Appendix I

Aboriginal heritage assessments

Appendix I1

EMM, Proposed Georges Cove Marina – Aboriginal Heritage, April 2015

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10 April 2015
Ernest Dupere
Benedict Industries Pty Ltd
PO Box 431, Frenchs Forest
NSW 1640

Re: Proposed Georges Cove Marina - Aboriginal heritage

Dear Ernest,

1 Overview

This letter provides updated information regarding the Aboriginal archaeological assessment for the proposed Georges Cove Marina, 146 Newbridge Road, Moorebank (the project) prepared by Mary Dallas Consulting (Dallas 2004) (the 2004 assessment). It has been prepared on behalf of Benedict Industries Pty Ltd (Benedict).

The 2004 assessment was part of an environmental impact statement (EIS) accompanying a previous application to Liverpool City Council for development consent for the project in 2012. This application was granted to Tanlane Pty Ltd by the Sydney West Joint Region Planning Panel (JRPP) as the Consent Authority on 22 August 2014 with support from Liverpool City Council. The validity of the Consent was challenged by the proposal's sole objector, Moorebank Recycling Pty Ltd in the NSW Land and Environment Court. The court ruled in favour of the objector, declaring that the Consent was invalid and ruled that Tanlane should commission an preliminary contamination assessment, reapply for a consent and supply the preliminary contamination assessment report to the JRPP as part of the application.

EMGA Mitchell McLennan Pty Limited (EMM) has been engaged by Benedict to review the 2004 Aboriginal archaeological assessment in accordance with *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010) (due diligence guidelines) which aims to:

- identify whether or not Aboriginal objects are, or are likely to be, present in an area; and
- determine whether the proposed activities are likely to harm Aboriginal objects.

EMM reviewed the 2004 assessment report and completed an updated search of the Aboriginal Heritage Information Management System (AHIMS) register to confirm that Aboriginal sites have not been recorded, and are not likely to exist, in the project area. No further field survey was required because the project area is the same as that has not changed since the surveyed for the 2004 archaeological assessment.

2 Previous investigation

The 2004 assessment involved background environmental and archaeological research and a field survey of the entire project area accompanied by a site officer from the Gandangara Local Aboriginal Land Council (GLALC). No previously recorded Aboriginal sites were identified from background research and none were identified during the survey. The survey identified that over 90% of the project area had been subject to

past land use disturbance inclusive of deep sand mining, top soil removal and land fill. The trees inspected along the Georges River foreshore did not show signs of Aboriginal cultural modification. No areas of archaeological potential were identified. Dallas (2004) concluded that no further Aboriginal archaeological assessment was warranted.

3 AHIMS search

A search of the AHIMS register was completed on 8 April 2015. The search covered a 1 km by 2 km area centred on the project area and included the project area and surrounding land. No Aboriginal objects were identified in the AHIMS search area (Attachment A).

4 Conclusion and recommendations

The 2004 assessment and the updated AHIMS search fulfil the requirements of the due diligence guidelines because:

- the project is on disturbed land;
- no Aboriginal sites have been recorded in the project area; and
- an archaeological survey of the entire project area did not identify any Aboriginal objects or areas of archaeological potential.

As such, no further investigation is required for the project area. Although no Aboriginal objects are expected to occur in the project area, EMM recommends the following procedures be implemented to avoid harming any unknown Aboriginal objects:

1. If during the course of construction Benedict or any subcontractors become aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) should cease immediately and the GLALC and an archaeologist be contacted for further advice.
2. If human suspected human skeletal remains are identified all work likely to affect the remains should cease immediately. The find should be reported to the police (as required for all human remains discoveries) and the Office of Environment and Heritage (OEH) contacted for advice on the identification of the skeletal material as Aboriginal and management of the material. If the remains are Aboriginal ancestral remains, the GLALC should be contacted and consultative arrangements will be made to discuss ongoing care of the remains.
3. Benedict should provide heritage awareness training as part of the induction program for all on site personnel. The induction should include examples of Aboriginal objects so that unexpected finds can be identified during project construction.

5 Closing

I trust that this letter provides information relevant to the Aboriginal archaeological aspects of the project. If you wish to discuss any of points raised in this letter or have any further questions, please do not hesitate to contact me on my details provided below.

Yours sincerely,

Ryan Desic
Archaeologist
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References

Department of Environment Climate Change and Water (DECCW) 2010*, Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.

Mary Dallas Consulting Archaeologists (Dallas) 2004, *Benedict Sand and Gravel 146 Newbridge Road, Moorebank, Aboriginal Archaeological Assessment*, prepared for Benedict Industries Pty Ltd.

Appendix A

AHIMS results

AHIMS Web Services (AWS)

Extensive search - Site list report

Purchase Order/Reference : J14149

Client Service ID : 168503

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
	Contact	Recorders						Permits		

There are no sites found for given search criteria.

Report generated by AHIMS Web Service on 08/04/2015 for Ryan Desic for the following area at Datum :GDA, Zone : 56, Eastings : 311448 - 312448, Northings : 6242439 - 6244439 with a Buffer of 0 meters. Additional Info : Due diligence. Number of Aboriginal sites and Aboriginal objects found is 0

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Appendix I2

Mary Dallas Consulting Archaeologists, Benedict Sand & Gravel 146 Newbridge Road, Moorebank Aboriginal Archaeological Assessment, December 2004

MARY DALLAS
CONSULTING
ARCHAEOLOGISTS

CULTURAL RESOURCE ASSESSMENT, PLANNING AND MANAGEMENT

RECEIVED
14 DEC 2004

Mark Steglick
Gowings Brothers Limited
Level 8 Gowings Building
45 Market Street,
Sydney NSW 2000

Dear Mark,

RE : BENEDICT SAND & GRAVEL 146 NEWBRIDGE ROAD, MOOREBANK
ABORIGINAL ARCHAEOLOGICAL ASSESSMENT

In September 2004 we undertook en Aboriginal archaeological assessment of Lot 1 in DP 515738 Newbridge Road Moorebank. The land is owned by Meron Investments Pty Limited and comprises approximately 15ha [See Figure 1]. The site is bound in the east by e Flower Power nursery and retail outlet and the Georges River, in the west end south by Boral Brickworks end in the north by Newbridge Roed. The site is currently used by Benedict Sand Gravel for sand extraction, inert landfill and recycling.

Site Condition

The site is located within the Berkshire Park Soil Landscape [Bannermen and Hazelton 1990] comprising gently undulating rises on Tertiary clayey quertzose sand and clay terraces. Reference to the Penrith Geological 1:100,000 sheet indicates these deposits are located in the northern portion of the site. Queternary alluviums, comprising medium grained sand, silt end clay, form the flank the Georges River in the east of the site. The bulk of these alluviums including topsoils have been removed by sand extraction.

The northern portion of the site has been filled to between 6 and 8m end contains e bitumen access road, weighbridge and Site Office [see Figures 2 and 3]. Topsoil hed been removed, by the previous owner for sele, in the mid 1970s.

An open cut drain was constructed along the western site boundary in 1994 [see Figure 4].

The southern portion of the site has been sand mined by dredge to depths of 15m and currently contains three settling ponds covering the majority of the southern lends.

The site is lergely cleered of vegetation. Older trees remein along the immediate shore line of the River along south eestern boundary [see Figura 5]. Portions of the riverbank ere flood scoured end retained by rubble and earth fill.

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mdallas@intercoast.com.au

Archeeological Background

No previous Aboriginal archaeological survey has been conducted over the Lot [Refer Dapartment of Environment and Conservation Register of Aboriginal Sites end Catalogue of Archaeologicel Reports]. Nearest Known sites were identified 1.5km to the south neer the confluence of Williams Creek and the Georges River. These sites were open artefact scatters which have subsequently been destroyed under a DEC Permit.

Previous erohaeological investigations in the generel area have focused on lands proposed for housing development, in particular the suburbs of Wettle Grove, Holsworthy Village and Voyager Point, or tha redevelopment of Department of Defence lends to the south. The discovery of the majority of sites hes been the result of systamatic archaeological site survey cerried out prior to subdivision and the development Archaeological surveys have been conducted in ereas situeted immediately to the south west and south of the present study area (for example Haglund 1995; Boot 1990, 1992, 1994; Dallas 1998a, 1998b 1998c; McDonald 1996). These studies heve located e number of Aboriginel sites along the banks and flanks of Herris Creek end Williams Creek. These largely consist of open campsites in variously disturbed contexts, along with scarred trees.

Peinted and drawn rock ert sites dominate the recorded evidence that has been located to date south of the Georges River. The distribution of these types of sites necessarily reletes to the presence of suitable exposures of sandstone surfeces and overhangs.

On the basis of previous archeeological survey in the general area end the lendform contained within the study eree, the types of sites which might be expected to occur on the study aree in undisturbed erees would include open camp sites end scerred trees.

Survey Results

The survey was conducted in consultation with the Gandangara Local Aboriginal Land Council [GLALC]. Mr Jamie Thomas, the Land Council Sites Officer assisted in the survey and has been commissioned to prepare a report on the GLALC'c interest in the land [sea Attachment 1].

Mr Ernest Dupre, of Benedict Sand and Gravel, essisted in identification of site bounderies, information on land use history and aeriel pbotography.

The survey covered the entire Lot and concentrated on ereas subject to leest prior disturbance. The survey noted that over 90% of the Lot has been subject to past land use disturbenca inclusive of deep sand mining, top soil removal and land fill. The westem, southern and perts of tha eestem perimeter of the site contains built up road surfaces to gain access to a series of settling ponds and fill areas. Any surface Aboriginal site as may have been located in these areas would not heve survived such activities. None of these lands retain erchaeological potential for buried undisturbed land surfaces or subsurface potentially artefact bearing deposits.

A narrow strip of Georges River foreshore [see Figure 5] marks the eastern boundary of sand dredging. A number of older trees ere located in this erea. None shows signs of scarring which could be escribed an Aboriginel origin. Inspaction of the river benks elong this strip showed flood scoured bank sections and sections of introduced stone rubble and concrete fill. No undisturbed sections were noted. The likelihood of Aboriginal sites surviving past flood action end bank stebilisation works is minimal.

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Conclusions and Recommendations

No Aboriginal archaeological sites ara located on Lot 1 in DP 515738, Newbridge Road, Moorebank. The past land use disturbancas and major subsurface disruption on tha Lot indicate thare is littla or no likelihood that buried deposits, not visible during tha archaeological survay, would retain undisturbed or significant Aboriginal sites.

It is recommended that:

1. No further Aboriginal archaeological assessment is warranted or required for Lot 1 in DP 515738.

2. Copies of this report should be forwarded to the Manager, Department of Environment and Conservation, Central Aboriginal Cultural Heritage Unit:

Tha Manager,
C/o Dr Katherine Pryzwolnik
Cantral Aboriginal Cultural Heritage Unit
Departmant of Environment and Conservation
P.O. Box 1967
Hurstville NSW 2220

3. A copy of this raport should be forwarded to the Gandangara Local Aboriginal Land Council:

The Chairperson,
Gandangara LALC
P.O. Box 1038
Livarpool Business Cantre
Liverpool NSW 1871

Yours sincarely,

Mary Dallas.

Mary Dallas
Mary Dallas Consulting Archaeologists

1.10.04

MARY DALLAS BA(HONS) SYD UNI•MACCA•31 WATERVIEW ST. BALMAIN NSW 2041•TEL (02) 9818 3287•FAX (02) 9818 4574
mdallas@intercoast.com.au

References

Bannerman, S.M. & Hazelton, P.A. 1990 Soil Landscapes of the Penrith 1:100,000 Sheet. Soil Conservetion Service of NSW.

Boot, P. 1990. Archaeological Survey of Proposed Defence Housing Authority Subdivision at Holsworthy, NSW. Report to Kinhill Engineers.

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Dallas, M. 1998a. Arohaeological Survey at Holsworthy Kakoda Ovels. Report to Fitzwelter & Associates on behelf of Department of Defence.

Delles, M. 1998b. Archaeological Survey et Holsworthy Yulong Ovals. Report to Fitzwalter & Associetes on behalf of Department of Defence.

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Koettig, M.K. & Hughes, P.J. 1983. An Archaeological Survey of the Route of the Proposed Rail Link between East Hills and Glenfield.

McDonald, J.J. 1996. Archeenlogical Survey for Prehistoric Sites at Voyager Point, NSW. Report Prepared for Delfin Menagement Services Pty Ltd.

Navin Officer Heritage Consultants 1997. Aboriginal Cultural Heritage. Proposel for a Second Sydney Airport at Badgerys Creek or Holsworthy

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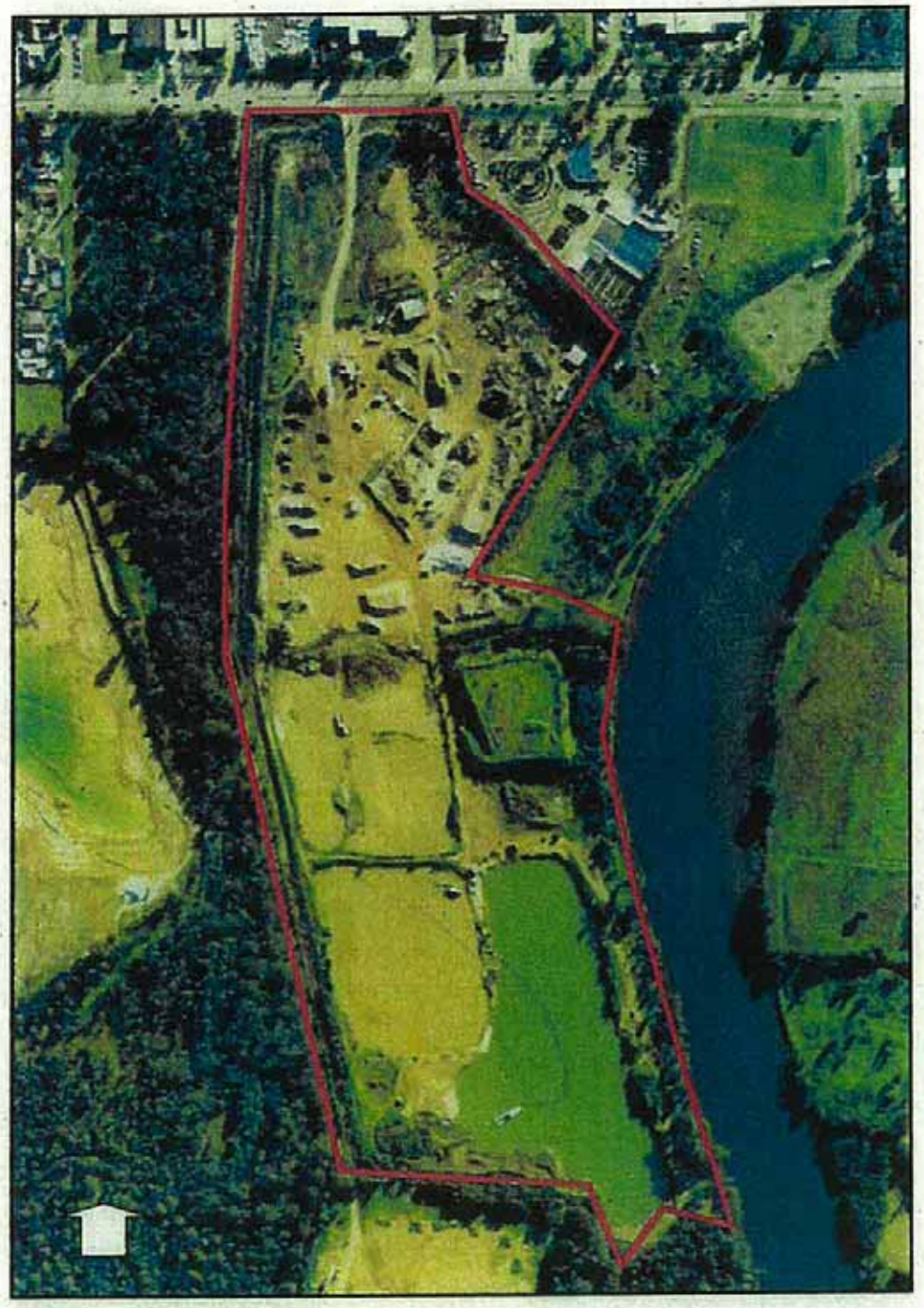

Figure 1: Lot 1 in DP 515738

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Figure 2 : Northern portion of sites showing weighbridge, office and car park

Figure 3 : View to south on eastern side of land showing sand stock piles and settling pond

Figure 4 : Cut drain along western boundary

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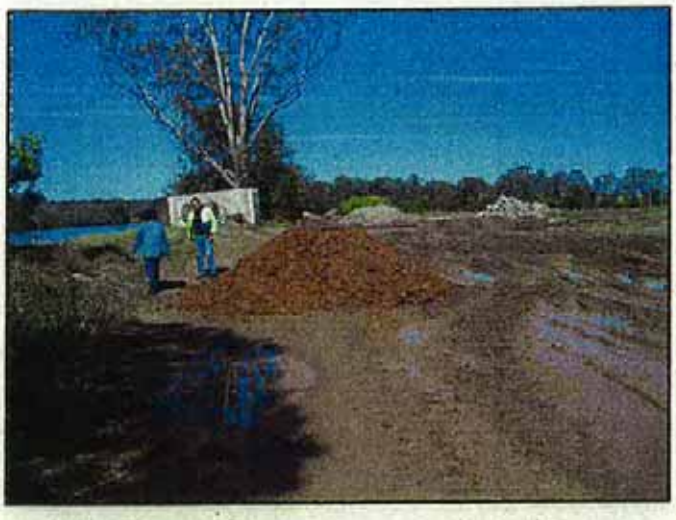

Figure 5 : Filled sand excavation areas and stock piles along adge of Georgas River

Figure 6: Perimeter road in western portion of Lot, adjacent to cut drain and settling pond

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ATTACHMENT 1 : GANOANGARA LOCAL ABORIGINAL LAND COUNCIL

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GANDANGARA
local aboriginal land council

Our commitment is to serve the Aboriginal and Torres Strait Islander peoples and the broader community with our expertise in cultural, economic, social and spiritual services in order to achieve a better future for Indigenous Australians.

RECEIVED
14 DEC 2004

Mary Dallas
31 Waterview St
Balmain NSW 2041

Re: Aboriginal Assessment of Benedict Sand & Gravel Newbridge Rd Moorebank.

I wish to submit comment on the above mentioned survey in September 2004.

As per our discussion on sites. The study area has been highly disturbed with previous land clearing and the removal of all topsoil over the study area. The Gandangara LALC believe that the potential of any Cultural material present in the study area is low and have no objections to any development over the study area.

If you wish to discuss this matter further please call Jamie on 0413737208

Thank you

Jamie Thomas
Sites Officer
Gandangara LALC

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