.
- The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
- The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
- Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives.
- Works are not to recommence until the find has been appropriately managed.

9.7. MANAGEMENT OF ABORIGINAL OBJECTS

9.7.1. Short-term Storage

All archaeological material recovered from the test and subsequent salvage excavation will be temporarily retained by Urbis and placed into a lockable, secure place in Urbis' Sydney offices. Consultation with the registered Aboriginal Parties will be carried out in relation to the care and control of the recovered artefacts including the opportunity to carry out the cleaning and analysis of artefacts.

9.7.2. Long Term Management

Further consultation with the RAPs is required to determine long term care and control of any Aboriginal objects excavated. Long term deposition of artefacts will be negotiated with the registered Aboriginal parties and a Care and Control Agreement will be drafted.

Requirement 26 "Stone artefact deposition and storage" in the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW must be complied with.

10. CONCLUSIONS AND RECOMMENDATIONS

An archaeological survey and test excavation program for 345 Appin Road, Appin, NSW (Lot 105 Deposited Plan (DP) 1188670) was undertaken in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a).

Following the results of the archaeological survey and test excavation program the following conclusions were made:

The conclusions of the ACHAR are summarised as follows:

- The AHIMS search identified no Aboriginal sites or Aboriginal Places within the subject area.
- Three previously registered AHIMS sites of Grinding Grooves (AHIMS ID#52-2-3580, #52-2-3581, #52-2-3583) were located in close proximity to the subject area outside of the western boundary.
- Background historical research has found that no specific sites associated with the Appin Massacre Cultural Landscape are located within the subject area, therefore the subject area does not form part of the State Heritage Listing.
- Previous archaeological investigations provided a predictive model for the wider Appin area that revealed the registration of known sites were biased towards locations of previous surveys, and that high tangible and intangible cultural heritage exists in the Appin area through the presence of a Movement Corridor located near to the eastern boundary of the subject area in the location of Appin Road.
- The subject area contains archaeologically sensitive landscape features; floodplains associated with the Nepean Rivers and its tributaries, with a series of slopes and peaks, incised sandstone creek lines and incised sandstone creeks with steep embankments in the western and southwestern portion of the subject area.
- Proximity to numerous waterways such as the Georges and Nepean River, Mallaty Creek, Ousedale Creek, and Lily Ponds Gully increase the sensitivity of the subject area for Aboriginal objects to occur.
- Despite clearing of vegetation from historical disturbance, there is remnant vegetation present within the subject area. As the vegetation is likely to be secondary regrowth, there is a decreased potential for Scarred/Modified Trees to occur.
- As the subject area has been used for agricultural purposes from European contact to the present day it has been subjected to historical ground disturbance in localised areas.
- Due to the presence of sensitive landscape features and the undeveloped nature of the majority of the subject area, there is high potential for Aboriginal sites such as Art, Artefact Scatters, Grinding Grooves, Isolated Finds, Modified Trees, PAD, and Shelters to occur.
- Currently, there is no impact or harm proposed to the identified Aboriginal sites within the subject area. However, in the event the Planning Proposal is approved, portions of the subject area will be impacted from the construction of the residential subdivision.

Based on the above conclusions an archaeological survey and test excavation program were conducted to inform the understanding of the nature, extent, integrity and research significance of the Aboriginal archaeological resources within the subject area.

Following the results of the survey and test excavation program the following conclusions were made:

- The subject area consisted of cleared areas utilised for grazing which appeared relatively intact, areas heavily vegetated with eucalypt regrowth associated with creek lines and drainage lines, and heavily disturbed areas associated with previous land use for chicken production.
- One Aboriginal object was observed during the archaeological survey found within a rock shelter within a deeply incised creek gully transversing SU6 and SU7. The rock shelter has been registered as AHIMS ID# 52-2-4942 Ousedale Creek AFT and PAD.
- A further rock shelter was observed in Ousedale Creek with potential to have been utilised by aboriginal people. This shelter was recorded on AHIMS as AHIMS ID# 52-2-4944 Ousedale Creek PAD.

- The test excavation undertaken in the subject area recovered 51 Aboriginal objects, all stone artefacts, from a total of 143 excavated test pits.
- A low-density artefact scatter (AHIMS ID# 52-2-4945 345 Appin Road AFT 1) was observed in area E consisting of two stone artefacts. No other artefacts were recovered at this location.
- A low-density artefact scatter (AHIMS ID# 52-2-4946 345 Appin Road AFT 2) was observed in area M consisting of two stone artefacts. No other artefacts were recovered at this location.
- The highest concentration of artefacts was located on an elevated creek terrace in the north-western portion of the subject area in a partially disturbed context consisting of 47 artefacts recovered from 14 out of a total of 28 test pits. This area was registered as AHIMS ID# 52-2-4943 Mallaty Creek AFT 1.
- Test excavation confirmed the predictions of the desktop assessment that the subject area had high potential for Artefact Scatters / Campsites, Isolated Finds and PADs. Test excavation results, however, indicate that the archaeological potential is predominantly confined to areas in proximity to the major creeks in the western portion of the subject area. The ephemeral waterways in the eastern portion of the subject area have low potential, further reinforced by high levels of disturbance due to dams and livestock activity. Due to landforms with low archaeological sensitivity confirmed during the archaeological test excavation program, and due to areas of moderate to extreme levels of disturbance, potential in the remainder of the subject area is nil to low for all archaeological site types.
- The subject area is assessed as having high Aboriginal heritage significance for its social and cultural value to the Aboriginal community as part of the broader cultural landscape and low scientific (archaeological) value as a common example of a low-density stone artefact-bearing site within the Cumberland plain. **UPDATE FOLLOWING STAGE 4.**
- The current proposal is being undertaken as a State-led Planning Proposal and, as such, no impacts are yet proposed. The Environmental Conservation Land in the draft structure plan corresponds with the currently vegetated areas in the location of creeks and tributaries in the western portion of the subject area. These areas are the least disturbed portions of the subject area with the highest archaeological potential due to proximity to water ways. AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD and AHIMS ID# 52-2-4944: Ousedale Creek PAD are located within these areas designated as Environmental Conservation Land.

In view of the above conclusions, the following recommendations are made:

Recommendation 1 – Ongoing consultation.

Consultation with the registered Aboriginal parties (RAPs) will be continued through to Detailed Design phase to allow input from the Aboriginal community.

Recommendation 2 – Avoidance through design.

The first preference would be that recorded Aboriginal sites and areas of archaeological potential be avoided in final design to ensure cultural heritage values are retained *in-situ* where practical. It is noted that the Environmental Conservation Land under the current draft structure plan corresponds areas with the highest archaeological potential and existing AHIMS registered Aboriginal sites.

Recommendation 3 – Update the ACHAR and ATR incorporating the Detailed Design.

Once the Planning Proposal is approved, the ACHAR and ATR will require an update at the Detailed Design phase. This will include a detailed impact assessment and recommendations for the avoidance and minimisation of harm to known Aboriginal sites and areas of archaeological potential.

Recommendation 4 – Management of Aboriginal sites

If impact to known Aboriginal sites cannot be avoided under the Detailed Design an Aboriginal Heritage Impact Permit (AHIP) will be required if works proceed under a local Development Application (DA). Should works be conducted under a State Significant Development Application (SSDA) an AHIP will not be required, and further management or impact to known Aboriginal sites will be guided by the Conditions of Consent. Archaeological remains should be undertaken post approval in conjunction with an Aboriginal Cultural Heritage Management Plan (ACHMP). An ACHMP is likely to be a Condition of Consent under an SSDA. Further management may include the requirement for an archaeological salvage excavation at AHIMS registered Aboriginal sites.

Recommendation 5 – Aboriginal Cultural Heritage Management Plan (ACHMP)

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed to guide the management of archaeological resources recovered within the subject area. The ACHMP should include:

- Ongoing management strategies and mitigation measures for Aboriginal sites including AHIMS ID# 52-2-4942: Ousedale Creek AFT and PAD, AHIMS ID# 52-2-4944: Ousedale Creek PAD, AHIMS ID# 52-2-4943: Mallaty Creek AFT 1, AHIMS ID# 52-2-4945: 345 Appin Road AFT 1 and AHIMS ID# 52-2-4946: 345 Appin Road AFT 2.
- A discussion on the AHIP application if necessary.
- An Archaeological Research Design and salvage Excavation Methodology (ARD & EM) to guide a salvage excavation if required.
- A Care and Control agreement to be formulated in discussion with the Registered Aboriginal Parties (RAPs) for the long-term management of recovered Aboriginal cultural resources recovered during the salvage excavation program.
- Provision for the cataloguing and analysis of the recovered artefacts which will inform the scientific cultural and historical significance of the site and, in turn, management of the heritage resource.
- Requirements and objectives for a post-excavation report to be prepared following the salvage excavation program.

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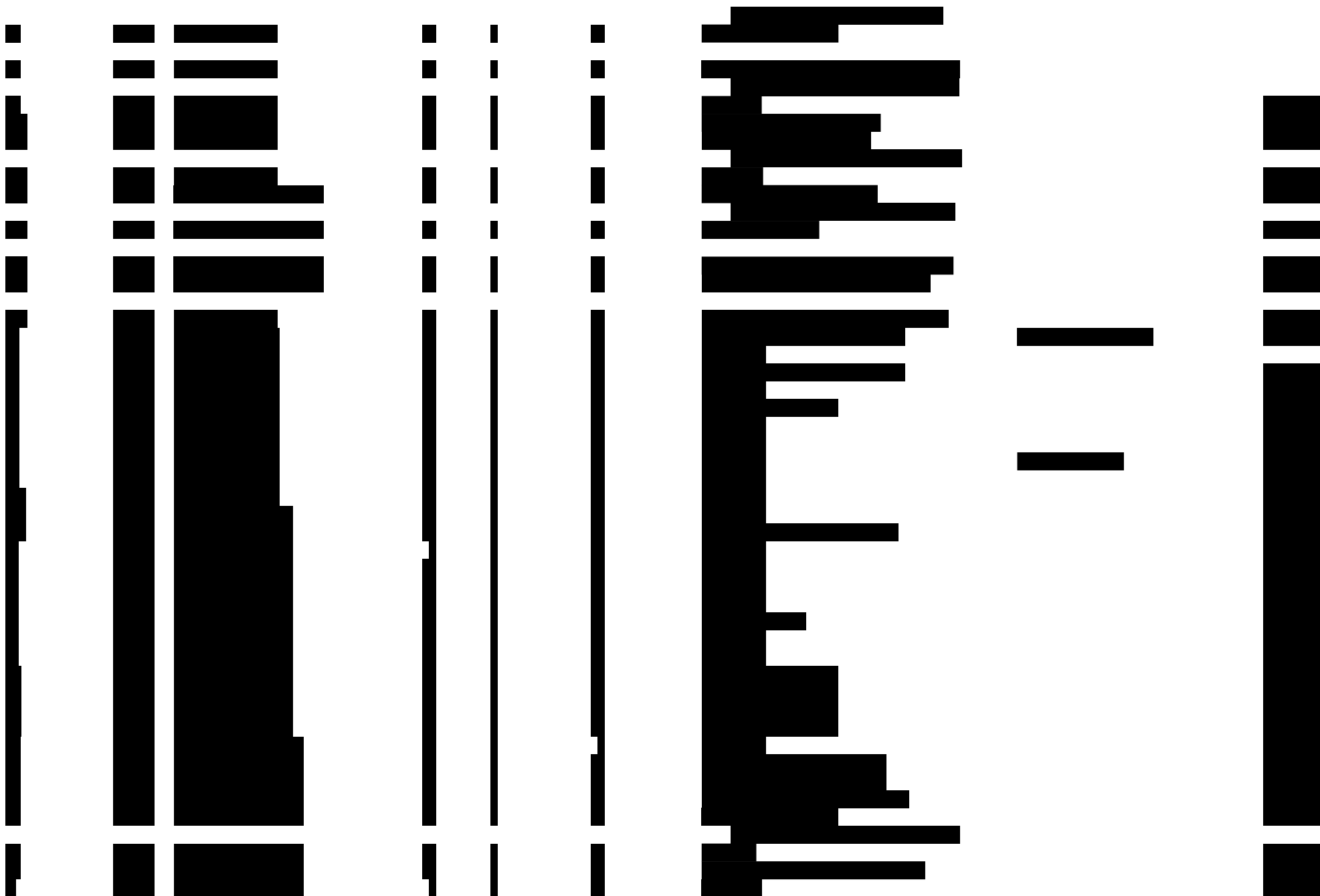
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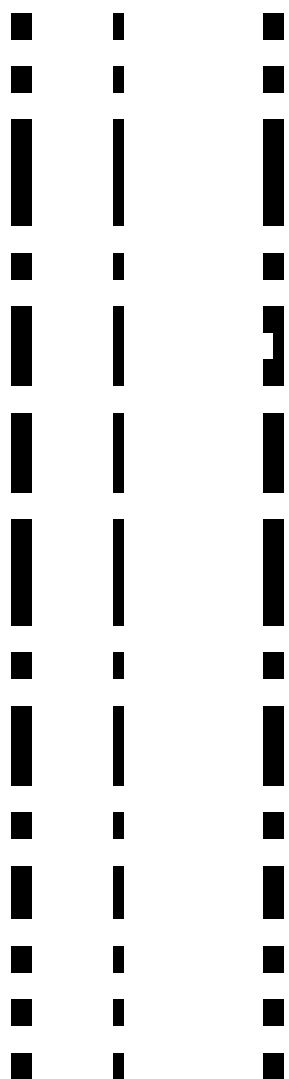
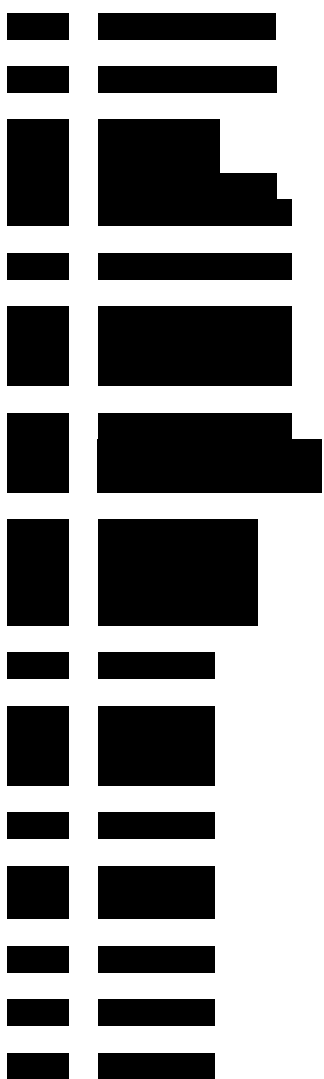
APPENDIX A

TEST PIT REGISTER



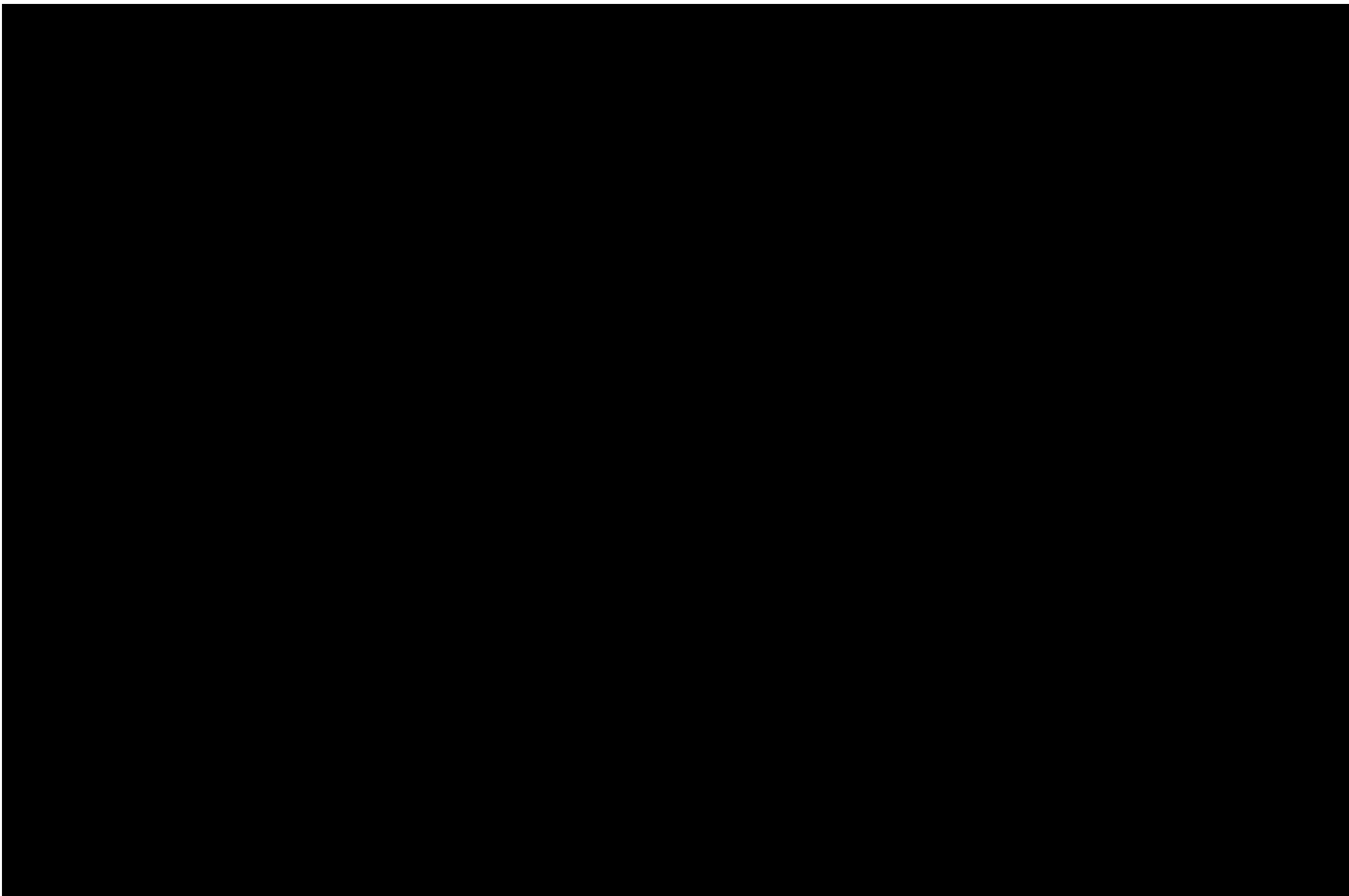






APPENDIX B

ARTEFACT CATALOGUE



APPENDIX C

**AHIMS SITE CARDS NEWLY
REGISTERED SITES**

The first part of the paper discusses the importance of understanding the cultural context of the research. It highlights the need for researchers to be sensitive to the values and beliefs of the communities they are studying. This is particularly important in the field of education, where cultural differences can significantly impact learning outcomes. The paper then moves on to discuss the challenges of conducting research in culturally diverse settings. It notes that researchers often face difficulties in establishing rapport with participants and in interpreting their responses. To address these challenges, the paper suggests several strategies, including the use of local informants and the development of culturally appropriate research instruments. The final part of the paper discusses the importance of ethical considerations in cross-cultural research. It emphasizes the need for researchers to obtain informed consent from participants and to ensure that their research does not cause harm or exploitation. The paper concludes by noting that while cross-cultural research is a complex and challenging endeavor, it is also a highly rewarding one that can lead to a deeper understanding of human behavior and culture.

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the 'information' and 'communication' fields. The 'information' field is defined as:

...the study of the processes of information production, distribution, access, use and evaluation, and the study of the social, cultural, economic and political contexts in which these processes take place. (p. 10)

The 'communication' field is defined as:

...the study of the processes of communication production, distribution, access, use and evaluation, and the study of the social, cultural, economic and political contexts in which these processes take place. (p. 10)

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The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The second part of the paper describes the methodology used in the study, including the data collection and analysis techniques. The third part of the paper presents the results of the study, and the fourth part discusses the conclusions and implications of the findings.

The study was conducted using a quantitative research design. Data was collected from a sample of 100 participants using a survey questionnaire. The data was then analyzed using statistical software to determine the relationships between the variables.

The results of the study show that there is a significant positive relationship between the variables. This finding is consistent with the previous research in the field. The implications of the findings suggest that the research has practical applications in the field.

In conclusion, the study has shown that there is a significant positive relationship between the variables. This finding is consistent with the previous research in the field. The implications of the findings suggest that the research has practical applications in the field.

The first of these is the fact that the system is not a simple one. It is a complex system, and as such, it is not possible to understand it by looking at its parts in isolation. The system is a whole, and its behavior is determined by the interactions between its parts. This is a fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The second of these is the fact that the system is not a static one. It is a dynamic system, and its behavior changes over time. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The third of these is the fact that the system is not a linear one. It is a non-linear system, and its behavior is not predictable by simple linear models. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The fourth of these is the fact that the system is not a closed one. It is an open system, and it interacts with its environment. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The fifth of these is the fact that the system is not a simple one. It is a complex system, and as such, it is not possible to understand it by looking at its parts in isolation. The system is a whole, and its behavior is determined by the interactions between its parts. This is a fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The sixth of these is the fact that the system is not a static one. It is a dynamic system, and its behavior changes over time. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The seventh of these is the fact that the system is not a linear one. It is a non-linear system, and its behavior is not predictable by simple linear models. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The eighth of these is the fact that the system is not a closed one. It is an open system, and it interacts with its environment. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The ninth of these is the fact that the system is not a simple one. It is a complex system, and as such, it is not possible to understand it by looking at its parts in isolation. The system is a whole, and its behavior is determined by the interactions between its parts. This is a fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

The tenth of these is the fact that the system is not a static one. It is a dynamic system, and its behavior changes over time. This is another fundamental principle of systems thinking, and it is one that is often overlooked in traditional engineering and science.

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The first part of the paper discusses the importance of understanding the cultural context of the research. It highlights the need for researchers to be sensitive to the values and beliefs of the communities they are studying. This is particularly important in the field of education, where cultural differences can significantly impact learning outcomes.

The second part of the paper focuses on the methodology used in the study. It describes the process of selecting participants, collecting data, and analyzing the results. The authors emphasize the importance of using a mixed-methods approach to gain a comprehensive understanding of the research topic.

The third part of the paper presents the findings of the study. It discusses the results of the quantitative data analysis and the insights gained from the qualitative interviews. The authors conclude that there are significant cultural differences in the way that students learn and that these differences should be taken into account when designing educational programs.

The final part of the paper discusses the implications of the findings for future research and practice. It suggests that further studies should be conducted to explore the cultural factors that influence learning outcomes. Additionally, it recommends that educators should be trained to recognize and respond to the cultural needs of their students.

[The page contains a large, faint, and mostly illegible watermark or bleed-through from the reverse side. The text is mirrored and difficult to decipher, but appears to be a formal document or letter.]

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APPENDIX B

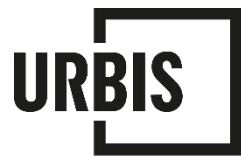
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APPENDIX C

REGISTERED ABORIGINAL PARTY CONSULTATION LOG

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APPENDIX D

REGISTERED ABORIGINAL PARTY CONSULTATION DOCUMENTATION



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Learn more about our [**Reconciliation Action Plan**](#).

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On Fri, May 3, 2024 at 2:17 PM Hayley Campbell <hcampbell@urbis.com.au> wrote:

Good afternoon,

Urbis was engaged by Ingham Property Group ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, Tharawal Country ('the subject area').

In accordance with Section 4.4 (Stage 4 – Review of draft cultural heritage assessment report) of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find the draft report in the following link for your review and comment.

[Draft Aboriginal Cultural Heritage Assessment and Archaeological Technical Report](#)

If you wish to provide any comments for inclusion into the reports, please so do in writing, preferably by email by **Close of Business, 31 May 2024** to:

Hayley Campbell

Archaeology Assistant

Urbis Ltd

Level 8, 123 Pitt Street

Sydney NSW 2000

E: hcampbell@urbis.com.au

Kindest regards,

HAYLEY CAMPBELL
ARCHAEOLOGY ASSISTANT

D +61 2 8424 5126

E hcampbell@urbis.com.au

**SHAPING
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COMMUNITIES**



ANGEL PLACE, LEVEL 8, 123 PITT STREET
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Follow our journey of learning and growth as we work towards embedding meaningful engagement with First Peoples in our work.

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Hayley Campbell

From: [REDACTED]
To: Hayley Campbell
Subject: Re: 345 Appin Road, Appin, NSW -Stage 4 Draft ACHA for Review

Follow Up Flag: Follow up
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Archaeology Assistant

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Sydney NSW 2000

E: hcampbell@urbis.com.au

Kindest regards,

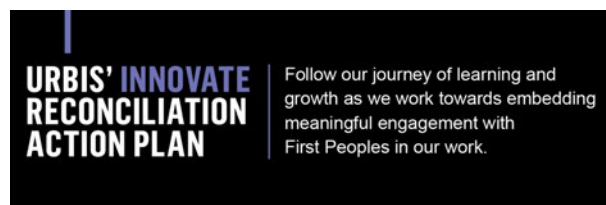
HAYLEY CAMPBELL
ARCHAEOLOGY ASSISTANT

D +61 2 8424 5126
E hcampbell@urbis.com.au

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[REDACTED]

[REDACTED]



Hayley Campbell

From: Hayley Campbell
Sent: Friday, 3 May 2024 3:38 PM
To: [REDACTED]
Subject: RE: 345 Appin Road, Appin, NSW -Stage 4 Draft ACHA for Review

[REDACTED]

Thank you for your email.

We can certainly arrange for a hard copy to be posted out to your nominated address.

Kindest regards

HAYLEY CAMPBELL
ARCHAEOLOGY ASSISTANT

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[REDACTED]

Sent: Friday, May 3, 2024 3:32 PM
To: Hayley Campbell <hcampbell@urbis.com.au>
Subject: RE: 345 Appin Road, Appin, NSW -Stage 4 Draft ACHA for Review

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<mailto:hcampbell@urbis.com.au>

Sent: Friday, 3 May 2024 2:18 PM

Cc: Sam Richards

Subject: 345 Appin Road, Appin, NSW -Stage 4 Draft ACHA for Review

Good afternoon,

Urbis was engaged by Ingham Property Group ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, Tharawal Country ('the subject area').

In accordance with Section 4.4 (Stage 4 – Review of draft cultural heritage assessment report) of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find the draft report in the following link for your review and comment.

[Draft Aboriginal Cultural Heritage Assessment and Archaeological Technical Report](#)

If you wish to provide any comments for inclusion into the reports, please so do in writing, preferably by email by **Close of Business, 31 May 2024** to:

Hayley Campbell
Archaeology Assistant
Urbis Ltd
Level 8, 123 Pitt Street
Sydney NSW 2000
E: hcampbell@urbis.com.au

Kindest regards,

HAYLEY CAMPBELL
ARCHAEOLOGY ASSISTANT

D +61 2 8424 5126
E hcampbell@urbis.com.au

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Hayley Campbell

From: [REDACTED]
Sent: Thursday, 30 May 2024 7:07 AM
To: Hayley Campbell
Subject: Re: 345 Appin Road, Appin, NSW -Stage 4 Draft ACHA for Review

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] engaged by Ingham Property Group ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 345 Appin Road, Appin, NSW, Tharawal Country ('the subject area').

In accordance with Section 4.4 (Stage 4 – Review of draft cultural heritage assessment report) of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find the draft report in the following link for your review and comment.

[Draft Aboriginal Cultural Heritage Assessment and Archaeological Technical Report](#)

If you wish to provide any comments for inclusion into the reports, please so do in writing, preferably by email by **Close of Business, 31 May 2024** to:

Hayley Campbell

Archaeology Assistant

Urbis Ltd

Level 8, 123 Pitt Street

Sydney NSW 2000

E: hcampbell@urbis.com.au

Kindest regards,

HAYLEY CAMPBELL
ARCHAEOLOGY ASSISTANT

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E hcampbell@urbis.com.au

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Hayley Campbell

From: [redacted]
[redacted] Friday, 24 May 2024 12:34 PM
To: Hayley Campbell
Subject: 345 Appin Road, Appin, NSW -Stage 4
Attachments: 345 Appin Road, Appin, NSW -Stage 4.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from [redacted]

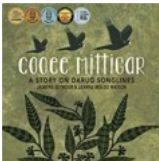
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ABORIGINAL CORPORATION

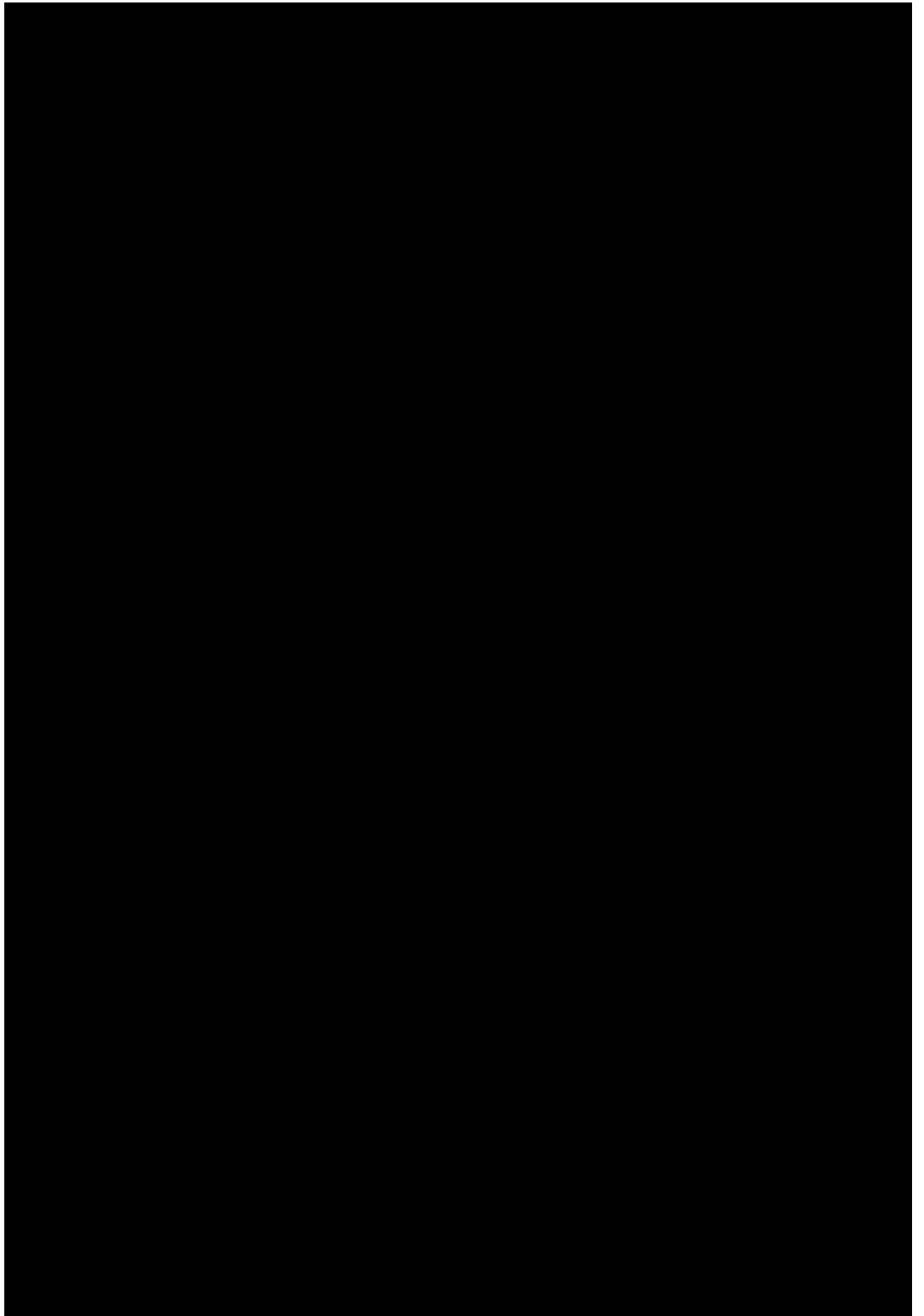


[redacted]

[redacted]



[redacted]





From: [Hayley Campbell](#)
Cc: [Sam Richards](#)
Bcc:



Subject: 345 Appin Road, Appin NSW - ACHA Consultation Update
Date: Tuesday, 13 August 2024 10:54:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good morning,

Thank you for your interest in the Aboriginal Cultural Heritage Assessment of 345 Appin Road, Appin NSW.

Please note that the consultation process for this project is still ongoing and we will be in touch with further information in due course.

If you have any questions, please do not hesitate to contact us.

Kindest regards,

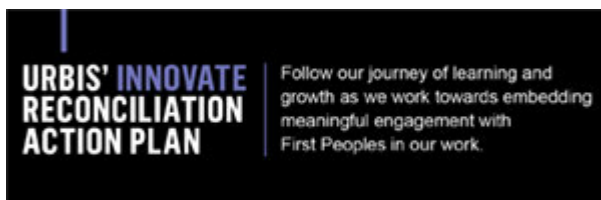
HAYLEY CAMPBELL
ARCHAEOLOGY ASSISTANT

D +61 2 8424 5126
E hcampbell@urbis.com.au

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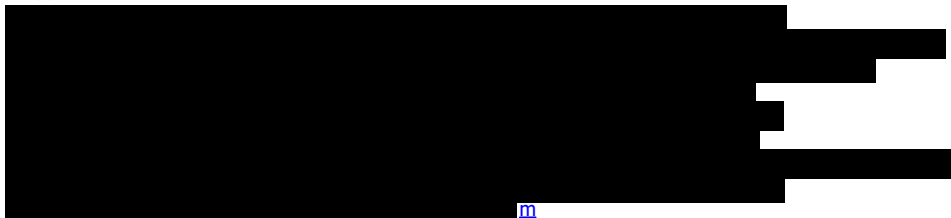
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From: [Kirsten Downey](#)
Cc: [Meggan Walker](#)
Bcc:



Subject: 345 Appin Road, Appin, NSW - Aboriginal Cultural Heritage Assessment - Consultation update
Date: Monday, 16 October 2023 4:28:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good afternoon,

I am emailing regarding our project at 345 Appin Road, Appin, NSW, for which you were registered as an Aboriginal Party during the Consultation Process of the Aboriginal Cultural Heritage Assessment (ACHA).

The archaeological test excavation has been completed, we are currently compiling the results and analysis. We will provide the draft ACHAR with the Archaeological Technical Report (ATR) appended once completed.

Kind regards,

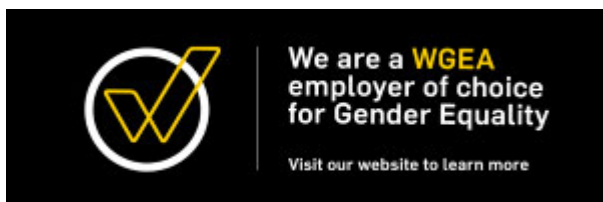
KIRSTEN DOWNEY
CONSULTANT ARCHAEOLOGIST

D +61 2 8233 7603
E kdowney@urbis.com.au

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From: [Kirsten Downey](#)

Bcc:



Subject: 345 Appin Road, Appin, NSW - ACHA Consultation update

Date: Thursday, 1 February 2024 5:30:00 PM

Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good afternoon,

Thank you for your interest in the Aboriginal Cultural Heritage Assessment of 345 Appin Road, Appin, NSW.

Please note that the consultation process for this project is still ongoing and we will be in touch with further information in due course.

If you have any questions, please do not hesitate to contact us.

Kind regards,

KIRSTEN DOWNEY

CONSULTANT ARCHAEOLOGIST

D +61 2 8233 7603

E kdowney@urbis.com.au

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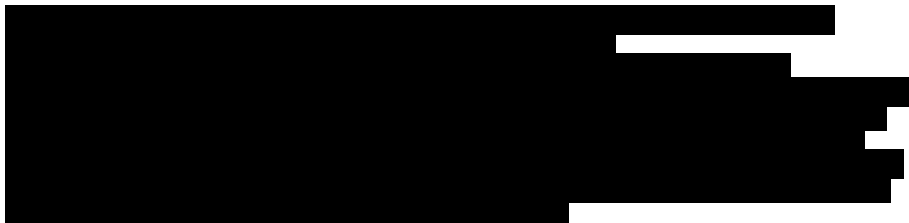
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From: [Kirsten Downey](#)
Cc: [Sam Richards](#)
Bcc:



Subject: 345 Appin Road, Appin, NSW - ACHA Consultation Update
Date: Thursday, 2 May 2024 10:35:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good morning,

Thank you for your interest in the Aboriginal Cultural Heritage Assessment of 345 Appin Road, Appin, NSW.

Please note that the consultation process for this project is still ongoing and we will be in touch with further information in due course.

If you have any questions, please do not hesitate to contact us.

Kind regards,

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From: [Kirsten Downey](#)
Cc: [Meggan Walker](#)
Bcc:

Subject: Consultation update for 345 Appin Road, Appin, NSW - Aboriginal Cultural Heritage Assessment
Date: Friday, 14 July 2023 5:55:00 PM

Good evening,

I am emailing regarding our project at 345 Appin Road, Appin, NSW, for which you were registered as an Aboriginal Party during the Consultation Process of the Aboriginal Cultural Heritage Assessment (ACHA).

The archaeological test excavation has been completed, we are currently compiling the results and analysis. We will provide the ACHAR with the Archaeological Technical Report (ATR) appended once completed.

Kind regards,

KIRSTEN DOWNEY *she/her/hers*
CONSULTANT ARCHAEOLOGIST
D +61 2 8233 7603
E kdowney@urbis.com.au

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